

0009

**BOX:**

372

**FOLDER:**

3482

**DESCRIPTION:**

Branigan, William

**DATE:**

11/29/89



3482

0010

A. Knief  
Luis Knief  
officer Young

# THE PEOPLE

2025-35 *W. W. W.*

Grand Larceny, 1st degree. [Sections 528, 531, — Penal Code].

William Brangton

JOHN R. FELLOWS,

*District Attorney.*

9<sup>th</sup> West

# A True Bill.

Our little

*Foreman.*

Part III December 9/89

Pleads - Pet's Kärney!

Len 11 ms.

2

POOR QUALITY  
ORIGINAL

0011

Police Court—2<sup>nd</sup> District.

Affidavit—Larceny.

City and County } ss.  
of New York,

of No. 1111 1<sup>st</sup> Avenue Street, aged 38 years,  
occupation Liquor-dealer being duly sworn

deposes and says, that on the 26<sup>th</sup> day of November 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property viz:

One Gold Watch and  
Gold - Plated Chain  
attached of the value  
of Eighty-five or for Dollars  
(\$65.00)  
the property of deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by William Brannigan

(now here) for the reason that said  
property was in a pocket of a vest  
which was in a room in said  
premises and deponent is informed  
by Lizzie Turner, deponent's wife,  
that she saw said defendant  
in said room and immediately  
after said defendant's departure  
from said room she said Lizzie  
crossed said property.  
deponent further says that  
he is informed by Officer Jacob M.  
Young of the 257 Police Precinct  
that he Young arrested said defendant

188

Police Justice.

POOR QUALITY  
ORIGINAL

0012

on East 60<sup>th</sup> Street and said  
defendant told him, Young, where  
said property was, and said  
he, Young, accompanied by said  
defendant found said property  
in the place as indicated by  
said defendant.

Defendant therefore charges  
said William F. Ferguson with  
having committed the said  
larceny and asks that he may  
be dealt with as the law  
may direct.

Sworn to before me this  
26 day of November 1889

Henry Brunner

Police Justice

Henry Brunner



POOR QUALITY  
ORIGINAL

0013

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 33 years, occupation

the 25<sup>th</sup> Police Recruit Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

and that the facts stated therein on information of deponent are true of deponents own  
knowledge.

Sworn to before me, this 26<sup>th</sup>  
day of November 1839

Jacob M. Young

Henry Murray  
Police Justice.

POOR QUALITY  
ORIGINAL

00 14

Sec. 198—200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William Brannigan* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is h *right* to  
make a statement in relation to the charge against h *h*; that the statement is designed to  
enable h *h* if he see fit to answer the charge and explain the facts alleged against h *h*  
that he is at liberty to waive making a statement, and that h *h* waiver cannot be used  
against h *h* on the trial.

Question. What is your name.

Answer.

*William Brannigan*

Question. How old are you?

Answer.

*20 years*

Question. Where were you born?

Answer.

*New York City*

Question. Where do you live, and how long have you resided there?

Answer.

*W-351 East 56 Street About 2 1/2 years*

Question. What is your business or profession?

Answer.

*Father*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*I am not guilty*

*William Brannigan*

Taken before me this

day of *Nov* 188*7*

Police Justice.

POOR QUALITY  
ORIGINAL

0015

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court 4 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Reuben H. Hersh  
H. Hersh  
Offence \_\_\_\_\_  
Felony

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Dated Nov 26 188 \_\_\_\_\_

Magistrate \_\_\_\_\_

Officer \_\_\_\_\_

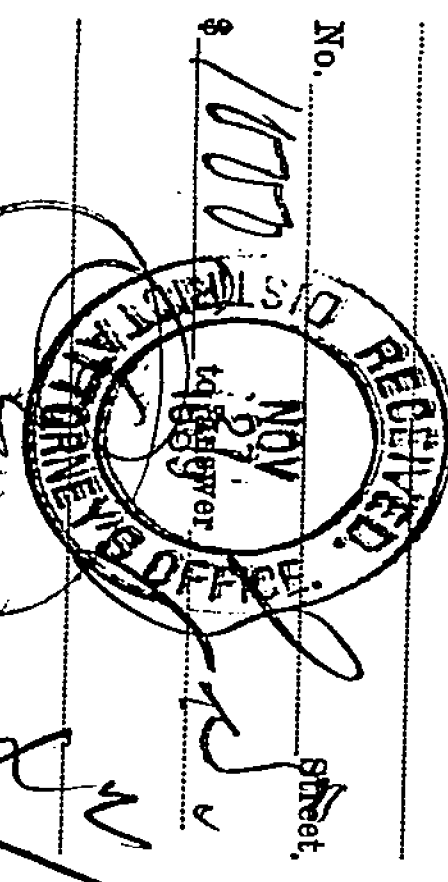
Witnesses \_\_\_\_\_ Precinct \_\_\_\_\_

No. 1111 \_\_\_\_\_ Street \_\_\_\_\_

Street Mr. Hersh

25- Recusely Street

No. 1070 \_\_\_\_\_ Street \_\_\_\_\_



It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Ten Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated Nov 26 188 \_\_\_\_\_ Police Justice.

I have admitted the above-named \_\_\_\_\_ to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned, I order he to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0016

District Attorney's Office.

PEOPLE

vs.

Mr. Bramigan  
Larceny  
Henry Knief  
1111 - 1 ave  
Lizzie Knief  
1111 - 1 ave  
Off Jacob Young  
28 Preck

~~Grand Jury Room~~

Part 3.

PEOPLE

vs.

Mr. Bramigan  
Q. L.  
Dec. 9/89  
All served  
personally  
Dec. 4/89  
J. H. P.



POOR QUALITY  
ORIGINAL

0017

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*William Branigan*

The Grand Jury of the City and County of New York, by this indictment, accuse

*William Branigan*

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said

*William Branigan*

late of the City of New York, in the County of New York aforesaid, on the *twenty-sixth* day of *November* in the year of our Lord one thousand eight hundred and *eighty-nine*, at the City and County aforesaid, with force and arms,

*one watch of the value of sixty dollars, and one chain of the value of five dollars*

of the goods, chattels and personal property of one

*Henry Knief*

then and there being found, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

*John R. Fellows*  
*District Attorney*

00 18

**BOX:**

372

**FOLDER:**

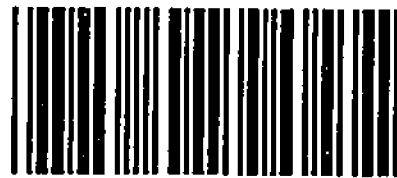
3482

**DESCRIPTION:**

Breen, Sarah

**DATE:**

11/11/89



3482

POOR QUALITY  
ORIGINAL

0019

Witnesses:

Mary McDonald

Chas A. Risch

The Sept has  
already been  
paid for livery

H.

Counsel,

Filed

1889

Pleads,

THE PEOPLE

vs.

Sarah Breen

Grand Larceny, second Degree.  
(From the Person.)  
[Sections 528, 588, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Andrew Little

Foreman.

George J. Little  
V. Breen & Co. Larceny  
14th Nov 1889  
John 15/89

POOR QUALITY  
ORIGINAL

0020

Police Court—3<sup>rd</sup> District.

Affidavit—Larceny.

City and County } ss.  
of New York,

Mary McDonald  
of No. 1455 Avenue A. Street, aged 36 years,  
occupation Keeping house being duly sworn  
deposes and says, that on the 6<sup>th</sup> day of November 1899 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

One Pocketbook and good & lawful  
Money of the amount & value of  
three dollars & ninety one cents  
worth in all three dollars & ninety one cents

the property of deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Sarah Green, now here, for the  
reason following to wit: Deponent  
was in C. Rideup & son's Store 42 3rd Street  
and had the said property in her dresspocket,  
said dress being then worn on deponent's  
person. Deponent's attention was called  
to look if she does not miss anything,  
she looked & examined her pocket &  
missed the pocketbook with the contents  
aforsaid. Deponent is informed by  
Robert Morrison, special officer in said  
Establishment, now here present, that he  
saw the said defendant take and carry  
away the said property, defendant being armed  
and when searched the said pocketbook was

of  
Sworn to before me, this  
Police Justice.



POOR QUALITY  
ORIGINAL

0021

found in her possession, wherefore deponent  
prays, that the defendant be held out deals  
with as the law in such cases made and  
provided, or as directed.

Suorato before me  
this 6<sup>th</sup> day of November 1889

Police Justice

Mrs Mary Macdonald

POOR QUALITY  
ORIGINAL

0022

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Robert Morrison*  
aged *46* years, occupation *Special Officer* of No.

*#309 Grand* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Mary McDonald*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this *6<sup>th</sup>* } *Robert Morrison*  
day of *November* 188*9* }  
*J. G. Deffy*  
Police Justice.

POOR QUALITY  
ORIGINAL

0023

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Sarah Breen being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is her right to  
make a statement in relation to the charge against her; that the statement is designed to  
enable h er if he see fit to answer the charge and explain the facts alleged against h er  
that She is at liberty to waive making a statement, and that h er waiver cannot be used  
against h er on the trial.

Question. What is your name?

Answer. Sarah Breen

Question. How old are you?

Answer. 40 years

Question. Where were you born?

Answer. Ireland

Question. Where do you live, and how long have you resided there?

Answer. 2234 Mariner Street, one week

Question. What is your business or profession?

Answer. Washing & Ironing

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

Taken before me this

day of

March 1894  
J. J. [Signature]  
Police Justice.

POOR QUALITY  
ORIGINAL

0024

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court...

District.

11/6/50

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Mary McDonald  
1453 Ave. D.

Joseph Green

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence

Larceny  
from the person

Dated

November 6<sup>th</sup> 1889

Residence

Bluffy

Magistrate.

No. 3, by

W. C. Lively

Officer.

Residence

11

Precinct.

Witnesses

Charles Woods

No. 3, by

W. C. Lively

Officer.

Residence

11

Precinct.

No. 3, by

W. C. Lively

Officer.

Residence

11

Precinct.

No. 3, by

W. C. Lively

Officer.

Residence

11

Precinct.

No. 3, by

W. C. Lively

Officer.

Residence

11

Precinct.

No. 3, by

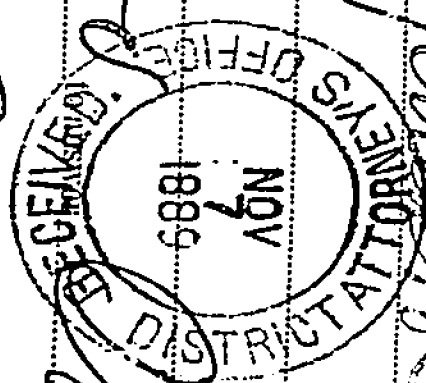
W. C. Lively

Officer.

Residence

11

Precinct.



It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named \_\_\_\_\_

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \_\_\_\_\_ Hundred Dollars, \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated November 6<sup>th</sup> 1889 \_\_\_\_\_ Police Justice.

I have admitted the above-named \_\_\_\_\_ to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned. I order he to be discharged.

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.



POOR QUALITY  
ORIGINAL

0025

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Sarah Green*

The Grand Jury of the City and County of New York, by this indictment, accuse

*Sarah Green*

of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said

*Sarah Green*

late of the City of New York, in the County of New York aforesaid, on the *sixth* day of *November* in the year of our Lord one thousand eight hundred and eighty-*nine*, in the *day* time of the said day, at the City and County aforesaid, with force and arms,

*one* promissory note for the payment of money of the kind commonly called United States Treasury Notes, of the denomination and value of *two* dollars; *one* promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *two* dollars; *one* United States Gold Certificate, of the denomination and value of *two* dollars; *one* United States Silver Certificate, of the denomination and value of *two* dollars;

*two* promissory notes for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of *one* dollar each; *two* promissory notes for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *one* dollar each; *two* United States Gold Certificates, of the denomination and value of *one* dollar each; *two* United States Silver Certificates, of the denomination and value of *one* dollar each;

and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown of the value of *two* dollars and ninety one cents, and one pocketbook of the value of twenty-five cents

of the goods, chattels and personal property of one *Mary McDonald* on the person of the said *Mary McDonald* then and there being found, from the person of the said *Mary McDonald* then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*John R. Fellows,*  
*District Attorney.*

0026

**BOX:**

372

**FOLDER:**

3482

**DESCRIPTION:**

Breheny, Thomas

**DATE:**

11/21/89



3482

POOR QUALITY  
ORIGINAL

0027

Witnesses:

affear McCoy

Counsel,

Filed

day of

188

Pleas,

THE PEOPLE

vs.

VIOLATION OF EXCISE LAW.  
(Selling without license.)  
[III, R. S. (7th Ed.) page 1881, § 18, and  
of 1888, Chap. 340, § 6].

Thomas Breheny

John R. Fellows

JOHN R. FELLOWS,

Counsel by

District Attorney.

March 11/90

A True Bill.

John R. Fellows

Foreman.

John R. Fellows

John R. Fellows

POOR QUALITY  
ORIGINAL

0028

Excise Violation—Selling Without License.

POLICE COURT—

3 DISTRICT.

City and County  
of New York, ss.

of No.

of the City of

New York, being duly sworn, deposes and says, that on the

of

No.

November 9, 1889, in the City of New York, in the County of New York, at  
No. 29 Morgan Street,  
Thomas Brennan (now here)

did then and THERESELL, CAUSE, suffer and permit to be sold, under his direction and authority, strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be drunk in the house or premises aforesaid WITHOUT HAVING A PROPER LICENSE THEREFOR contrary to and in violation of the statute in such case made and provided.

Deponent saw a man purchase a drink of beer and pay for the same, the defendant being present at the time.

WHEREFORE, deponent prays that said Thomas Brennan may be arrested and dealt with according to law.

Sworn to before me, this 13 day

of

November 9, 1889

and C. M. Police Justice.

Joseph M. Coy

POOR QUALITY  
ORIGINAL

0029

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

3 District Police Court.

*Thomas Brekany* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live, and how long have you resided there?

Answer.

Question. What is your business or profession?

Answer.

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

*I am not guilty - and if held I demand a trial by jury.*

*Thomas Brekany*

Taken before me this 12<sup>th</sup> day of November 1888

*See 8<sup>th</sup> Ave S*

Police Justice.



POOR QUALITY  
ORIGINAL

0030

BAILED

No. 1, by *[Signature]*  
Residence *[Signature]*  
Street *[Signature]*

No. 2, by *[Signature]*  
Residence *[Signature]*  
Street *[Signature]*

No. 3, by *[Signature]*  
Residence *[Signature]*  
Street *[Signature]*

No. 4, by *[Signature]*  
Residence *[Signature]*  
Street *[Signature]*

Police Court  
District

THE PEOPLE  
ON THE COMPLAINT OF  
*[Signature]*  
vs.  
*[Signature]*  
Offence *[Signature]*

Sent to the Court of Special Sessions for trial, by request of Counsel for Defendant.

Dated *[Signature]* 1889

Magistrate  
*[Signature]*  
Officer  
*[Signature]*

Witnesses  
No. *[Signature]* Street *[Signature]*  
No. *[Signature]* Street *[Signature]*  
No. *[Signature]* Street *[Signature]*

TO ANSWER  
*[Signature]*  
Street *[Signature]*

NOV 18 1889  
CLERK'S OFFICE

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

*[Signature]*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *One* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *[Signature]* 1889 *[Signature]* Police Justice.

I have admitted the above-named *[Signature]*  
to bail to answer by the undertaking hereto annexed.

Dated *[Signature]* 1889 *[Signature]* Police Justice.

There being no sufficient cause to believe the within named  
guilty of the offence within mentioned. I order he to be discharged.

Dated *[Signature]* 1889 *[Signature]* Police Justice.

POOR QUALITY  
ORIGINAL

0031

**Court of General Sessions of the Peace,**  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
AGAINST

*Thomas Breheny*

(III. Revised  
Statutes, [7th  
edition] p. 1681  
Section 18).

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Thomas Breheny*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES  
WITHOUT A LICENSE, committed as follows:

The said

*Thomas Breheny*

late of the City of New York, in the County of New York aforesaid, on the  
day of *November* in the year of our Lord one thousand *fourteenth*  
eighty-*nine*, at the City and County aforesaid, certain strong and spirituous  
liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one  
gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,  
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong  
and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in  
quantity less than five gallons at a time, to

*Joseph McCoy and to*  
certain *other* persons whose names are to the Grand Jury aforesaid unknown, without  
having a license therefor, as required by law, contrary to the form of the Statute in such case  
made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1883, chapter 340 sec-  
tion 5)

SECOND COUNT—  
And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Thomas Breheny*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND  
BEER WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said

*Thomas Breheny*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, and at the premises there situate, known as  
number *Twenty-nine Monroe Street*

certain strong and spirituous liquors, and certain ales, wines and beer, to wit: one gill of  
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of  
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of  
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury  
aforesaid unknown, unlawfully did sell to

*Joseph McCoy and to*  
certain *other* persons whose names are to the Grand Jury aforesaid unknown, to be  
drank upon the premises aforesaid, without having a license therefor, as required by law,  
against the form of the Statute in such case made and provided, and against the peace of  
the People of the State of New York and their dignity.

POOR QUALITY  
ORIGINAL

0032

(Laws of 1883,  
chapter 840 sec-  
tion 5.)

