

0009

BOX:

281

FOLDER:

2685

DESCRIPTION:

Roseman, Leopold

DATE:

10/07/87



2685

POOR QUALITY ORIGINAL

0010

Witnesses:

Geo Kelly
Officer Clifford

#67 *Spurd*

Counsel,

Filed

7 day of *Oct*

1887

Pleas

Guilty

THE PEOPLE

vs.

Robbery,
(MONEY)
(Secs. 224 and 228, Penal Code.)

Leopold Roseman

RANDOLPH B. MARTINE,

District Attorney.

Oct 10 1887

A True Bill.

[Signature]
Oct 13 1887
Foreman.

Fried & Corvost
State Laboratory

Oct 13

G.P.A.

**POOR QUALITY
ORIGINAL**

00111

The People
vs.
Leopold Roseman.

Court of General Sessions, Part I.
Before Judge Gildersleeve.

October 13, 1887.

Indictment for robbery in the first degree.

John Kelly sworn and examined, testified: I live now in Coscob, Conn. I came to this city on the 2nd of May last and from May to the first of September I have been working on a farm, I worked at one in Tarrytown and the other in Connecticut, when I left the farm in Tarrytown I came to New York, I left there the 31st of August and I was in the city of New York on the first of September, I was on West Street near Laight on the first of September in the night time about a quarter to ten, I was alone, I had in my side pantaloon's pocket in a little pocket-book a ten dollars bill belonging to me. I was going along and a man came behind my back and he put his knee in the small of my back and pulled me down on the sidewalk, I was laid down and two others went at my pockets. This boy now in custody, he had the pocket-book in his hand and I took it out of it, I was knocked down and robbed of this pocket-book and money, I took it from the defendant's hands just as I raised from the ground, he was not four yards from me. I am positive that this is the boy from whose hand I took that pocket-book, I swear that pocket-book which I took from him was in my pantaloon's. The pocket-book now shown me is mine and that ten dollars bill is my money and the one which I took from the defendant.

Cross Examined.

This happened on the first

I

of September, I could not tell you the street where I was

**POOR QUALITY
ORIGINAL**

0012

stopping for I am not well acquainted with the streets, I stopped in the first place convenient to me, somewhere around the Bowery; the man in the police station told me to stop there all night. Before this occurred I was in search of work all that day, I had not been drinking any not even a glass of beer. On the morning of the 2nd of September I went to the Police Court and made a statement to the Judge, I signed the paper now shown me which the Clerk drew up. I told him when he asked me where I resided I stayed everywhere that was convenient, I earned this money in Tarrytown, I was working there one month, my salary was thirteen dollars a d I was paid that morning and came down to New York that evening, I went around the Bowery, I met nobody but went to a lodging house and paid twenty-five cents for my bed, that was on the 31st of August, my fare to the city was fifty cents, I paid a quarter for my meals and I had twelve dollars going out that morning after I ate my breakfast, I spent the rest of the money except the ten dollars on a shirt and drawers. When I was walking along West Street it was pretty dark, I knew I was to the river side. The first thing I noticed was hearing a man say, "we have him now"; one man put his arm around my neck and then I was pulled down and he put his knee in the small of my back, I could not see the man who did that at that very moment, there were two more besides the defendant, I could not see which put his hand in my pocket, one was each side of me with his hand in my pockets, I could not identify the two others if I met them, one of the men got the pocket-book in his hand, the defendant must be the one because I took the pocket-

**POOR QUALITY
ORIGINAL**

0013

book from his hand, I could not be mistaken about this, I got the pocket-book away from him and the other two ran at the time I took it away from him, I got hold of him, he ran about fifty yards and I after him, when I was taking the pocket-book he broke away from me, he turned the corner and I was not fifty yards behind him, the officer was around the corner and I gave the defendant to him then, I never lost sight of the defendant all through, just as he was round the corner I was quick after him, I do not suppose ^{he} was more than three yards ahead of ^{me} ~~him~~ at any time, he was arrested on the corner of a street but I do not know the name of the street, to the best of my opinion I ran about fifty yards after him, I do not think it was two blocks from where this happened that he was arrested, it might be only one block.

Counsel then read the complaint as follows: "Leopold Roseman now here and two other man not now arrested from the fact that about the hour of ten o'clock while deponent was walking along West Street when near Laight Street the defendant came behind the deponent and seized deponent by the neck and forced the deponent on the walk with his deponent's back and the other man, not now arrested, forcibly inserted their hands into deponent's pantaloons pockets and one of the said unknown men not arrested, abstracted forcibly the amount of money contained in a purse from the left-hand side pocket of deponent's pantaloons and deponent immediately seized hold of said other man's hand not arrested, and did forcibly take the purse from said man and then all three ran away pursued by deponent and deponent caught said defendant and gave him into the custody of an officer. "

**POOR QUALITY
ORIGINAL**

0014

Is that statement true? The statement I make is true, that I took from this man the pocket-book. I did not tell the magistrate that I took it from another man, I told him I took it from this man. I signed this statement, that might have been read to me but I did not take notice, the clerk might have made a mistake and I might have neglected to rectify it. I never stopped in a Police Station over night before this time, I had a pair of overalls on me that night and the coat I now wear, I had no jumper but a grey shirt, I had no jewelry and no sign of wealth about me. I was locked up in the Station House that night not as a criminal but as a witness.

