

0545

**BOX:**

441

**FOLDER:**

4065

**DESCRIPTION:**

Mack, George

**DATE:**

06/18/91



4065

0546

Witnesses:

from examination  
him I think the  
order of the matter  
is circumstantial  
and I think the  
Plea of Petty Larceny  
should be accepted  
W. H. L. G. J.  
both antecedents  
Jun 24/91

*Geo. Gallager*

Counsel,

Filed

day of June 1891

Pleads,

*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.

*W. H. L. G. J.*  
Foreman.  
*W. H. L. G. J.*  
Pendant  
Per one *W. H. L. G. J.*

0547

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York,

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, being duly sworn,  
in the County of Kings, was feloniously taken, stolen and carried away from the possession of deponent, in at the City of New York, and person  
the night time, the following property, viz: and thereafter brought to  
the City and County of New York.

An open Face Gold Case Watch  
of the value of one hundred  
and fifty dollars (\$150 <sup>00</sup>/<sub>100</sub>)

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 McGinnis of the Central Office  
that they found the aforesaid Watch in

0548

the possession of the defendant at South  
Ferry. on the aforesaid date about the  
hour of 8.45-1 clock P.M. as the said  
defendant was about leaving the Boat  
which had come from the landing  
at Bay Ridge  
Deponent 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  
me this 18 day of June 1891 } Benjamin Kingsbury  
Charles J. Smith }  
Deputy Justice

0549

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation \_\_\_\_\_

*Michael Lyman*  
*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 \_\_\_\_\_

day of *June* 188*8*

*Michael Lyman*

*Charles N. Laintor*

Police Justice.

0550

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation \_\_\_\_\_

*John Mc Guinness*  
*Detective Officer* of No. \_\_\_\_\_

*Central Office* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Benjamin C. Kinsbury*

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

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

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

*16*  
*June* 188*9*  
*John Mc Guinness*  
*Charles Santor*

Police Justice.

0551

Sec. 198-206

CITY AND COUNTY OF NEW YORK, ss.

District Police Court

*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* 1901

*Charles J. Devane*  
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. Linton 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. [unclear]*  
vs.  
*George Mack*

*James [unclear]*  
*from the Prison*

2.  
3.  
4.

Dated

*June 18*

188

Magistrate.

*James E. P. Gunnis*

Officer.

Precinct.

Witnesses

No.

No.

No.

\$

to answer

Street.

Street.

Street.

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

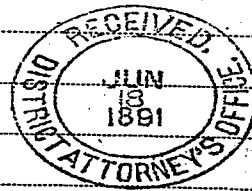
Residence

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

0557

Witnesses:

Counsel,

Filed

29 day of June 1891

Pleads,

W. J. Kelly

THE PEOPLE

vs.

Joseph Mahoney

Burglary in the Third degree.  
and Grand Larceny.  
Second degree.  
[Section 498, N.Y. Code of 1880.]

JOHN R. FELLOWS

District Attorney.

A True Bill

L. J. Mahoney

Foreman.

July 8, 1891

Tried and acquitted

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 sworndeposes and says, that the premises No. 395 Madison Street, 7<sup>th</sup> 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 shuton the 19<sup>th</sup> day of June 1891 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 byJoseph Mahoney (now here) and  
another now arrested, who acted

in concert for the reasons following, to wit: 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 opened the door 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 20<sup>th</sup> day of June 1893

John H. 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 \_\_\_\_\_ 188\_\_\_\_  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated \_\_\_\_\_ 188\_\_\_\_  
There being no sufficient cause to believe the within named  
guilty of the offence mentioned, I order he to be discharged.  
Dated \_\_\_\_\_ 188\_\_\_\_  
Police Justice.

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—BURGLARY.

vs.

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

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.

CITY AND COUNTY  
OF NEW YORK, ss.

3 District Police Court

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

Question. What is your name?

Answer.

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 Jackson 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

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 28 1891 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

Billie Carigliano,  
395 Madison St.,  
Joseph Mahoney

Offense  
Burglary

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated June 20 1891

Ryan Magistrate.

John J. Bour Officer.

12 Precinct.

Witnesses Henry Benson

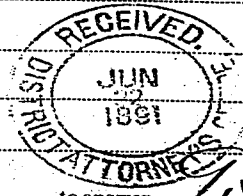
No. 395 Madison Street.

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

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

\$ 1000 to answer

1000 & June 27-1891



**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*

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.

*De Lancey 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

Counsel,

Filed

Pleads

THE PEOPLE

vs.

George Maichlor

and

Jacob Wagner

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.

201 5 P. 2 1/2 v. R. P.  
712 G. min

0569

Police Court— District.

City and County } ss.:  
of New York,of No. 123 Leavenworth Street, aged 25 years,  
occupation Sailor being duly sworndeposes and says, that the premises No 296 East 3<sup>rd</sup> 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~~ by  
making the Hooks from the scuttle  
on the roof of said buildingon the 5<sup>th</sup> 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 dollarsthe 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 6<sup>th</sup> 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 were Burglariously  
stolen as aforesaid. Deponents 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 Gastner

Sworn to before me this  
7<sup>th</sup> day of June 1891

*[Signature]* Police Justice

Police Court — District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Burglary Degree.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bailed by

No.

