

0545

BOX:

441

FOLDER:

4065

DESCRIPTION:

Mack, George

DATE:

06/18/91



4065

0546

Geo. Gallagher

Counsel,

Filed

day of June 1891

Plends,

July 19

THE PEOPLE

vs.

R
George Mack

Grand Larceny (Second Degree)
[Sections 528, 537, 538 Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A True Bill.

Wm. J. ...
Foreman.

Plends, ...
Per one ...

Witnesses:

*from examination
him I think the
order of the matter
is circumstantial
and I think the
 plea of petty larceny
should be accepted
Wm. J. ...
both authorities
Jun 24/91*

0547

Police Court

District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Benjamin C. Kingsbury
of No. Hoffman House - Broadway 425 Street, aged 25 years,
occupation Mining

deposes and says, that on the 16 day of June 1891
in the County of Kings, was feloniously taken, stolen and carried away from the possession of deponent, in
the night time, the following property, viz: and thereafter brought to
the City and County of New York.

An open Face Gold base Watch
of the value of one hundred
and fifty dollars (\$150.00/100)

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 George Mack (now here) from

the following facts to wit: That on
the aforesaid date between the hours of
6 and 8 o'clock P. M. deponent was on the
dock at Bay Ridge, waiting for a Boat
to bring him to the City of New York, and
that at that time said Watch was in
a pocket of the vest, then and there
worn on deponent's person, and the said
Watch being attached and fastened to
a Chain, with said vest.

And that deponent is informed by Detective
Sergeant Michael Lyman and Detective Officer
John Mc Guinness of the Central Office
that they found the aforesaid Watch in

Subscribed and sworn to before me this 16th day of June 1891

Notary Public

0548

the possession of the defendant at South
Ferry. on the aforesaid date about the
hour of 1.45 in the P.M. as the said
defendant was about leaving the Boat
which had come from the landing
at Bay Ridge

Defendant therefore charges the defendant
with having committed a Larceny and
asks that he may be held and
dealt with as the Law may direct.

Sworn to before } Benjamin Kingsley
me this 18 day of June 1891 }
Charles J. Luntz }
Deputy Justice }

0549

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Lyman

aged _____ years, occupation *Detective Sergeant* of No. _____

Central Office

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Benjamin C. Kingsbury

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

knowledge.

Sworn to before me, this

18
91

day of *June* 188*8*

Michael Lyman

Charles N. Laintor

Police Justice.

0550

CITY AND COUNTY }
OF NEW YORK, } ss.

John M. Guinness

aged _____ years, occupation *Detective Officer* of No. _____

Central Office Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Benjamin C. Kingsbury*

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

Sworn to before me this *14* day of *June* 188*9* *John M. Guinness*

Charles Santoro
Police Justice.

0551

Sec. 198-200

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

George Mack

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. *George Mack*

Question. How old are you?

Answer. *24 years -*

Question. Where were you born?

Answer. *New York*

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

Answer. *52 Oliver Street - 1 Month*

Question. What is your business or profession?

Answer. *Steam Fitters Helper*

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 Mack

Taken before me this

day of *June* 1907

Charles J. ...

Police Justice

0552

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 June 18 91 Charles A. Sinton 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.

0553

808

Police Court--- District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Benjamin C. [Signature]
vs.
George Mack

Jacemy
John the Clerk

2
3
4

Dated *June 18* 188

James Magistrate.
James A. G. Gunnis Officer.
C. O. Precinct.

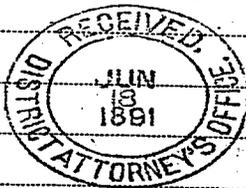
Witnesses

No. Street.

No. Street.

No. Street.

\$ *1000* to answer



BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0554

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

George Mack

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *George Mack*,

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

The said

George Mack

late of the City of New York, in the County of New York aforesaid, on the *sixteenth*
day of *June* in the year of our Lord one thousand eight hundred and
ninety *one*, at the City and County aforesaid, with force and arms,

*one watch of the value of
one hundred and fifty dollars*

of the goods, chattels and personal property of one *Benjamin C. Kingsbury*
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.

0555

SECOND COUNT—

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

George Mack

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

George Mack

late of the City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,

*one watch of the value of one
hundred and fifty dollars*

of the goods, chattels and personal property of one *Benjamin C. Kenjebury*

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

Benjamin C. Kenjebury

unlawfully and unjustly, did feloniously receive and have; the said

George Mack

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried 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.

DE LANCEY NICOLL,

District Attorney.

0556

BOX:

441

FOLDER:

4065

DESCRIPTION:

Mahoney, Joseph

DATE:

06/29/91



4065

0558

Police Court - 3 - District.

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

of No. 395 Madison Street, aged 19 years,
occupation. Keep house, being duly sworn

deposes and says, that the premises No. 395 Madison Street, 7th Ward
in the City and County aforesaid the said being a tenement building
the ground floor
and which was occupied by deponent as a store and dwelling place
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly opening the
doors leading to said store, and
which doors were securely
fastened and shut

on the 19th day of June 1897 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

1 bird - 1 clock - 1 hat - 1 coat
and vest, 6 books and 24
pencils, all of said property,
of the value of about
Fifty Dollars

the property of Deponent
and deponent further says, that she has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Joseph Mahoney (now here) and
another who got arrested, who acted
in concert. Deponent says - when she
returned to said premises, at about
7:30 P.M. of said date, she discovered
that said store had been burglariously
entered, and said property feloniously taken,
stolen and carried away, and was informed
by Henry Benson of no. 395 Madison
Street, that at about 6 P.M. of said
date, he saw the defendants and said other

0559

not arrested forcibly open the doors leading to said premises, and saw them enter said door, and saw them leave the same, and saw that defendant placed a bird in his coat pocket.

Wherefore, deponent prays that defendant be held and dealt with as the law directs.

Sworn to before me Mrs. Lillie Carighiano this 20th day of June 1893

J. M. Ryan
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 _____ 1893
Police Justice

I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated _____ 1893
Police Justice

There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated _____ 1893
Police Justice

Police Court, _____ District, _____

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

vs.

1 _____
2 _____
3 _____
4 _____

Offence—BURGLARY.

Dated _____ 1893

Magistrate _____

Officer _____

Clerk _____

Witness, _____

No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

\$ _____ to answer General Sessions.

0560

CITY AND COUNTY }
OF NEW YORK, } ss.

Clay Benson
aged 10 years, occupation Schoolboy of No. 395 Madison Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Billie Carigliano
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 20 }
day of June 1898, } Henry Benson

John Ryan
Police Justice.

0561

Sec. 198-200.

3

District Police Court

CITY AND COUNTY OF NEW YORK, ss.

Joseph Mahoney 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. Joseph Mahoney

Question. How old are you?

Answer. 21 years

Question. Where were you born?

Answer. United States

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

Answer. No 4 West 125 St 3 months

Question. What is your business or profession?

Answer. Painter

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

Joseph Mahoney

Taken before me this 20 day of August 1911
John H. [Signature]
Police Justice

0562

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 *March 20* 18*91* *John Ryan* 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.

0563

Police Court 110 District 878

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Bellie Caridiano,
395 Madison St.,
Joseph Mahoney

Pruney
Offense

Dated *June 20* 18*91*
Ryan Magistrate.

John J. Bower Officer.
12 Precinct.

Witnesses *Henry Benson*
No. *395 Madison* Street.

No. _____ Street.

No. _____ Street.

\$ *1000* to answer *1000*

1000 & *June 27* *Pruney*



BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

0564

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph Mahoney

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

Joseph Mahoney

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

Joseph Mahoney

late of the *Seventh* Ward of the City of New York, in the County of New York
aforesaid, on the *nineteenth* day of *June* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
day time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *Lillie Carighans*

there situate, 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 *Lillie Carighans*

Lillie Carighans in the said dwelling house 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.

SECOND COUNT—

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

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

The said

Joseph Mahoney

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 said day, with force and arms,

twenty-four pencils of the value of five cents each, one coat of the value of fifteen dollars, one vest of the value of seven dollars, one bird of the value of five dollars, one clock of the value of five dollars, one hat of the value of three dollars, and six printed books of the value of two dollars each.

of the goods, chattels and personal property of one

in the dwelling house of the said

Lillie Carigliano
Lillie Carigliano —

there situate, then and there being found, from the dwelling house 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.

Wm. Lancy Nicoll
District Attorney

0566

BOX:

441

FOLDER:

4065

DESCRIPTION:

Maichler, George

DATE:

06/12/91



4065

0567

BOX:

441

FOLDER:

4065

DESCRIPTION:

Wagner, Jacob

DATE:

06/12/91



4065

0568

Monday June 5 1891

Counsel,
Filed
Pleads
day of June 1891

THE PEOPLE
vs.
George Maichler
and
Jacob Wagner

JOHN R. FELLOWS,
District Attorney.

Barclay in the Third degree.
[Section 498, 26 & 27, 531 1889]

A True Bill.

Foreman.
June 15/91
5 P. 2 1/2 v. R. P.
712 - G. Minn

0569

Police Court _____ District.

City and County } ss.:
of New York,

of No. 173 Leavenworth Street, aged 25 years,
occupation Sailor being duly sworn

deposes and says, that the premises No 296 East 3rd Street,
in the City and County aforesaid, the said being a Four story brick
building the fourth floor
and which was occupied by deponent as a work shop
and ~~in which there was at the time a human being, by name~~

were **BURGLARIOUSLY** entered by means of forcibly ~~breaking~~ making by
making the hooks from the scuttle
on the roof of said building

on the 5th day of June 1891 in the Night time, and the
following property feloniously taken, stolen, and carried away, viz:

Fifteen Overcoats three sack
coats and one rock coat
the whole valued at three
Hundred and fifty dollars

the property of L. Lipman Sons in the Care 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
George Maehler and Jacob Wagner
(both now here)

for the reasons following, to wit: Deponent securely locked
and bolted the doors windows and
scuttle of said premises at the
hour of seven o'clock p.m. on said
date. When deponent found the
scuttle broken open at the hour of
6.30 a.m. the 6th day of June 1891 and
said property was missing.
Deponent is informed by Officer

0570

Fitzpatrick that he arrested
the defendants as they were in the
act of selling a quantity of coats
and deponents has identified said
coats as part of the property of
deponents, that same were lawfully
stolen as aforesaid. Deponent therefore
charges the defendants with
having Burglariously Entered
said premises and having taken
carried away and stolen said
property and prays that they
be held to answer

Joseph Gardner

Sworn to before me this }
7th Day of June 1891 }

[Signature] Police Justice

Police Court — District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Degree. Burglary

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0571

CITY AND COUNTY }
OF NEW YORK, } ss.

Bernard Fitzpatrick
aged 30 years, occupation Police officer of No. 6th
Prucis Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Joseph Martin
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 7 day of June 1882 } Bernard Fitzpatrick

[Signature]
Police Justice.

0572

Sec. 198-300.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

George Murchler 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 Murchler*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *Remond Home Roughen St. Boney*

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*
George Murchler

Taken before me this

day of

1887

Justice

0573

Sec. 198-200

District Police Court

CITY AND COUNTY } ss.
OF NEW YORK,

Jacob Wagner

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. *Jacob Wagner*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *49 Avenue B 21 years*

Question. What is your business or profession?

Answer. *Straw*

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
Jacob Wagner

Taken before me this

MM

1881

Police Justice

[Signature]

0574

It appears 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~~ *Wemy* that he be held to answer the same and he be admitted to bail in the sum of *Twenty* 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 *June 7* 18*91* *[Signature]* 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 _____ *[Signature]* Police Justice.

0575

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Gartin
173 Cannon St
George Mandel
Jacob Wajns

Offence *Assault*

Dated *June 7* 1891

Hoym Magistrate.

Fitzpatrick Officer.

6^{1/2} Precinct.

Witnesses *Officer Fitzpatrick*

No. *6* Street.

No. Street.

No. Street:

2000
Committed
Bung
G. H.
Bung



BAILED.

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*George Maichler and
Jacob Wagner*

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

George Maichler and Jacob Wagner

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

*George Maichler and Jacob
Wagner, both*

late of the *Eleventh* Ward of the City of New York, in the County of New York
aforesaid, on the *fifth* day of *June* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
night - time of the same day, at the Ward, City and County aforesaid, the
~~dwelling house of one~~ *a certain building, to wit:*

the shop of one Joseph Gartner

there situate, 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 *Joseph Gartner*

shop
in the said ~~dwelling house~~ 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.