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Thomas Breheny*  
of the CRIME OF GIVING AWAY STRONG AND SPIRITUOUS LIQUORS, ALES,  
WINE AND BEER WITHOUT A LICENSE, to be drank upon the premises, committed  
as follows:

The said

*Thomas Breheny*  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, and at the premises there situate, known as  
number *twenty-nine Monroe Street*

certain strong and spirituous liquors, and certain ales, wine and beer, to wit: one gill of  
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of  
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of  
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury  
aforesaid unknown, unlawfully did give away to

*5*  
certain persons whose names are to the Grand Jury aforesaid unknown, to be  
drank upon the premises aforesaid, without having a license therefor, as required by law,  
against the form of the Statute in such case made and provided, and against the peace of  
the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0033

**BOX:**

372

**FOLDER:**

3482

**DESCRIPTION:**

Brown, Alexander

**DATE:**

11/22/89



3482

POOR QUALITY  
ORIGINAL

0034

deft. known as "Nigger  
Baker"

Witnesses:

Magdalena Pannam

Wheat Cottrell

deft is a man of

bad character. I have

been before since.

From information received

from Bro. Barnes

I am doubtful if

deft. is the person

who committed this

crime. R.B.M.

Counsel,  
Filed *Dec 10* 1889  
Pleads, *Chitgully*

THE PEOPLE  
vs.  
Grand Larceny in the  
Degree.  
(From the Person.)  
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Alexander Brown

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*W. J. Little*

*July 26/90*

*Spec. of Counselors of*

*City of 2nd day*

*at 10:00 AM*

*for the purpose of*



POOR QUALITY  
ORIGINAL

0035

2 DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF

Magdalene Baumer  
agst.  
Alexandre Brown

Examination had Nov 15 1889  
Before John J. Forman Police Justice.

I, W. L. Ormoy Stenographer of the 2 District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of  
the original Stenographer's notes of the testimony of Magdalene Baumer

as taken by me on the above examination before said Justice.

Dated Nov 17 1889

W. L. Ormoy  
Stenographer.

Police Justice.

Police Court  
Second Dist

The People &c  
Magdalena Bannan  
Abraham Brown  
Examination Before Justice Gorman  
Nov 15 1889

For the Defendant - du Freund.

Magdalena Bannan the complaining  
witness being cross examined by  
du Freund, deposes and says:-  
I live at 228 East 32nd St  
I am a married woman. My  
husband is here.

Q You say you were on the platform  
of the elevated RR on Oct 11

A Yes sir

Q Where was that?

A Second Avenue RR.

Q Where had you come from?

A I was in No 300 Grand  
st at Mr Carls.

Q What is his business?

POOR QUALITY  
ORIGINAL

0037

A Woven goods

Q Do you know his first name?

A George Carl

Q What time did you leave there?

A Nearly 6 o'clock

Q Were you alone?

A There were three other ladies with me.

Q Who were they?

A One was Mrs. Benjamin  
one was Mrs. Marm who  
lives at 8 Halsey St. Brooklyn

Q Who was the third?

A She lives in 42nd St. I  
can't remember her name

Q All friends

A Yes.

Q Was Mrs. Benjamin an old friend?

A I know her by meeting her  
at Mr. Carl's

Q And you don't know where  
she lives?

A No; I can't think of it now

2 What corner was it on?

A Cor. of Grand and Allen.

2 You had not got on board  
the car?

A I was on the car. Mrs.  
Benjamin had paid my  
fare and when I got to  
the platform I paid my  
fare to her.

2 You pulled out your pocket  
book?

A Yes. and paid Mrs Benjamin

2 What did you do then?

A I put my pocket book in  
his pocket.

2 What kind of a pocket?

A In my dress pocket.

2 Do you know how much  
was in your pocket book?

A Four dollars in bills and  
a little change.

2 When had you seen your  
money last?

A Just when I put it in  
my pocket.

Q You just took out five cents?

A Yes

Q You did not count your money then?

A No.

Q Then you don't know how much you had?

A Yes

Q You believe you had \$4?

A I believe it; I know it. I know how much money I have. I put it in my dress pocket

Q Did you have a coat on?

A A short jacket or else he would not have got it

Q Who?

A That man (Defendant)

Q How many people were on the platform?

A A great many! I cannot tell exactly. The platform was crowded.

Q What occurred then?

Q/A I wanted to go in the car, I



2 felt something on my pocket.  
2 where?

A Right here. I looked around  
and saw this man. He  
said "Go on" and then I  
felt in my pocket book  
and found that my pocket  
book was gone.

2 You felt something on the  
pocket of your dress?

A Right here on my pocket.

2 You felt something on the  
pocket of your dress?

A On the pocket of my dress.  
I felt that somebody was  
at my pocket. I did not  
feel any hands.

2 You felt something on the  
back of your dress.

A Yes. I turned around. I  
think he said "Go on".

2 You went on the car?

A Just about stepping on the car.

2 What occurred then?

4 A When he said that I turned

this way. I said "you have  
got my pocket book" and  
I grabbed him by the arm.

2 You ~~have~~ found your pocket  
book?

A Yes; but I was not in  
the place where it was  
found. I had not been  
there before.

2 Your pocket book was found  
on the floor of the platform?

A Yes. That was afterwards.  
He had dragged away. It  
was not there when I went  
there. I held on to him.

2 You grabbed him?

A I grabbed him. He was  
right behind me. He had  
his hand on my pocket.

2 How do you know?

A I saw him of course.

2 What you mean to say is  
that you turned around and  
grabbed the first person  
you saw in front of you?

A Yes. Just when I felt it.  
I saw my Rocketbook was  
gone, and I went and grabbed  
him.

2 Was he off or on the car?

A He just wanted to get  
on; to step on after me.

2 Was he on the car or  
the platform?

A He just wanted to get  
on the car, but he  
did not get on. He  
tried to get on. I felt  
my Rocket pocket. I  
turned around and grabbed  
him.

2 You felt something at your  
Rocket?

A Yes.

2 You turned around and  
grabbed some one?

A- Yes. He turned around.  
I grabbed this some one  
who was right at my Rocket  
at my back.

2 You had not seen him  
do it?

A I had seen him when  
he was at my back

2 You turned around and  
grabbed a man who  
was behind you? You

A did not see him at  
your back?

A I did not see him  
but I felt it.

2 When you grabbed this  
man you could not swear  
that he was the man who  
had your pocket book?

A I was sure. If I was  
not sure I would not  
have grabbed him at the  
time

2 You did not see him

A I saw him behind me.

I grabbed him I said

"You have got my pocket  
book" He said "No" I

7 said "You have got my pocket

book unless you gave it to  
somebody; but you are the  
person who took it." He said  
"You must have your pocket  
book." I felt in my  
pocket ~~for~~ again but I  
knew my pocket book  
was gone.

Q You did not know that  
your pocket book was  
gone?

A I did. You are trying  
to mix me up. He said  
"You must have your  
pocket book." I said "I  
have not got the pocket  
book. I asked if any-  
body would go for a policeman  
for me, and nobody would  
go. He said "I have not  
got it; take your hands  
off."

Q Where it found, where you  
was standing?

A Right behind the box where



I have not been.

Q The platform was crowded

A Yes.

Q Could it not have been taken by some one else?

A No: that could not be. Before the man was taken to the station my pocket book was found behind the box.

Q What did you do then?

A Then I picked up my pocket book. I looked at it. All my money was there. I was too weak for him. He could not give it to somebody else and he could not take anything out.

Q When did this take place?

A The 11th of October

Q What time?

A 6 O'clock

Q No mistake about that?

Q A No

POOR QUALITY  
ORIGINAL

0046

2 You never saw this man before?

A No.

2 When did you see him next? a

A In the Police Court - last week

2 How much time elapsed on the platform between the time you sent the accused stole your pocket book and the time you found your pocket book?

A Five minutes.

2 Were the galemen there?

A Yes.

2 And they did not give you any assistance?

A No.

2 Did you tell the galemen you had been robbed?

A They all knew it; I did not tell them. of course they all saw it.

10 2 Did you tell a soul on

that platform that you had  
been robbed?

A Of course I hollered that  
I had been robbed

Q You hollered aloud?

A Yes sir; of course.

Q And no one came to  
your assistance?

A No sir.

Q You were sent for the other  
day?

A - Some week or two after  
this occurred an officer  
came and asked me if  
I was willing to testify  
against the Defendant. He  
told me the police knew the  
man and he told me that  
the Defendant was a  
notorious thief.

Q Did he tell you his name?

A No. He said the man was  
in the habit of robbing  
poor girls. I did not

11 So at first then I went

to lead quarters. They said  
they led the man and I  
should pick him out. They  
said he was a professional  
thief.

2 What else did they tell  
you about him?

A That is about all! That he  
usually picks out poor  
girls - shop girls to rob  
them of their wages.

2 Have you described everything  
that took place on the platform?

A Yes.

2 After you found your  
pocket book what took  
place.

A I looked to see if my  
money was there. Some  
one asked me if I  
wanted to go against him  
and I said I did not  
want any trouble - I did  
not want to go to court.

12 2 Did you talk to the detective?

POOR QUALITY  
ORIGINAL

0049

A Yes.

Q What did he say?

A He said somebody would  
come to the house. — I  
did not pay much attention.

In Friend — I move that the  
defendant be discharged.

Motion denied.

W. L. Crosby  
Attorney



POOR QUALITY  
ORIGINAL

0050

Police Court—2nd District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

Magdalena Bauman  
of No. 228 East 57th Street, aged 48 years,  
occupation Housekeeper being duly sworn

deposes and says, that on the 11 day of October 1889 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession ~~and~~  
~~person~~ of deponent, in the day time, the following property viz:

One pocket book containing gold and lawful  
money of the United States of the value  
of five dollars

the property of deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Alexander Brown (nowhere)

from the fact that deponent was on the  
platform of the Elevated Station on the  
corner of Grand and Allen Street, when  
deponent had said pocket book in  
the dress pocket of deponent's dress  
they were upon deponent's person  
that while deponent was in the act of  
entering a car she felt a jerk and  
immediately noticed said pocket book,  
and deponent seized hold of said defendant  
who was behind of deponent and accused  
him of having stolen her pocket book  
he denied of having stolen said property  
but deponent held him, and when he

Sworn to before me, this  
day of  
188

Police Justice

POOR QUALITY  
ORIGINAL

0051

my look round for your Pocket book and  
deponent did find the Pocket book near  
the defendants feet. Then then said  
defendant run away

Sworn to before me this } Magdalena Bannerman  
year day of Novr 1889 }  
John Herman  
Police Justice

Dated 1889 Police Justice.

guilty of the offence within mentioned, I order he to be discharged.  
There being no sufficient cause to believe the within named

Dated 1889 Police Justice.

I have admitted the above named  
to bail to answer by the undertaking hereto annexed.

Dated 1889 Police Justice.

of the City of New York, until he give such bail.  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

committed, and that there is sufficient cause to believe the within named  
It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District.

THE PEOPLE, &c.,  
on the complaint of

vs.

1  
2  
3  
4

Offence—LARCENY.

Dated 1889

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street.

No. Street.

No. Street.

No. to answer Sessions.

POOR QUALITY  
ORIGINAL

0052

Sec. 193-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

District Police Court.

Alexander Brown being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is his right to  
make a statement in relation to the charge against him; that the statement is designed to  
enable him if he see fit to answer the charge and explain the facts alleged against him  
that he is at liberty to waive making a statement, and that his waiver cannot be used  
against him on the trial.

Question. What is your name?

Answer. Alexander Brown

Question. How old are you?

Answer. 42 years

Question. Where were you born?

Answer. I decline to answer

Question. Where do you live, and how long have you resided there?

Answer. I decline to answer

Question. What is your business or profession?

Answer. I decline to answer

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer. I decline to answer

Taken before me this 15  
day of March 1889  
John H. Brown  
District Police Justice.



POOR QUALITY  
ORIGINAL

0053

1100 bail for 2  
Nov 8th 1889  
MAY 4 & 2 PM  
COT & 2 PM 1889

BAILED,  
No. 1, by Magdalen DeLamare  
Residence 93 Sturbridge Street  
No. 2, by Cambridge  
Residence \_\_\_\_\_ Street  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street  
The Magistrate presiding  
in this Court, will hear  
and determine the  
justice Case by means  
of my return  
Wm. H. Brown  
Police Justice

Police Court--- 2 District  
1919

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Magdalen DeLamare  
1226 E 52nd St  
Magdalen DeLamare  
Offence Larceny  
Drum person

Dated Nov 9 1889

Magdalen DeLamare Magistrate  
Carlisle St. Paul Officer

Witnesses John St. Paul Precinct

No. 312 East 66 Street

No. 337 Street

No. \_\_\_\_\_ Street



Wm. H. Brown  
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Magdalen DeLamare

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Nov 15 1889 John St. Paul Police Justice.

I have admitted the above-named \_\_\_\_\_ to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned, I order h to be discharged.

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0054

2/89

The People  
vs.  
Alexander Brown.

{ Court of General Sessions, Part I.  
Before Judge Martine.

Tuesday, February 25, 1890.

Indictment for grand larceny.

Magdaline Bauman sworn and examined.

I live 228 East 52nd Street, I was on the elevated railroad station on the corner of Grand and Allen Street on the 11th of October, 1889 about six o'clock in the evening, I was with three other ladies, Mrs. Benjamin who lives in 84th Street, Mrs. Welger of 42nd Street and Mrs. Marinie who lived in Brooklyn, she is not in the city any more, she is out west; we were at the Second Avenue elevated railway station about six o'clock on the uptown side going home. Mrs. Benjamin paid all the ladies fare and on the platform each lady gave her fare; I took out my pocketbook to get my five cents and put it in my pocket again, the pocketbook contained five dollars; all the other ladies went ahead to get on the train and I went alone. As I stepped from the platform into the platform of the car I felt something on my pocket and I turned around and saw one man behind me and he said, "go on", I saw the Defendant and then I spoke to the others and said "somebody took my pocketbook, I felt right away my pocketbook was gone and he was turning just about three steps from me and I grabbed him by his left arm and told him, "you got my pocketbook"; he says, "lady, I have not got your pocketbook"; I says, "you have got my pocketbook"; then he says, "no, I have not got your pocketbook." I said "then you gave it to somebody else, you are the person who took it." We came towards the ticket box and then he says, "you must have your pocketbook." I says,



**POOR QUALITY  
ORIGINAL**

0055

"no, I have not got my pocketbook, you are the person who took it" ; then he was behind the box going out between the gate and the way out"; I asked the people if anybody wants to go for a policeman but nobody wants to go. He said, "lookaround, your pocketbook is on the floor", and then it lay there; the pocketbook was found behind the chopping box on the way going out. I am certain that I had my pocketbook before I turned around to this man, I am quite certain I put it in my pocket when I gave the five cents to the lady. I picked it up and looked for the money to see if it was in and somebody came behind me and said, "do you want to make a charge against that man?" I said no, I did not want to have any trouble; the same money that I had in the pocketbook before was there.

Somebody told me the man had gone down stairs but I did not take any further notice of him. Two weeks after that I was on the same station again and the ticket officer Dolan spoke to me; a nigger said to him, "I believe that is the lady who was robbed the other day." I had a conversation with Dolan and the next I saw of the Defendant was at the Headquarters, it may be two or three weeks after I had the conversation with Dolan, I identified the defendant as the man who took my pocketbook on that night.

Cross Examined. It was shortly before six o'clock when I went upon this elevated station corner of Grand and Allen Streets; there were a great many people on the platform at the time but it was not so crowded. The only man behind me was the defendant; it is not a fact that somebody picked my pocketbook up and gave it to me, I picked it up myself. Before I went to headquarters

**POOR QUALITY  
ORIGINAL**

0056

a gentleman called at my house but I do not know his name, he came into my parlor but it was pretty dark, I guess I could not identify him, I only saw him about two minutes, he told me that he wanted me to go to Police Headquarters; he said to me, "he is a notorious thief and I should go to see if I would identify him. I don't know that the man's name who called on me at my house is Beatty, I don't think he told me that he was an officer employed by the elevated railroad company. He asked me if I was the lady who was robbed in the elevated station and if I would not go against the man who picked the pocket, that he was notorious thief and he generally robs poor girls out of their pocketbooks; maybe he told me his name but I don't remember, I don't remember that he told me he was known as Nigger Baker. I think it was two days after that that the detective came and spoke to me and then I went to Headquarters. Nobody said to me in Headquarters that the man was a notorious thief. I am sure that no description was given to me of this man who was said to be a notorious thief. I was shown no picture at all of the man before I went to Police Headquarters. I may have been told at the Police Court that the Defendant had been arrested and was discharged. The man told me at my house that he knew the man who robbed me but I had never given him a description of him; he asked me about him and I said he was dark and stout and short. When I got my pocketbook on the floor of the elevated station I went right home. I did not report the matter at the Police Station or at the Headquarters, I had given no description of this man to any police officer. I became more interested in this case

8

**POOR QUALITY  
ORIGINAL**

0057

when this gentleman told me that the man who took my pocket-book was in the habit of robbing poor shop girls; if the gentleman were in court maybe I could identify him but it was dark in my parlor that afternoon and I could not be sure; I never had seen the Defendant before the day I lost my pocketbook, I did not find his hand in my pocket, I never saw my pocketbook in his hand, I did not see him pass it to anybody. Did you not swear in the Police Court that he could not have passed it to anybody? No, it was too short a time. Mrs. Benjamin paid the fares of the ladies; at the time I paid my friend the five cents for my fare I was in the middle of the station, near the bench. The bench may be right up against the building, it is near the building. I had been this day to 300 Grand Street to Mrs. Carley's, I had been visiting her. This corner of Grand and Allen Streets is near Ridley's store, it is across the way on the other block, the station is very near Ridley's store.