Arrested.

0571

CITY AND COUNTY }  
OF NEW YORK, } ss.

Bernard Fitzpatrick  
aged 30 years, occupation Police officer of No. 6<sup>th</sup>  
Princis Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Joseph Hartman  
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. 198-200.

CITY AND COUNTY  
OF NEW YORK, } ss.

District Police Court.

*George Marchler* 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 Marchler*

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 & Bowery*

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 Marchler*

Taken before me this  
day of *June* 188*7*

Justice

0573

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

District Police Court.

*Jacob Wagner* 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. *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. *Driver*

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

day of

1891

Police Justice

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~~ 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 1891 [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 \_\_\_\_\_ Police Justice.

0575

Police Court---

1 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Joseph Hartman*  
*73 Cannon St*  
*George Mandel*  
*Jacob Wajns*

Offence *burglary*

Dated

*June 7* 1891

Magistrate.

*Fitzpatrick* Officer.

*6<sup>th</sup>* Precinct.

Witnesses

No.

*Officer Fitzpatrick*  
*Princis* Street.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

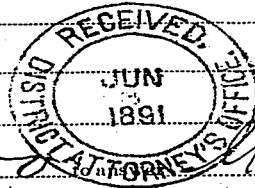
No.

No.

No.

No.

No.



*Committed*

*Burg 37*  
*942*  
*Burg*

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*

in the said ~~dwelling house~~ *shop* 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 Cartner*

*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.

0578

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

Witnesses:

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

Charles Miller

Burglary in the Third degree  
degree 1st degree  
[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]

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

John R. Fellows

Foreman.

June 24/91

Spied & Remanded of

Ray 24

Elmer R.

0581

## STENOGRAPHER'S MINUTES.

*Quid* District Police Court.

THE PEOPLE, &amp;c., IN COMPLAINT OF

*Spinack*  
vs.  
*Maller*

BEFORE HON

POLICE JUSTICE,

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

APPEARANCES:

{ For the People, \_\_\_\_\_

{ For the Defence, \_\_\_\_\_

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WITNESSES.

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Cross Ex.

Re-Direct.

Re-Cross.

*Spinack*  
*Grosvenor*  
*Herry*

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*44* *44*

*W. J. Herry*  
Official Stenographer.

0582

DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF

*Spinnack*  
agst.

Examination had

Before

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

*Mallory*

*W. 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 16<sup>th</sup>* 188*9*

188

*John Ryan*  
Police Justice.

*W. J. Heacy*  
Stenographer.

New York June 10<sup>th</sup> 1891  
 Third District Police  
 Court  
 Hon. John D. Regan  
 Presiding Justice

Thomas Spinnack }  
 Adolph Maller } Joseph Miller

Thomas Spinnack being  
 duly sworn, deposes  
 and says, I live  
 at No 115 West 4<sup>th</sup> St,  
 and am a Saloon  
 Keeper

Q. Is there a  
 Saloon there?

A. Yes Sir,  
 Q. Were you there on the  
 23<sup>rd</sup> and 24<sup>th</sup> of May 1891

A. Yes Sir,  
 Q. Do you remember on  
 the 23<sup>rd</sup> of May closing

0584

Q.

up your place?

Q. Q. What premises do  
you occupy?

Q. Q. The basement  
for?

Q. Q. A Saloon, 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 high  
of way the 23<sup>rd</sup>?

A.

Yes Sir,

~~Counsellor~~ ~~What~~... I object—  
In the Saloon  
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 24<sup>th</sup> of May/91  
in the night, were  
you awakened?

A. Yes Sir, I  
was sleeping up  
stairs, Charles Moskau  
-itz slept with me,

Q. Was anyone with  
him?

A. Yes Sir.  
Q. Who was there?

A. A little boy

named Benjamin  
Q. 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 quarter (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 lot 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

4

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

Q. Off about 12 inches  
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

9

Q. go through?  
 A. Yes Sir.  
 Smith... I object—  
 Q. Yes Sir

Q. Did you have any  
 conversation 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  
 he was discharged?  
 A. Yes Sir

10.

Q. Did you give him permission to sleep there?

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

A. No Sir,  
Cross Examination

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

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

A. Up 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 stores.

Q. There is a store  
 in the basement?

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

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

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

(11)

12

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

A. I do not remem-

ber One at the end  
 of the hallway?

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

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

A. There with me

Q. Yes Sir,  
 There are  
 floors up stairs?

A. Yes Sir, two (2)

Q. floors Do you remem-  
 ber now, carefully

12

13

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

A. Yes, in the  
little bedroom, and  
I went to sleep.

Q. What  
floor is the Bedroom  
on  
Gettleby. 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

14

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

14

15

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

A. From  
after twelve (12) midnight  
to about 1 o'clock, I closed  
at twelve o'clock  
and went to sleep.

Q. Did you witness  
anything?  
A. Yes Sir,  
I saw there when  
McKenzie 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. Then 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 store?

Q. A. I do not

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

Q. A. Q. Do you remember  
 16

17

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

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

A. He was outside  
we went together to  
bed, 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. Looking these things?