0577

SECOND COUNT—

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

George Maichler and Jacob Wagner

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

The said

George Maichler and Jacob Wagner, both

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 *night* time of said day, with force and arms,

sixteen overcoats of the value of twenty dollars each, three coats of the value of ten dollars each, and one other coat of the value of fifteen dollars

of the goods, chattels and personal property of one

shop
in the dwelling house of the said

Joseph Gartner
Joseph Gartner
in the shop
there situate, then and there being found, ~~from the dwelling house 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.

THIRD COUNT—

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

George Maichler and Jacob Wagner
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *George Maichler and Jacob Wagner, both*

late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

sixteen overcoats of the value of twenty dollars each, three coats of the value of a few dollars each and one other coat of the value of fifteen dollars

of the goods, chattels and personal property of *Joseph Gartner*

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, from the said *Joseph Gartner*

unlawfully and unjustly, did feloniously receive and have; (the said *George*

Maichler and Jacob Wagner

then and there (well knowing the said goods, chattels and personal property to have been feloniously stolen,) 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.

DE LANCEY NICOLL,
JOHN R. FELLOWS,
District Attorney.

0579

BOX:

441

FOLDER:

4065

DESCRIPTION:

Maller, Adolph

DATE:

06/22/91



4065

0580

A. P. Brewster
of Belmont
Counsel,
Filed *20 June 1891*
Pleads, *July 22*

THE PEOPLE
vs.
Edw. J. Miller
[Section 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 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]

Edw. J. Miller
JOHN R. FELLOWS,
District Attorney.

A True Bill.

Edw. J. Miller
June 27/91 Foreman.
Spied & Counters of
Rayley
Elmer

Witnesses:

0581

STENOGRAPHER'S MINUTES.

Third District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Spinack
vs.
Maller

BEFORE HON

Wm J. Ryan
POLICE JUSTICE,
June 10 188*9*

APPEARANCES:

{ For the People,
For the Defence,

188

I N D E X .

WITNESSES.	Direct Ex.	Cross Ex.	Re-Direct.	Re-Cross.
<i>Spinack</i>	1	26		
<i>Proskovitz</i>	27	43		
<i>Herry</i>	44	44		

Wm J. Ryan
Official Stenographer.

0582

DISTRICT POLICE COURT.

THE PEOPLE,
ON COMPLAINT OF

Spinnack
agst.

Examination had

Before

June 10 188*9*
John J. Ryan Police Justice.

Mallory

M. J. Heacy

Stenographer of the

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

James Spinnack

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

Dated

June 16th

188

John Ryan
Police Justice.

M. J. Heacy
Stenographer.

New York June 10th 1891
 Third District Police
 Court
 Hon. John D. Ryan
 Presiding Justice

Thomas Spinack }
 Adolph Maller } Joseph Miller

Thomas Spinack being
 duly sworn, deposes
 and says, I live
 at No. 115 West 4th St.,
 and am a Saloon
 keeper.

Q. Is there a
 Saloon there?

A. Yes Sir,
 I have got there on the
 23rd and 24th of May 1891

Q. Do you remember on
 the 23rd of May closing

0584

Q.

up your place?

Q. Q. Yes Sir,
What premises do
you occupy?

Q. Q. The basement
What are they used
for?

Q. Q. A Saloon,
Did you lock the
door?

Q. Q. Yes Sir,
And fasten the
window?

Q. Q. Yes Sir,
In the front?

Q. Q. Yes Sir,
And the door?

Q. Q. Yes Sir,
And all the doors in
the rear?

Q. Q. Yes Sir,
On the window in
the rear were any

3

boards nailed?

A. Q.

Yes Sir

Was any portion of
the rear wall that
was boarded up by
boards to prevent
persons entering through
the yard?

A. Q.

Yes Sir,

Were they securely
fastened on the night
of May the 23rd?

A.

Yes Sir,

Counsellor

~~Smith~~ ~~Clark~~ - I object -
In the galoon
what stock do you
keep?

A.

Wines, Liquors,
Beer and cigars

A. Q.

You kept cigars

A. Q.

Yes Sir,

What brand?

A.

Twenty five ~~dollars~~

H

Q. a thousand. What
Brand?

A. The golden
Arrow is one brand

Q. On the 24th of May/91
in the night, were
you awakened?

A. Yes Sir, I
was sleeping up
stairs, Charles Moskau

Q. Was anyone with
him?

A. Yes Sir.
Who was there?

A. A little boy

Q. named Benjamin
Was any other person
there besides these
two, when you were
awakened?

A. It was after

H

5

four o'clock in the morning Court... All the witnesses except the one being examined will step aside.

Q. At the time you were awakened by Moskowitz and Benjamin, was Waller the defendant present?

A. Yes Sir,
Q. Why did you not say so, you are quite sure Waller was there?

A. Yes Sir,
Q. Was he near enough to hear what was said by you?

A. Yes Sir,
Q. Did he speak to you?
A. He showed me the matter. (25 Cent)

6.

piece, with the letter
G on it - The German

Q. Had you that in
your possession?

A. Yes Sir, that is
mine

Q. Did he show
you that? (ten cent
piece)

A. No, he went
down stairs and
found it.

Q. You cannot
identify that?

A. Q. No, Sir,
What did Westcott
say to you? When
you were awakened?

A. He said so they
belong to you, & I
identify that box of
cigars as one of the
6

7
 Q. Being shown me by Moskowitz in the presence of Maller what did you say after you identified that Dot of Cigars?

A. I said I would go and call for an Officer (the Officer (Sterry) came) he came up stairs and placed Maller under arrest.

Q. After Maller had been placed under arrest, did you go down stairs? What did you do?

A. I showed the Officer that the door was broken and the Officer took the

8

Q. measure of the part that was broken, do you mean the door where the door was nailed up, or where the boards were nailed up?

A. Yes Sir
Q. What was the condition of the boards?

A. It was broke off about 12 inches
Q. Was it sufficiently large, in your judgment to permit a person to get into the store from the yard?

A. I went in myself through it.
Q. In your judgment was it sufficiently large to permit the defendant to

8

A go through? Yes Sir,
Smith... I object -
Q. Yes Sir

Q. Did you have any
communication with
the Defendant about
his stealing the
cigars?

A. He was working
there, he was in my
employ before

Q. How
long before that day
had he been dis-
charged?

A. Two days
before.

Q. Before that he
was sleeping there?

A. Yes Sir,
Q. Two days before that

Q. he was discharged?
A. Yes Sir

10.

Q. Did you give him permission to sleep there?

Q. A. No sir, the night of the burglary, did he sleep there?

Q. A. No sir, Cross Examination

Q. You say, you were suddenly aroused on the morning in question?

Q. A. Yes sir, what part of the premises were you in at that time?

Q. A. My stairs
Q. In what room?
A. My room on the first floor.

Q. How many

(10)

11

Q. rooms are there?
 A. A room and a
 Meeting room (Hall)
 I was sleeping in
 the bedroom.

Q. What
 kind of a house is
 that - a brick house?
 A. I did not look
 it is a Stoop, and
 two stories.

Q. There is a store
 in the basement?

Q. Yes Sir,
 and a store on the
 first floor?

Q. Yes Sir.
 You go in the hall
 may and up a
 flight of stairs?

Q. Yes Sir,
 there are four (4)
 doors in that hallway.

(11)

12

Q. I do not remember
 there is one at the
 head of the stairs?

A. I do not remem-
 ber

Q. One at the end
 of the hallway?

A. Q. Yes Sir,
 And there you
 sleep in that little
 room?

Q. Q. Yes Sir,
 Does Moskowitz
 sleep there too, with
 you?

A. There with me

Q. Yes Sir, there are
 floors up stairs?

A. Q. Yes Sir, two (2)

Q. floors Do you remem-
 ber now, carefully

12

13

Thanking it over that
you went to sleep
in the large meeting
hall?

A. No, in the
little bedroom, I
went to sleep.

Q. What
floor is the Bedroom
on
Gettleit. He has testified
that it is on the
first floor.

Q. What is
in the room?

A. A bed,
three large benches

Q. What is in the
Meeting room?

A. (2) Two chairs,
one for the President
and one for the Vice
President.

13

Q. Are the benches along the side?

A. Along the side
Q. Are young fellows in the habit of going there to sleep?

Objected to
Q. Has Waller in the habit of going there to sleep?

Objected to
Q. Did you ever see the Defendant in that large meeting room asleep?

A. Yes Sir,
Q. Did you sleep there generally?

A. Objected to...
Q. You were asleep in the little room that night?

A. Yes Sir

15

Q. How long were you
asleep there before
being arrested?

A. From
after twelve (12) night
o'clock, I closed
at twelve o'clock
and went to sleep.

Q. Did you witness

A. Yes Sir,
I was there when
Moshinsky brought the
cigars in.

Q. I was
sleeping then.

Where
were the cigars
when you first saw
them?

A. On the floor in
the little room.

Q. Did you go into the
little room and see

15

16

Q. Heavy on the floor?
 A. I was sleeping
 in that room, I
 closed at 12 o'clock

Q. When you say
 you closed the store
 did you lock it
 from the outside?

Q. A. Yes Sir
 How do you know
 it was 12 o'clock
 when you closed?

Q. A. I had a
 match in my pocket,
 Q. Was anyone else
 in the floor?

Q. A. I do not

Q. remember. When you
 locked up - there was
 no one else there?

Q. A. Yes Sir,
 Q. Do you remember

16

17

that when you
closed the Saloon
you allowed persons
to sleep there

Q. Has Maskuntz
Objected to
there when you left
and went up stairs?

A. He was outside
me went together to
keep, he went to
sleep when I did.

Q. He saw you
asleep?

A. Yes Sir,
Q. And you say you
were asleep from
12 to 4 o'clock that
morning?

Q. Yes Sir,
Q. What did Waller
say when you
charged him with

17

18

Q. Keeping these things?

Q. He said, he did not take them.

Q. You said that Moskowitz had ^{the 25} cent piece, when did

Q. he show you that when he showed me the cigars, when Waller was in the room, when he showed me that, that was the first I saw of the cigars and the quarter.

Q. Did Waller go to sleep with you that night?

Q. No, Sir, Moskowitz brought him up from down stairs, when he wanted to place his

18

Q. Hand out the cigars?

A. Q. Yes Sir,
 Q. Is that within your
 personal knowledge?
 Did you see Westcott
 find the cigars in
 the hallway?

A. Q. No Sir,
 Did you hear anything
 about having found
 them in the hall-
 way?

A. Yes Sir, he
 Westcott told me
 Q. Did you get into
 a quarrel with
 Waller at that time

A. Q. No Sir,
 You say Waller
 was in your en-
 -play?
 Objected to - objection
 sustained

Q.

Q. You said you discharged Walker
do you owe him
any money?

Obj. to exception
Q. Is it a fact
that Walker left your
employ?

Obj. to exception
Q. Is Mosher in
your employ?

Q. Do you pay him,
for doing any work?

Obj. to exception
Q. Did you state in
your direct examination
that he was in your
employ?

Q. I did not
say that he was
only sleeping with
me.

Q.

21

Q. You say, you did not see the cigars brought into the

Court... He stated that when he was arrested he saw, and identified them as his.

Q. You did see the cigars in the hands of the Defendant?

A. Yes Sir, in the hands of Moskowitz?

Q. You saw them on the floor?

A. Yes Sir, You saw the quarter 25-cent piece, with Moskowitz, not with the Defendant

21

Q. Q.

Q. Q.

How do you know that that box of cigars was yours?

A.

When he showed me the quarters I said that belongs to me, and the cigars belong to me.

Q.

There is no other identification except the general appearance, by which you judge, is there anything about that box of cigars by which you identify it other than the brand?

A.

Q.

By the quantity and brand, Do you know any thing about either of these boxes being broken at that time?

Q. Q.

0605

L. B.

Q. more any open? One
Q. Do? was open? Do that

Q. Do? here? No, I think
it is in the Station
House

Q. Who do you
say were in the room
besides Mosey and
Maller?

Q. Benjamin, the
Boy.

Q. Was Goodman
there?

Q. No Sir, today?
Do he here today?

Q. No Sir,
Did Goodman make
you up?

Q. No Sir,
What "made you"

L. B.

0607

L.H.

Q. Think that these cigars had been taken out of your place? Because I saw the wrapper, I said the cigars belong to me, then I went for an officer.

Q. Did you go anywhere with him? (the officer) I went and showed him the window and he took the measure of the window that was broken open, a hole broken, and boards up.