I was home at six o'clock. I saw you at Jefferson Market the first time and your partner Mr Friend examined me the second time. I was asked what hour this took place and I said on the 11th of October near six o'clock, I do not know what was written down but I said near six o'clock.

I have been at that elevated station before about the same time in the evening and of course a great many shoppers are coming from Ridley's and the other stores in Grand Street about that time and the elevated railroad station is pretty well crowded. When I took hold of the Defendant my lady friends were in the car, it was too late for them to get out to stay with me. There were some other people on the platform when I took hold of the Defendant and there were

**POOR QUALITY  
ORIGINAL**

0058

quite a number of people on the platform when I accused him of taking my pocketbook; after I was behind the ticket box they were crowding around me; this whole transaction took about five minutes, I was excited but I am sure that I saw him when I felt that somebody was on my pocketbook, I looked around and seen him when I felt something and he said, "go on"; I am positive I did not see his hand on my breast, I did not see the pocketbook in his hand, he had his overcoat over his arm. When I say ready, I want you to commence thinking and when you think five minutes has passed say so and we will test the time. (Counsel took out his watch and after an interval the witness said, "maybe it is that time ".)

Counsel: That is just two minutes and a half.

Witness: The minute I felt somebody touch me I turned instantly and felt on my pocket and the pocketbook was gone, the Defendant was three steps away from me and when I turned around he was facing me. I started for the train as quick as I paid my lady friend the fare. I had a short jacket on; when we went up to the station the car was not there but it came soon after and we all started for it. I was robbed once before on the train, I had about five dollars in the pocketbook this day.

Redirect Examination. I do not recollect seeing Dolan, the station man there that night and I did not give my address to anybody then but two weeks after Dolan spoke to me and I gave him my address and it was after that that the man whom I cannot recognize came to my house. The detective came the other day to take me to Police Headquarters. There was no man behind the Defendant at the time of the robbery.



**POOR QUALITY  
ORIGINAL**

0059

John Dolan sworn and examined.

I am a gate-man on the elevated road and in October last was stationed corner of Grand and Allen Streets on the uptown side, I was on duty at that station upon the night of the 11th of October, 1889, I got there at three P.M. and am relieved from duty at 12.54, I was on duty there between five and six o'clock, I saw the Complainant at that station and the Defendant at that time, I was standing at the box and I heard a voice halloo, "give me my pocketbook", and I looked around at the left hand side and the Complainant had hold of the Defendant by the right arm; she says, "you got my pocketbook, I want you to give it to me"; he did not pay any attention, he did not speak, he went on towards the end of the gate and the porter had that gate closed; he turned back when he could not go down, he was halloeing George somebody, I don't know who it was that he meant, making believe that he was running after somebody as I thought. She held on to him and he came back near where I stood, she demanded her pocketbook again; he said he had not got her pocketbook, that she was making a great mistake, he said, "look around for your pocketbook", moving out of the spot where he stood, and she did look around and it was right there over from his left foot; she held on to him and stooped for the pocketbook and said, "I will have you arrested anyhow." She asked, "is there no one to get a policeman?" There was no one there, I could not leave my canceling box because it was the busy time of day. She wen down stairs to see if she could find a policeman and she could not find any; so he disappeared then and that is the last I seen of him and she rode up on the train,



**POOR QUALITY  
ORIGINAL**

0060

I saw her after that between three weeks and a month at 6.15 in the afternoon, I recognized her passing the box and I called the porter and put him at the box. I says, "Lady, excuse me, I am looking for you now a good while, since the time of that pocketbook case, you are the lady that the pocketbook was taken from"; she says, "yes," I asked her would she be so kind as to give me her name and address and she gave it to me.

Cross Examined. I had never seen the Defendant before that day, I understand there is a Mr. Beatty employed on the elevated railroad, I had never spoken to him before that occurrence of the 11th of October; we have to make reports to let the company know what happens, Mr. Beatty notified me to go down to his office, he is a detective; I talked with him about this case, he showed me a book with pictures in it, he asked me could I pick out the man out of the book that I seen on the platform on the 11th. I looked at the book and I picked out a picture; he said, "that is all right, you can go home"; I was notified a week afterwards to go down to the Headquarters, I was in Headquarters once and in the Tombs once but the case was not called; I don't know anything about the Defendant being discharged at the Tombs. I recognize Mr. Friend the lawyer as having been there and Officer Cottrell spoke to the Judge; I don't think the lady was there, I don't know whether Detective Aluncle was there, I believe there was two detectives but I do not know the second ones name.

I was not examined before the Magistrate but the clerk asked me some questions, I signed no paper, I did not say before the clerk in the Police Court that I was not sure

**POOR QUALITY  
ORIGINAL**

0061

whether the Defendant was on the elevated station that night or not, I positively swear I did not say so. I will ask you again and I want you to be careful, is it not true that you said to the clerk in the Tombs Police Court that you had seen this Defendant on the platform of that station but you could not say whether it was on the night that this lady claimed she lost her pocketbook? I never said any such thing. I did not hear that the Defendant was discharged at the time but Officer Cottrell told me that the case would come up later. I did not afterwards go and drink with Beatty, Cottrell and Mr. Friend, I was not in any liquor store. This occurrence took place at ten minutes past six on the 11th of October; there were a great many people on the platform, I did not notice the Complainant until she had hold of the Defendant, I do not recollect the four ladies passing me because the crowd was going through; when this lady grabbed the Defendant a number of people were crowding around. There is a bench at the lower end of the Station at Ridley's about thirty-five feet from the entrance. This station is the heaviest on the road and at that hour it was the busiest time; the Complainant is mistaken when she says it was before six o'clock; my opinion is that the Complainant boarded the next train -- no, she boarded the third train after the one that she intended to go upon. Is not this photograph that Mr. Beatty showed you something appeared to have been cut out of a paper and pasted on a cardboard?

I did not see any print on it, I saw the picture, it had a derby hat and one of those pea jackets buttoned, it was a large sized photograph, Mr. Beatty showed me the book, not the photograph, and he asked me could I pick the man

**POOR QUALITY  
ORIGINAL**

0062

out of those pictures. I cannot tell whether the Defendant was on the platform before the lady came up or not; I do not remember ever seeing either of them before this occurrence, he was on the uptown station, I don't know whether he went into the street or went on the train afterwards. I cannot say whether there was any name or not upon the photograph, Mr. Beatty was turning the leaves over and he would dwell a little and give me time to look and when he came to this one I said, "that is it", he closed the book and said, "that will do"; I cannot swear that he mentioned the name of Nigger Baker; the name of the porter on the station is Taylor.

Aaron Taylor sworn and examined.

I am porter on the Manhattan Elevated Railroad and stationed at the Second Avenue line corner of Grand and Allen Streets, I was on the uptown side of that station on the night of the 11th of October, 1889, I reported there at half past four o'clock and remained until twenty minutes of six the next morning, I was present on that platform when Mrs. Bauman the complainant was there and made some trouble about losing her pocketbook, the gateman was there also and the party whom she said had her pocketbook, I saw her have hold of this man, the Defendant, she said to him, "you got my pocketbook;" he says, "I have not got your pocketbook"; she said, "you have got my pocketbook"; he says, "leave go, you are making a mistake"; she says, "no, you have got my pocketbook"; he says, "look around and you will see your pocketbook"; I was standing right by him, the crowd assembled around when he said, "look around

**POOR QUALITY  
ORIGINAL**

0063

and you will see your pocketbook"; somebody picked the pocketbook up from the floor, this was about ten minutes past six o'clock.

Cross Examined. I could not tell you who picked it up, there was so many people around, the Complainant did not pick it up. I was at the Police Court and saw the counsel Mr. Friend there but did not speak to him about the case, I did not speak a word to the Clerk, he did not examine me, I don't know whether he examined Mr. Dolan or not, Mr. Beatty was at the Tombs Police Court and at Jefferson Market, I don't know whether the Defendant was discharged at the Tombs Police Court, I have not talked with Mr. Beatty about this case, he asked me if I could identify the man who took the lady's pocketbook, about a week or so after this thing happened I was called and he asked me would I know the party and I told him yes, I would if I saw him. I did not swear to anything in the Court.

The lady lost her pocketbook about ten minutes past six in the evening and there was a very great crowd there, the platform is always crowded from five to six o'clock, I did not see the Defendant when he came on the platform but I saw him when he tried to leave, he went down stairs after she got her pocketbook; when the Complainant went down to get a policeman he remained on the station but when she got on the stairs he went down stairs behind her and I never saw him any more until after h was arrested, he went to try to get away as quick as he could.

**POOR QUALITY  
ORIGINAL**

0064

John Cottrell sworn and examined.

I am attached to the central office of the municipal police and arrested the Defendant, I arrested him the last time on the night of the 5th of November, the night after election, I found a letter in my box ordering me to go out and see if I could find him and arrested him and another person named Bellinger, the Defendant's name is Baker but he is here under the name of Brown, I arrested him at Second Avenue and First Street and brought him to Headquarters and locked him up; I went up that evening and notified Mrs. Bauman to be at Headquarters, at least I met her husband at the door and notified him to send his wife to the Police Headquarters, I was present when she arrived at Headquarters, she identified the Defendant as the man who had robbed her on the elevated station at Allen and Grand Streets on the 11th of October.

Magdalene Bauman recalled by District Attorney.

You were examined here at some length this morning as to what took place from the time you picked up your pocketbook until you got on board the train, I believe you testified if my memory serves me right, that you picked up your pocketbook and took the car and went home; what occurred between the time, give it to us with great particularity, what you did, where you went and all about it from the time you picked up the pocketbook until you got on the train, if you went away from there, if you went off the station platform and what door you took, as deliberately as you can?

Objected to on the ground that it is not in the line



**POOR QUALITY  
ORIGINAL**

0065

of rebuttal.

The Court: If this witness desires to make any correction I will give her an opportunity to do so.

Counsel: Note our exception.

By the Court. Q. If there is anything you want to supply, anything that was omitted when you testified before, you can now state it: I took my pocketbook and looked if everything was all right and then I went to the gate where we usually go out; in my excitement I went down stairs half the way and my dress got caught in the railing and then I thought I would have to go back when I wanted to go home. I got my dress loose and said, "have I got to pay again?" I paid my fare again and went home, the train was right there and I went home. I picked the pocketbook up myself, I heard the testimony of the porter who said that he picked it up, it may be that he did, but I think I picked it up myself, it was lying right at the Defendant's feet.

District Attorney: That is the case for the People.

The Case for the Defence.

Counsel: I ask the Court to advise the Jury to acquit the Defendant on the ground that the People have failed to show that any larceny has been committed; there is no evidence on the part of the People that this Defendant's hand was ever in this lady's pocket and there is no evidence on the part of the People that this pocketbook which is sought to be made the subject matter of this larceny was ever in the possession of this Defendant.

The Court: I think there is enough to go to this Jury.

Counsel for the Defendant excepted to the ruling of the Court.

**POOR QUALITY  
ORIGINAL**

0066

Emmanuel M. Friend sworn and examined.

I am an attorney and counsellor at law and have been practicing at the bar of this city about nine years, I know the Defendant and am one of his counsel, I defended him at both examinations, I was present at the Tombs Police Court the first time that this Defendant was arrested in this matter, he was brought before Justice O'Reilly and if I am not mistaken the clerk was Mr. Laskey. Please state if you can who were at the Tombs Police Court at the time to which I have called your attention? Besides the attach-ees of the Court, the Judges and clerks and audience there were present at the time Mr. Beatty I think his name is, an attachee of the Metropolitan Railroad Company, the last witness upon the stand, that colored gentleman, the previ-ous witness to him Dolan, if that is his name, the Defend-ant Baker and another defendant by the name of Bellinger, Officers Cottrell and Alunckle and myself. I want you to state what the proceedings were in which this colored gentleman, Dolan the ticket-chopper, and the other repre-sentatives of the elevated railroad and the officers and yourself took part relative to this defendant on this charge? I arrived at the Tombs Police Court. Was this complainant Mrs. Bauman there? No sir, she was not;; there was no lady's name mentioned at that time in connection with the case at all, a lady was mentioned but no name was mentioned. What charge at that time was preferred against this Defendant? They could not prefer any charge in view of the fact that at the time that the clerk was about taking the complaint against this Defendant and his co-defendant, he examined the witness Taylor and the ticket

**POOR QUALITY  
ORIGINAL**

0067

chopper Dolan, for the purpose of taking a complaint of assault with intent to steal upon an unknown woman. Taylor and Dolan were both there at the clerk's desk in reference to one man Bellinger; they could not identify him at all as ever having met him or seeing him; in reference to this defendant they both told the clerk that they remember having seen him upon the platform of the elevated railroad station. When questioned further by the clerk whether they could testify that he was upon the platform on the day that this alleged assault took place upon the unknown woman, they could not be positive whether they saw this man there at that time or not and the consequence was that the Justice would not entertain a complaint against either one of the two men and discharged both of them ---- they could not even draw a complaint.

John Cottrell recalled by Counsel for the Defendant.

I heard Mr. Friend's testimony, I remember the time when the Defendant and Bellinger were arraigned before Justice O'Reilly at the Tombs Police Court and that was the first commencement of this case, I made the arrest of the Defendant at that time. As matter of fact did not the arrest grow out of a complaint that had been made that this lady had lost her pocketbook on the 11th of October?

Yes, but we could not find her. You took the Defendant to the Tombs Police Court was it not for the purpose of making a complaint of committing an assault? Yes, but we could not find the woman; the complaint was not entertained against him or the other defendant and they were discharged. I remember the colored gentleman, Dolan, Beatty and Mr. Friend were at the Tombs Police Court; the

**POOR QUALITY  
ORIGINAL**

0068

complaint that I desired to make against the Defendant was for committing an assault upon an unknown person at that station but no complaint was taken and he was discharged for the reason that Mrs. Bauman was not there. I have been a police officer fifteen years; I had a conversation with the Police Justice, my partner Mr. Alunckle was along side of Mr. Friend I think, down where the clerk was and whatever transpired between Taylor and Dolan and the clerk Mr. Alunckle knows more about than I do, I was talking to Justice O'Reilly. Do you know where we can find Mr. Alunckle? You can't find him to-day, he is very busy.

The Jury rendered a verdict of guilty of grand larceny in the second degree.

POOR QUALITY  
ORIGINAL

0069

12

Section in the  
case of  
Alexander Brown

filed Nov. 1889

Testimony of the second witness.

The first witness is a member of the first class.

Witnesses for the first class are as follows:

Witnesses for the second class are as follows:

Witnesses for the third class are as follows:

Witnesses for the fourth class are as follows:

Witnesses for the fifth class are as follows:

Witnesses for the sixth class are as follows:

Witnesses for the seventh class are as follows:

Witnesses for the eighth class are as follows:

Witnesses for the ninth class are as follows:

Witnesses for the tenth class are as follows:



POOR QUALITY  
ORIGINAL

0070

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Alexander Brown

The Grand Jury of the City and County of New York, by this indictment, accuse

Alexander Brown  
of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said Alexander Brown

late of the City of New York, in the County of New York aforesaid, on the eleventh  
day of October in the year of our Lord one thousand eight hundred and  
eighty-nine, in the day time of the said day, at the City and County  
aforesaid with force and arms one pocket book of the value of fifty cents,

one promissory note for the payment of money, of the kind commonly called United  
States Treasury Notes, of the denomination and value of five dollars; one  
promissory note for the payment of money of the kind commonly called Bank Notes, of the de-  
nomination and value of five dollars; one United States Gold Certificate,  
of the denomination and value of five dollars; one United States  
Silver Certificate, of the denomination and value of five dollars;

two promissory notes for the payment of money, of the kind commonly called United  
States Treasury Notes, of the denomination and value of two dollars each; two  
promissory note for the payment of money of the kind commonly called Bank Notes, of the de-  
nomination and value of two dollars each; two United States Gold Certificates,  
of the denomination and value of two dollars each; two United States  
Silver Certificates, of the denomination and value of two dollars each;

five promissory notes for the payment of money, of the kind commonly called United  
States Treasury Notes, of the denomination and value of one dollar each; five  
promissory note for the payment of money of the kind commonly called Bank Notes, of the de-  
nomination and value of one dollar each; five United States Gold Certificates,  
of the denomination and value of one dollar each; five United States  
Silver Certificates, of the denomination and value of one dollar each; and  
divers coins, of a number, kind and denomination to the Grand Jury  
aforesaid unknown of the value of five dollars.

of the goods, chattels and personal property of one Magdalena Baumann  
on the person of the said Magdalena Baumann  
then and there being found, from the person of the said Magdalena Baumann  
then and there feloniously did steal, take and carry away, against the form of the statute in such  
case made and provided, and against the peace of the People of the State of New York and their  
dignity.

John R. Fellows  
District Attorney.

0071

**BOX:**

372

**FOLDER:**

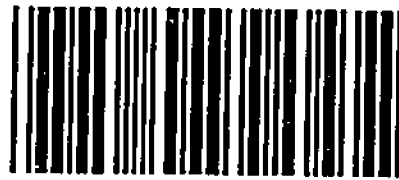
3482

**DESCRIPTION:**

Brumer, Benjamin

**DATE:**

11/08/89



3482

POOR QUALITY  
ORIGINAL

0072

Witnesses:  
*J. L. Lupton*  
Counsel,  
Filed *10/21/88* day of *Nov* 188*9*  
Pleads, *Guilty*

Grand Larceny, (From the Person.)  
[Sections 528, 580, Penal Code].

THE PEOPLE

vs.

*R*

*Benjamin Brunner*

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Amos Little*  
*Pro-12/89*  
Foreman.