Robert Clifford sworn and examined. I am an officer of the 5th precinct and was on duty on the first of September, I was on the corner of Greenwich and Laight Streets about half past ten o'clock that night; the complainant called me and said, "Constable, here is a man who robbed me," I looked around and he had hold of the prisoner. I asked him what was he robbed of, he said, "this man caught him around the neck on the river front, he did not say West Street, he did not know one street from the other, I asked him what he got robbed of and he said he got robbed of ten dollars, I fetched him to the Station House and the sergeant asked him questions; he asked him was he sure that this was the man that robbed him and he said he was positive; then the Sergeant says, what did you close? He says, "I did not lose anything; I took this pocket-book out of their hands. I would recognize the pocket-book if I saw it (pocket-book shown). The pocket-book now shown me and its contents is mine. I

heard the complainant say that he was positive the defendant was the man who robbed him.

Cross Examined. The complainant said, "this is the man that caught me by the neck and robbed me." I asked the defendant did he do it? He said no he did not do anything, said he, "I was walking along with three others and this man, the complainant, came along and ran at me. I said, "what did you run for?" He says, "this man wanted to hit me .

Leopold Roseman sworn and examined in his own behalf, testified: I live with my mother and father at 378 Hudson Street, I work in a tobacco factory with my father in Jersey City at Lorillard's. I remember the night of the first of September when this occurred, I had been working that day over in Jersey and came home to tea, after tea I went down to see a friend of mine in Caroline Street, I got there between eight and nine and left there about a quarter after nine, I went through Washington Street and the complainant staggered up against me, I pushed him out of the way and told him he was drunk, I thought he wanted to lick me, I ran towards the officer and told him that he wanted to lick me, he told the officer that I wanted to rob him, I pushed him but I did not put my hand around his neck with two others and I did not take his pocket-book or attempt to do it, his statement as to that is untrue.

Cross Examined. I do not know who knocked him down, I did not see anybody knock him down, after he was so drunk that he staggered up to me and I thought he

wanted to quarrel with me I pushed him but he did not fall down, he made a strike for me and I only pushed him away, he ran after me and when I saw him run I ran away from him, I swear positively that no one laid him down on his back and that he did not take that pocket-book from my hand. I know what an oath and I know what perjury is.

Handwritten notes:
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Case
Garrison

Robert Clifford recalled. This farm boy on that night was perfectly sober, he was not under the influence of liquor, I saw him and stood along side of him. The complainant had to walk from Laight to Leonard Street to the Station House, which was about eight blocks I do not know how far he ran, I was standing with my back turned when he halloed to me. It was not because the complainant was slightly under the influence of liquor that the sergeant suggested that he should stay at the Station House that night, he was put in the lodging room and was perfectly satisfied to stay, we kept the ten dollars behind the desk. The defendant did not come up to me before the arrest and say that that man, the complainant, was going to hit him. When I arrested the boy he told me that the complainant tried to hit him. The complainant halloed to me, "arrest this man, he robbed me, he put his hand in my pocket and robbed me of ten dollars, I said to the boy, " id you rob this man" and he sai , no; I said, what did you run for? He said, he wanted to hit me."

The Jury rendered a verdict of guilty of robbery in the first degree.

POOR QUALITY ORIGINAL

00017

Testimony in the case of Leopold Roseman

filed Oct. 1887

The witness testified that he had been in the city of New York for some time and that he had seen the defendant in the city of New York at the time of the commission of the crime. He stated that he had seen the defendant in the city of New York at the time of the commission of the crime and that he had seen the defendant in the city of New York at the time of the commission of the crime.

The witness testified that he had been in the city of New York for some time and that he had seen the defendant in the city of New York at the time of the commission of the crime. He stated that he had seen the defendant in the city of New York at the time of the commission of the crime and that he had seen the defendant in the city of New York at the time of the commission of the crime.

POOR QUALITY ORIGINAL

0018

Police Court - 15th - District.