Q. It is used for passing beer cans through? Objected to, — exception —
Q. Could you get
(24)

25

Q. through that hole?
A. I could get

Q. through that hole?
A. I could get
for voluntarily with
Moshinsky to Gen
room?

Q. I found him
in the room with
Moshinsky

Q. Was Moller
held by Moshinsky?

Q. He was stand
ing near him

Q. How
could he get into
the room without
Gen knowing it?

A. Moshinsky brought
him up.

Q. Moshinsky sleeps
in that room?

Q. Yes Sir

25

Q. & A.

Q. He could go in any time he pleased?

A. Yes Sir, Counsel - could not work with have left you sleeping and have gone down to the galley and helped myself to cigars?

Q. Objected to - exception - were you not sleeping so soundly that he could have left the room with out your knowing it?

A. I was sleeping from twelve o'clock, I did not know he was in, he woke me up

Sporn to before me } J. Spencer
this 10th day of June 1891 }
John Regan }
26 }
Chico, Dakota

24

Charles Moskowitz of
115 Hester St, aged
24 - Carpenter being
awfully worn, deposed
and says

Q.

On the 23rd
and 24th of May 1891
were you living at
115 Hester St New York
City?

Q. A.

Yes Sir,
with whom do you
live there?

A.

I live there
with the Saloonkeeper,
the previous witness

Q.

Did you sleep in
the same room with
him?

A.

Yes Sir, in the
same bed

Q.

On the
nights of May 23rd and
24th

(27)

0611

Q.S.

Q. Did you sleep with Miss [redacted] in the same bed?

A. Yes Sir
Q. Where did you go after leaving that room?

A. In the yard
Q. To the water closet?

Q. Did you notice any of the boards on the boarded windows had been forced open?

A. No Sir,
Q. Objected - Exception -

Q. You must not go back to bed room

A. Objected - to -
Q. What occurred after you left the yard?

Q.S.

0612

29

Q. When I went in
I struck my foot
against something
and found it was
cigars, then when
I saw it was cigars,
I hid myself and
waited to see who
put them there —
After a little while I
saw the Defendant
open the door and
look around, I went
and said "what are
you doing there", I
asked him what
are you doing with
these cigars and he
said he did not
know, I said
come up to the
proprietor tell me all
while going up stairs

29

30.

He took a piece of
 money and threw
 it away, I asked
 him why he threw
 it away, he said,
 it was not money
 but a button; then
 when I got up stairs
 he threw away a (25¢
 piece) quarter. I
 asked the proprietor
 up and told him,
 I found this man
 was there and cigars
 were down stairs to
 you, then the other
 man "Jen" struck
 a match and we
 found a quarter in
 the hallway, we gave
 it to the proprietor, and
 he said "that is mine,
 it was in the cash"
 D.H., The Defendant (30

31.

was there in the room, then the complainant went down to see if the door was broken open, I remained up stairs and dressed myself and the complainant went down stairs

Q.

Did he say what he went down stairs for?

A.

Yes Sir, he asked the Defendant where he got that quarter from and the Defendant said "I know nothing about it", then the complainant said he would go down stairs and see if the door was broken open because

31,

32,

Q. The matter was in the cash box. Spinack went down stairs.

Q. Did he come up again? Yes Sir

Q. Sent Benjamin for an Officer, I guessed, and came and made the arrest.

Q. At the time you saw these cigars in the hall way, you say you stood to see if any one would approach to take them, did the Defendant approach to take them?

Q. He did approach, but did

32

33

Touch them, because
I grabbed them,
Cross Examination.....

Q. Where is your peace
of business?

A. I worked
last for Christopher
Kenshke two months
ago.

Q. What have you
been doing for the
past two months?

A. I work for
myself.

Q. Where is your
peace of business
within the last (2)
two months?

A. I was
doing laboring work
from one to another
man.

33

34.

Q. How long do you know the Defendant

A. maller
About two (2)

Q. months. Was he not sleeping at 115
Aster St since you know him, do you know whether he was sleeping in the hall room at 115 Aster St,

A. He did go there a few times and ask the Proprietor to let him sleep in the Meeting room,

Q. in the winter. What months was he sleeping there?

A. I can not exactly tell you

34

35

Q. That before Easter,
April 1891. Was it in
March 1891?

A. No Sir, it
was before the holidays

Q. Describe the Bed on
which you and Com-
plainant slept in the
little room?

A. There is no
Bed, there are 3 or 5 or
6 chairs we put a
mattress on and
lay there.

Q. Are not the
Pewee Boxes of Cigars
on this Bed?

A. No Sir, in
the Saloon

Q. And Waller, when
you first saw him
where was he?

35

36

Q. Outside. Where?

A. In the street. Where did you see him coming from?

A. He opened the hall door, it was dark - he could not

Q. see me - The first time you saw him was when he came into the hallway, all if any one was looking so you could get the cigars?

A. Yes sir, What hour was this?

A. A little after four (4) o'clock morning, more light than dark.

36

37

Q. When did you first see the cigars?

A. A few moments

Q. previous to that when you first saw the cigars where were they?

A. In the hall

Q. In which part?

A. Near the door

Q. Was the hallway dark or light?

A. There was no gas light, I opened the door, it was dark but not too dark. Was there light enough for you to see

Q. Mallery? Yes Sir, I could

(37)

Q. see him when he opened the door

Did you try the door when you went down to the water closet in the yard?

A. I did go to the front door it was ajar. I went back in the yard.

Q. Did you say the door was open the whole night?

A. He said the door is never locked

Q. Did you see the defendant drop the quarter?

A. I heard it, I did not see it.

Q. Do you know whether

39

Maller dropped the
ten cent piece of
your own personal
knowledge?

A. The ten (10)
cent piece I can
not tell, but the
matter I did.

Q. Did you hear money
fall twice?

A. Yes Sir, only
a ten cent piece and
one quarter.

Q. Do you know if
any one else was in
the hallway besides
you and Maller?

A. No one but him
and me.

Q. This was on
a Sunday morning

A. Q. Yes Sir,
About four o'clock
a.m.?

(39)

Ha

Q. Q. Yes Sir, you testified that your feet struck against something which you reported and found to be cigars?

Q. Q. Yes Sir, you testified that the cigars were wrapped in paper?

Q. Q. Yes Sir, did with cork?

Q. Ha they were

Q. not, you say through the paper that they were cigars?

Q. No I took the paper off myself.

Q. These cigars were in the Saloon?

Q. In the hall

Ha

H

Q. when I saw them.
How did you know
when you saw them
or your feet struck
something, that these
cigars were stolen?

A. How could they
get in the hallway?

Q. Directly in front of
the door in this
house?

A. No, in and
wood

Q. If any money
dropped you could
easily hear it?

A. Yes Sir, you
could hear a pin
fall

Q. Did you go in
front of Waller, or
the in front of you?
A. He went up and

H

Hv

Q. I followed him, as you were going up you heard the money drop?

A. He dropped it, when he was going up

Q. ~~Cross Examination~~

I want to ask about the panel - you say there is a panel window in the Saloon?

A. There is about the size of this lot cut out

Q. Did you go down there at the time with Spiraack or alone to look at this panel

Objected to

Hv

0627

H. J.

Q I did not see any
 thing, I heard him
 drop the ^{quarter} ~~quarter~~ ^{points}
~~points~~
 down to before me
 this 10th day of June 1891
 John Ryan
 Police Justice

H. J.

44.

Robert Henry being
only sworn deposed
and says, I am an
Officer attached to the
Eleventh Regiment

Q.

and where did you
make this arrest?

Q.

I
was on post in
Clairidge St between
4 and half past four
o'clock and a young
man came and
told me a Philman
was wanted

Q.

In pursuance
of that conversation
you went to 115
Westey St.

Q.

Yes Sir, we
went to the first
floor of the Troop

44.

H 5,

Q. The Prisoner, and the
Complainant and
Neskevitz were there,
they told me they
had the Cigarettes in
the hallway (Waller
Defendant), was there
How many boxes
of Cigars were found
over?

A. Seven Boxes and
a quarter in money
and a ten cent
piece, this is one of
the boxes, the (25)
quarter was handed
to me by Neskevitz.

Q. Did you make
an examination of the
door or window in
the rear?

A. I came down
stairs and went in

H 5

H.C.

The rear and found
a panel one foot
two inches long and
three inches wide,
it had been forced
open and out.

Q.

The Defendant was
taken to the Station
house by you?

A.

Yes Sir,
on the way he stated
that he dropped a
certain piece on
the stairway.

Q.

Did he
say anything about
the quarters?

A. Q.

No Sir,
Did he say any-
thing about the
eggs?

A.

Yes Sir,
H.C.

0631

HJ

That is the case for
the people

Opport before me }
this 10th day of June 1891 } Robert Henry
John Ryan

Police Justice

Comaellor Saraceni I move
to discharge the prisoner
on the ground that
insufficient evidence
is not shown to con-
vict him with any
guilt.

Court. The Motion denied
Further Examination
waived.

Defendant shall pay
answer in \$2000

HJ

0632

District Police Court.

Shaver

vs.

Mallen

Employ

STENOGRAPHER'S TRANSCRIPT.

June 10 188*9*

BEFORE HON.

John J. Ryan

Judge Justice

H. J. Healey

Official Stenographer.

0633

No. 2

109

TO THE CHIEF CLERK.

Please send me the Papers in the Case of
PEOPLE

vs.
Carroll

<i>Front</i>	
<i>Back</i>	<i>Mail</i>
<i>Hand</i>	<i>File</i>
<i>District Attorney.</i>	

0634

25/6
THE PEOPLE

vs.

ADOLPH MALLER.

COURT OF GENERAL SESSIONS, PART I.

BEFORE JUDGE COWING.

June 24, 1891.

Indictment for burglary in the third degree.

JONAS SPIRACK, sworn and examined.

I am a saloon keeper at 115 Hester Street in this city; it is in a basement and there is an entrance from the outside. I remember the night of the 23rd of May, I closed up about twelve o'clock in the night, it was Saturday night; there are three doors to that basement, one in the front, one in the middle and one in the yard; the one that leads to the back yard is fastened with a key on the inside and the front basement is fastened with a patent lock and key from the inside, I fastened that door that night with the key from the outside; I fastened all three doors that night and went away about twelve o'clock; the windows were closed. There was in the store when I left whiskies, brandies, cigars and wine. I left in the drawer a couple of pennies and a twenty-five cent piece with a German C on it, a monogram. I had about six or seven hundred cigars, I can identify the brand. It was about four o'clock on Sunday morning when I was informed about trouble in the premises.

A man named Moskowitz sleeps with me, he woke me up and he showed me cigars in the room, I went down to the store and I saw the rear door from the yard, it was a wooden door and there was a hole made in the door, it was locked but the door was split in the middle, the panels were knocked in; the hole was big enough for a man to crawl through,

0635

I missed seven boxes of cigars and the quarter with the monogram on it but nothing else; the coin now shown me is the one that was missing; the box of cigars now shown me is one of the seven boxes which were taken away without my permission.

CROSS EXAMINED. The officer came down with me and I showed him the door. I slept on the first floor that night. There is an entrance to a big meeting room in the front, I never slept in that big meeting room, I know Benjamin Catz.

CHARLES MOSKOWITZ, sworn and examined.

I am a carpenter and live at 115 Hester Street and am a room-mate of Jonas Spirack, I remember the morning of the 24th of May, at half past three I went down to the yard and I saw a box of cigars in the hall near the door leading into the street, I remained standing under the stairs to see who will come and take the box away and then the boy (the prisoner) came in and slowly opened the door and tried to take the box; I went up to him and caught hold of him and I said, "what are you doing here". Then he said, "I do not know"; then I said, "come with me upstairs to the owner and we will see where the boxes of cigars are from." Then he came with me upstairs and while we were in the middle of the stairs he threw something out of his pocket; I did not pick it up, I said to him, "why do you throw away money?" He mumbled something and said, "it is no money." Near at the door from the hall into the room he threw again something away. Then I asked him again, "what are you throwing away?" He said, "nothing." As we entered the room I woke

0636

up the owner and I said to him, "I met the boy down stairs with the cigars, are those your cigars?" The owner said, "I do not know. Then I said to the owner, "hold this boy I will go to see if he threw away some money"; I lit some matches in the hall; then I found a quarter and I showed it to the owner and he said, "it belongs to me." The quarter now shown me is the one I picked up on the stairs, I picked up a ten cent piece on the stairs also. I remained upstairs and the owner went down stairs and said, "I will see if my door is broke." Then he came up and sent a boy for an officer and when the officer came he took the boy into his custody,

CROSS EXAMINED.