*Frederick H. H. H.*

POOR QUALITY  
ORIGINAL

0073

Police Court—

1<sup>st</sup> District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 74 Chrystie Letty Supowitz Street, aged 27 years,  
occupation Housekeeper being duly sworn

deposes and says, that on the 30<sup>th</sup> day of October 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession

person of deponent, in the night time, the following property, viz:

one pocket-book containing gold  
and lawful money of the United  
States to the amount and of  
the value of six dollars and  
fifteen cents

the property of deponent and her husband,  
William Supowitz,

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Benjamin Bremer,

now here, from the fact that  
about the hour of 11 1/2 o'clock  
P. M. on said day deponent  
stood in front of the Italian  
theater in the Bowery, and  
said pocket-book and money  
was then held in her right  
hand. That said defendant  
then and there snatched said  
pocket-book and money out  
of her hand and attempted  
to run away with the same  
in his possession

Letty Supowitz

Sworn to before me, this 31<sup>st</sup> day  
of October 1889

J. H. M. M. M.  
Police Justice.



POOR QUALITY  
ORIGINAL

0074

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Benjamin Brunner* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is *his* right to  
make a statement in relation to the charge against *him*; that the statement is designed to  
enable *him* if he see fit to answer the charge and explain the facts alleged against *him*,  
that he is at liberty to waive making a statement, and that *his* waiver cannot be used  
against *him* on the trial.

Question. What is your name?

Answer. *Benjamin Brunner*

Question. How old are you?

Answer. *16 years 7/8 age*

Question. Where were you born?

Answer. *St. Petersburg Russia*

Question. Where do you live, and how long have you resided there?

Answer. *111 Hester St. one year.*

Question. What is your business or profession?

Answer. *Carrier*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer. *I have nothing to say*

*Benjamin Brunner*

Taken before me this  
day of *October* 188*9*

*J. J. Smith*  
Police Justice



POOR QUALITY  
ORIGINAL

0075

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court

District

THE PEOPLE, Ac.,  
ON THE COMPLAINT OF

*John J. Murphy*  
*May 13th 1889*

Offence

*Larceny from the person*

Dated

*October 31*

1889

*William*

Magistrate

*John J. Murphy*

Officer

Witnesses

*John J. Murphy*

Precinct

*John J. Murphy*

Street

No. \_\_\_\_\_

Street

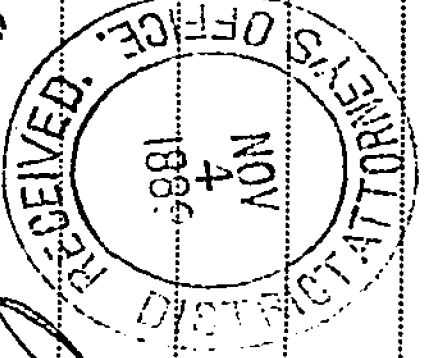
No. \_\_\_\_\_

Street

\$ \_\_\_\_\_

to answer

Street



It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named \_\_\_\_\_

*Benjamin B. Bunker*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \_\_\_\_\_ Hundred Dollars, \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *October 31* 18 *89* *William* Police Justice.

I have admitted the above-named \_\_\_\_\_ to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned. I order he to be discharged.

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0076

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Benjamin Brumer*

The Grand Jury of the City and County of New York, by this indictment, accuse

*Benjamin Brumer*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

*Benjamin Brumer*

late of the City of New York, in the County of New York aforesaid, on the *thirtieth*  
day of *October* in the year of our Lord one thousand eight hundred and  
eighty-*nine*, in the *night*-time of the said day, at the City and County  
aforesaid, with force and arms,

*one* promissory note for the payment of money, of the kind commonly called United  
States Treasury Notes, of the denomination and value of *five* dollar \$ *—*; *one*  
promissory note for the payment of money of the kind commonly called Bank Notes, of the de-  
nomination and value of *five* dollars *—*; *one* United States Gold Certificate,  
of the denomination and value of *five* dollars *—*; *one* United States  
Silver Certificate, of the denomination and value of *five* dollar \$ *—*;

*two* promissory notes for the payment of money, of the kind commonly called United  
States Treasury Notes, of the denomination and value of *two* dollar \$ *each*; *two*  
promissory note for the payment of money of the kind commonly called Bank Notes, of the de-  
nomination and value of *two* dollar \$ *each*; *two* United States Gold Certificates,  
of the denomination and value of *two* dollar \$ *each*; *two* United States  
Silver Certificates, of the denomination and value of *two* dollar \$ *each*;

*three* promissory notes for the payment of money, of the kind commonly called United  
States Treasury Notes, of the denomination and value of *one* dollar *each*; *three*  
promissory notes for the payment of money of the kind commonly called Bank Notes, of the de-  
nomination and value of *one* dollar *each*; *three* United States Gold Certificates,  
of the denomination and value of *one* dollar *each*; *three* United States  
Silver Certificates, of the denomination and value of *one* dollar *each*;

*and divers coins, of a number, kind and denomination to the Grand Jury*  
*aforesaid unknown, of the value of six dollars and fifteen cents*  
of the goods, chattels and personal property of *Jette Lipsowitz*  
on the person of the said *Jette Lipsowitz*  
then and there being found, from the person of the said *Jette Lipsowitz*  
then and there feloniously did steal, take and carry away, against the form of the statute in such  
case made and provided, and against the peace of the People of the State of New York and their  
dignity.

*John R. Bellows,*  
*District Attorney.*

0077

**BOX:**

372

**FOLDER:**

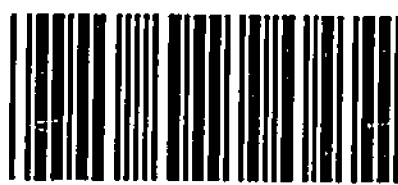
3482

**DESCRIPTION:**

Burchman, Thomas

**DATE:**

11/12/89



3482

POOR QUALITY  
ORIGINAL

0078

Mr. Haller

Counsel,  
Filed day of 1889  
Pleads, *Not guilty*

THE PEOPLE  
vs.  
Thomas Burchman  
Grand Larceny, Second Degree.  
[Sections 528, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

Ordered to the COURT of  
of the COUNTY of NEW YORK,  
for trial (Entered in the Minutes)  
See 12  
JOHN R. FELLOWS,  
District Attorney.

Dec 18/89

True Bill.  
*Wm. W. Little*

Foreman.

*Dec 18/89*

*Discharged on his  
own recognizance.*

Witnesses:

*Maggie Mayers  
Officer Kennedy*

*I have examined the  
facts before the jury  
there is a defect in the  
evidence of proof of the  
fact that the defendant  
that left the defendant  
known Mayers  
Dec 18/89 L. D. W.  
copy*



POOR QUALITY  
ORIGINAL

0079

Police Court

2 District

Affidavit—Larceny.

City and County } ss.:  
of New York,

Maggi Meyers  
of No. 124 Manhattan Street, aged 35 years,  
occupation keep house being duly sworn

deposes and says, that on the 26<sup>th</sup> day of October 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

Good and lawful money  
of the United States to the  
amount and value of Nine  
dollars. (\$9.00)

the property of

Deponent.

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by

Thomas Purchman  
(unknown) and another boy not  
yet arrested, from the fact that  
at about the hour of 4 o'clock  
P. M. said date. deponent was  
on the corner of 9<sup>th</sup> Avenue and  
35<sup>th</sup> St. And at that time  
deponent had said sum of  
money in the right hand  
pocket of deponent's sacque.  
deponent felt a hand in said  
pocket and on looking deponent  
saw the said defendant and  
said other boy together and saw  
the said defendant in the act



POOR QUALITY  
ORIGINAL

00000

of withdrawing his hand from  
said pocket. With said sum of  
money in it. Dependent caught  
to hold of the defendant and attempted  
to hold him. But he broke away  
and ran down 9th Avenue to 34th  
to 7th Avenue. Dependent cried stop  
thief. When the crowd followed him.  
Dependent is informed by Officer John  
Kennedy that he arrested the said  
defendant but in West 35th St. between  
7th and 8th Avenues. And that while  
he was pursuing the defendant.  
he the Officer saw him throw  
away several sums of money which  
he the Officer found and picked  
up.  
Wherefore dependent charges the said  
defendant and said other by  
not get arrested with him together  
and acting in concert. With each  
other and feloniously taking, stealing  
and carrying away said sum  
of money from the person of  
dependent.

Maggie Mayer

Sworn to before me  
this 24th day of October 1889

R. D. A. J. M.  
Notary Public

POOR QUALITY  
ORIGINAL

00001

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation \_\_\_\_\_ of No. \_\_\_\_\_

*John Kennedy*  
*Police Officer*  
*North Street Police* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Maggie Meyer*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this \_\_\_\_\_

day of \_\_\_\_\_

188

*John Kennedy*  
*J. H. Hagan*  
Police Justice

POOR QUALITY  
ORIGINAL

0002

Sec. 193-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

2 District Police Court.

*Thomas Burchman* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is h's right to  
make a statement in relation to the charge against h' that the statement is designed to  
enable h' if he see fit to answer the charge and explain the facts alleged against h'  
that he is at liberty to waive making a statement, and that h's waiver cannot be used  
against h' on the trial.

Question. What is your name?

Answer.

*Thomas Burchman*

Question. How old are you?

Answer.

*17 years old*

Question. Where were you born?

Answer.

*New York State*

Question. Where do you live, and how long have you resided there?

Answer.

*57 N. 44 St. 6 mos*

Question. What is your business or profession?

Answer.

*Helper on a wagon.*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*I am not guilty*

*Thos Burchman*

Taken before me this

day of

188

Police Justice.

0003

[illegible]

672

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Maggie Murdock  
Of 124 Grandfather St.  
Massachusetts  
Against  
The Rev.

*Henry* Magistrate.  
*John Kennedy* Officer.

330th St. N. W. Ave  
or 4th St. N. W. Ave  
Street.

10. 458-9154  
2000  
to answer

12-1-2  
D.M.  
9-1-2  
Person

Alfred Smith

Dated Oct 27 1889 [Signature] Police Justice.

*Dated*.....188.....*Police Justice.*

*Dated*.....188.....*Police Justice.*



POOR QUALITY  
ORIGINAL

00004

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Burchman

The Grand Jury of the City and County of New York, by this indictment, accuse

Thomas Burchman  
of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said

Thomas Burchman

late of the City of New York, in the County of New York aforesaid, on the twenty-sixth day of October in the year of our Lord one thousand eight hundred and eighty-nine, in the day - time of the said day, at the City and County aforesaid, with force and arms,

one promissory note for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of five dollars; one promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of five dollars; one United States Gold Certificate, of the denomination and value of five dollars; one United States Silver Certificate, of the denomination and value of five dollars;

three promissory notes for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of two dollars each; three promissory notes for the payment of money of the kind commonly called Bank Notes, of the denomination and value of two dollars each; three United States Gold Certificates, of the denomination and value of two dollars each; three United States Silver Certificates, of the denomination and value of two dollars each;

four promissory notes for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of one dollar each; four promissory notes for the payment of money of the kind commonly called Bank Notes, of the denomination and value of one dollar each; four United States Gold Certificates, of the denomination and value of one dollar each; four United States Silver Certificates, of the denomination and value of one dollar each; and divers coins of a smaller kind and denomination to the

Grand Jury aforesaid unknown, of the value of five dollars, of the goods, chattels and personal property of one Maggie Meyers on the person of the said Maggie Meyers, then and there being found, from the person of the said Maggie Meyers then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John L. Fellows,  
District Attorney.



0085

**BOX:**

372

**FOLDER:**

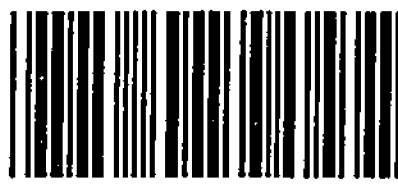
3482

**DESCRIPTION:**

Burnham, J. Howard

**DATE:**

11/06/89



3482

POOR QUALITY  
ORIGINAL

0086

John F. Pendleton  
120 Ky.

Counsel,  
Filed Day of 1889  
Plends  
M. J. Pendleton

THE PEOPLE  
vs. M. J. Pendleton  
Grand Jurors  
J. Howard Pennham  
[Section 528, and 531, Penal Code].  
(False Pretenses).

JOHN R. FELLOWS,  
District Attorney.  
Part II. November 2, 1889.  
trial begun, jury withdrawn

A True Bill  
J. Howard Pennham

Dec 3, 1889 Foreman.  
Jury & convicted. 13  
243.3. Mrs. J. H. Pennham

POOR QUALITY  
ORIGINAL

0087

Police Court—*Fourth* District.

Affidavit—Larceny.

City and County } ss.:  
of New York, }

*Andrew D. Yetter*  
of No. *305 East 61<sup>st</sup>* Street, aged *50* years,  
occupation *Storage*, being duly sworn

deposes and says, that on ~~the~~ *about* *23* day of *October* 188*8* at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the *day* time, the following property viz :

*Good and lawful money of the United  
States of the value of Three Hundred dollars.  
and one promissory note of the value of  
Three hundred dollars in all of the value  
of Six hundred dollars.*

the property of *Deponent.*

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by *Howard Burnham.*

*That on or about said 23 day of Oct  
1888. deponent paid the aforesaid amount  
to the said defendant for a patent carpet  
beating machine and the exclusive right  
to use the same in a designated district of  
the City of New York, said defendant stating  
and representing at the time that he had  
not sold the right to any other persons.  
That deponent relying upon the truth of  
said representations paid said money to  
defendant, and about one month thereafter  
deponent ascertained that said representa-  
tion was false, and that he had sold the  
same right to one William H. Harkness*

Subscribed and sworn to before me, this  
188- day

Police Justice.

POOR QUALITY  
ORIGINAL

0000

previous to the sale to this deponent to wit  
on the 15 day of July 1888. as appears by the  
original licence No 13. which is annexed  
hereto and made a part of this Complaint.

Done before me  
this 24 October 1889  
J. M. Homan  
Police Justice.

Andrew B. Jettin

Dated 1889 Police Justice.

There being no sufficient cause to believe the within named  
guilty of the offence mentioned, I order he to be discharged.

Dated 1889 Police Justice.

I have admitted the above named  
to bail to answer by the undertaking hereto annexed.

Dated 1889 Police Justice.

of the City of New York, until he give such bail.  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named

Police Court, District,

THE PEOPLE, &c.,

on the complaint of

Andrew B. Jettin

Offence—LARCENY.

Dated 1889

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer Sessions.



POOR QUALITY  
ORIGINAL

0009

Sec. 151.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Police Court 4 District.

In the name of the People of the State of New York; To the Sheriff of the County  
of New York, or any Marshal or Policeman of the City of New York:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by Andrew D. Gitter  
of No. 305 Street, that on the 23 day of October

1889 at the City of New York, in the County of New York, the following article to wit:

Good and lawful money of the United  
States of the value of three hundred dollars and  
one promissory note, both

of the value of Six Hundred Dollars,  
the property of Complainant

w. as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by Howard B. Bussan

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to  
answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant  
and forthwith bring him before me, at the 4 DISTRICT POLICE COURT, in the said City, or in  
case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the  
said charge, and to be dealt with according to law.

Dated at the City of New York, this 24 day of October 1889

James J. Sullivan POLICE JUSTICE.



POOR QUALITY  
ORIGINAL

0090

Police Court \_\_\_\_\_ District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated \_\_\_\_\_ 188

Magistrate

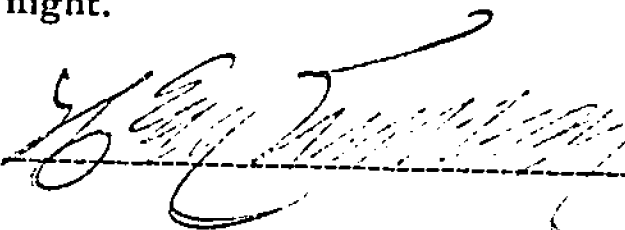
Officer.

The Defendant \_\_\_\_\_  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

Officer.

Dated \_\_\_\_\_ 188

This Warrant may be executed on Sunday or at  
night.

 Police Justice.

having been brought before me under this Warrant, is committed for examination to the  
WARDEN and KEEPER of the City Prison of the City of New York.

Dated \_\_\_\_\_ 188

Police Justice.

The within named

POOR QUALITY  
ORIGINAL

0091

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK } ss.

District Police Court.

*Joseph A. Burnham* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is *his* right to  
make a statement in relation to the charge against *him*, that the statement is designed to  
enable *him* if he see fit to answer the charge and explain the facts alleged against *him*  
that he is at liberty to waive making a statement, and that *his* waiver cannot be used  
against *him* on the trial.

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live, and how long have you resided there?

Answer.

Question. What is your business or profession?

Answer.

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

Taken before me this

188

Police Justice.

POOR QUALITY  
ORIGINAL

0092

11000-Comptroller  
on Oct 26 the afternoon

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 5, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Andrew B. Dettla  
Justice of the Peace  
Offender "L. C. Curry"  
Dated Oct 23 1889  
Magistrate  
John H. Harrison  
Witnesses John H. Harrison  
No. 15 E 27th Street  
No. \_\_\_\_\_ Street  
No. \_\_\_\_\_ Street  
No. \_\_\_\_\_ Street

RECEIVED  
CLERK'S OFFICE  
OCT 31 1889  
S. S.  
J. M.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named \_\_\_\_\_

\_\_\_\_\_ Defendant  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \_\_\_\_\_ Hundred Dollars, \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.