CITY AND COUNTY OF NEW YORK, } ss

Notif Compt at Simeon & Co. 6 West St

John Kelly, Aged 20 Years, Occupation Laborer, being duly sworn, deposes and says, that on the day of September 1887, at the 2nd Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away from the person of deponent 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 the value of Ten Dollars, the property of Deponent

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

Reynold Roseman (now here) and two other men not now arrested from the fact that at about the hour of ten o'clock P.M. while deponent was walking along West Street, when near Cairns Street the defendants came behind deponent and seized deponent by the neck and forced deponent at the walk on his deponents back and the other men, not now arrested forcibly inserted their hands into deponent's pantaloons pockets and one of said unknown men not arrested abstracted the aforesaid

6 8 1/2 Fee 13/187

Signed before me, this 13th day of September 1887

Notary Public

POOR QUALITY ORIGINAL

0019

Amount of Money contained in a purse
 from the left hand side pocket of
 deponents pantaloons and deponent
 immediately seized hold of said other
 man hand and arrested and did
 forcibly take the purse from said man
 hands and they all three ran away
 pursued by deponent and deponent caught
 said deponent and gave him in deponent
 into custody of an Officer
 deponent or deponent pray that
 the said deponent may be held and
 dealt with as the law directs

Sworn to before me this
 2nd day of September 1887

J. Willmuth

John Kelly

Police Justice

Dated 1887 Police Justice

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

Dated 1887 Police Justice

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

Dated 1887 Police Justice

of the City of New York, until he give such bail. 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

guiltily thereof, and that there is sufficient cause to believe the within named committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District.

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

1
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Offence—ROBBERY.

Dated 1887

Magistrate.

Officer.

Clerk.

Witnesses,

No. street,

No. Street,

No. Street,

to answer General Sessions.

POOR QUALITY ORIGINAL

0020

Sec. 198-200.

1 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Leopold Rossmann 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. *Leopold Rossmann*

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. *27 S Hudson Street 7 years*

Question. What is your business or profession?

Answer. *Tobacco.*

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*

Leopold Rossmann

Taken before me this

day of *September* 188*8*

J. H. [Signature]
Police Justice.

POOR QUALITY ORIGINAL

0021

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court-- District.

1441

THE PEOPLE, &c
OF THE COUNTY OF NEW YORK,
IN SENATE CHAMBERS,
City of New York.

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Dated Sept 27 188

Magistrate

Officer

Witnesses

No. 1, by

No. 2, by

No. 3, by

No. 4, by

Street



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

Dependant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 100 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated Sept 27 188 Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY
ORIGINAL

0022

Ms Humphrey Denton

Box 43 Greenwich

Conn.

This is the place to send it to
for John Kelly

POOR QUALITY ORIGINAL

0023

DIRECTIONS.

The Grand Jury Rooms are in the third story of the large brown stone building in Chambers Street, near the New Court-house in the Park.

When you arrive at the witness-room, hand this Subpoena to the officer or clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPCENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.

The People of the State of New York,

To *John Kelly*
of No. *6 West* Street, *100 Street & Shannon*

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you appear in your proper person at the Grand Jury Room, in the third story of the Session Building adjoining the New Court House in the Park, in the City of New York, on the day of *September*, instant, at the hour of 10 $\frac{1}{2}$ in the forenoon of the same day, to testify the truth and to give evidence before the GRAND JURY, touching a certain complaint then and there pending against

Leopold Roseman

And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder at the City Hall, in our said City, the first Monday of *September*, in the year of our Lord 1887.

RANDOLPH B. MARTINE, District Attorney.

POOR QUALITY
ORIGINAL

0024

1887

September 5

Mr. Sinnott Shannon
I beg to you to send me
the notice which is to be
left for me at your house
which I was to call for
and I was out of work
and I could not stop in
New York

Please oblige
John Kelly

POOR QUALITY ORIGINAL

0025

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Seopold Roseman

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

of the crime of ROBBERY IN THE *First* DEGREE, committed as follows:

The said *Seopold Roseman*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *First* day of *September*, in the year of our Lord one thousand eight hundred and eighty *seven*, in the *night* time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one *John Kelly* in the peace of the said People then and there being, feloniously did make an assault, and ~~promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars~~; *one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars; *two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars *each*; *five* 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*; *two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar *each*; ~~one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars~~; ~~one~~ promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars; *two* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars *each*; divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *ten* dollars, and *one* purse of the value of *one* dollar,

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

Seopold Roseman being then and there aided by *two* accomplices actually present, whose names are to the Grand Jury aforesaid as yet unknown

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.

RANDOLPH B. MARTINE,

District Attorney.

0026

BOX:

281

FOLDER:

2685

DESCRIPTION:

Rosenbloom, Louis

DATE:

10/27/87



2685

POOR QUALITY ORIGINAL

0027

#313

Counsel,
Filed *Oct* 1887
Pleads

THE PEOPLE,
vs.
Louis Rosenbloom
Burglary in the THIRD DEGREE,
as set forth in the indictment,
(Section 498, 506, 528 and 532)

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

J. J. Lucas
Foreman.
Feb 17/87
Placed by J. J. Lucas
State Refractory

WITNESSES:
Mary Vogelmann
Joseph E. ...