I have known the complainant three years and have known the defendant a few months. There is a large meeting hall on the first floor upstairs; Maller has been in the habit of sleeping in that large room in the winter time, he slept there a few times, he asked the owner for permission to do so and sometimes one or two young men asked for permission and they slept also in the meeting room. The door from the street to the hall is left open at night usually. On the night in question I went to bed with the owner about half past eleven o'clock, he slept in the same bed with me that night, he was asleep in that room at half past three when I went down stairs, I went to the water closet in the yard; I did not notice whether that panel in the back door of the basement was broken when I went to the closet, it was not far from where the boxes were. Arriving at the foot of the stairs to go to the yard you have to turn to the right and go up a distance of about forty-five feet? Yes, I do not know exactly

the measurement. The boxes were at the stairs coming from upstairs down, I would not have seen them but for the fact that I knocked my foot against them. I also called a man named Goodman who slept in the meeting-room and Benjamin Catz was sleeping in the meeting-room also. I have no grudge against the defendant, I always employed him and a few days before this he helped me and I paid him. He was working for the complainant in the saloon making himself useful at one thing or another. I did not accuse the defendant of stealing those cigars, I never saw that quarter with the Complainant. I saw the hole in the panel of the door.

JONAS Spirack recalled.

The cigars are worth \$1.25 a box and the property in the saloon was worth three or four hundred dollars. You open a rear door, you enter the kitchen which is a little room which is about six feet square, do you not, you have to go through a doorway leading from this kitchen into the saloon? Yes. Then being in the saloon to get to the cash box you have to go around a partition in the saloon? Yes. So that by no possibility could a man put his hand in through that aperture in the panel of the door and take out seven boxes of cigars and a quarter out of the cash box? No. Do you want the Jury to understand that the defendant went through the hole in the panel of that door and went into your saloon and took out this box of cigars? I did not see him go in. Could he go through the hole in the panel of that door? I do not know, I did not measure it, the officer got the measurement of the door. There was a

0538

little hole in the door before and on this night in question it was broken more and the little hole had been made a big hole.

CHARLES H. SMITH, sworn and examined for the Defence, testified:

After Maller was arrested and had his examination in this matter I went and personally inspected the rear door of the premises 115 Hester Street and I saw the door in question, I saw that there was in the door about four feet from the ground a hole used evidently for the purpose of passing kettles of beer through. I took the measurement of that aperture, I noticed that the width of it was the width of a plank of pine, that the height of it was about an inch or so longer and that the boards were weather stained. I examined those boards again to-day and they are the same to-day as they were then. I made a measurement of the hole and this is the size of it (showing diagram). In my opinion this boy could not get through that hole. I noticed that fastened to the inside of the hole was a little board slab which also looked water worn. To enter the building through that rear door you enter into the kitchen, which is about six feet square, and to get into the saloon you have to go through the door over to the right. Being in the saloon to get in behind the bar you have to go a distance, as the man said, about half the depth of this room. I could not get into that hole. The size of it is ten inches one way and eleven or twelve inches the other way. The complaint in this case was made on May 24 and I measured the hole about May 26.

5

0639

ADOBPH MALLER, sworn and examined.

I am seventeen years old going on eighteen and I know the complainant and Mr. Moskowitz. Where were you in the habit of sleeping? I slept in the meeting-room at 115 Hester Street in this city. You saw these boxes of cigars which is said to be one of the seven boxes of cigars that were found on the morning of May 24th at about half past three or four o'clock, did you take those seven boxes of cigars out of the complainant's saloon? No sir. Were you in the saloon that night? NO. Did you take that quarter out of the cash box or ever see it before this case commenced against you? No sir. I know Mr. Myerson, he is here, I gave him some pennies and he gave me a ten cent piece for them, it was near half past three and a couple of minutes later I went upstairs, that was at the soda water fountain. Previously I had been to Myerson's saloon in 85 Eldridge Street and also at a coffee and cake room at 102 Hester Street which is opposite 115 Hester Street.

Where was the precise point where you first met Moskowitz that night? He was away up the flights of stairs as I came in. Why did you go there? I went to go up to sleep in that big meeting room; I saw Moskowitz at the head of the stairs and at that time I dropped the ten cent piece. He said to me, "hello, Maller, what are you firing money away for?" I said, "I dropped a ten cent piece", and then he took me upstairs and asked me, "where did you get the cigars." The complainant was not there then, he hollered for Goodman who hangs around the saloon and Goodman and Benjamin Catz were awakened. The complainant slept in the

0640

meeting room. I only saw one box of cigars when they were in the little room, I did not see them in the hall, I saw Moskowitz have a bundle, I did not see what it was until I came in that little room. When the complainant came in Moskowitz asked him whose cigars they were and he said, "I think they are mine"; he went down stairs to look to see if the door was broken open and Benjamin went down for the officer and he locked me alone in the room and came in again with the boarder and said, "where did you get that quarter?" I said I never seen it. The complainant said the door was broken open and said he guessed I done it; the officer came upstairs and took me, I told him I dropped a ten cent piece and that he should look for the ten cents; the complainant, the officer and myself went down to the saloon, he opened the door and showed me the hole that was broken in it and showed me the cash box. I did not climb in that hole and take those cigars and leave them in the hallway, I did not take the quarter out of the drawer. I was in charge of the complainant's bar for a week and he paid me for that work and he let me sleep a couple of months in the big meeting room, I slept there the Saturday and Sunday that the burglary was committed; the complainant permitted Goodwin, Benjamin Catz and a fellow by the name of Wellmore to sleep in that room.

CROSS EXAMINED.

I stopped selling cigars and peddled books, I never made much money, it was in the winter time and the complainant always let me sleep there and I did not have to pay for my board. I was surprised to see Moskowitz at half past three o'clock that morning, I was not peddling at the time, I was staying in

0641

the coffee saloon watching them playing pool about half past three. There was no bed in this meeting-room where I slept, only chairs and a carpet. He was in the hall room when they woke him up -- the complainant; there is a door to go in from the little room, there was only a bench and a pillow and he slept on the floor. I did not have any other money with me than the ten cent piece.

BENJAMIN CATZ sworn.

I know the defendant and the premises 115 Hester St. I remember the time when the Defendant was arrested, I was sleeping that night in the meeting room and Goodman and the Complainant were sleeping there also, I was awoke about four o'clock in the morning by Moskowitz who said he wanted to see about the money that was dropped; then he brought up seven boxes of cigars and the Defendant was with him, then he woke up the Complainant and showed him the cigars, he said, "I can't tell that these cigars are mine because I have different cigar boxes. He went down stairs and saw that the panel was broken of the door and came up and said those cigars were his. They told me to go and find a policeman, I came back with a policeman and he took the Defendant away. Why did the Complainant sleep in the big meeting room? I heard him say a week before that he had a gold watch and he was afraid to sleep in the little room with Moskowitz and so he slept in the big hall.

CHARLES S. MYERSON, sworn.

I know the Defendant, I am in business at 85 Hester Street, I remember the defendant being in my saloon on the

0642

night of the 24th of May, I remember meeting him at half past three at my soda water stand, I just spoke to him a few words and said, "it is time for you to be home", I made a remark if I had not to be in business I would be home a long time ago. I do not recollect if I did give him a ten cent piece for ten pennies.

CHARLES ROSENBERG, sworn.

I was at 102 Hester Street in a coffee and cake saloon on the morning of May 24, I saw the defendant there between half past three and four o'clock, I saw him go out of the door, I was sitting at the table at the time, he walked out of the door but I did not notice which way he went; I saw the policeman go down the steps of the Complainant's saloon with him and saw him come out of there; I think he must have been in the coffee and cake saloon about an hour and he was arrested about ten minutes after he went out. I don't know where he was between half past twelve and two o'clock. I know young men are in the habit of sleeping in that big meeting hall; the Complainant lets them go up there and sleep, I have seen the Defendant work for the complainant.

MAX FINKELSTEIN, sworn.

I live at 102 Hester Street and was in the coffee and cake saloon about four o'clock on the morning of May 24, I saw the defendant there sleeping by the table.

CHARLES CRAMER, sworn.

I saw the defendant in the saloon 85 Elridge Street at

0643

one o'clock on Saturday morning and the next day he was arrested, he was there as far as I know between eleven and one o'clock.

BIMHARDPENNER sworn.

I am a dealer in peddlers' supplies and know the defendant, he worked for me last winter, I gave him some goods to sell and he paid me for them, he was recommended to me as an honest fellow.

The Jury rendered a verdict of guilty of burglary in the third degree.

He was sent to the Elmira Reformatory.

was ill in presence of
cellmate

penner
1911

0645

Third District Police Court.

To the Hon Supreme Court
The return to
the within writ respectfully
shows that, the annexed
complaint, affidavit and
examination are all the
papers and proceedings in the
case now on file in this Court.

Respy
Jeremiah Hayes
Dated NY June 1st 1891. Clerk

0646

No. 76a.

W. Reid Gould, Law Blank Publisher and Stationer,
130 Nassau Street, cor. of Beekman, and 120 Broadway N. Y.

The People of the State of New York, TO
John J. Ryan Esq Police Justice

CERTIORARI
TO CERTIFY CAUSE OF
DETENTION.

GREETING :

We Command you, That you certify fully and at large to *the Court*
ofayer & Ferrimer, and if such Court
be not in session then to the Supreme Court
at Chambers or County Court House New
York City on June 12 1891 10 1/2 A.M
the day and cause of the imprisonment of *Adolph Maller*

by you detained ; as is said, by whatsoever name the said *Adolph*

Maller

shall be called or charged ; and have you then this writ.

Witness, *Hon Chas H. Van Brunt* Chief Justice of
the *Supreme Court* 29 day of *May* 18 *91*

Alex J. Rumbal

Attorney.

By the Court

Clerk.

*70 Essex St
NY*

Edward A. Ferguson

0647

Within Writ allowed
let Copy be served on
Dist atty N.Y. Co
this day & be deemed
sufficient

May 29. 1891

Am. Honesty

A large, stylized handwritten signature or set of initials, possibly reading 'J. H. E.', written in dark ink.

0548

Police Court— B District.

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

of No. 115 Hester Street, aged 20 years,
occupation Saloon Keeper being duly sworn

deposes and says, that the premises No. 115 Hester Street, Ward
in the City and County aforesaid the said being a three story

brick building and which was occupied by deponent as a liquor saloon
and in which there was at the time no human being, ~~by name~~

were **BURGLARIOUSLY** entered by means of forcibly beating
open the door, leading from the yard of said premises, into said
saloon, and entering said saloon
with the intent to commit a felony,
on the 24th day of May, 1891, in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Seven boxes of Reg. cas. and
about forty cuts in pens
and coin. All of the value of
Eleven Dollars.

the property 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

Adolph Maller (now here)

for the reasons following, to wit: that at the hour of 12
o'clock midnight, May 23rd, deponent
locked and closed said saloon for
the night.
deponent is informed by Charles
Miskowitz, that at the hour 4, 30
o'clock A.M., May 24 he discovered
that said place had been entered as
aforesaid, and found this defendant.

in the hallway of said premises, and found some boxes of cigars in said hallway near the defendant. and also saw him throw away a twenty piece and a ten cent piece in said hallway. that this witness received said twenty piece cent piece, and said ten cent piece, which the defendant threw away in said hallway.

Defendant further says that he has seen said twenty piece cent piece which this defendant threw away, and identifies it by a memorandum on it, as his property, which was in the money drawn when defendant closed his saloon for the night.

Wherefore defendant charges this defendant with Burglary with intent, said premises, and stealing said property.

Sworn to before me } James Spivack
the 28th day of May 1899

Dated _____ 1899 Police Justice

guilty of the offense mentioned, I order he to be discharged.

There being no sufficient cause to believe the within named

Dated _____ 1899 Police Justice

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

Dated _____ 1899 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 and that there is sufficient cause to believe the within named committed, and that there is sufficient cause to believe the crime therein mentioned has been

Police Court, District, _____
THE PEOPLE, &c.,
on the complaint of _____
ss. _____
1 _____
2 _____
3 _____
4 _____
Dated _____ 1899
Magistrate _____
Officer _____
Clerk _____
Witness _____
No. _____ Street _____
No. _____ Street _____
No. _____ Street _____
\$ _____ to answer General Sessions.

0650

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles Moskowitz
aged 25 years, occupation Carpenter of No. 115 Hester Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of James Spivack and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 24 day of May 1898, } *Charles Moskowitz*
} *Moskowitz*

John J. Ryan
Police Justice.