I have admitted the above-named \_\_\_\_\_  
to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_  
\_\_\_\_\_ guilty of the offence within mentioned, I order he to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0093

COURT OF GENERAL SESSIONS.

-----X  
The People :  
v. :  
J. Howard Burnham, : Tried Dec. 2/89, before the  
Indictment filed Nov. 6th, 1889 : Hon. Frederick Smyth and  
Indicted for grand larceny in : a Jury.  
the second degree. :  
-----X

Assistant District Attorney Jerome for the People.  
James F. Pendleton, Esq., for the Defense.

-----  
A N D R E W B. Y E T T A testified that he  
was engaged in the carpet-cleaning and storage business  
at 305 East 61st Street. He met the defendant at his,  
the complainant's, place of business in October, 1888.  
Mr. Burnham called upon him, the complainant, to sell  
a carpet-beating machine made under the Foster patent.  
Burnham showed him, the complainant, what purported to  
be authority from Mr. Foster, the patentee, to sell the  
machine, and the license to operate it. Burnham said  
that he had a good machine for the purpose of beating



**POOR QUALITY  
ORIGINAL**

0094

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carpets that he would like to sell to him, the complainant. He said that it was manufactured under the Foster patent, and that he had the right from Mr. Foster to sell it. Burnham said that he would sell the machine for six hundred dollars, including the license to run it between 52d and 62 Streets, North and East Rivers. He, the complainant, told Burnham, that he would take the machine at that price, the defendant to set up the machine at the American Institute Fair and run it during the fair, and after the fair it was to be taken to his, the complainant's, place of business and to be set up there, and carpets were to be cleaned with it. Burnham said that he had not sold the territory between 52 and 62d Streets and the North and East Rivers, and that was the territory in which his, the complainant's, place of business was situated. Burnham said that he could sell that territory to him, the complainant. Thereupon he, the complainant, bought the machine for the stipulated price, six hundred dollars. He believed Burnham's statements to be true, and on the strength of them paid three hundred dollars down. He also gave a note for three hundred dollars. He paid the six hundred dollars not only for the machine, but for the license to use it

**POOR QUALITY  
ORIGINAL**

0095

3

within the territory bounded by 52d and 62d Streets, and the North and East Rivers. He received a license for that territory from the defendant. Mr. A. B. Collen was present at this interview.

Under Cross Examination, the complainant testified that he still carried on the carpet-cleaning business. He had not used the machine purchased from the defendant. His reason for not using it was because he learned that the defendant had already sold the exclusive right to his, the complainant's, territory to a Mr. Hankinson, who gave him, the complainant, to understand that he owned that territory, and had bought it from Mr. Burnham. Mr. Hankinson showed him, the complainant, a license that Mr. Burnham gave him, giving him the exclusive right to the territory between 52d and 72d or 75th Street and the North and East Rivers. That was in December, 1888. He, the complainant, purchased the machine from Mr. Burnham in October, 1888, and received a notice from Mr. Hankinson in December, 1888. He did not notice when he signed the contract of purchase that the license was not mentioned in it. He supposed, of course, that it was included in the written agreement as it was in the verbal. The written agreement was executed on the 21st of Sep-

**POOR QUALITY  
ORIGINAL**

0096

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tember, 1888, and the money was paid on October 26th, 1888. He did not receive the license until the 5th of the following December. He was positive that the defendant said that he would sell the machine and the license together for six hundred dollars. The machine was of no use to him without the license, and he had been unable to use the machine because the license was valueless, as the defendant had already sold a license to Mr. Hankinson for the same territory. Mr. Hankinson did not obtain an injunction from any court against his, the complainant's, use of the machine, because the complainant did not use it after Mr. Hankinson notified him that he, Hankinson, had a license for the same territory. The machine was taken from the fair early in December to his, the complainant's, place of business, but it was not set up and not a yard of carpet had ever been cleaned on it on account of Mr. Hankinson's notice. He had other machines and used those. He had been sued on the note for three hundred dollars, which he gave at the time that he gave his check for three hundred dollars. The note was for three months. He was sued in the City Court. The case was on the short cause calendar in the City Court on Friday, October the 25th, and it was tried

**POOR QUALITY  
ORIGINAL**

0097

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three weeks later. The defendant was arrested on the 24th of October, 1889, the day before the case was put on the calendar. Mr. Burnham lived at Ipswich, Massachusetts. He came to New York to sell a carpet-beating machine. He, the complainant, knew a Mr. Kenrich, who was a collector for him, the complainant. He, the complainant, did not authorize Kenrich to write letters to the defendant at Ipswich, Massachusetts, asking him to come on to New York with a view to selling a carpet beating machine to Kenrich. According to his, the complainant's, knowledge, Kenrich had no other business than that of collecting for him, the complainant. He, the complainant did not know that the original price of the machine was seven hundred and fifty dollars, including the license. The defendant might have asked him, the complainant, seven hundred and fifty dollars for the machine, inclusive of the license, but he could not recollect. The defendant did not say to him that he would sell him the machine for six hundred dollars without the license. In February, 1889, Mr. Burnham came to his, the complainant's, office, and they had a discussion about the matter, and they went down to the office of Mr. Chedsey, his, the complainant's, counsel. Mr. Chedsey



**POOR QUALITY  
ORIGINAL**

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advised the defendant to take back the machine and return the complainant's money, but he refused to do it.

W I L L I A M   H .   H A N K I N S O N testified that he was a carpet-cleaner, and he was in that business in the year 1888. He carried on business at 15 East 27th Street. He knew the defendant. On the 17th day of February, 1888, he received a license from the defendant, and paid him two hundred and fifty dollars for the license. The license covered the territory between 62d and 75th Streets. It extended from 52d to 62d and from 73d to 75th Streets, and from River to river. He had another license that he bought from the defendant in 1887, covering the territory from 22d to 32d Streets from river to river, and also one extending from 32d to 34th Streets.

For the Defense, J. H O W A R D B U R N H A M testified that he called upon Mr. Yetta at his office, and talked with him about the machine. He said that he wanted to buy a carpet-beating machine and wanted to look at his, the defendant's, patent papers. He, the defendant, handed them to the complainant, who read them. Then the complainant said, "What is the price of your best improved carpet-beating machine--double reversible machine?" He, the defendant, said that the price was

POOR QUALITY  
ORIGINAL

0099

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seven hundred and fifty dollars, and the complainant said that there was no use to talk about that, and that he wouldn't pay that amount of money. He, the defendant, then got up and went out of the building with Mr. J. H. Lynch, of Newark, New Jersey, who had written to him about selling the machine. Then Mr. Collen, the partner of the complainant, came out of the office and followed him, the defendant, and said, "Aren't you going to trade with Mr. Yetta?" and he, the defendant, said, "I can't; he won't give me my price," and Mr. Collen said he was going to send right away to Philadelphia for a machine, and he, the defendant, said he couldn't help that, and in a few moments Mr. Yetta came along with two letters in his hand and said that he was going to mail them. Then he, the defendant, and Yetta began to talk again. The complainant said, "I want this machine to put into the American Institute, and it will be a benefit to you to have it there." He, the defendant, said, "If you want the machine to put there without a license, you can have it for six hundred dollars, as it will be a benefit of fifty dollars for me if it is run<sup>ning</sup> there and exhibiting for the sale of machines. Then the complainant said, "Well, send it right on just as soon as you can." He,

**POOR QUALITY  
ORIGINAL**

0 100

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the defendant, said, "No, let us have the writings, and they went to the complainant's office, and he, the defendant made out an agreement and the complainant read it and looked over it thoroughly, and he says, "This is for seven hundred dollars," and he, the defendant, said yes, and the complainant said, "It is a mistake," and he, the defendant, made it six hundred dollars on the agreement and the complainant signed it and witnessed it, and he, the defendant, went home to Ipswich, Massachusetts, and built the machine, and sent it on and set it up in the American Institute building and made it ready to belt on the main shaft, and gave the complainant his time in helping him, and stayed there a week and helped him to run carpets through the machine, and the complainant was perfectly satisfied, and on the seventh day he, the defendant, said, "I guess I will go home," and the complainant said, "You come to my office to-morrow morning and we will have a settlement," and he, the defendant, called and made out a bill for six hundred dollars for the machine, and the complainant said, "I can't pay you this in money- I am a little hard up," and he, the defendant, said, "Give me part of it and your note," and the complainant did so. The complainant gave him a

**POOR QUALITY  
ORIGINAL**

0101

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check and a note for three hundred dollars at six per cent interest for three months. Then he, the defendant, left New York on the Fall River boat for Boston. Complainant said that he didn't need any license, and that he could run it without one. He, the defendant, asked him if he wanted a license, and he said no, that he did not--that he could run the machine without one, and that was the reason the price of the machine was fixed at six hundred dollars instead of seven hundred dollars, allowing also fifty dollars for the benefit received from exhibiting the machine at the American Institute Fair. In December he received a letter from the complainant, and on December 5th, 1888, he called upon the plaintiff and gave him a license. He, the defendant, wrote the license and laid it on the complainant's desk and told him to look at it. The complainant looked at it and said, "That is all correct." He, the defendant, said, "Oh yes, it is all right when you pay me one hundred dollars," and the complainant said, "Why, I paid you that in the agreement," and he, the defendant, said that that was not so. Then the complainant said, "Well, I have paid you all I shall pay you," and he locked the license up in his safe, and thereupon he, the defendant, left



**POOR QUALITY  
ORIGINAL**

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the complainant in disgust. He, the defendant, had never sold one of the machines with a license for less than seven hundred and fifty dollars. He, the defendant, was a married man and had children. He bought his farm in Ipswich the day that Abraham Lincoln was shot. He had been in the business of selling the carpet-beating machines since 1883. He had sold a number of machines all over the country, and had never had any trouble before. He had never been arrested before in his life, except on one occasion, when he was arrested for disobeying a subpoena. He left his home at Ipswich on the 23d of October, and was induced to come to New York by letters from one Kenrich offering to buy a machine.

Under Cross Examination, the defendant testified ~~th~~ that he had a contract with Mr. Foster, the patentee, entered into in 1886. Since 1886 he had sold a large number of carpet-beating machines all over the United States and South America. He was required by the contract to pay Mr. Foster twenty dollars for every license sold or given with a machine. It was true that he had not paid Mr. Foster any license fees, but Mr. Foster had sent no bill. Foster said that when he got ready he would take a machine from him. He had never given Fos-

**POOR QUALITY  
ORIGINAL**

0103

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ter an account of moneys that he had received for licenses, and he never paid him any money. He had sold fully twenty-five machines in that time, making the sum of five hundred dollars that he should have accounted to Foster for. He had not done so, because he expected Foster to take a machine when he got ready. The fact that Mr. Hankinson had a license for the same territory that he gave to Mr. Yetta was a mistake arising from a confusion of accounts.

In the Redirect Examination, the defendant testified that Mr. Yetta was present at the time he, Burnham, was arrested. A Mr. Todd came across the street with Mr. Yetta. Todd said, "Burnham, you are our prisoner," and he, the defendant, said, "So I perceive," and Todd said, "Now, we don't want to lock you up," and he, the defendant, said, "What did you arrest me for?" Then Todd said, "We don't want to lock you up or make any trouble. Just say that you will buy this machine back from Mr. Yetta and pay him for it. We will make the terms easy. Take it and pay him his note and his money back, and that will be the end of it," and he, the defendant, said, "No, I will rot behind the bars before I will do it."

In Rebuttal, Mr. Yetta being recalled testified

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ORIGINAL**

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that on the 5th of December he did not seize the license when it was laid upon his desk by the defendant and lock it up in his safe. The defendant gave it to him freely and voluntarily as the license that he, the complainant, was entitled to--the license that defendant was already paid for--and did not demand one hundred dollars in addition for it.

G E O R G E W. W I L L E T T testified that he was a clerk for Mr. Hankinson, and he corroborated Mr. Hankinson as to the delivery of the lease of the territory afterwards sold to Mr. Yetta by the defendant, Burnham.

A L E X A N D E R B. C O L L E N testified that, at the time of the sale of the carpet-beating machine to Mr. Yetta, he was associated in business with him, the complainant. He was present at a conversation in September, 1888, between the defendant and the complainant in reference to the purchase by the complainant of a carpet-beating machine. Mr. Yetta asked Burnham what he wanted for the machine, and Mr. Burnham measured for the space that would be required for the machine in the shop, and then they returned to the office and the complainant asked about the price, and the def-

**POOR QUALITY  
ORIGINAL**

0 105

13

endant said seven hundred and fifty dollars with a license. He said, "I will put it up in the American Institute Fair in good working order, and after that I will see that it is put up rightly in your shop after it has been used in the fair." Mr. Yetta then said that it would be too much, and that he would not pay that much for the machine, and Mr. Burnham said that he would take off fifty dollars in consideration of the advertisement that he would get in the fair for the sale of the machine. Mr. Yetta still said that the price was too high, and Burnham said that he would not take one cent less, and he went out. He, the witness, had several letters addressed to manufacturers in Philadelphia, and went up to the corner to post the letters in the box. Mr. Burnham and Mr. Lynch were standing at the corner, and Burnham asked him where he was going, and he, the witness, said to post the letters, and Burnham said, "No, come on back, and we will speak about the matter." He, the witness, said, "No, I have to go and get the exhibit ready at the fair. You go back and speak to Yetta. I must make arrangements at the fair." He, the witness, went to the fair and came back to the shop and heard the ending of the conversation between Mr. Burnham and Mr.



**POOR QUALITY  
ORIGINAL**

0105

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Yetta. Mr. Burnham agreed to sell the machine for six hundred dollars, with the right to run it at their place of business, with a right to the territory between 52d and 62d Street, and the North and East Rivers, for six hundred dollars. Mr. Burnham prepared the agreement, and Mr. Yetta signed it. Mr. Burnham made a demand for some money down, but Mr. Yetta said, "No, I am responsible," and Mr. Burnham yielded. That was in September, and the machine came in in October, and was delivered and run at the fair, and early in December, after the fair closed, it was taken to their shop.

Under Cross Examination, the witness testified that he was not now connected in business with Mr. Yetta. He was building and selling a carpet machine of his own. Mr. Yetta had no interest in his machine. There was a certain agreement between them. He was to give Mr. Yetta a royalty on the first ten machines in consideration of Mr. Yetta advancing him money to put his machine on the market.

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POOR QUALITY  
ORIGINAL

0107

A B Collier Corroborate  
Yetter as to Contract.  
Also Show that Hankins  
& Yetters License & Machine  
are both of the Foster  
Patent and are both  
the same.

**POOR QUALITY  
ORIGINAL**

0 108

LAW OFFICE OF  
JAMES F. PENDLETON,  
120 BROADWAY,  
NEW YORK.

New York, December 5, 1889

Hon. Frederick Smythe,

Recorder, etc.,

Dear Sir:-

Will you kindly grant me an interview to-day  
at time and place convenient to yourself in relation to the case  
of J. Howard Burnham, and oblige,

Very truly yours,

*James F. Pendleton*

POOR QUALITY  
ORIGINAL

0 109

The WARDEN and KEEPER of the CITY PRISON of the City of New York, will deliver to the bearer, for examination, the body of

Received from Clerk H. W.  
Arch. Cook the two licenses  
mentioned annexed to  
Charged with Complaint of Breach

District Police Court, New York,

188

J. J. Rodet  
Ed. Woodman



POOR QUALITY  
ORIGINAL

0110

Court of General Sessions of the Peace  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*of Howard Burnham*

The Grand Jury of the City and County of New York, by this

Indictment accuse *of Howard Burnham*

of the crime of *Grand Larceny in the first degree,*

committed as follows:

Heretofore, to wit:

*on the seventeenth day of February, in the year of our Lord one thousand eight hundred and eighty eight, at the City of New York, in the County of New York, aforesaid, the said of Howard Burnham, as the sole agent of one Wm. Foster, the patentee of certain invention and improvements on Carpet Beating machines, and the owner of certain patents thereof duly granted for such machines and improvements, did issue to one William H. Harrison a certain written license and power, wherein and whereby, in consideration of the sum of one hundred and fifty dollars, the said Wm. Foster did license and empower the said William H. Harrison, his heirs*

POOR QUALITY  
ORIGINAL

0111

within the following territory, to wit:  
assigns, the exclusive right to use, in the said  
City of New York, from 52<sup>nd</sup> Street to 75<sup>th</sup>  
Street, from East River to North River, one  
or more machines embodying the inventions  
contained in the said patents and improvements  
so granted to the said H. M. Foster for  
improvements on carpet beating machines, the  
said machine to be used only in the said  
City of New York, and to the end of the  
Term for which the said patent may or  
might be granted.

POOR QUALITY  
ORIGINAL

0112

~~Court of General Sessions of the Peace~~

~~OF THE CITY AND COUNTY OF NEW YORK.~~

~~THE PEOPLE OF THE STATE OF NEW YORK,~~

~~AGAINST~~

~~The Grand Jury of the City and County of New York, by this indictment, accuse,~~

~~of the CRIME OF LARCENY~~

~~committed as follows:~~

~~and~~ The said *Howard Burnham,*

late of the City of New York, in the County of New York <sup>afterwards to wit:</sup> on the *27th* day of *December,* in the year of our Lord one thousand eight hundred and eighty-*eight,* at the City and County aforesaid, with force and arms, with intent to deprive and defraud *one Andrew B. Nyther*

of the proper moneys, goods chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to *his* own use, did then and there feloniously, fraudulently and falsely pretend and represent to *the said Andrew B. Nyther,*

That *he* the said *Howard Burnham,* then *denied* *in good faith,* and as the agent of the said *H. M. Xater,* to sell to the said *Andrew B. Nyther,* one double reversing machine *embracing* the said *machine and improvements,* and to sell to the said *Andrew B. Nyther* the *right to use the same* <sup>*within the Territory*</sup> *in the said City of New York* *including the entire portion thereof lying and being* *between 52nd and 62nd Streets, from* *the East River to the North River; that he*

POOR QUALITY  
ORIGINAL

0113

said Howard B. Dunham was then lawfully empowered  
to sell said machine and the said right to the said  
Andrew B. Yetter and to make to him as the agent  
of the said W. M. Foster, a written license and right  
to that end, that no other person than owned the  
right to use any such machine within the Territory  
as delivered to the said Andrew B. Yetter, and no  
license therefore had been issued to any other  
person.