A. He said, he did not take them.

Q. You said that Moskowitz had <sup>the</sup> 25 cent price, when did

A. When you that 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?

A. 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 Westmont  
 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  
 Westmont 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?  
 Objection 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 he now 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 room?

Answer... He stated that when he was asked he saw, and identified them as his.

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

A. Yes Sir, I saw in the hands of Moskenitz.

Q. You saw them on the floor?

A. Yes Sir, I saw the quarter 25-cent piece with Moskenitz, 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 quarter 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

Q. 3.

Q. more any open? One

Q. 2. Do you was open? Do that

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

Q. 2. Who do you  
say were in the room  
besides Moseley and  
Maller?

Q. 2. Benjamin, the

Q. 2. Boy. Was Goodman  
there?

Q. 2. No Sir,  
Do he here today?

Q. 2. No Sir,  
Did Goodman wake  
you up?

Q. 2. No Sir,  
What "made you"  
(Q. 3.)

Q.H.

Q. Think that these cigars  
had been taken  
out of your place?  
A. 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)  
A. I went and show-  
ed 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  
over cars through?  
A. Objected to, — exception —  
Q. Could you get  
(24)

25

Q. through that hole?  
A. I could get

Q. through Did Maller  
go voluntarily with  
Moskowitz to Gen  
room?

A. I found him  
in the room with  
Moskowitz

Q. Was Maller  
held by Moskowitz?

A. He was stand  
ing near him

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

A. Moskowitz brought  
him up.

Q. Moskowitz keeps  
me that story?

A. Yes Sir,

25

Q. b.

Q. He could go in  
any time he pleased?

A. Yes Sir,  
Cemuel - Could not  
possibly have left  
you sleeping and  
have gone down to the  
galley and helped  
myself to cigars?

Objected to - exception -  
Q. 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.

Spoke to before me } I Spence  
this 10<sup>th</sup> day of June 1891 }  
John H. Ryan }  
26 Alice Austin

27

Charles Moschetti of  
115 Hester St, aged  
24 - Carpenter being  
awake most of the  
night and day.

Q. On the 23<sup>rd</sup>  
and 24<sup>th</sup> of May 1891  
were you living at  
115 Hester St New York  
City?

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 23<sup>rd</sup> and  
24<sup>th</sup>

Q.S.

Q. 11<sup>th</sup> Did you sleep with him 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,  
Objected - Exception -

Q. You must now go back to bed room

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

Q.S.

06 12

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  
 box. The Defendant (30

31.

was there in the room, then the Complainant went down to see if the door was broken open, and 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. A. Yes Sir. Did he come up again?

Q. A. Yes Sir, and sent Benjamin for an Officer, I dressed, 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. A. He did approach, but did

32

33.

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

Q. Where is your place  
of business?

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

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

A. I work for  
myself.

Q. Where is your  
place 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  
Hester St since you  
know him, do you  
know whether he was  
sleeping in the hall  
room at 115 Hester 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

Q. was before the holidays  
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. Here was the  
Purveyor of Cigars  
on this Bed?

A. No Sir, in

Q. The Saloon  
and Waller, when  
you first saw him  
where was he?

35

36.

Q. Q. Out side. Where?

A. Q. In the Street

Q. 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, did you see if any one was looking so you could get the cigars?

A. Q. Yes sir, What hour was this?

A. Q. 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 previous to that

Q. When you first saw the cigars where were they? Objected to—

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. Certainly was there light enough for you to see Maller.

Q. Yes Sir, I could

(37)

38

Q. see him when he opened the door.

Did you try the door when you went down to the watercloset 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.

Did you see the Defendant drop the gun?

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

Q. Do you know whether

38

39

Waller 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, one  
a ten cent piece and  
one a quarter.

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

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)

4a

Q. 2. Yes Sir,  
You testified that  
your feet struck  
against something  
which you suspected  
and found to be  
cigars?

Q. 2. Yes Sir,  
You testified that the  
cigars were wrapped  
in paper?

Q. 2. Yes Sir,  
Did with corp?

Q. 1. No they were

Q. 2. not, You say through  
the paper that they  
were cigars?

Q. 1. No I took the  
papers off myself.

Q. 2. These cigars  
were in the Saloon?  
Q. 1. In the hall

4b

H1

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. Is there carpet on  
 the stairs in this  
 house?

A. No, tin and  
 wood.

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

A. Yes Sir, you  
 could hear a pin  
 drop.

Q. Did you go in  
 front of Waller, or  
 the in front of you?

A. He went up and

H1

H2

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

A. He dropped  
 it, when he was go-  
 -ing up

Q. ~~Cross Examination~~

Q. 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 Spitzack  
 or alone to look at  
 this panel

Objected to

H3

0627

H3

Q I did not see my  
thing, I heard him  
at the quarter  
points  
prior to before me  
was 10th May 1891  
John Ryan  
Police Justice

H3

4-14

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

Q. and where did you  
make this arrest? 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, He  
went to the first  
floor of the Troop

4-14

H 5,

Q. The Prisoner, and the  
Complainant and  
Neskovitz were there,  
they told me they  
had the Cigarettes in  
the hallway (Mallory  
Defendant) was there  
How many boxes  
of Cigars were turned  
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 Neskovitz.