0651

Sec. 198-200

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Adolph
~~*Herold*~~ *Maller* 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.

Adolph Maller

Question. How old are you?

Answer.

17 years old

Question. Where were you born?

Answer.

Austria

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

Answer.

No home

Question. What is your business or profession?

Answer.

Peeler

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

A Maller

Taken before me this

day of

John D. Egan
1883

Police Justice.

0652

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 May 28 18 91 *John Ryan* 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.

0653

47 B 736
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Josias Spirack
115 - 1/2 Hester St.
Adolph Mallin

Langley
Offence

2
3
4

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *May 24* 1891
Reyn Magistrate.

Robt Henry Officer.
11 1/2 Precinct.

Witnesses *Charles Moskowitz*

No. *115 Hester* Street.

Officer *Robt Henry*
No. *11 1/2 Precinct* Street.

No. _____ Street.

\$ *1000* to answer *Sen*
Committed

#1,000. Ex May 28
2 P.M.



0654

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.....

Adolph Maller

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *twenty* 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 *June 10* 18 *91* *John Ryan* 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.

0655

47
Police Court--- 3 District. 807

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jonas Spivack
115 vs. Robert
Adolph Maller

Offence
Burglary

Dated May 24 1891
Ryann Magistrate.
Robt Henry Officer.
11 Precinct.

Witnesses Charles Moskowitz
No. 115 Hester Street.
Officer Robt Henry
No. 11th Precinct Street.



No. 2000 to answer
after request
this day June 10-91
Reimprisoned June 19/91
Ex \$1,000 June 10

BAILABLE.

No. 1, by _____
Residence _____ Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

0656

AT CHAMBERS OF THE SUPREME COURT
HELD AT THE COUNTY COURT HOUSE
NEW YORK CITY JUNE 1st 1891 .

PRESENT MON George P. Andrews .
Justice .

The People Ex Rel

ADOLPH MALLER

AGAINST

JOHN J. RYAN

Police Justice .

THE WRIT OF CERTIORARI HEREIN BEING RETURNED AND A
TRAVERSE TO THE RETURN BEING FILED .

AFTER HEARING Charles H. Smith for the Relator and Dav-
id Welch Assistant district attorney .

It is ordered that an examination of the complain-
ant and his witnesses and any witnesses that may be
produced on the part of said Adolph Maller be had at the
3rd district Police Court before the Police Justice 69 Essex
Street New York city .

Ent G. P. A.
J.

A COPY

Leonard A. Giegerich .
Clerk .

0657

Supreme Court

People vs. Lee

Joseph M. Hall

against

John J. Ryan

Police Justice

Order

VERIFIED

VERIFIED

VERIFIED

...

...

0658

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Adolph Maller

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

Adolph Maller

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

Adolph Maller

late of the Tenth Ward of the City of New York, in the County of New York
aforesaid, on the 24th day of May in the year of our Lord one
thousand eight hundred and ninety-one, with force and arms, in the
night - time of the same day, at the Ward, City and County aforesaid, the
dwelling-house of one a certain building to wit:

the saloon of one Jonas Spiwack

there situate, 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 Jonas Spiwack

in the said dwelling-house 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.

0659

SECOND COUNT—

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

Adolph Maller

of the CRIME OF *Petit* LARCENY

, committed as follows:

The said

Adolph Maller

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 *night* time of said day, with force and arms,

seven boxes of cigars of the value of one dollar and fifty cents each box, and diverse coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of forty cents.

of the goods, chattels and personal property of one

Jonas Spivack

in the *saloon* dwelling house of the said

Jonas Spivack

in the saloon
there situate, then and there being found, ~~from the dwelling house 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.

[Signature]

0660

THIRD COUNT—

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

Adolph Muller

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

Adolph Muller

late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

seven boxes of cigars of the value of one dollar and fifty cents each box, and divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of forty cents

of the goods, chattels and personal property of

Jonas Spuward

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, from the said

Jonas Spuward

unlawfully and unjustly, did feloniously receive and have; (the said

Adolph Muller

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen,) 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.

DE LANCEY NICOLL,

~~JOHN R. FELLOWS,~~

District Attorney.

0661

BOX:

441

FOLDER:

4065

DESCRIPTION:

Mann, Charles A.

DATE:

06/26/91



4065

0552

Witnesses;

J.P. [Signature]

Counsel,

Filed *26* day of *June* 189*9*

Pleas,

Not Guilty

THE PEOPLE

vs.

Charles A. Mann

R

Robbery, [Sections 224 and 228, Penal Code], degree.

DeSancy Mott
~~JOHN R. FELLOWS,~~

District Attorney.

A TRUE BILL.

Chas. J. [Signature]

Foreman.

Charles [Signature] P. [Signature]

Emerson [Signature]

0663

Police Court-- 2nd District.

CITY AND COUNTY } ss
OF NEW YORK, }

Wah Sing
of No. 265 Seventh Avenue Street, Aged 40 Years
Occupation Laundry being duly sworn, deposes and says, that on the
22nd day of June 1887, at the 20th Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful Money of the
United States of the amount and
Value of Three Dollars

~~of the value of~~ Depment DOLLARS,
the property of

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 force and violence as aforesaid by

Charles Augustus NAME now here and another man
not now arrested from the fact that at the
hour of about 12 o'clock mid day the deponent
and said other man not now arrested came
into the Laundry premises no 265 Seventh
Avenue and the deponent pointed and aimed
a loaded revolving pistol at Depment and
the man not now arrested went behind the counter
and pulled out the money drawer and took the
aforesaid money out of said drawer and they
both ran out of the said laundry pursued
by deponents who shouted Police and deponent
is informed by Officer Richard Ross

day of

Sworn to before me this

188

Police Justice

0664

of the 16th Precinct Police that he saw the defendant
Primm along West 17th Street and said Officer
saw the defendant throw a loaded revolving
pistol here produced in Court in an ash
barrel defendant positively identifies the
defendant as he defendant never lost sight
of defendant until defendant was taken
into custody by Officer Kork

Sworn to before me this

22nd day of June 1897

和日

W. W. Maloney

Police Justice

It appearing to me by the within depositions and statements that the crime herein 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 _____ 1897
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated _____ 1897
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated _____ 1897
Police Justice.

Police Court, District

THE PEOPLE, etc.,
on the complaint of

Offence—ROBBERY.

1
2
3
4

Dated _____ 1897

Magistrate.

Officer.

Clerk.

Witnesses.

No. _____ Street,

No. _____ Street,

No. _____ Street,

§ _____ to answer General Sessions.

0665

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 36 years, occupation Charles Kook
Police Officer of No.

16th Avenue Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Wah Sing

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

Sworn to before me this 22nd day of June 1891 Charles Kook

W. W. ...
Police Justice.

0666

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK }

Charles Augustus Mann 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. *Charles Augustus Mann*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *Brooklyn 3 days*

Question. What is your business or profession?

Answer. *None*

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*

a man

Taken before me this

day

June 1887

1887

W. J. ...

Police Justice.

0658

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wah Sing
vs.
Charles Charles Mann

Offence
Robbery

Dated June 22 1891
McMahon Magistrate.

Lehas Hook Officer.
16 Precinct.

Witnesses Boutin Officer
No. Street.

No. Street.
No. Street.



\$ 2500 to answer G. S.

Boutin

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

0669

To Hon Rufus B. Clevinger, Judge.

New York Jun 30/91

This is to Certify That
About three years ^{ago} I was called
to attend a Boy named
Charles A. Mann of 48 Grove St,
who had met with a fall
producing Concussion of the Brain
followed by fever and spasms
from which he recovered in a
few days but from which he
has seemed to me to be affected
with Physical & Mental Cramps
to a degree ever since.

This in my judgment would tend
to make him irresponsible for
any Criminal Act.

Edwin Crest M.D.,
111 Washington Place,

0670

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles A. Mann

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

Charles A. Mann

of the CRIME OF ROBBERY in the first degree, committed as follows:

The said Charles A. Mann,

late of the City of New York, in the County of New York aforesaid, on the twenty-second day of June, in the year of our Lord one thousand eight hundred and ninety-one, in the day time of the said day, at the City and County aforesaid, with force and arms, in and upon one Wm. Smith, in the peace of the said People, then and there being, feloniously did make an assault, and

the sum of three dollars in money, lawful money of the United States of America, and of the value of three dollars,

of the goods, chattels and personal property of the said Wm. Smith, from the person of the said Wm. Smith, against the will, and by violence to the person of the said Wm. Smith, then and there violently and feloniously did rob, steal, take and carry away, the said

Charles A. Mann being then and there aided by an accomplice actually present, whose name is to be found by the Grand Jury of aforesaid unknown, and being also then and there armed with a dangerous weapon, to wit: a certain loaded pistol, 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.

Do hereby certify
District Attorney

0671

BOX:

441

FOLDER:

4065

DESCRIPTION:

Manwaring, David W.

DATE:

06/10/91



4065

0672

Witnesses:

Four horizontal lines for witness signatures.

E. P. Brady

Counsel,
Filed *10* day of *June* 189*1*
Plsads, *17 July 11*

THE PEOPLE
vs.
Grand Larceny Second Degree.
[Sections 528, 537 - Penal Code.]

David W. Hanuman

*19 Henry Street
New York
(Case)*

DE LANCEY NICOLL,
District Attorney.

A True Bill.

W. J. Smith
James T. [unclear] Foreman.
Richard H. [unclear]
Edwin [unclear]

0673

No. **1891**
D. ABRAHAMS;
87 Park Row and 31 N. William St.
(Formerly 47 Chatham Street.)
Established 1860.
April. 1891
To
Orin
\$ 35.00
Orin
Not answerable in case of fire or damage.
SEE RATES ON OTHER SIDE.

0674

Police Court 4 District.

Affidavit—Larceny.

City and County } ss:
of New York,

of No. 319 West 59th Street, aged 46 years,
occupation Keyp House being duly sworn,

deposes and says, that on the 20th day of April 1891 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 diamond ring of the value
of One hundred dollars

the property of Deponent and deponent's
husband Patrick Sawyer

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 David H. Mauraring, (from her)
from the fact that on or about said date
this deponent came to visit deponent's home.
That the said ring was in one of the rooms.
That deponent, through the property and
is now informed by a detective Laugh
Morton that he the officer arrested the
defendant and that the defendant gave him
the officer a pass ticket, which is first
offered, and which the defendant told
the officer represented the said property.
That this defendant has admitted in
open court, in presence of deponent and detective
Laugh Morton of the 25 Precinct Office that
he took and carried away the said
property. Therefore deponent prays that the
defendant be held and dealt with as the
law directs to the said defendant

Sworn to before me, this
1891
day of April
John W. Wick
Justice.

0675

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

David A. Maunring 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. *David A. Maunring*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *New Jersey*

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

Answer. *No 10 River View Terrace 10 yrs*

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. ~~I have nothing to say~~
I am not guilty
David A. Maunring

Taken before me this

day of

1891

John J. ...

Police Justice

0676

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 100 *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 Jan 1 *188* [Signature] *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.*

0677

Police Court-- H District ⁷⁷⁶

THE PEOPLE & c.,
vs. THE COMPLAINT OF

May 1st 1891
East 104th St
Brooklyn

1 _____
2 *(2 cases)*
3 _____
4 _____

John Murray

Dated *June 8* 18*91*

Murray Magistrate

Martin Officer

75 Precinct

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *1000* to answer *Q.P.S.*

at June 8 7.30
Wm



BAILED.

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.



0678

CITY AND COUNTY }
OF NEW YORK, } ss.

Joseph Martin
aged *35* years, occupation *Police Officer* of No. *125*
West 125th Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *Mary F. Dwyer*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this *15th* day of *June*, 189*6*, }
Joseph Martin

John J. [Signature]
Police Justice.

0679

Police Court Fourth District.

Affidavit—Larceny.

City and County } ss:
of New York,

Michael Conlan

of No. 401 West 42nd Street, aged 57 years,
occupation Clerk being duly sworn,

deposes and says, that on the 25 day of April 1891 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 of the value of forty dollars
and lawful money of the United States of
the amount and value of thirty-five dollars
two Gold-plated Lockets of the value
of two dollars, and ~~two~~ ^{one} pocket good
for passage for one person from New York
to Washington D. C. of the value of
five dollars and all of the value of
weight - two ^{or} ~~two~~ ^{one} ~~two~~ dollars — \$82.00
the property of deponent.