And the said Andrew B. Yetter

then and there believing the said false and fraudulent pretenses and representations so made  
as aforesaid by the said Howard B. Dunham,

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and  
representations so made as aforesaid, to deliver, and did then and there deliver to the said  
Howard B. Dunham, the sum of three  
hundred dollars in money, lawful money of the  
United States of America, and of the value of  
three hundred dollars, and one written instrument and  
evidence of debt, to wit: a certain promissory  
note for the payment of and of the value of  
three hundred dollars,  
of the proper moneys, goods, chattels and personal property of the said Andrew  
B. Yetter.

And the said Howard B. Dunham  
did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and  
personal property, from the possession of the said Andrew B. Yetter  
by color and by aid of the false and fraudulent pretenses and representations aforesaid, with  
intent to deprive and defraud the said Andrew B. Yetter,  
of the same, and of the use and benefit thereof, and to appropriate the same to his own use

Whereas, in truth and in fact, the said Howard B. Dunham  
did not then desire in good faith, and as the  
agent of the said W. M. Foster, to sell to the  
said Andrew B. Yetter, the said machine, or



POOR QUALITY  
ORIGINAL

0114

the right to use the same within the Territory  
last above described, and he was not then  
lawfully empowered to sell the same machine  
and the said right to the said Andrew B. Nyette,  
or to give to him as the agent of the said  
J. M. Nyette Foster a written license or right  
to that end; and another person, to wit: the  
said William H. Haddon, then owned the  
right to use such machines within the  
Territory so offered to the said Andrew B.  
Nyette, and within the entire Territory, and a  
license, <sup>to wit:</sup> the license first herein alleged,  
had been issued to the said William H.  
Haddon as above alleged.

And Whereas, in truth and in fact, the pretenses and representations so made  
as aforesaid by the said J. Howard Burdham  
to the said Andrew B. Nyette was and were  
then and there in all respects utterly false and untrue, as he the said  
J. Howard Burdham  
at the time of making the same then and there well knew,

And so the Grand Jury Aforesaid, do say that the said  
J. Howard Burdham  
in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods,  
chattels and personal property of the said Andrew B. Nyette  
then and there feloniously did STEAL, against the form of the Statute in such case made and  
provided, and against the peace and dignity of the said people.

JOHN R. FELLOWS,

District Attorney.

0115

**BOX:**

372

**FOLDER:**

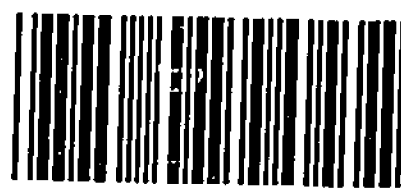
3482

**DESCRIPTION:**

Burns, Michael

**DATE:**

11/06/89



3482

0116

**BOX:**

372

**FOLDER:**

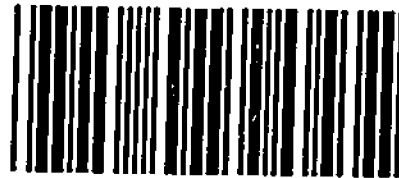
3482

**DESCRIPTION:**

Martin, Harry

**DATE:**

11/06/89



3482

0117

**BOX:**

372

**FOLDER:**

3482

**DESCRIPTION:**

Brophy, Philip

**DATE:**

11/06/89



3482



POOR QUALITY  
ORIGINAL

0118

Witnesses;

Counsel,

Filed

Pleads,

day of

18 89

THE PEOPLE

*Section 498, V.C. 6, 12 & 13*  
*Burglary in the Third degree*  
*and Petit Larceny*

*Michael Burns*  
*Harry Martin*  
*and*  
*Philip J. Brophy*

JOHN R. FELLOWS,

District Attorney.

*Nov. 15/89*  
*sup. Martin returned from City Prison*  
*& committed to City Prison*

*No. 2. House of Refuge.*

A True Bill.

*Dec 5/89*  
*Michael Little*

*Part III November 14/89*  
*Foreman.*

*all plead guilty*  
*to Petit Larceny*

*1. Pen: One year.*

*2 & 3. Catholic Protection*  
*by Judge Goldstone*

POOR QUALITY  
ORIGINAL

0119

Police Court— District.

City and County } ss.:  
of New York,

of No. 23 Abingdon Square Street, aged 60 years,  
occupation Real Estate being duly sworn

deposes and says, that the premises No. 74 Barrow Street, 9th Ward

in the City and County aforesaid the said being a 3 story brick building

which was unoccupied

~~and which was occupied by deponent as a~~

~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly breaking

open one of the shutters of the rear basement

window and entering therein

on the 28 day of October 1889 in the day time, and the

following property feloniously taken, stolen, and carried away, viz:

about twenty five feet of lead pipe

of about the value of ten dollars

the property of shown as kept in the care and custody of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

Michael Burns, Harry Martin and Phillip Brophy

(all now in the)

for the reasons following, to wit: deponent is informed by

John Bratt a clerk in deponent's employ

that he saw the place secured, locked

and fastened on the 24th day of October

and deponent is since informed by

Officer George Broderick of the 9th Precinct

Police that on the 28th day of October at

about the hour of ten o'clock and fifteen

minutes in said Office discovered the

POOR QUALITY  
ORIGINAL

0120

Said premises had been burglarized  
and the shutter of one of the rear basements  
broken open and found the three defendants  
in the rear basement and arrested  
said defendants

Sworn to before me  
this 30<sup>th</sup> day of Oct 1889  
E. J. Hoffman  
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1889 Police Justice.  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1889 Police Justice.  
There being no sufficient cause to believe the within named  
guilty of the offence mentioned, I order he to be discharged.  
Dated 1889 Police Justice.

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

23.

1  
2  
3  
4

Offence—BURGLARY.

Dated 1889

Magistrate.

Officer.

Clerk.

Witnesses.

No. Street.

No. Street.

No. Street.

\$ to answer General Sessions.



POOR QUALITY  
ORIGINAL

0 12 1

CITY AND COUNTY {  
OF NEW YORK, } ss.

aged 31 years, occupation Police Officer of No.

The 9<sup>th</sup> Precinct Office Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Beckman Bunham  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 30<sup>th</sup>  
day of Oct 1888

[Signature]  
Police Justice.

George Bruderrick



POOR QUALITY  
ORIGINAL

0 122

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Michael Burns* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is *his* right to  
make a statement in relation to the charge against *him*; that the statement is designed to  
enable *him* if he see fit to answer the charge and explain the facts alleged against *him*  
that he is at liberty to waive making a statement, and that *his* waiver cannot be used  
against *him* on the trial.

Question. What is your name?

Answer.

*Michael Burns*

Question. How old are you?

Answer.

*16 years*

Question. Where were you born?

Answer.

*Brooklyn*

Question. Where do you live, and how long have you resided there?

Answer.

*176 Christopher St 3 years*

Question. What is your business or profession?

Answer.

*No occupation at present*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*I am not guilty*

*M. Burns*

Taken before me this  
day of

188

Police Justice.

POOR QUALITY  
ORIGINAL

0123

Sec. 193-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Harry Martin* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is *his* right to  
make a statement in relation to the charge against *him*, that the statement is designed to  
enable *him* if he see fit to answer the charge and explain the facts alleged against *him*  
that *he* is at liberty to waive making a statement, and that *his* waiver cannot be used  
against *him* on the trial.

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live, and how long have you resided there?

Answer.

Question. What is your business or profession?

Answer.

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*I am not guilty*  
*Harry Martin*  
*S*

Taken before me this  
day of

188

Police Justice.

POOR QUALITY  
ORIGINAL

0124

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Phillip Brophy* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is *his* right to make a statement in relation to the charge against *him*, that the statement is designed to enable *him* if he see fit to answer the charge and explain the facts alleged against *him* that he is at liberty to waive making a statement, and that *his* waiver cannot be used against *him* on the trial.

Question. What is your name?

Answer. *Phillip Brophy*

Question. How old are you?

Answer. *15 years*

Question. Where were you born?

Answer. *New York City*

Question. Where do you live, and how long have you resided there?

Answer. *494-9th Ave one year*

Question. What is your business or profession?

Answer. *No occupation*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer. *I am not guilty*  
*Philip J. Brophy*

Taken before me this  
day of *Oct* 19*30*

Police Justice.

POOR QUALITY  
ORIGINAL

0125

Police Court---

District.

1624

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Beckman & Burman  
23 Christopher Street  
Michael Burke  
Harry Martin  
Charles Murphy  
Offence

Dated

Oct 25 1888

Residence

Magistrate

No. 3, by

Charles Burman

Residence

Street

No. 4, by

Charles Burman

Residence

Street

No. 5, by

Charles Burman

Residence

Street

No. 6, by

Charles Burman

Residence

Street

No. 7, by

Charles Burman

Residence

Street

No. 8, by

Charles Burman

Residence

Street

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars, each and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated.....188

Police Justice.

I have admitted the above-named to bail to answer by the undertaking hereto annexed.

Dated.....188

Police Justice.

There being no sufficient cause to believe the within named guilty of the offence within mentioned, I order h to be discharged.

Dated.....188

Police Justice.



POOR QUALITY  
ORIGINAL

0126

Count of

General Sessions  
The People etc  
vs

Philip Brophy

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.

100 EAST 23D STREET,

New York, Oct. 29 1889

CASE NO. H 5243 OFFICER George Parodnick  
DATE OF ARREST Oct 27/89 9th Dist  
CHARGE

Burglary

AGE OF CHILD 15 years

RELIGION Catholic

FATHER John

MOTHER dead

RESIDENCE H 94 - 9th Ave

AN INVESTIGATION BY THE SOCIETY SHOWS THAT Philip is  
a bad truant boy.

June 20/87 boy was arrested for sleeping  
out and staying away from home

June 14/88. Boy was arrested for Petit Larceny

Feb 26/89 Boy was again arrested for  
sleeping on "benches" in Spruce Street and  
committed to Catholic Protectory.

Boy has a good home with grand mother  
but he is away from home most of  
the time. Mother is dead and father  
is a Policeman

All which is respectfully submitted,

O. Hollows Secretary

To the Dist. Attorney.

POOR QUALITY  
ORIGINAL

0127

Court of

General Sessions

The People vs

VS

Philip Bragdon

Penal Code, §  
Burglary

Report of the New York Society  
for the Prevention of Cruelty  
to Children.

ELBRIDGE T. GERRY,  
President, &c.,

100 East 23d Street,

NEW YORK CITY.

POOR QUALITY  
ORIGINAL

0128

Court of  
General Sessions

People  
vs

Harry Marks

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.

100 EAST 23D STREET,

New York, 4 Nov 1889

CASE NO. 45364 OFFICER  
DATE OF ARREST Nov 1889  
CHARGE Burglary  
AGE OF CHILD Fifteen years  
RELIGION Hebrew  
FATHER Morris  
MOTHER  
RESIDENCE Stepmother Rosa  
114 Suffolk St

AN INVESTIGATION BY THE SOCIETY SHOWS THAT

Harry Marks has  
served two years in the juvenile  
Asylum; won't work, and  
runs away from home to  
associate with bad companions.  
Arrested Feby 7/88  
for Petit Larceny, but discharged

All which is respectfully submitted,

C. Holloway  
Supt

To Dist Attorney.

POOR QUALITY  
ORIGINAL

0129

Court of  
General Sessions

People  
vs

Harry Marks

Penal Code, §  
*Quicker*

Report of the New York Society  
for the Prevention of Cruelty  
to Children.

ELBRIDGE T. GERRY,  
President, &c.,

100 East 23d Street,  
New York City.



POOR QUALITY  
ORIGINAL

0130

CITY AND COUNTY  
OF NEW YORK, } ss.

POLICE COURT, 2 DISTRICT.

George Broderick  
of No. 9th Street Street, aged \_\_\_\_\_ years,  
occupation Policeman being duly sworn deposes and says,  
that on the 28 day of October 1889

at the City of New York, in the County of New York, Michael Burns,  
Harry Martin, and Philip Brophy,  
now here, charged with burglary of  
premises 74 Barrow St. this day. De-  
ponent asks that defendants be held  
to give deponent an opportunity to  
bring to court the custodians of the  
said property to make complaint.

George Broderick

Sworn to before me this  
of October 28 day  
1889

Police Justice.

POOR QUALITY  
ORIGINAL

0131

Police Court, \_\_\_\_\_ District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

vs.

Michael Burns  
Harry Martin  
Philip Brophy

AFFIDAVIT.

Dated Oct 28 188 9

Hogan Magistrate.

Brophy Officer.

Witness, \_\_\_\_\_

Disposition, \_\_\_\_\_

By Oct 30 - 2 P.M.

POOR QUALITY  
ORIGINAL

0132

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Burns, Harry  
Martin and Philip J. Brophy

The Grand Jury of the City and County of New York, by this indictment, accuse  
Michael Burns, Harry Mar-  
tin and Philip J. Brophy  
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

Michael Burns, Harry  
Martin and Philip J. Brophy, all

late of the *ninth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *twenty eighth* day of *October* in the year of  
our Lord one thousand eight hundred and *eighty nine*, with force and arms, at the  
Ward, City and County aforesaid, a certain building there situate, to wit: the *building* of one

Thomas Hope

feloniously and burglariously did break into and enter, with intent to commit some crime therein,  
to wit: with intent, the goods, chattels and personal property of the said

Thomas Hope

in the said *building* then and there being, then and there feloniously and burglariously  
to steal, take and carry away against the form of the statute in such case made and provided, and  
against the peace of the People of the State of New York and their dignity.

POOR QUALITY  
ORIGINAL

0133

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said

*Michael Burns, Harry Martin and Philip J. Brophy*  
of the CRIME OF *Petty* LARCENY committed as follows:

The said *Michael Burns, Harry Martin and Philip J. Brophy*  
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the Ward, City and County aforesaid, in the day - time of the said day, with force and arms,  
*fifty pounds of lead pipe of*  
*the value of twenty cents each*  
*pound*

of the goods, chattels and personal property of one *Thomas Hape*  
in the *Building* of the said *Thomas Hape*

there situate, then and there being found, *in* the *building* aforesaid, then and there  
feloniously did steal, take and carry away, against the form of the statute in such case made and  
provided, and against the peace of the People of the State of New York and their dignity.

*John R. Fellows*  
*District Attorney*



0134

**BOX:**

372

**FOLDER:**

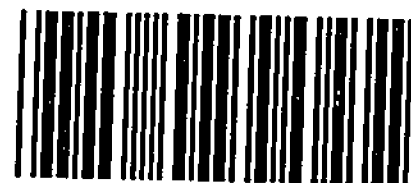
3482

**DESCRIPTION:**

Butler, Edward

**DATE:**

11/12/89



3482

POOR QUALITY  
ORIGINAL

0135

Witnesses:

Chas. W. Bell

J. E. Somers.

Counsel,

Filed

12 day of Nov. 1889

Pleads,

Wm. L. Little

THE PEOPLE

vs.

Wm. L. Little

663

Edward Butler

(Sections 628 and 631 of the Penal Code.)  
(MISAPPROPRIATION.)  
Larceny, and degree

JOHN R. FELLOWS,

District Attorney.

Nov 15/89

pleads guilty

Sentence suspended

A True Bill

Wm. L. Little

Foreman.

POOR QUALITY  
ORIGINAL

0136

Police Court Third District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 281 East Street, aged 40 years,  
occupation clerk being duly sworn

deposes and says, that on the 21 day of October 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

Twenty Eight  
Dollar (19/100) \$38<sup>19</sup>/<sub>100</sub>  
in good and current money of the United States of the  
Sum and Value of \$38<sup>19</sup>/<sub>100</sub>

the property of

my Care and Charge of  
deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Edward Dittler

for the reason that  
on said day and date said  
Defendant received said  
sum of money from One  
John McComack of No 358  
Front St. N. Y. City, the said  
money to be handed over to  
and delivered to Deponent for  
said sum and at said  
Defendant kept for his own  
use and purpose said money  
now Deponent charges him  
with the Larceny of the same  
and prays that he be dealt  
with as the Law directs.

C. J. Bell

Subscribed before me, this  
18th day of October, 1889,  
at New York City,  
Police Justice.

POOR QUALITY  
ORIGINAL

0137

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

3 District Police Court.

*Edwin Butler* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is *h is* right to  
make a statement in relation to the charge against *h im*; that the statement is designed to  
enable *h im* if he see fit to answer the charge and explain the facts alleged against *h im*  
that he is at liberty to waive making a statement, and that *h is* waiver cannot be used  
against *h im* on the trial.

Question. What is your name?

Answer. *Edwin Butler*

Question. How old are you?

Answer. *43 years*

Question. Where were you born?

Answer. *Ireland*

Question. Where do you live, and how long have you resided there?