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

A. I came down  
stairs and went in

H 5

0630

H.C.

He ran and found  
a panel one foot  
six inches long and  
eleven 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  
cup and piece on  
the stairway.

Q.

Did he  
say anything about  
the quarter?

A. Q.

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

A.

No Sir,

H.C.

0631

Hv

What is the case for  
the people

Opportunity before me  
this 10<sup>th</sup> day of June 1891 } Robert Henry  
John Ryan

Police Justice

Comma Lord Saracene I move  
to discharge the prisoner  
on the ground that  
insufficient evidence  
is not shown to con-  
nect him with any  
murder.

Further Motion denied  
waived.

Defendant's next  
answer in \$2000

Hv

0632

District Police Court.

*Shaver*

vs.

*Waller*

*Impleary*

STENOGRAPHER'S TRANSCRIPT.

*June 10 1889*

BEFORE HON.

*John J. Spar*

Judge Justice

*H. J. Treacy*

Official Stenographer.

0633

No. 2

109

TO THE CHIEF CLERK.

Please send me the Papers in the Case of  
PEOPLE

*vs.*  
*Carroll*

Front room		Hall
Bed	Bed	
Dining		Kitchen
Living		

District Attorney.

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

0638

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.

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 off 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.



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 Jan 1<sup>st</sup> 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 1st 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. Rumlhal*

Attorney.

*By the Court*

Clerk.

*70 Essex St  
my*

*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. Lawrence  
JL

0648

Police Court— 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 a human being, by name

were BURGLARIOUSLY entered by means of forcibly

breaking 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 24<sup>th</sup> day of May 1889, 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 premises  
and con. All of the value of  
Eleven Dollars.

the property of

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 23<sup>rd</sup>, deponent  
locked and closed said saloon for  
the night.

deponent is informed by Charles  
Merkovitz, 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.

0649

in the hallway of said premises, and found seven boxes of regars 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, and ten cent piece, which the defendant threw away in said hallway. Defendant further says that he has seen said twenty piece and ten cent piece which this defendant threw away, and identifies it by a monogram on it, as his property, which was in the money drawn when defendant closed his saloon for the night. Whereupon defendant charges this defendant with Burglary, larceny, entering said premises, and stealing said property.

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

Police Justice. 1899  
 Dated \_\_\_\_\_  
 I have admitted the above named  
 to bail to answer by the undertaking hereto annexed.  
 Police Justice. 1899  
 Dated \_\_\_\_\_  
 I appear 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 \_\_\_\_\_ 1899  
 Police Justice.

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

THE PEOPLE, &c.,  
 on the complaint of \_\_\_\_\_

vs.

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

Offence—BURGLARY.

Dated \_\_\_\_\_ 1899

Magistrate.

Officer.

Clerk.

Witness.

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

\$ \_\_\_\_\_ to answer General Sessions.

0650

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Charles Munkowitch*  
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 Shwach*  
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* 189*8*, } *Charles Munkowitch*  
} *Munk*  
*John R. Ryan*  
Police Justice.

0651

Sec. 198-400

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

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 *March* 1937

*John J. Egan*

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

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

47  
Police Court---

736  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Jonas Spivack  
115-1st Street St.  
Adolph Mallin

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

Offence

Dated May 24 1891  
Reyn Magistrate.

Robert Henry Officer.  
11th Precinct.

Witnesses Charles Moskowitz

No. 115 1st Street.

Officer Robert Henry  
11th Precinct.

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

\$ 1000 to answer

Unarranged

#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 Spiwack  
115 ts. Hester St.  
vs.  
Adolph Waller

Offence Burglary

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

Reynolds Magistrate.

Robert Henry Officer.

11 Precinct.

Witnesses Charles Moskowitz

No. 115 Hester Street.

Officer Robert Henry

No. 11th Precinct Street.

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

\$ 2000 to answer

after re-arrest  
this day June 10-91  
Re-arrested June 19-91  
Ex \$1,000 June 10



Burg 3  
Ex 1000

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 ex Rel

Joseph Mader

against

John J. Ryan

Police Justice

Order

WITNESSETH

THAT THE COURT

DOES hereby

ORDER the said

JOHN J. RYAN

TO RECOVER the costs of this proceeding

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*

*saloon* 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  
segars of the value of one dollar  
and fifty cents each box, and diverse  
coins of a number, kind and denomi-  
nation to the Grand Jury aforesaid  
unknown, of the value of forty  
cents.*

of the goods, chattels and personal property of one

*Jonas Spivack*

*saloon*  
in the 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]*

## 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

0662

Witnesses;

Counsel,

Filed

26 day of June 1891

Pleads,

THE PEOPLE

vs.

Robbery, degree.

[Sections 224 and 228, Penal Code].

P

Charles A. Mann

DeSancy Hall  
JOHN R. FELLOWS,

District Attorney.

A True BILL.

Chas. J. Jones

Foreman.