Sworn to before me this
1891 day

John G. Foster

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 David N. Mannering (now here)
from the fact that at about the hour of 12 M. on
the aforesaid day deponent was in the
company of said defendant in the liquor
store in premises situated at on the north-east
corner of 59th Street and 2nd Avenue and
said property was in the pockets of the
clothing then and there worn upon deponent's
person, and deponent fell asleep on a chair
in said premises and when deponent awoke
said defendant had disappeared and left
deponent then he went to the Rev. Gladstone
at 59th Street and 8th Avenue and there missed
the said property. Deponent further
says that he is informed by Officer Hugh

0680

Martin of the 25th Precinct Police that said defendant did confess and admit to him, Martin, that he the defendant had taken and stolen and carried away the aforesaid watch, two lockets and Carl Road ticket and five dollars in money from the possession and the person of Depoent, and said defendant did thereupon give said Officer Martin a pawn ticket representing the aforesaid gold watch which he, defendant, said he had pledged in the Pawn Shop kept by one Simpson, at No 225 Park Row and Officer Martin did then go to the aforesaid Pawn Shop and did there find the said gold watch which Depoent identifies as being the same which had been taken stolen and carried away from Depoent's possession and person in the manner aforesaid.

Depoent therefore charges said David N. Mannarick with having committed the said Larceny and asks that he may be dealt with as the law may direct.

Sworn to before me this
8 day of June 1891

Michael Conlan
Police Justice

[Handwritten signature]

0681

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 42 years, occupation Hugh Martin
Police Officer of No.

the 25th Precinct Police Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Michael Conlan

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

Sworn to before me, this 8th day of June 1894, } Hugh Martin

[Signature]
Police Justice.

0682

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY OF NEW YORK

David W. Mannering 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. David W. Mannering

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. Bloomfield, New Jersey

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

Answer. 7-10 Riverside Terrace & about

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. I am not guilty
David W. Mannering

Taken before me this
March 9th 1931
Police Justice

0583

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 June 8 1891 [Signature] 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.

0684

775

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael Conlan

2401 Street 47
David N. Mansward

2
3 (REGARD)
4

*Office of the
Magistrate*

BAILABLE.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *June 8* 18*91*

Morris Magistrate

Joseph Martin Officer.

25 Precinct.

Witnesses *Call Officer*

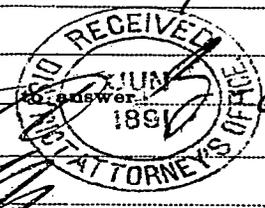
No. _____ Street.

Dolly Dwyer

No. *319 Pearl St* Street.

No. _____ Street.

\$ *1000* for answer.



*Get
money*

0685

COURT OF GENERAL SESSIONS OF THE PEACE, OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK, against

David W. Manwaring

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse David W. Manwaring of the CRIME OF GRAND LARCENY IN THE SECOND DEGREE, committed as follows:

The said David W. Manwaring

late of the City of New York, in the County of New York aforesaid, on the 25th day of April in the year of our Lord one thousand eight hundred and ninety-one, at the City and County aforesaid, with force and arms, in the day-time of the same day, divers 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 a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of thirty-five

dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of thirty-five

dollars; divers United States Silver Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of thirty-five

dollars; divers United States Gold Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of thirty-five

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of thirty-five dollars, one

watch of the value of forty dollars, two lockets of the value of one dollar each, one railroad ticket of the value of five dollars

of the goods, chattels and personal property of one Michael Conlan, on the person of the said Michael Conlan then and there being found, from the person of the said Michael Conlan 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.

35.00

0686

Second COUNT:—

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

David W. Manwaring

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROP-
ERTY committed as follows:

The said *David W. Manwaring*

late of the City and County aforesaid, afterwards to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms,

*the same goods, chattels and personal
property described in the first
count of this indictment*

of the goods, chattels and personal property of one

Michael Conlan

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before
feloniously stolen, taken and carried away from the said

Michael Conlan

feloniously and unjustly did feloniously receive and have

he

the said

David W. Manwaring

then and there well knowing the said goods, chattels and personal property to have been
feloniously stolen, taken and carried 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.

DE LANCEY NICOLL

JOHN R. WELLS, District Attorney

0587

119 J. J. P. [Signature]
Counsel, [Signature]

Filed 10 day of June 1891
Pleads, [Signature]

Grand Larceny, Second Degree
[Sections 528, 531, 532 Penal Code]

THE PEOPLE

vs.

David W. Manning
(2 cases)

DE LAUNCEY W. BELL,
JOHN R. FELLOWS,

District Attorney.

A True Bill.

[Signature]
Foreman.

Witnesses;

Witness signature lines

0688

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

David W. Manwaring

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *David W. Manwaring* —

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

The said

David W. Manwaring

late of the City of New York, in the County of New York aforesaid, on the *20th*
day of *April* in the year of our Lord one thousand eight hundred and
ninety *one*, at the City and County aforesaid, with force and arms,

*one finger ring of the value
of one hundred dollars*

of the goods, chattels and personal property of one

Patrick H. Dwyer

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.

*De Lancey Nicoll,
District Attorney.*

0689

BOX:

441

FOLDER:

4065

DESCRIPTION:

Marton, Conele

DATE:

06/04/91



4065

0690

BOX:

441

FOLDER:

4065

DESCRIPTION:

Smith, Cornelius

DATE:

06/04/91



4065

069.1

Wm. Conner

Counsel,
Filed *11th day of June 1897*
Pleaded *Not Guilty*

THE PEOPLE
vs.
Emile D
Charles Marton
and
Cornelius Smith
(e Cases)

[SS 848 and 844, Penal Code.]

POLICY.

DE LA RUE & FELLOWS

District Attorney.

\$100 cash
May 19 2 fines paid
A TRUE BILL

Chas. J. Huber

Foreman.

Part 3. May 5 1897
Both plead guilty

(Witnesses)

Forming the jury, the following names were called and returned true bills against the defendants...

0692

CITY OF New York COUNTY OF New York

Ball 10/26
919-257

_____ aforesaid, ^{did} now have in their possession, at in and upon
certain premises occupied by them and situate and known as number
146 East 129th street
_____ in the City of New York and within
the County and State aforesaid, for the purpose of using the same as a means to commit a

0693

17th
Nov 26/91
Ab.
208

CITY OF *New York* COUNTY OF *New York* }
AND STATE OF NEW YORK. } ss.

0694

6-60 3 7/11
1/1/91
2218

CITY OF New York COUNTY OF New York } ss.
AND STATE OF NEW YORK.

Anthony Bonutock -

41 Park Row
of ~~150 Nassau~~ Street, New York City, being duly sworn deposes and says, he is more than 21 years of age, and is employed as Chief agent of the New York Society for the Suppression of Vice, that he has just cause to believe, is informed and verily does believe, ~~and charge~~ ^{that} Emil Martin and Cornelius Smith here present whose real name ~~unknown, but who can be identified by~~

_____ did, at the City of _____ County of _____ and State of New York, on or about the 26th day of May 1891.

unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage as ~~a dealer or game keeper~~ in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided.

Deponent further says, ~~he has just come to believe, is informed and verily does believe~~ from personal observation and from statements made by Emil Martin, Cornelius Smith and John R. Colcord, } to deponent

that the said Emil Martin and Cornelius Smith aforesaid, ~~now~~ ^{did} have in their possession, at in and upon certain premises occupied by them and situate and known as Number 146 Park 129th Street in the City of New York and within the County and State aforesaid, for the purpose of using the same as a means to commit a

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, ~~chips, deal boxes~~, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this

27th day of May 1891.

Charles W. Smith, Police Justice.

Anthony Bontock

CITY OF New York AND COUNTY OF New York ss.

John R. Collord, of 41 Park Row

being further sworn deposes and says that on the 26th day of May 1891,

deponent visited the said premises, named aforesaid, and there saw the said

Emil Martin and Cornelius Smith aforesaid, and

had dealings and conversation with them as follows:

Deponent found the outer door locked and knocked when Emil Martin, unlocked the door and allowed deponent to enter. Cornelius Smith had a manifold book for recording and selling what are commonly called lottery policies. Deponent asked said Smith for 9. 19. 29 zig for 15 cents. The said Smith placed a piece of paper ~~upon~~ under the leaves of his manifold and recorded the numbers as upon the bottom line upon annexed paper aforesaid, then with his pencil added "Book 5/26" and handed paper to deponent and deponent paid him the sum of fifteen cents for the same.

0696

afterwards deponent went to go out when he found the outer door again locked and said Martin standing outside. Deponent knocked on the door, and said Martin took a key in his hand and unlocked the door and deponent passed out. Deponent afterwards heard said Martin say he was having a man, referring to a Carpenter at work in the rear room, fix up the place. He also asked Mr Countock if the Carpenter could remove and finish his job. The said Martin had the key and locked up the place when said Omitte & he had been arrested and as they and the officers left the place.

Subscribed and sworn to before us
this 27th day of May 1891
Charles Martin
Police Justice.

John R. Colford

0697

THE PEOPLE

ON COMPLAINT OF

Anthony Cornstock

AGAINST

Emil Marten
Cornelius Smith

Violation Sec. 344, P. C.
Gambling and Policy.

Affidavit of Complaint.

WITNESSES :

Police Justice.

Subscribed and sworn to before me this }
day of _____ 188__ }

0698

Sec. 198-200.

1st District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Cornelius Smith

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. Cornelius Smith

Question. How old are you?

Answer. 37 years

Question. Where were you born?

Answer. New York City

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

Answer. 72 East 118th St one month

Question. What is your business or profession?

Answer. No Business

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

Cornelius Smith

Taken before me this

27

day of August 1907
Charles J. ...
Police Justice.

0699

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Conrad Martin 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. Conrad Martin

Question. How old are you?

Answer. 35 years

Question. Where were you born?

Answer. New York City

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

Answer. 536 Coar 158th St one month

Question. What is your business or profession?

Answer. Carpenter

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

~~Conrad~~ Conrad Martin

Taken before me this 25 day of July 1899
Charles Martin
Police Justice.

0700

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 they be held to answer the same and they 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 they give such bail.

Dated *May 27* 18*91* *Charles N. Smith* Police Justice.

I have admitted the above-named.....

Defendant

to bail to answer by the undertaking hereto annexed.

Dated *May 27* 18*91* *Charles N. Smith* 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.

0701

727

Police Court--- 1st District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anthony [unclear]
vs *Dark Bow*
Cornelius Smith
Abelle Martin

Police Court
1st District

BAILED,

No. 1, by *A. S. Becannon*

Residence *210 E. 126* Street.

No. 2, by *///*

Residence *///* Street.

No. 3, by *///*

Residence *///* Street.

No. 4, by *///*

Residence *///* Street.

Dated *May 27* 1891

Taintor Magistrate.

Elyah Austin Officer.

60 Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *500* to answer *Y.S.*



Sellen
Polmer

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against
Conele Marton
and
Cornelius Smith

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

Conele Marton and Cornelius Smith

of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said *Conele Marton and Cornelius Smith*

late of the *Twelfth* Ward of the City of New York, in the County of New York aforesaid, on the *twenty-sixth* day of *May* in the year of our Lord one thousand eight hundred and *ninety-one*, at the Ward, City and County aforesaid with force and arms, unlawfully did keep a certain room in a certain building, there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called "policy," where money and property was dependent upon the result, 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 the dignity.

SECOND COUNT.—

And the Grand Jury aforesaid, by this indictment further accuse the said

Conele Marton and Cornelius Smith

of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING LOTTERY POLICIES THEREIN, committed as follows:

The said

Conele Marton and Cornelius Smith

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, unlawfully did keep a certain room, in a certain building there situate, to be used for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public and private lotteries, and of therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers and documents, 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.

THIRD COUNT.—

And the Grand Jury aforesaid, by this indictment, further accuse the said

Conel Marton and Cornelius Smith

of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A LOTTERY POLICY, committed as follows:

The said Conel Marton and Cornelius Smith

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

John R. Colford

a certain paper, instrument and writing, commonly called a Lottery Policy, which said paper, instrument and writing, called a Lottery Policy, is as follows, that is to say:

Both N 57 26

9.19 25 7/15

(a more particular description of which said instrument and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

FOURTH COUNT.—

And the Grand Jury aforesaid, by this indictment, further accuse the said

Conel Marton and Cornelius Smith

of the CRIME OF SELLING A PAPER AND WRITING, IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said Conel Marton and Cornelius Smith

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

John R. Colford

a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more par-

0704

ticular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say :

*(Both of 5/26
9. 1929 of 15*

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

FIFTH COUNT.—

And the Grand Jury aforesaid, by this indictment, further accuse the said

— Coule Marton and Cornelius Smith —

of the CRIME OF SELLING A WRITING PAPER AND DOCUMENT IN THE NATURE OF OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows :

The said *— Coule Marton and Cornelius Smith —*

late of the Ward, City and County aforesaid, afterward, to wit: On the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

— John R. Colford —

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

*(Both of 5/26
19. 1929 of 15*

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given, 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. Colford
~~JOHN R. COLFORD~~

District Attorney.