Answer. *No 663. President Street Brooklyn, about 8 months*

Question. What is your business or profession?

Answer. *Clerk*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*Refuses to plead wants to consult his  
friends*

Taken before me this  
day of *March* 188*8*

Police Justice.



POOR QUALITY  
ORIGINAL

0130

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged

years, occupation

of No.

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

and that the facts stated therein on information of deponent are true of deponents' own

knowledge.

Sworn to before me, this

day of

188

Police Justice.

POOR QUALITY  
ORIGINAL

0139

Sec. 151.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Police Court..... District.

*In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:*  
Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by

of No. *28 Canal* Street, that on the *21* day of *Oct* 188*8* at the City of New York, in the County of New York,

*Edmund Butler,*  
*charged with Grand*  
*Larceny*

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring forthwith before me, at the DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this *4th* day of *Oct* 188*8*  
*[Signature]*  
POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

0140

POLICE COURT 3 DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Chas A. Ball*

vs.

*Edu. Dutton*

Warrant-General.

Dated *Nov. 4<sup>th</sup>* 188 *9*

*Duffy* Magistrate.

*Roney* Officer.

The Defendant  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

..... Officer.

Dated ..... 188

This Warrant may be executed on Sunday or at  
night.

..... Police Justice.

Dated ..... 188

having been brought before me under this Warrant, is committed for examination to the  
WARDEN and KEEPER of the City Prison of the City of New York.

The within named

Police Justice.

POOR QUALITY  
ORIGINAL

0 141

Ex. 230 Nov 4/89

BAILED,  
No. 1, by John E. Dumas  
Residence 281 Pearl Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Dr. 5/5 3 1652  
Police Court District.

THE PEOPLE, vs.  
ON THE COMPLAINT OF

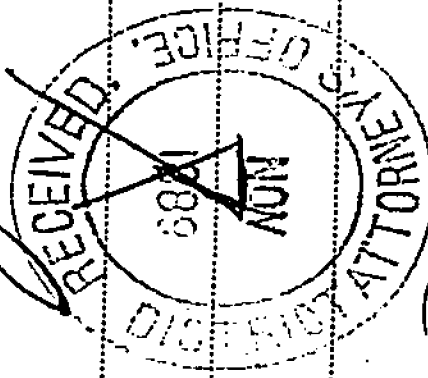
Admiral Hunter  
281 Pearl Street

Ground Larceny  
Office

W. C. Dumas  
1889

W. C. Dumas Magistrate  
Officer

Witnesses John E. Dumas  
No. 281 Pearl Street.



No. 505 Street.  
to master E. S.

W. C. Dumas  
1889

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named \_\_\_\_\_

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of four Hundred Dollars, \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Nov 6 1889 W. C. Dumas Police Justice.

I have admitted the above-named K. Dumas to bail to answer by the undertaking hereto annexed.

Dated Nov 6 1889 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned. I order he to be discharged.

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.



New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

Edward Butler

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing, are not controlled by any advantage to myself. The defendant has been in my employ for about nine months last past. He held the position of Shipping Clerk. He was a very capable man, faithful, attending to his duties and always punctual. ever gave perfect satisfaction. Since the arrest of the defendant I have made inquiry as to his previous character and antecedents, and have satisfied myself that this was his first offence. He comes from a respectable family. Has a wife and seven children. I have talked to his brother and cousin and have found that he has hitherto led a respectable life. Has always taken care of his family and never was in any trouble before. His mother who is the widow of President Butler of the shoe & Leather Bank has recently suffered from an attack of Paralysis and is now very feeble. His wife is greatly distressed and has appealed to me to do what I could for him. His son who is connected with a business house in this city has also been to see me relative to his father. The defendant told me that he was tempted to use the money and expected to be able to return it before it was discovered. I believe

POOR QUALITY  
ORIGINAL

0143

this to be true. and for the reasons above  
stated I believe that any leniency or  
clemency granted to him by the court  
would not be misplaced. and am  
of the opinion that if the defendant  
is allowed another chance he will  
improve it and hence forth lead an  
honest life. I think he realizes his pos-  
ition and is ~~thorough~~ sincere in his promises  
and repentance

Respectfully.  
John E. Jones

W. J. Cook of General Dennis

In the matter of

Carroll P. Butler

Recommendation of

Comptroller

POOR QUALITY  
ORIGINAL

0144

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward Butler

The Grand Jury of the City and County of New York, by this indictment, accuse

Edward Butler  
of the CRIME OF Grand LARCENY, in the second degree, committed  
as follows:

The said

Edward Butler

late of the City of New York, in the County of New York aforesaid, on the  
twenty-first day of October in the year of our Lord  
one thousand eight hundred and eighty-nine, at the City and County aforesaid, being  
then and there the clerk and servant of

John E. Somers  
and William T. Lindeman,  
copartners

and as such clerk and servant then and there having in his possession, custody and control  
certain moneys, goods, chattels and personal property of the said John E. Somers  
and William T. Lindeman, copartners, as aforesaid  
the true owner thereof, to wit:

the sum of thirty-eight  
dollars and nineteen cents in money,  
lawful money of the United States  
and of the value of thirty-eight  
dollars, and nineteen cents

the said

Edward Butler

afterwards, to wit:

on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,  
did feloniously appropriate the said

sum of money

to his own use, with intent to deprive and defraud the said John E. Somers and  
William T. Lindeman, copartners as aforesaid,  
of the same, and of the use and benefit thereof, and the same moneys, goods, chattels and  
personal property of the said John E. Somers, and William  
T. Lindeman, copartners as aforesaid,  
did then and there and thereby feloniously steal, against the form of the statute in such case  
made and provided, and against the peace of the People of the State of New York and  
their dignity.

JOHN R. FELLOWS,

District Attorney.

0145

**BOX:**

372

**FOLDER:**

3482

**DESCRIPTION:**

Butscharoff, Meta

**DATE:**

11/14/89



3482



POOR QUALITY  
ORIGINAL

0146

Witnesses;

Olga Steiman

She appears  
to be the first  
Commissioner of  
the Pennsylvania  
Roads Commission  
The Dept. also  
appears to be a  
clerk in charge  
of the road in the  
N.Y. St.

Counsel,

Filed

day of Nov 1889

Pleaded

THE PEOPLE

vs.

R

Grand Larceny, second degree.  
[Sections 528, 529, Penna Code.]

Meta Butcherhoff

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Andrew Little

Foreman.

Nov 14/89

Glenn J. J.

(H. A. B. P.)

POOR QUALITY  
ORIGINAL

0147

Police Court—2 District.

Affidavit—Larceny.

City and County } ss.:  
of New York, }

Olga Meymann  
of No. 66 Madison Avenue Street, aged 29 years,  
occupation Seventish being duly sworn  
deposes and says, that on the 30 day of October 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property viz:

Six Silver Spoons and other silver  
plated ware in all of the value of  
Sixty dollars  
\$ 60.00

the property of Deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Meta Butcheroff (nowhere)

from the fact that on the 29<sup>th</sup> day of October  
1889 said deponent came in deponent  
Employ as a servant. That in the  
evening of said day and before  
deponent retired to bed, deponent  
saw said silver and other plated ware  
in the sideboard of the Dining Room,  
at the above named premises.

That at the hour of about 7 1/2 o'clock  
in the morning of the 30<sup>th</sup> day of October when  
deponent got up from bed, she discovered  
that the door was open, that the said  
deponent had gone away with her  
Satchel & Clothing and that deponent's  
property was stolen and carried away  
Olga Meymann

Sworn to before me, this

4

day

of November 1889

John J. McNamee Police Justice.

POOR QUALITY  
ORIGINAL

0148

Sec. 193-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Muta Butcheroff* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is *her* right to make a statement in relation to the charge against *her*, that the statement is designed to enable *her* if *she* see fit to answer the charge and explain the facts alleged against *her* that *she* is at liberty to waive making a statement, and that *her* waiver cannot be used against *her* on the trial.

Question. What is your name?

Answer.

*Muta Butcheroff*

Question. How old are you?

Answer.

*18 years*

Question. Where were you born?

Answer.

*Germany*

Question. Where do you live, and how long have you resided there?

Answer.

*I have no home at present*

Question. What is your business or profession?

Answer.

*Servant*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

*I am not guilty*

*Muta Butcheroff.*

Taken before me this

*1*

day of

*March*

188

*9*

*John J. ...*

Police Justice.

POOR QUALITY  
ORIGINAL

0149

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court... 2 1661  
District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Olga Heymann

Meta Buschhoff

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence Larceny  
felony

Dated Nov 9 1889

Magistrate

19 Officer

Witnesses Mrs. Buschhoff

No. 157, Precinct 20 Street

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named defendants

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated November 9 1889 James H. ... Police Justice.

I have admitted the above-named \_\_\_\_\_  
to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_  
guilty of the offence within mentioned. I order h to be discharged.

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.



POOR QUALITY  
ORIGINAL

0150

X District Attorney's Office.

PEOPLE

vs.

Meta Butcheroff

Olga. Keyman  
166. Madison Ave  
off. Brett. Mrs Hayes.  
19<sup>th</sup> Street

Mrs Bendix  
151 W. 20<sup>th</sup> St.

X

POOR QUALITY  
ORIGINAL

0 15 1

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Meta Butscharoff*

The Grand Jury of the City and County of New York, by this indictment,  
accuse *Meta Butscharoff*

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed  
as follows

The said

*Meta Butscharoff*

late of the City of New York, in the County of New York aforesaid, on the *thirtieth*  
day of *October* in the year of our Lord one thousand eight hundred and *eighty-*  
*nine*, at the City and County aforesaid, with force and arms,

*six spoons of the value of three*  
*dollars each, and divers other art-*  
*icles of silver-plated ware, of a*  
*number and description to the*  
*Grand Jury aforesaid unknown,*  
*of the value of forty dollars*

of the goods, chattels and personal property of one

*Olga Neymann*

then and there being found, then and there feloniously did steal, take and carry away,  
against the form of the statute in such case made and provided, and against the peace of  
the People of the State of New York, and their dignity.

*John R. Fellows,*  
*District Attorney.*

0 152

**BOX:**

372

**FOLDER:**

3482

**DESCRIPTION:**

Byrne, Michael

**DATE:**

11/07/89



3482

POOR QUALITY  
ORIGINAL

0 153

Witnesses:

Wm. H. Blake

Geo. E. Hart

Officer Reilly

I have examined the facts herein, & am of opinion that the interests of justice will be promoted by the discharge of the defendant on his own recognizance. The statements of the complainant and the probability of conviction in my opinion.

Dec 6/89  
J. H. Barker  
Deputy

Counsel,

Filed 7<sup>th</sup> day of Nov 1889

Pleads, Not guilty: Dmy

THE PEOPLE

vs.

Michael Byrne  
in Hospital

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. W. Little

Dec 6/89-

Foreman.

Discharged on his own

recognizance

Grand LARCENY, 2<sup>nd</sup> degree  
(False Pretenses).  
[Section 628, and 631, Penal Code].



POOR QUALITY  
ORIGINAL

0154

New York General Sessions.

PEOPLE ON MY COMPLAINT.  
VERSUS

Michael Byrne

*As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.*

The check which is the subject matter of my complaint in this action was delivered to me by the defendant without any representations or statements of any kind whatsoever being made by him that it was a good and genuine check in order to induce me to cash the same. That I was induced to cash the said check not by reason of representations made to me by defendant but solely on account of my acquaintance with and knowledge of the persons in whose company he was when he entered my place of business and when the transaction referred to in my complaint occurred, one of them being a prominent business man and immediate neighbor of mine. That I was actuated to make the complaint against the defendant because said check was not honored immediately upon presentation for payment and did so in haste and upon impulse. That I am informed and believe that the said defendant has been a depositor in the said Chatham National Bank and still has a small deposit in said Bank. That I am informed that the defendant prior to the alleged commission of this offense was confined in a medical institution and was under treatment for mental troubles, and that said defendant since his arrest has <sup>and until within a few days</sup> been ~~and is now~~ confined in a hospital under treatment for such trouble. *Dated Nov 30 1889* *John H. McManus*

POOR QUALITY  
ORIGINAL

0155

527 Lechay (Mile)  
56 Lechay (Mile)  
Mile

**POOR QUALITY  
ORIGINAL**

0 156

GUARANTEE /  
ENDORSEMENT.

POOR QUALITY  
ORIGINAL

0 15 7

Handwritten text in a box:  
No. 157  
over a year



POOR QUALITY  
ORIGINAL

0158


No. *Exhibit* *New York, September 21- 1889*

*Chatham National Bank*

Pay to *Mr. Byrne* or order

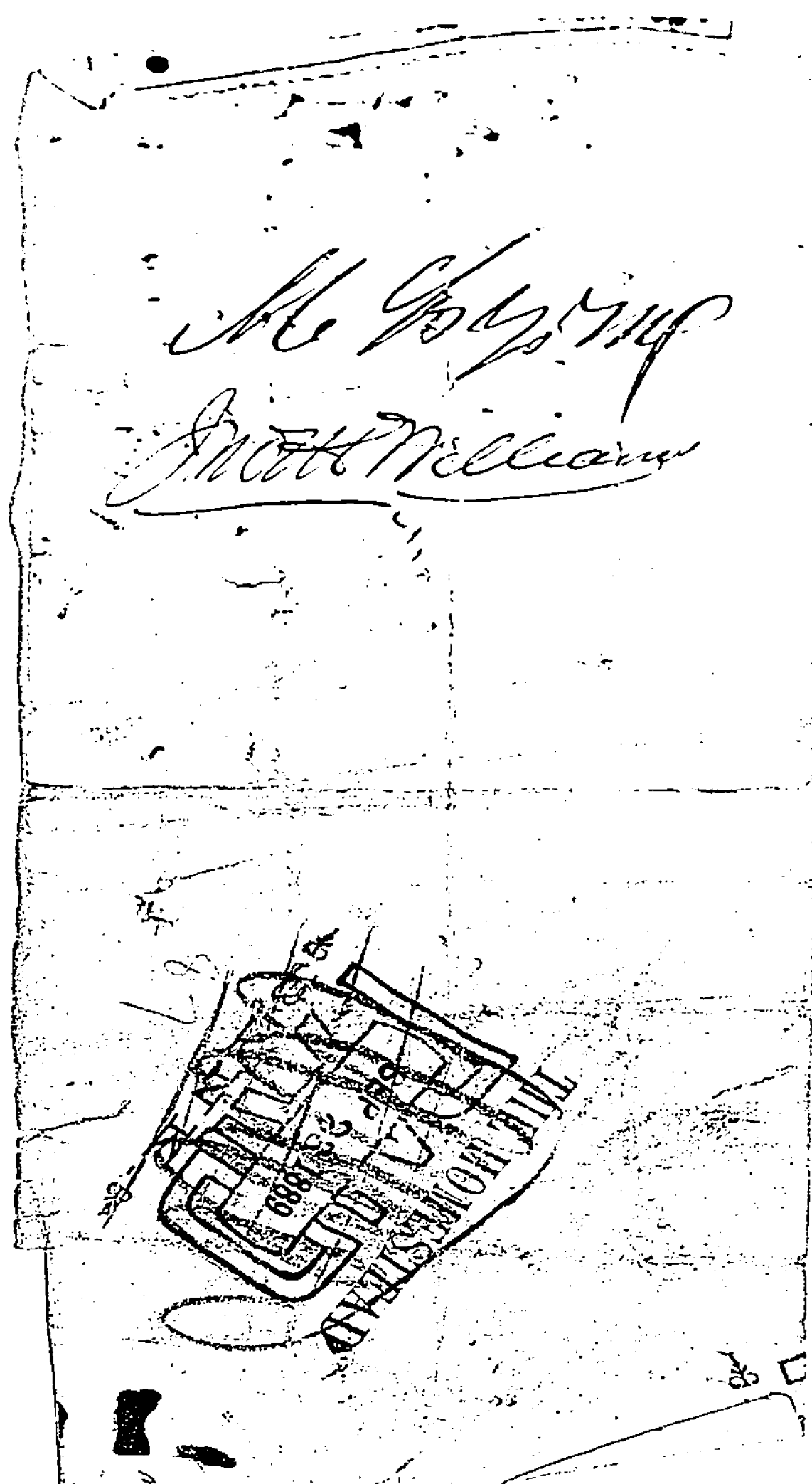
*fifty* <sup>100</sup> *Dollars*

*\$50.<sup>00</sup>* *M. Byrne*



POOR QUALITY  
ORIGINAL

0159



POOR QUALITY  
ORIGINAL

0160

Police Court—

4<sup>th</sup> District.

Affidavit—Larceny.

City and County } ss.:  
of New York, }

John M<sup>c</sup>Williams  
of No. 924 9<sup>th</sup> Avenue Street, aged 36 years,  
occupation Restaurant keeper being duly sworn  
deposes and says, that on the 22<sup>nd</sup> day of September 1887 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the night time, the following property viz:

Good and lawful Money of  
the United States issue to the amount,  
and value of Forty Eight 30/100 dollars. and  
Refreshments to the amount, and value of  
One 7/100 dollars. all being of the value of  
Fifty dollars.  
the property of Deponent

Sworn to before me, this  
1887 day

Police Justice.

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Michael Byrne. (now here)

From the fact that on said date  
the said Byrne in Company with  
three others. Entered deponent's  
Restaurant no 924 9<sup>th</sup> Avenue  
and Called for refreshments. and  
after being served the said Byrne  
Came to deponent and represented  
to deponent that he did not have  
enough Cash to pay for the refreshments  
and requested deponent to Cash the  
Check hereto attached marked Exhibit  
"a" which purports to be a Check  
drawn on the Chatham National  
Bank for the sum of Fifty dollars.