Ready guilty - Poly 214

June 1891  
Emerson

0663

Police Court

2<sup>nd</sup> District.CITY AND COUNTY  
OF NEW YORK, } ss

Wah Sing  
 of No. 265 Seventh Avenue, Aged 40 Years  
 Occupation Laundryman, being duly sworn, deposes and says, that on the  
 22<sup>nd</sup> day of June 1887, at the 20<sup>th</sup> 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

the property of

Deponent

DOLLARS,

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 ~~Wah Sing~~ 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 ~~the man~~ <sup>the man not now arrested</sup> 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 premises  
 by deponent who shouted Police and deponent  
 is informed by Officer Richard Rock

day of

Sworn to before me, this

188

Police Justice

0664

of the 16th Precinct Police that he saw the defendant  
 running 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

22<sup>nd</sup> day of June 1897

和日

W. J. Maloney

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 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, vs.,  
 on the complaint of \_\_\_\_\_

1. \_\_\_\_\_  
 2. \_\_\_\_\_  
 3. \_\_\_\_\_  
 4. \_\_\_\_\_

Offence—ROBBERY.

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 of No. 16 E 125th Street, being duly sworn deposes and  
Police Officer  
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 22  
day of June 1889

Charles Kook

W. M. L.  
Police Justice.

0666

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

2 District Police Court.

*Charles Augustus Mann* 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. *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. *Grove St 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

Police Justice.

0667

*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 one hundred 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 22 1891 W. 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 h to be discharged.

*Dated*.....18.....*Police Justice.*

0668

Police Court--- 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Wah Sing  
vs.  
Charles Charles Mann

2  
3  
4

Offence

Dated June 22 1891  
McMahon Magistrate.

Charles Hook Officer.  
16 Precinct.

Witnesses Boutin Officer  
No. Street.

No. Street.

No. Street.

\$ 2500 to answer G. S.

Boutin

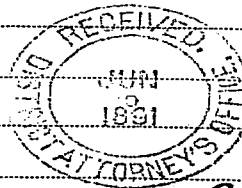
BAILED.

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 <sup>ago</sup> 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 *Wah Snig*, 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 *Wah Snig*, *in the person of the said Wah Snig*, against the will, and by violence to the person of the said *Wah Snig*, 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 the Grand Jury 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 Sancy Moll*

*Substantive*

0671

**BOX:**

441

**FOLDER:**

4065

**DESCRIPTION:**

Manwaring, David W.

**DATE:**

06/10/91



4065

0672

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*11/1*  
*EP Brady*

Counsel,  
Filed *10* day of *June* 1891  
Pleads, *17 July 11*

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

*David W. Hanway*  
*10 Henry Street (cases)*  
DE LANCEY NICOLL,  
District Attorney.

A True Bill.

*W. J. Smith*  
*James H. Smith* Foreman.  
*Reads H. H. B. B. B.*  
*Elmer R. B.*

0673

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

0674

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York,

of No.

319

occupation.

deposes and says, that on the

in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in

the time, the following property, viz:

One diamond ring of the value  
of One hundred dollars

the property of

Dependent and dependent  
Mrs. Anna Patrice Dwyer

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

David H. Maurer, (now here)  
from the fact that on or about said date  
said defendant 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 Detective Hugh  
Morton that he the officer arrested the  
defendant and that the defendant gave him  
the officer a pass ticket, which is first  
attached, 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  
Hugh Morton of the 35 Precinct Police that  
he took and carried away the said  
property. Therefore deponent prays that the  
defendant be held and dealt with as the  
law directs.

Sworn to before me, this

189

day

at New York City  
Justice.

0675

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*David A. Maunering* 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. Maunering*

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.

*10 River View Terrace 10 years*

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. Maunering*

Taken before me this

day of June 1891

*William H. Williams*

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.....

*Alfred...*  
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 *Jan 1* 188*8* *[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

BAILED.

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

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

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

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

Police Court-- District

THE PEOPLE & c.,  
vs. THE COMPLAINANT OF

*May 1st 1891*  
*East 104th St*  
*Brooklyn*  
1. *Wm. H. Macdonald*  
2. *(cases)*  
3. \_\_\_\_\_  
4. \_\_\_\_\_

Dated *June 8* 18*91*  
*Murray* Magistrate  
*Martin* Officer.  
*75* Precinct.

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

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

No. \_\_\_\_\_ Street.  
\$ *1000* to answer *Q.S.*

*At June 8 7.30*  
*Wm*  
*722*



0678

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 36 years, occupation Police Officer of No. 15

He 75 Avenue Police Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Mary F. Dryden  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this

day of June 1898,

Hugh Martin  
Police Justice.

0679

Police Court Fourth District.

Affidavit—Larceny.

City and County } ss:  
of New York,

of No. 401 West 42<sup>nd</sup> Street, aged 52 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  
 Good 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, One ~~small~~ <sup>small</sup> 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 <sup>or</sup> ~~two~~ Dollars — \$82.00  
 the property of deponent.

and that this deponent  
 has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and  
 carried away by David H. 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 59<sup>th</sup> Street and 2<sup>nd</sup> 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 59<sup>th</sup> Street and 8<sup>th</sup> Avenue and there missed  
 the said property. Deponent further  
 says that he is informed by Officer Hough

Sworn to before me, this

189

day

Notary Public.