0705

BOX:

441

FOLDER:

4065

DESCRIPTION:

McDermott, James

DATE:

06/24/91



4065

0706

J.P. [Signature]

Counsel,
Filed *24* day of June 1897
Pleads, *Guilty*

THE PEOPLE
vs.
Grand Larceny, Irish Degree.
[Sections 528, 534 Penal Code].

A
James Mc Dermott

DE LAZARLY HULL
JOHN R. FELLOWS

District Attorney.

130 [Signature]

A True Bill.

Chas. J. [Signature]
Foreman.

[Signature]
Pen one yr +
Fine \$500

*I recommend th
acceptance of a
Bill of Pity Law
of Wendell Phillips
Jan 29 1897
10. A. N. [Signature]*

11/14/1897

0707

Police Court / District.

Affidavit—Larceny.

City and County } ss:
of New York, }

Maggie Ford

of No. 138 West 4th Street, aged 22 years,
occupation Domestic being duly sworn,

deposes and says, that on the 20 day of June 1891 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:

Ten dollars in good and
lawful money of the United
States

\$ 10⁰⁰/₁₀₀

the property of Deponent

Sworn to before me, this 21 day of June 1891

of [Signature] 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 James McDermott (now here)
from the fact that deponent
was standing on the corner of
Mulberry and Park Streets in this
city. That deponent was in the
act of giving James O'Brien ten
cents that defendant took said
money from the hand of
deponent and then ran away.
That said O'Brien ran after the
defendant and caused his arrest.
Deponent therefore charges the defendant
with having stolen said money
from the person of deponent and
prays that she be held to answer

Maggie Ford

0708

CITY AND COUNTY }
OF NEW YORK, } ss.

James O'Brien
aged 25 years, occupation Labourer of No. 53
Bowling 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 21st day of June 1892
James O'Brien
Charles A. Santor
Police Justice.

0709

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

James M. Dermott 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. *James M. Dermott*

Question. How old are you?

Answer. *31 years*

Question. Where were you born?

Answer. *U. S. Vermont*

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

Answer. *132 Monroe Street 8 years*

Question. What is your business or profession?

Answer. *Boatman*

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*

James M. Dermott

Taken before me this *7* day of *March* 19*11* at *New York City* Police Justice

0710

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.....

Dr. J. J. ...

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 *June 21* 18*91* *Charles ...* 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.

0711

858

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Maggie Ford
James W. DeMott

Officer
C. C. Kelly
from the 7th Precinct

Dated June 21 1891

Sanitor Magistrate.
Mitchell Officer.
6th Precinct.

Witnesses James O'Brien

No. Home of DeMott

No. Street.

No. Street.

\$ 4.00 to answer G. S.

Cash
person
money

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0712

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 1 DISTRICT.

John F. Mitchell of No. 6th Avenue Street, aged _____ years, occupation Officer being duly sworn deposes and says, that on the 20th day of June 1891

at the City of New York, in the County of New York, he arrested James McDermott charged with Larceny from the person upon complaint of Maggie Ford and that James O'Brien assisted in the arrest of said McDermott. Deponent says that said Maggie and said O'Brien have no permanent residence in this City and that they are material witnesses for the people wherefore deponent prays that they be committed to the House of Detention.

Sworn to before me, this _____ day of _____ 1891

of _____
Charles W. [Signature] Police Justice

0713

COURT OF GENERAL SESSIONS OF THE PEACE, OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James McDermott

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by

this indictment, accuse

James McDermott

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

The said

James McDermott

late of the City of New York, in the County of New York aforesaid, on the *30th* day of *June* in the year of our Lord one thousand eight hundred and ~~eighty-one~~ *one*, at the City and County aforesaid, with force and arms, in the ~~night~~ time of the same day, divers 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 a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of *ten*

10.00

dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of *ten*

dollars; divers United States Silver Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of *ten*

dollars; divers United States Gold Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of *ten*

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *ten dollars*

of the goods, chattels and personal property of one *Maggie Ford*, on the person of the said *Maggie Ford*, then and there being found, ~~from the person of the said Maggie Ford~~ 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.

DE LANCEY NICOLL, District Attorney.

0714

BOX:

441

FOLDER:

4065

DESCRIPTION:

McFadden, Joseph

DATE:

06/26/91



4065

0715

Friday

Witnesses:

Christ Cucaracha
President of the
Assembly
Sept. 1891
Ch. G. G. G.

Counsel,
Filed 26 day of June 1891

Pleas, *Not Guilty*

THE PEOPLE

Grand Larceny Second Degree. [Sections 528, 587 — Penal Code.]

Joseph Mc Tadden

DE LANCEY NICOLI,
District Attorney.

July 7, 1891
Filed P. L.

A True Bill.

[Signature]
Foreman.
[Signature]

10

0716

Police Court 2 District.

Affidavit—Larceny.

City and County } ss:
of New York,

Francis J. Hanson

of No. 19 West Third Street, aged 37 years,

occupation Hat Sewing & Tip Printing being duly sworn,

deposes and says, that on the 10th day of June 1891 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:

a quantity of
hat satins of the value of about
forty dollars \$40 -

the property of deponent's customers and then
in deponent's charge

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 Joseph Mc. Jadden (now here)

Defendant was a foreman in deponent's work shop and had access to the said property. Deponent named the said property and accused the defendant and the defendant confessed to deponent that he had stolen said property and defendant also confessed the same crime to Bohemian Michael

Sworn to before me, this 10th day of June 1891
Police Justice

0717

J Cooney (now here) and the
defendant failed to return said
property as he promised to return
said property and feloniously
appropriated the same to his
own use.

Francis C. Hanson

Suborn to before me this 27 day

of June 1897

W. D. ...

Police Station.

0718

Sec. 198-200.

n

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Joseph M. Fadden 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. *Joseph M. Fadden*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *121 Bank St - 6 months*

Question. What is your business or profession?

Answer. *Tip printing*

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*
Joseph M. Fadden

Taken before me this

29

day of *June* 189*9*

H. H. ...

Police Justice.

0719

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

Joseph Lee Fadden

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 Mar 23 1891 *W. W. W. W.* 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.

0720

831

Police Court---2--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Daniel S. Houston
19 West 3 St.
Joseph McFadden

Lacey
Foley
Offence

2
3
4

Dated *June 23* 188*2*
De Mahon Magistrate.

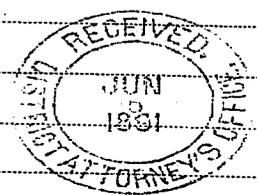
William J. Cooney Officer.
15 Precinct.

Witnesses *Call the Office*
No. Street.

No. Street.

No. Street.

\$ *1000* answer *S.S.*
Con *2/2*



BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Court of General Sessions of the Peace
For the City and County of New York

----- :
The People &c. :
-agst- :
Joseph McFadden :
----- :

City and County of New York, Sc:- Francis G. Hanson of
said city, being duly sworn deposes and says: That he is
the Complainant against the above-named Defendant.

That the defendant has been in his employ for the last
past six months, but I have known him personally for about
twenty years.

That prior to his arrest on this complaint he always
bore an excellent reputation for honesty.

That there was about forty dollars worth of satin
taken from me, part of which was returned, and for the balance
of which the sister of the defendant, Mrs. Malone has promised
to make restitution, which I will accept, with the permission
of this Court.

That the defendant is a married man, having a wife
and five children depending upon him for support, and I
think that the ends of justice will be satisfied by a
suspension of sentence, thereby giving him another chance
to become a useful member of society.

Sworn to before me this :::
10th. day of July 1891 :::

J. G. Hansen

Jacob Meyer
Commissioner of Deeds
N.Y. City.

0722

Court of General Sessions of the Peace
For the City and County of New York

----- :
The People &c. :
-agst.- :
Joseph McFadden :
----- :

City and County of New York, Ss:- Peter Nolan being duly
sworn deposes and says: I reside at No:25 Horatio Street,
and am engaged in the Horse Shoeing business at No:338
West 4th.Street in this city.

That I have known the defendant above-named for
the past thirty two years, and his character for honesty
and sobriety was excellent among all his friends and
neighbors.

Sworn to before me this :::
10th.day of July 1891 :::

Peter Nolan
Joseph Steiner
Notary Public
(N.Y. Co/95)

0723

CITY AND COUNTY OF NEW YORK, ss.

being duly sworn, deposes and says that he is _____ years of age, and a clerk in the office of CHARLES STEUKLER, Esq., the attorney for the _____ in this action, on the _____ day of _____, 189____ at No. _____ in the City of New York, he served the annexed _____ upon _____ the _____ therein by delivering to, and leaving with _____ personally _____ true cop _____ thereof _____

Deponent further says that _____ he knew the person so served to be _____

Sworn to before me this _____ day of _____, 189____

Court.
Charles Steukler

The People vs.
Plaintiff

AGAINST
Joseph McEnderden
Defendant

affidavit

CHARLES STEUKLER,
Attorney
PULITZER BUILDING,
CORNER PARK ROW AND FRANKFORT ST., NEW YORK CITY.

One and timely service of a copy within _____ and indorsed notice of _____

entry is hereby admitted.

Dated, N. Y., _____, 189____

Atty.

To _____ Esq.

Atty.

Sh. _____
Place the notices that the within is a true copy of an _____

and duly filed and entered in the office of the clerk of _____

in this action _____

Dated N.Y., _____, 189____

Yours, etc.

CHARLES STEUKLER
Attorney for _____

To _____ Esq.

Atty for _____

0724

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph Mc Fadden

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *Joseph Mc Fadden*

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

The said

Joseph Mc Fadden

late of the City of New York, in the County of New York aforesaid, on the *tenth*
day of *June* in the year of our Lord one thousand eight hundred and
ninety-*one*, at the City and County aforesaid, with force and arms,

*a quantity of hat satins, a more par-
ticular description whereof is to the
Grand Jury aforesaid unknown,
of the value of forty dollars*

of the goods, chattels and personal property of one

Francis G. Hanson

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.

*De Lancey Nicoll,
District Attorney*

0725

BOX:

441

FOLDER:

4065

DESCRIPTION:

McGowan, James

DATE:

06/10/91



4065

0726

as Bank notes of a number of

117
Counsel

Filed 10 day of June 1891
Pleads, *Wright*

Grand Larceny, Second Degree.
(Sections 529, 531, Penal Code)

THE PEOPLE vs.

H
James McSweeney

James McSweeney
~~James McSweeney~~
District Attorney

Spred

A True Bill

Chas. F. ...
Foreman

James ...

Barb ... 2500
re
7

0727

Police Court 2 District

Affidavit - Larceny.

City and County of New York, ss.

Rose James

of No. 2149 Second Avenue Street, aged _____ years,

occupation Candy store keeper being duly sworn

deposes and says, that on the 14 day of May 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:

paper money
and coin of the United States - all
of the value of about 65 or 65 fine
dollars \$65 -

the property of deponent and her husband
and then in deponents care

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 J. James Mc Groan (now

here) in company with another not arrested,

under the following circumstances:

On said date deponent had the said

money in a satchel in a money drawer

in the store kept by deponent at No

2149 Second Avenue, and was stolen

therefrom about 10.30 o'clock A.M.

The said money was taken while

deponent was called out on the

sidewalk and her attention distracted

by the defendant. The defendant

pretended that he had been sent by the

Board of Health to take up the flag stone

of the pavement, and that it was necessary
for deponent to see about it. He
claimed that it was necessary for deponent

Sworn to before me this _____ day of _____ 1888
Police Justice

to go to the edge of the sidewalk to
 consult about the proposed work. Then
 after detaining deponent there about
 five minutes the defendant left and
 upon returning to the store deponent
 discovered that the said property had
 been stolen in her absence. Deponent
 has reason to believe that the defendant
 had no authority from the Board of
 Health or anybody else to consult with
 deponent about taking up the pavement
 and deponent charges that the defendant
 acted in collusion with said unknown
 person and aided him by distracting
 deponent's attention or as to give the
 said unknown person the opportunity
 to take said property. And deponent
 charges that the defendant
 thus participated in and committed
 said crime of the larceny of the
 said property, by acting in collusion
 with said unknown person.