0161

*Police Justice.*

*Police Justice.*

*Police Justice.*

Police Court, \_\_\_\_\_ District.

**THE PEOPLE, &c.,**  
on the complaint of

Office—LABRENY.

28.

4

59

62

५

**Defect**

88

**Magistrate.**

Officer.

Clerk.

Witzberg.

No.

Street.

No.

Street.

No

•

10

**ions.**

to answer

### Sessions.



POOR QUALITY  
ORIGINAL

0162

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 49 years, occupation James E. Hurley of No. Brookkeeper

192 Broadway Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of John M. Williams  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of November 1883

D. W. Mahon

Police Justice.

J. E. Hart

POOR QUALITY  
ORIGINAL

0 163

Sec. 193-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Michael Byrne*

being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is ☒ right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name.

Answer.

*Michael Byrne*

Question. How old are you?

Answer.

*45 Years*

Question. Where were you born?

Answer.

*Ireland*

Question. Where do you live, and how long have you resided there?

Answer.

*38 Ward St. 4 Years*

Question. What is your business or profession?

Answer.

*Tailor*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

*I am not guilty*

*Michael Byrne*  
*Murd*

Taken before me this

day of *September* 188*9*

Police Justice

POOR QUALITY  
ORIGINAL

0164

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 4 DISTRICT.

James H. Riley  
of No. 221 E. 10th Street, aged 30 years,  
occupation Police Officer being duly sworn deposes and says  
that on the 30 day of October 1889  
at the City of New York, in the County of New York Deponent

Arredia Michael Byrnes  
now present on the Complaint  
of John M. Williams who informs  
Deponent that the said  
Byrnes passed a worthless  
check on him of the amount of  
fifty dollars Deponent asks that  
the said Byrnes may be committed  
for examination to enable him to  
produce the necessary evidence  
Jas H. Riley

Subscribed and sworn to before me this  
30 day of October 1889

Police Justice.

POOR QUALITY  
ORIGINAL

0165

<sup>126</sup>  
Police Court-- ✓

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.  
Michael Popper

Dated

Oct 31 1889

Murray Magistrate.

Riley Officer.

Witness,

Disposition

\$1000 - Bail for  
Ex. for 1st. 2/24/90

The preceding justice  
at the 21st Dist Court  
Will please see and  
determine the matters  
Case  
of  
James H. Murray  
Police Justice



POOR QUALITY  
ORIGINAL

0166

BAILED.

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 5, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court  
District No. 16357

THE PEOPLE, &c.,  
OF THE COMPLAINANT

John J. Williams  
934th St. East  
Michael. Brown

Offence Drury

Dated November 1 1889  
Magistrate

Officer Reilly

Witnesses William H. Adams  
Precinct 92

No. 945 of Williams  
Street James C. Stary

No. 192 of Williams  
Street William H. Adams

No. 1000 of Williams  
Street James C. Stary

RECEIVED  
NOV 4 1889  
CLERK

1000th Ave of New York. from

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Williams

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Ten Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated Nov 1 1889 W. D. Mahon Police Justice.

I have admitted the above-named \_\_\_\_\_ to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned, I order he to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0167

Court of General Sessions of the Peace  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
AGAINST

*Michael Byrne*

The Grand Jury of the City and County of New York, by this indictment, accuse

*Michael Byrne*

of the CRIME OF *Grand* LARCENY in the second degree,  
committed as follows:

The said *Michael Byrne*,

late of the City of New York, in the County of New York aforesaid, on the *22nd*  
day of *September*, in the year of our Lord one thousand eight hundred and  
eighty-*nine*, at the City and County aforesaid, with force and arms, with intent to  
deprive and defraud *one John McWilliams*

of the proper moneys, goods chattels and personal property hereinafter mentioned, and of  
the use and benefit thereof, and to appropriate the same to *his* own use, did then and  
there feloniously, fraudulently and falsely pretend and represent to *the said*  
*John McWilliams*,

That *a certain paper writing, in the words*  
*and figures following to wit:*

*New York, September 21-1889*

*Western National Bank*

*Pay to M. Byrne*

*fifty*

*Dollars*

*\$50.00*

*M. Byrne*

*which the said Michael Byrne then*  
*and there produced and delivered to the*

said John McWilliams, was then  
and there a good and valid order  
for the payment of money, and of  
the value of fifty dollars.

And the said John McWilliams

then and there believing the said false and fraudulent pretenses and representations so made  
as aforesaid by the said Michael Byrne

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and  
representations so made as aforesaid, to deliver, and did then and there deliver to the said  
Michael Byrne, the sum of forty  
eight dollars and thirty cents in money,  
lawful money of the United States of  
America, and of the value of forty  
eight dollars and thirty cents,

of the proper moneys, goods, chattels and personal property of the said John  
McWilliams,

And the said Michael Byrne  
did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and  
personal property, from the possession of the said John McWilliams,  
by color and by aid of the false and fraudulent pretenses and representations aforesaid, with  
intent to deprive and defraud the said John McWilliams,

of the same, and of the use and benefit thereof, and to appropriate the same to his own use

Whereas, in truth and in fact, the said paper writing which  
the said Michael Byrne as aforesaid  
then and there received and delivered to  
the said John McWilliams, was not

then and there a good and valid order  
for the payment of money, and was  
not of the value of fifty dollars, or of  
any value, but was wholly worthless.

And Whereas, in truth and in fact, the pretenses and representations so made  
as aforesaid by the said Michael Byrne  
to the said John Mc Williams, was and were  
then and there in all respects utterly false and untrue, as the the said  
Michael Byrne  
at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said  
Michael Byrne  
in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods,  
chattels and personal property of the said John Mc Williams  
then and there feloniously did STEAL, against the form of the Statute in such case made and  
provided, and against the peace and dignity of the said people.

JOHN R. FELLOWS,

District Attorney.



0170

**BOX:**

372

**FOLDER:**

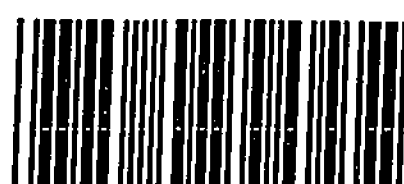
3482

**DESCRIPTION:**

Byrnes, Thomas

**DATE:**

11/15/89



3482

0 171

**BOX:**

372

**FOLDER:**

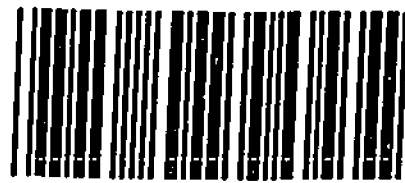
3482

**DESCRIPTION:**

Randolph, George

**DATE:**

11/15/89



3482

0 172

**BOX:**

372

**FOLDER:**

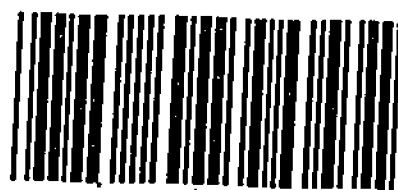
3482

**DESCRIPTION:**

Bailey, Annie

**DATE:**

11/15/89



3482

0173

**BOX:**

372

**FOLDER:**

3482

**DESCRIPTION:**

King, Kate

**DATE:**

11/15/89



3482



POOR QUALITY ORIGINAL

0174

Counsel,  
Filed 15 day of Nov 1889  
Pleads, *Not guilty*

THE PEOPLE  
vs.  
*Thomas Byrnes*  
*George Randolph*  
*Annie Bailey*  
*Kate King*  
Grand Larceny in the second degree.  
(MONEY.)  
(Sec. 528 and 530 531 Penal Code.)

JOHN R. FELLOWS,  
District Attorney.  
Nov. 19. 1889  
#1 Pleads *P.L.*

*Pay 6 months*  
A True Bill.

*W. W. Little*  
Nov. 19. 1889  
Nov. 13. 84 Indictment dismissed  
Ordered *W. W. Little* of  
County and *W. W. Little* of  
County, to be  
for each (under the *Penal Code*)  
Nov. 18. 89

Witnesses:  
*James C. Carter*  
*John R. Suterma*  
*John R. Carter*

*An examination of this case shows that there is no evidence against the defendants Byrnes, Bailey and King upon which a conviction could be obtained. There are some that they be discharged and indicted dismissed.*  
*W. W. Little*  
*W. W. Little*  
Nov 17, 89

POOR QUALITY  
ORIGINAL

0175

Police Court—

2<sup>nd</sup> District.

Affidavit—Larceny.

City and County }  
of New York, } ss.:

of No. 263 West 110<sup>th</sup> St. John R. Satterman  
occupation Bartender Street, aged 32 years,  
being duly sworn

deposes and says, that on the 6 day of November 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the following time, the following property viz:

good and lawful money of the United States Currency  
of one Note of the denomination and value of ten dollars,  
Two Notes of the value of five dollars each  
four notes of the value of one dollar each  
and Silver Coin of the value of about five dollars  
in all of the value of Twenty nine dollars  
\$29.00

the property of Priscilla Travis, and in care and charge  
of deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Thomas Byrnes, George Randolph,  
Anna Bailey, & Kitty King (all known)  
from the fact that deponent had said money  
lying on a shelf behind the bar at the Stone  
W. 561. 4th Avenue. That said four defendants  
were sitting in a room adjoining the Bar Room  
deponent was sitting down and fell asleep  
that when deponent awakened, said  
defendants were gone, and said money  
taken, stolen and carried away  
deponent subsequently caused the arrest  
of said defendants when Twenty Six  
Dollars & Twenty two cents were found upon  
the person of said Randolph  
That one certain five dollar Note (here shown)

Sworn to before me, this

188

day

Police Justice.

POOR QUALITY  
ORIGINAL

0176

of the Northern Bank of America which defendant  
has taken in about one hour previous  
to the Treasury and which at the time appeared  
fully examined respecting the same to be  
a counterfeit was found among the money  
taken from the possession of said Knott  
and which Bill defendant identifies as  
part of the money stolen from defendant.  
Defendant charges that said defendant  
did act in concert with each other in  
taking and stealing said money as  
aforesaid.

John R. Antwine

Deponent before me this  
6 day of March 1889

John R. Antwine

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1889  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1889  
There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 1889  
Police Justice.

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—LARCENY.

1.  
2.  
3.  
4.

Dated 1889

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer

Sessions.

POOR QUALITY  
ORIGINAL

0177

Sec. 193-200.

2

District Police Court.

CITY AND COUNTY  
OF NEW YORK, } ss.

*Thomas Byrne*

being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is his right to  
make a statement in relation to the charge against him; that the statement is designed to  
enable him if he see fit to answer the charge and explain the facts alleged against him;  
that he is at liberty to waive making a statement, and that his waiver cannot be used  
against him on the trial.

Question. What is your name?

Answer. *Thomas Byrne*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *New York State.*

Question. Where do you live, and how long have you resided there?

Answer. *I refuse to answer.*

Question. What is your business or profession?

Answer. *Laborer.*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*I am not guilty*  
*Thos Byrne*

Taken before me this

day of

*March*

1889

Police Justice.



POOR QUALITY  
ORIGINAL

0178

Sec. 192-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK.

*George Randolph*

being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is his right to  
make a statement in relation to the charge against him; that the statement is designed to  
enable him if he see fit to answer the charge and explain the facts alleged against him;  
that he is at liberty to waive making a statement, and that his waiver cannot be used  
against him on the trial.

Question. What is your name?

Answer. *George Randolph*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *England*

Question. Where do you live, and how long have you resided there?

Answer. *Refuse to answer.*

Question. What is your business or profession?

Answer. *Piano Maker*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer. *I am not guilty*

*George Randolph*

Taken before me this *1st* day of *July* 188*9*  
*John J. Moran*  
Police Justice.



POOR QUALITY  
ORIGINAL

0179

Sec. 103-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK.

*Samie Bailey* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is his right to  
make a statement in relation to the charge against him *or* that the statement is designed to  
enable him *or* if he see fit to answer the charge and explain the facts alleged against him *or*  
that he is at liberty to waive making a statement, and that his *or* waiver cannot be used  
against him *or* on the trial.

Question. What is your name?

Answer. *Samie Bailey*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *New York*

Question. Where do you live, and how long have you resided there?

Answer. *406 West 36 Street 1 year*

Question. What is your business or profession?

Answer. *Bresnam*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer. *I am not guilty I know nothing*  
*about the Ramsey*

*Samie Bailey.*

Taken before me this

day of *October* 188*9*

*John J. Thompson* Police Justice.

POOR QUALITY  
ORIGINAL

0180

Sec. 192-200.

2- District Police Court.

CITY AND COUNTY OF NEW YORK.

*Kitty King* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is *her* right to  
make a statement in relation to the charge against *her*; that the statement is designed to  
enable *her* if *she* see fit to answer the charge and explain the facts alleged against *her*  
that *she* is at liberty to waive making a statement, and that *her* waiver cannot be used  
against *her* on the trial.

Question. What is your name?

Answer. *Kitty King*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *New York*

Question. Where do you live, and how long have you resided there?

Answer. *202 West 40 Street 2 months*

Question. What is your business or profession?

Answer. *Housewife*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer. *I am not guilty I know nothing  
of the stealing of the money*

*Kitty King*

Taken before me this

day of *June* 188*9*

*John J. ...*  
Police Justice.

POOR QUALITY ORIGINAL

0181

\$1000 bond for  
Ex 2. Rds  
CMT-7

BAILED.  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

143  
Police Court... 2  
District. 1662

THE PEOPLE, &c.,  
vs. THE COMPLAINT OF

John H. Cullen  
263 - West 40th St  
James Byrnes  
George Landwehr  
Johnnie Peck  
Willy King  
Offence Drinking  
felony

Dated Nov 6 1889

James Magistrate  
James J. Carter Officer

Witnesses \_\_\_\_\_  
Precinct. 19

No. \_\_\_\_\_  
Street \_\_\_\_\_

No. \_\_\_\_\_  
Street \_\_\_\_\_

No. \_\_\_\_\_  
Street \_\_\_\_\_

No. \_\_\_\_\_  
Street \_\_\_\_\_

1000 to answer  
Call

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named \_\_\_\_\_

defendant  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Nov 7 1889 John J. Cullen Police Justice.

I have admitted the above-named \_\_\_\_\_  
to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_  
guilty of the offence within mentioned. I order h to be discharged.

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0 182

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Sugner  
George Randolph  
Annie Bradley and  
Kate King

The Grand Jury of the City and County of New York, by this indictment, accuse  
Thomas Sugner, George Randolph, Annie  
Bradley and Kate King  
of the crime of GRAND LARCENY IN THE ~~second~~ DEGREE, committed as follows:

The said Thomas Sugner, George Randolph,  
Annie Bradley and Kate King, all in  
late of the City of New York, in the County of New York, aforesaid, on the ~~sixth~~  
day of ~~November~~, in the year of our Lord one thousand eight hundred and eighty-nine,  
at the City and County aforesaid, with force and arms, in the ~~night~~ time of  
the same day, ~~promissory note for the payment of money, being then~~  
~~and there due and unsatisfied (and of the kind known as United States Treasury notes), of~~  
~~the denomination of twenty dollars, and of the value of twenty dollars~~ ;  
\$29.00 ~~one~~ promissory note for the payment of money, being then and there due and  
unsatisfied (and of the kind known as United States Treasury notes), of the denomination of  
ten dollars, and of the value of ten dollars ; ~~Two~~ promissory notes for the  
payment of money, being then and there due and unsatisfied (and of the kind known as United States  
Treasury notes), of the denomination of five dollars, and of the value of five dollars ~~each~~ ;  
~~promissory note for the payment of money, being then and there due and unsatisfied~~  
~~(and of the kind known as United States Treasury notes), of the denomination of two dollars, and~~  
~~of the value of two dollars~~ ; ~~Four~~ promissory notes for the payment  
of money, being then and there due and unsatisfied (and of the kind known as United States Treasury  
notes), of the denomination of one dollar, and of the value of one dollar ~~each~~ ;  
~~promissory note for the payment of money (and of the kind known as bank notes),~~  
~~being then and there due and unsatisfied, of the value of twenty dollars~~ ; ~~one~~  
promissory note for the payment of money (and of the kind known as bank notes), being then and  
there due and unsatisfied, of the value of ten dollars ; ~~Two~~ promissory notes for the  
payment of money (and of the kind known as bank notes), being then and there due and unsatisfied,  
of the value of five dollars ~~each~~ ; United States Silver Certificate of the

POOR QUALITY  
ORIGINAL

0183

~~denomination and value of twenty dollars~~ : ~~one~~ United States Silver  
Certificate of the denomination and value of ten dollars : ~~two~~ United  
States Silver Certificate of the denomination and value of five dollars ~~each~~ : -  
~~United States Silver Certificate of the denomination and value of two dollars~~ :  
~~four~~ United States Silver Certificate of the denomination and value of one dollar  
~~each~~ : ~~United States Gold Certificate of the denomination and value of~~  
~~twenty dollars~~ : ~~one~~ United States Gold Certificate of the denomination  
and value of ten dollars : ~~two~~ United States Gold Certificate of the  
denomination and value of five dollars ~~each~~ ; and divers coins, of a number, kind and  
denomination to the Grand Jury aforesaid unknown, of the value of ~~five dollars~~,

of the proper moneys, goods, chattels and personal property of one ~~Richard Travis~~,  
then and there being  
found, \_\_\_\_\_ then and there  
feloniously did steal, take and carry away, against the form of the statute in such case made and  
provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

~~District Attorney.~~