0680

Martin of the 25<sup>th</sup> 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 Locketts and Carl Road Ticket and Five Dollars in money from the possession and the person of deponent, 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 said Officer Martin did then go to the aforesaid Pawn Shop and did there find the said Gold Watch which deponent identifies as being the same which had been taken stolen and carried away from deponent's possession and person in the manner aforesaid.

deponent therefore charges said David N. Mannarino 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

*[Signature]*

0681

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 42 years, occupation Hugh Martin  
Police Officer of No. 25

Recruit 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 8

day of June

1894,

Hugh Martin

Police Justice.

0682

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK.

*David W. Mannering* 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. *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

1897

Police Justice.

0683

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

James 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 James M. [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

BAILED.

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court-- District. 775

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Michael Conlan

2401 Belmont St  
David N. Mawward

2  
3 (2 cases)  
4

Office of the  
Clerk

Dated June 8 1891

Morrison Magistrate

Leahy Martin Officer.

25 Precinct.

Witnesses Call Officer

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

Dolly Dwyer

No. 319 West 89 Street.

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

\$1000



for  
payment  
money etc

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. Manuvaring*

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

The said *David W. Manuvaring*

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  
loketts 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.~~

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*

lawfully and unjustly did feloniously receive and have

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. FELLOWS, District Attorney

0687

Witnesses;

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

David W. Manning  
(2 cases)

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

DE LAUNCEY W. BELL

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Chas. F. Miller  
Foreman.

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.

*Re 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 *May 5 June 1897*  
Pleaded *Not Guilty*

**POLICY.**  
[SS 843 and 844, Penal Code.]  
THE PEOPLE  
*vs.*  
*Emile D*  
*Charles Marton*  
*and*  
*33-5-18*  
*Cornelius Smith*  
*(2 Cases)*

**DE LA RUE & CO.**  
**JOHN R. FELLOWS,**  
District Attorney.  
*Ind \$100 each*  
*May 19 2 fines paid*  
**A True Bill**

*Chas. J. Huber*  
Foreman.  
*Part 3. May 5 1897*  
*Both plead guilty*  
*12 count*

Witnesses:  
[Blank lines for witness names]

0692

CITY OF New York COUNTY OF New York

*Butt 1/9/6*  
*9/9-25/65*

\_\_\_\_\_ aforesaid, <sup>did</sup> now have in their possession, at in and upon  
certain premises occupied by them and situate and known as number  
146 East 129<sup>th</sup> 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

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

6-8-3 7/11  
1/6/91  
2018

0694

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

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

Anthony Bauntock -  
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 <sup>that</sup> Emil Martin and Cornelius Smith here present  
whose real name unknown, but who can be identified by

did, at the City of New York County of New York and State of New York, on or about the 26<sup>th</sup> 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, do have in their possession, at in and upon certain premises occupied by them and situate and known as number 146 Park 129<sup>th</sup> 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

27<sup>th</sup> day of May 1891.

Anthony Bantock

Charles V. Smith Police Justice.

CITY OF New York AND COUNTY OF New York ss.

John R. Collard, of 41 Park Row

being further sworn deposes and says that on the 26<sup>th</sup> 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 wrote his pencil added "Booth 5/26" and handed paper to deponent and deponent paid him the sum of fifteen cents for the same.

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 Smith & he had been arrested and as they and the officers left the place.

Subscribed and sworn to before me  
this 27<sup>th</sup> day of May 1891  
Charles Martin  
Police Justice.

John R. Colford

0697

THE PEOPLE

ON COMPLAINT OF

*Anthony Cornstock*

AGAINST

*Emil Martin*

*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.

15 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Cornelius Smith* 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. *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 *February* 1907*Charles J. Tate*

Police Justice.

0699

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

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

Question. What is your name?

Answer. Conale 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 Coor 158<sup>th</sup> 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

Conale Martin

Taken before me this

25

day of

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* 1891 *Charles N. Smith* Police Justice.

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

*Defendant*  
Dated *May 27* 1891 *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

BAILED.

No. 1, by H. S. Becannon

Residence 210 E. 126 Street.

No. 2, by 11

Residence 11 Street.

No. 3, by 11

Residence 11 Street.

No. 4, by 11

Residence 11 Street.

Police Court---<sup>15h</sup> District. <sup>727</sup>

THE PEOPLE &c.,  
ON THE COMPLAINT OF

Anthony C. Smith  
vs. Park Row  
Cornelius Smith  
Abelle Martin

3.  
4.

Dated May 27 1891

T. J. Taylor Magistrate.

Elyah Austin Officer.

60 Precinct.

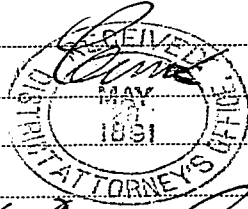
Witnesses

No. 11 Street.

No. 11 Street.

No. 11 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*  
*Conel Marton*  
*and*  
*Cornelius Smith*

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

*Conel Marton and Cornelius Smith*

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

The said *Conel 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

*Conel 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 *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, 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

Conele Marton and Cornelius Smith

of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A LOTTERY POLICY, 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, 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 51 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

Conele 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 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, 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-

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

*Conle 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 *Conle 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

Witness;

I recommend the  
accused of a  
Peace of Petty Law  
of Montpelier  
June 29 1911  
R. A. H. H. H.