Subscribed and sworn to before me this 26th day of June 1908
 J. C. Moore James

W. J. ...
 Notary Public

0729

Sec. 198-200.

D District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James M. Gowau 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.

James M. Gowau

Question. How old are you?

Answer.

36 years

Question. Where were you born?

Answer.

New York

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

Answer.

422 West 27th Street. 1 year

Question. What is your business or profession?

Answer.

Redder

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

James M. Gowau

Taken before me this

26

day of *May* 1891

H. M. ...

Police Justice.

0730

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 Fifteen 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.....18 W. J. Mahon 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.

0731

715

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Rose James
James McEowan

Offence
Larceny
felony

2
3
4

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated May 26 1891

McMahon Magistrate.

O'Brien & McConley Officer.

C. O. Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 1500 to answer G. C.



W. O. H.
G. C.
2nd office

0732

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Mc Gowan

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

Indictment accuse

James Mc Gowan

of the crime of

Grand Larceny in the second degree

as a SECOND OFFENSE, committed as follows:

Heretofore, to wit: at a court of General Sessions of the Peace, holden in and

for the City and County of New York, at the City Hall, in the said City of New York.

on the *twenty-third* day of *September*, in

the year of our Lord, one thousand eight hundred and *eighty-five*,

before the Honorable

Frederick Smyth, Recorder of the City of New York

and Justice of the said Court, the said

James Mc Gowan

by the name and description of

Francis Mc Dermott

was in due form of law convicted of

a felony

to wit:

Grand Larceny in the second degree

upon a certain indictment then and there in the said Court depending against

him

the said

James Mc Gowan

by the

name and description of

Francis Mc Dermott

as aforesaid,

~~for that the said James Mc Gowan, in the said indictment, name and description as~~
for that *the said Francis Mc Dermott*

then

late of the

First Ward

0733

of the City of New York, in the County of New York aforesaid, on the
first day of September in the
year aforesaid, at the Ward City and
County aforesaid, with force and arms, in the day time of
the same day, three 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 twenty dollars and of the value
of twenty dollars each, six 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 ten dollars and of the value of
ten dollars each; twelve 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; twenty 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 two dollars
and of the value of two dollars each;
twenty 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; three promissory notes for the payment of money (and of the kind known as bank notes) being then and there due and unsatisfied, and of the value of twenty dollars each; six promissory notes for the payment of money (and of the kind known as bank notes) being then and there due and unsatisfied, and of the value of ten dollars each; twelve promissory notes for the payment of money (and of the kind known as bank notes) being then and there due and unsatisfied and of the value of five dollars each; and divers coins of the value of ten dollars of the proper moneys, goods, chattels and personal property of one Charles Lewis Ernst, then and there being found, then and there feloniously did steal, take and carry away,

And Thereupon, upon the conviction aforesaid, it was considered

by the said Court of General Sessions of the Peace, and ordered and adjudged that

the said

by the name and description of

James Mc Gowan
Francis Mc Dermott

as aforesaid,

for the

was so convicted as aforesaid, be imprisoned in the

whereof

the term of

felony and larceny
he *State*
Prison
four years and six months

at hard labor for

as by the record thereof doth more fully and at large appear.

And the said

James Mc Gowan

late of the

City of New York, in the

County of New York aforesaid, having been so as aforesaid convicted of the

said *felony and larceny* in manner aforesaid, afterwards, to wit: on the *fourteenth* day of

May in the year of our Lord one thousand eight hundred and *ninety-one* at the _____ City and County aforesaid, with force

and arms, *divers 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 a number and denomination to the Grand Jury aforesaid unknown, for the payment of, and of the value of thirty-five dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known*

as Bank notes) of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of thirty-five dollars; divers United States Silver Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of thirty-five dollars; divers United States Gold Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of thirty-five dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of thirty dollars, of the goods, chattels and personal property of one Frank James, 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.

De Lancey Nicoll,
District Attorney

0737

BOX:

441

FOLDER:

4065

DESCRIPTION:

McGuire, John

DATE:

06/26/91



4065

0738

Counsel,
Filed *26* day of *June*, 189*1*
Pleads,

John Mc Sime
Grand Larceny *Second Degree*
[Sections 528, 531, & 532 Penal Code.]

THE PEOPLE

vs.

DE LANCEY NICOLL,
District Attorney.

A True Bill.

Chas. J. Smith
Foreman.
June 29/91
Readet H. H. Bradley
S. P. 2 1/2 4/20/1

Witnesses:

no

+

0739

Police Court 2 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Robert Collier

of No. 525 West 13th Street, aged 36 years,
occupation Publisher being duly sworn.

deposes and says, that on the 23 day of June 1897 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 :

of silk plush worth \$1.20 per yd all of
value of \$37.20 Thirty one yards

the property of deponent & his co-partners

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 John Mc Guire (now here) for the reason that on the above date the deponent missed the above described property from the aforesaid premises and found the property in the possession of the defendant Mc Guire. Wherefore the deponent charges the said Mc Guire with having taken, stolen and carrying away the said property and prays that he may be held and dealt with as the law directs.

Robert Collier

Sworn to before me, this 23 day of June 1897
John Mc Guire
Justice Justice

0740

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Mc Guire 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. *John Mc Guire*

Question. How old are you?

Answer. *31 years.*

Question. Where were you born?

Answer. *New York.*

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

Answer. *67 Hudson Street. 4 years*

Question. What is your business or profession?

Answer. *Longshore man*

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*

John X Mc Guire
mark

Taken before me this

John Mc Guire
1891

Police Justice

0741

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

Dated *June 22* 1891 *W. W. Malone* 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.

0742

832

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Robert Collier
525 vs. W. 13th.
1 John M. Guie

Offence *Harassment*
Willful

Dated June 22 1891
Mc Mahon Magistrate.
Money Officer.
Precinct.

Witness *Robert T. Ottens*
No. 558 West 44th Street.



No. Street.

No. Street.
\$ 1000 to answer *G. S.*

Com

BAILED.

No. 1, by _____
Residence _____ Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

0743

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John McGuire

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse

John McGuire

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

The said

John McGuire

late of the City of New York, in the County of New York aforesaid, on the *twenty-third*
day of June in the year of our Lord one thousand eight hundred and
ninety-one, at the City and County aforesaid, with force and arms,

*thirty-one yards of plush of the
value of one dollar and twenty-cents
each yard*

of the goods, chattels and personal property of one

Robert Collier

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.

0744

SECOND COUNT—

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

John Mc Guire
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

John McGuire
late of the City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,

*thirty-one yards of plush of the
value of one dollar and twenty cents
each yard*

of the goods, chattels and personal property of one

Robert Collier

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

Robert Collier

unlawfully and unjustly, did feloniously receive and have; the said

John McGuire
then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried 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.

DE LANCEY NICOLL,

District Attorney.

0745

BOX:

441

FOLDER:

4065

DESCRIPTION:

McKeon, Mary

DATE:

06/30/91



4065

0746

Witnesses:

James O. ...

Counsel:

W. A. ...
Filed *20 June* 189*7*

Pleads

Not Guilty!

THE PEOPLE

vs.

B

Mary Mc Keon

INJURY TO PROPERTY

[Section 634, Penal Code]

De Lancy Nicoll
~~JOHN R. ...~~

District Attorney

May 6 1921
at New York
at New York
Part 3: May 10 1921
med and requested

John ...

Foreman

John ...
of ...
...

0747

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Mary McKeon

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. Mary McKeon

Question. How old are you?

Answer. 28 years old

Question. Where were you born?

Answer. England

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

Answer. 15 West 11th Street, New York

Question. What is your business or profession?

Answer. My husband's. Nothing

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

Mrs Mary McKeon

Taken before me this 27th day of August 1881
John J. Smith
Police Justice

0748

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.....

Alfred Smith

Three ~~guilty~~ thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Three* 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 *June 27* 18 *91* *Edouard Smith* Police Justice.

I have admitted the above-named.....

defendant

to bail to answer by the undertaking hereto annexed.

Dated *June 28* 18 *91* *John Ryan* 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.

0749

BAILED, *Wm Clancy*
 No. 1, by *Wm Clancy*
 Residence *320 Belmont Street.*

No. 2, by _____
 Residence _____ Street.

No. 3, by _____
 Residence _____ Street.

No. 4, by _____
 Residence _____ Street.

Chief Clerk

Hydrocotyl
Loam

Police Court--- District.

THE PEOPLE, vs.
ON THE COMPLAINT OF

Mary Shultz
vs. Allen St.
Mary W. Kern

1 _____
 2 _____
 3 _____
 4 _____

Malcolm Winchell
"felony"

Dated *June 27 91*
Smith Payne Magistrate.
Charles Place Officer.
 Precinct *11*

Witnesses *Herman Block*
 No. *Off Young* Street.
John
 No. *Henn* Street.
 No. _____ Street.

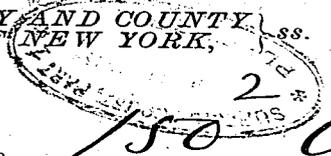
RECEIVED
 JUN 27 1891
 DISTRICT ATTORNEY'S OFFICE

No. *300* to answer
CM Bailed

0750

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 3 DISTRICT.



Mary Schults
of No. 150 Allen Street, aged 27 years,

occupation Keep a cigar store being duly sworn deposes and says

that on the 21st day of June 1887

at the City of New York, in the County of New York

Mary Wilson
(now here) did wilfully and maliciously
break and destroy three large pieces of
French plate glass in the show window
of the store at said address. the show
case the pictures on the wall of said
store. a quantity of dishes, and the
money drawers. all of the value of three
hundred dollars. the property of
deponent. by striking said property
with a heavy umbrella she held in
her hand. deponent further says that

Subscribed before me this 21st day of June 1887

Police Justice

0751

all of said property was rendered
entirely worthless by the injury done it in
the manner and at the time aforesaid.
Wherefore defendant prays the said defendant
may be held and dealt with according
to law.

Sworn to before me } Mary Schultz
this 27th day of June 1891
Solon Schultz
Police Justice

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated.....188

Magistrate.

Officer.

Witness,

Disposition,

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Mary McLean



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

Mary McLean
of the CRIME OF UNLAWFULLY AND WILFULLY DESTROYING
PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said Mary McLean,
late of the 1st Ward of the City of New York, in the County of New York
aforesaid, on the 1st day of June, in the year
of our Lord one thousand eight hundred and eighty one, at the Ward, City and
County aforesaid, with force and arms, three boxes of plate
of the value of twenty five dollars
each year, one box of the value
of fifty dollars, five inches of the
value of ten dollars each, a quantity of
dishes of the value of ten dollars, and
one money - drawer
of the value of five dollars,
of the goods, chattels and personal property of one Mary McLean,
then and there being, then and there feloniously did unlawfully and wilfully break
and destroy.

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.

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said *Manuel M. DeLeon* of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* REAL PROPERTY OF ANOTHER, committed as follows:

The said *Manuel M. DeLeon* 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, with force and arms, *three* *years & date aforesaid.*

of the value of *seventy five dollars each year*, in, and forming part and parcel of the realty of a certain building of one *Manuel M. DeLeon* there situate, of the real property of the said *Manuel M. DeLeon*.

then and there feloniously did unlawfully and wilfully *break and destroy*

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
JOHN R. FELLOWS,
District Attorney.

0754

BOX:

441

FOLDER:

4065

DESCRIPTION:

McKeown, Patrick

DATE:

06/18/91



4065

0755

Counsel,
Filed
Pleads,

18
day of
1899

THE PEOPLE

vs.

B

Patrick McKeown

June 19/99

VIOLATION OF EXCISE LAW

(Keeping Open on Sunday.)
(Ill. Rev. Stat. (7th Edition), Page 189, Sec. 5.)

DE LANGEY NICOLI
JOHN R. FEELOWS

District Attorney.

A True Bill.

Chas. F. Shuler

Foreman.

W. Green

0756

Court of General Sessions of the Peace,

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Patrick McKeown

The Grand Jury of the City and County of New York, by this indictment, accuse *Patrick McKeown* of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Patrick McKeown* late of the City of New York, in the County of New York aforesaid, on the *eleventh* day of *August* in the year of our Lord one thousand eight hundred and *eighty-nine*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of, and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid, unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure, and suffer and permit to be open, and to remain open, 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.

DE LANCEY NICOLL,

JOHN B. FELLOWS,

District Attorney.