21, J. B. A. H. H.

Counsel, J. B. A. H. H.  
Filed July 10 1891  
Pleads, J. B. A. H. H.

Grand Larceny, 1891  
[Sections 528, 534 Penal Code].

THE PEOPLE

vs.

James Mc Dermott

JOHN R. FELLOWS

District Attorney.

A True Bill.

Chas. J. H. H.  
Foreman.

Pen one yrt  
Fine \$500

0707

Police Court / District.

Affidavit—Larceny.

City and County } ss:  
of New York,

*Maggie Ford*  
 of No. 138 West 4<sup>th</sup> 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

\$ 10 00  
 100

the property of

Deponent

Sworn to before me, this 21 day of June 1891

*Charles J. Bennett*  
 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.

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 21<sup>st</sup> day of June 1899 }  
James O'Brien  
Charles W. Linton Police Justice.

0709

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

District Police Court.

*James M. C. 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. C. 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. C. Dermott*

Taken before me this

*7*

day of

*March 1891*

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. J. 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* 1891 *Charles J. J. J. J.* 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 McDermit

Officer Green  
from the prison

Dated June 21 1891

Santer Magistrate.  
Mitchell Officer.  
6th Precinct.

Witnesses James O'Brien  
Home of Dr. Fisher

No. Street.

No. Street.

\$ 400 to answer G.C.

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. 6<sup>th</sup> Maccur Street, aged \_\_\_\_\_ years,  
 occupation Officer being duly sworn deposes and says,  
 that on the 20<sup>th</sup> 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 Forel  
 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

21 day

of June

1891

Charles W. Chandler 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*

*\$10.00*  
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  
*ninety-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*

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

~~JOHN R. COLLIER~~ District Attorney.

07 14

**BOX:**

441

**FOLDER:**

4065

**DESCRIPTION:**

McFadden, Joseph

**DATE:**

06/26/91



4065

0715

Friday

Witnesses:

Christ Cucaracha

Partner of Mr.

Prolety Entia

Sept. 1900

Ch. Gary

Counsel,

Filed 26 day of June 1891

Pleas,

Guilty

THE PEOPLE

vs.

Grand Larceny Second Degree.

[Sections 528, 537 — Penal Code.]

Joseph Mc Tadden

DE LANCEY NICOLI,

District Attorney.

July 7, 1891

Filed P. L.

A True Bill.

*[Signature]*

Foreman.

28 days CP

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 38 years,  
 occupation Hat Lining & Tip Printing being duly sworn,  
 or about 10 a day of June 1891 at the City of New York,  
 deposes and says, that on the 10 a 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.adden (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 Doberman Michael

Sworn to before me, this  
189  
day

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

Subscribed before me this 27 day

of June 1897

W. J. M. M. M.

Police Justice.

0718

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, } ss.

District Police Court.

*Joseph M. Fadden* 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.

*Joseph M. Fadden*

Question. How old are you?

Answer.

*35 years*

Question. Where were you born?

Answer.

*N. 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

27

day of June 1897

*J. M. Fadden*

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 Mc Gadden  
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. 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

*Francis S. Harrison*  
*19 West 3 St.*  
*Joseph McFadden*

*Lacey*  
*Lucy*  
Offence

2.  
3.  
4.

Dated *June 23* 188*2*

*McMahon* Magistrate.

*William S. Cooney* Officer.

*15* Precinct.

Witnesses *Call the Office*

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

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

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

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

*Con* *922*

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

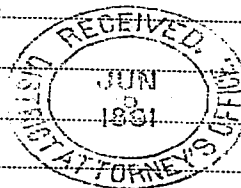
Residence \_\_\_\_\_ Street.

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 :::

*F. 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 McFadden*  
*Notary Public*  
*W. J. 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 STECKLER 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.

*My Personal Services*

*The People vs.*

*Plaintiff*

AGAINST  
*Joseph McEnder*  
*Defendant*

*Affidavit*

CHARLES STECKLER,

*Esq. 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 notice 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, &c.,

CHARLES STECKLER,

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 & numbers

Barb Fred 12500  
11788  
Counsel, William

Counsel,  
Filed 10 day of June 1891  
Pleads, *W. H. H. H.*  
THE PEOPLE  
vs.

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

*H.*  
James Mc Sowan

*De Lancey Thell*  
*June 10/91*  
District Attorney  
*Spred & putted*

A True Bill.

*Chas. F. H.*  
Foreman.  
*June 10/91*

0727

Police Court 2 District.

Affidavit—Larceny.

City and County } ss.  
of New York, }

Rose James

of No. 2149 Second Avenue Street, aged \_\_\_\_\_ years,occupation Candy store keeper being duly sworndeposes 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 five  
dollars \$65 —

the property of deponent and her husband  
and then in deponent's 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 James McEvoan (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.

0728

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 therefore 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.

0729

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

2 District Police Court.

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

Question. What is your name?

Answer. *James McGowan*

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 27<sup>th</sup> Street. 1 year*

Question. What is your business or profession?

Answer. *Seller*

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. McGowan*

Taken before me this

*26*day of *May* 1891*W. J. Mahoney*

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 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.....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.

to answer

G. J.

Wm.

Pd by  
Treasury  
and exchequer

Sect.

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 McGowan*

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,

0735

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

as aforesaid,

for the

whereof

he was so convicted as aforesaid, be imprisoned in the

at hard labor for

the term of

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

And the said

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 aforesaid)

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

Witness:

Counsel,  
Filed  
Pleads,

26 day of June, 1891

THE PEOPLE

vs.

John Mc Sine

Grand Larceny  
[Sections 528, 531, 532 Penal Code.]

DE LANCEY NICOLL,  
District Attorney.

A True Bill.

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

0739

Police Court 2 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.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:Thirty one yards  
of silk plush worth \$1.20 per yd all of  
value of \$37.20the 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  
W. J. McGuire  
Justice

0740

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK.

2 District Police Court.

*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 23

deputy  
clerk  
1891  
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 *Ten* 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*  
*John M. Curie*

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

Office Secretary

*Fillmore*

Dated *June 22* 189*1*

*Mc Mahon* Magistrate.  
*Morney* Officer.  
Precinct.

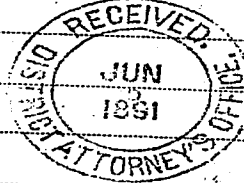
Witness *Robert T. Ottens*  
No. *558 West 44th* Street.

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

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

\$ *1000* to answer *G. S.*

*Com* *g. s.*



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.

## 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. [unclear]*

Counsel:

*Go to June 1891*  
Filed  
Pleads *not guilty!*

THE PEOPLE

vs.

*B*

*Mary McKeon*

INJURY TO PROPERTY.  
[Section 634, Penal Code.]

*De Lancy Nicoll*  
~~JOHN R. [unclear]~~

District Attorney.

*May 6 1892 - 1592*  
*Atty Genl: May 10 1892*  
*part 3. May 10 1892*  
*med and requested*  
*John. A. [unclear]*

Foreman.

*Geo. Lemm M.D.*  
*apptd Sept 1891*  
*not L.*

0747

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss.

District Police Court.

*Mary McKeon*

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

Question. What is your business or profession?

Answer.

*My husband is. 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

*21st*day of *August* 189*1**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* *Colon B. 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 h to be discharged.

Dated..... 18..... Police Justice.

0749

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

*Wm Clancy*  
*320 Delaware Street.*

*Chief Clerk*

*Light not to  
be used*

Police Court---

District.

THE PEOPLE, vs.  
ON THE COMPLAINT OF

*Mary Schuff*  
*et al*  
*Mary W. Hawn*

1

2

3

4

Offence

*Malicious Mischief*  
*"felony"*

Dated

*June 27 91*  
*Smith & Rogers* Magistrate.

*Charles Place* Officer.

Precinct.

Witnesses

No.

No.

No.

\$ *3.00* to answer

*CM Bailed*

RECEIVED  
JUN 27 1891  
CLERK'S OFFICE

0750

CITY AND COUNTY  
OF NEW YORK, ss.

POLICE COURT, B

DISTRICT.

of No. 150 Allen

Street, aged 27 years,

occupation

Keep a cigar store being duly sworn deposes and says

that on the 21<sup>st</sup> day of June 1887

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

(now here) did wilfully and maliciously break and destroy three large panes 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 defendant. by striking said property with a heavy umbrella she held in her hand. defendant further says that

Subscribed before me this 21<sup>st</sup> 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.

Signed before me } Mary Schultz  
this 27<sup>th</sup> day of June 1891  
Solon Schultz  
Police Justice

Police Court-- District.

AFFIDAVIT.  
THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Dated

188

Magistrate.

Officer.

Witness,

Disposition,

0752

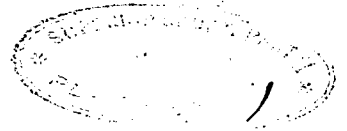
**Court of General Sessions of the Peace**

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 *Tenth* Ward of the City of New York, in the County of New York  
aforesaid, on the *first* day of *June*, in the year  
of our Lord one thousand eight hundred and eighty *eighty one*, at the Ward, City and

County aforesaid, with force and arms, *three boxes of plate*  
*of the value of seventy five dollars*  
*each box, one box of the value*  
*of fifty dollars, five pieces 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 *four* dollars,

of the goods, chattels and personal property of one *Mary Schultzy*,  
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  
*Mary McKeon*  
 of the CRIME OF UNLAWFULLY AND WILFULLY *destroying*  
 REAL PROPERTY OF ANOTHER, committed as follows:

The said *Mary McKeon*  
 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*  
*pages of plate glass.*

of the value of *seventy five dollars each page,*  
 in, and forming part and parcel of the realty of a certain building of one  
*Mary Schultky.*  
 there situate, of the real property of the said *Mary Schultky.*  
 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

Witness

Counsel,

Filed

Pleads,

day of June, 1894

THE PEOPLE

'08.

B

Patrick McKeown

June 9/91

VIOLATION OF EXCISE LAW

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

DE LANCEY NICOLL

JOHN R. FELLOWS

District Attorney.

A True Bill.

Chas. J. Sullivan

Foreman.

**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 R. FELLOWS,**

*District Attorney.*