POOR QUALITY ORIGINAL

0028

Police Court 3rd District.

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

of No. 155 Norfolk Street, aged 52 years,
occupation Housekeeper being duly sworn

deposes and says, that the premises No. 155 Norfolk Street, 17th Ward
in the City and County aforesaid the said being a brick tenement

dwelling
and which was occupied by deponent as a dwelling house
and in which there was at the time a human being, ~~by name~~

Becke and
were BURGLARIOUSLY entered by means of forcibly opening the
door of deponent's apartments on the
5th floor of said premises by means
of a false key, at about the hour
of 11 o'clock A.M.
on the 20th day of October 1887 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

fourteen silver spoons, one gold
finger ring, two sharp pins and
a pocket-book containing pictures
and papers, said property being more
than shown and being of the
value of twenty dollars

the property of deponent who is a widow
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

Louis Rosenbloom, now
here,

for the reasons following, to wit: That deponent closed and
secured her said apartments and
locked the door of the same at
the hour of 9 1/2 o'clock A.M. on said
day, and went out to her work,
said property being then in trust
in said apartments. That deponent
returned to her apartments at
the hour of 5 o'clock P.M. on said

POOR QUALITY ORIGINAL

0029

day and then found that her
apartments had been broken
open and said property stolen. That
day she was then informed by
Sophia Evans, her servant, that
she, said Sophia, found the said
dependent articles mentioned above,
both the door locked on the
inside by means of a Julius Key
and her having said property in
his possession. That the property
aforesaid which was taken from
the apartment at the station house
is the stolen property aforesaid.

Sworn to before me this } Maria Engelstrom
21st day of October 1887 }
J. N. Peterson 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 1887 Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1887 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 1887 Police Justice.

Police Court, District, Office - BURGLARY.
THE PEOPLE, &c.,
by the complaint of
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Date of 1887
Magistrate.
Officer.
Clerk.
Witnesses, No. Street,
No. Street,
No. Street,
to answer General Sessions.

POOR QUALITY ORIGINAL

0030

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 37 years, occupation Housekeeper of No.

155 Norfolk Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of May Fogelman

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

Sworn to before me, this 21st day of October 1888 } Sophie Evans

J. M. Patterson
Police Justice.

POOR QUALITY ORIGINAL

0031

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Louis Rosenblum 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.

Louis Rosenblum

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

Russia

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

Answer.

230 - 2 St One York

Question. What is your business or profession?

Answer.

Pedler

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 guilty of the charge Louis Rosenblum

Taken before me this

day of

Oct 21

188

[Signature]

Police Justice.

POOR QUALITY ORIGINAL

0032

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.,
ON THE COMPLAINT OF

1932

Offence *Burglary*

2 *Walter Chapman*

3 *James John [unclear]*

4 _____

Dated *Oct 21* 188

M. P. [unclear] Magistrate

W. B. [unclear] Officer

[unclear] Precinct

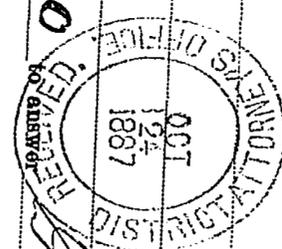
Witnesses *[unclear]*

No. *155* Street

No. _____ Street

No. _____ Street

\$ *1500* Street



Committed

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

Dated *Oct 21* 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY
ORIGINAL

0033

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Louis Roseboom

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

Louis Roseboom

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

The said *Louis Roseboom,*

late of the *14th* Ward of the City of New York, in the County of New York
aforesaid, on the *20th* day of *October*, in the year of our Lord one
thousand eight hundred and eighty-*seven*, with force and arms, in the
day time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *Henry Vogtman,*

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 *Henry Vogtman,*

_____ 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

Samuel Rosebaum

of the CRIME OF *Robt* LARCENY, committed as follows:

The said *Samuel Rosebaum*

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

fourteen pieces of the value of one dollar each, one ring of the value of four dollars, two pieces of the value of two dollars each, and one pocket watch of the value of one dollar,

of the goods, chattels, and personal property of one

Mary Bogdan

in the dwelling house of the said

Mary Bogdan

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.

Richard B. ...

District Attorney.

0035

BOX:

281

FOLDER:

2685

DESCRIPTION:

Rosenthal, George

DATE:

10/20/87



2685

0036

BOX:

281

FOLDER:

2685

DESCRIPTION:

Norraikow, Adolphus

DATE:

10/20/87



2685

POOR QUALITY ORIGINAL

0038

City of _____ :
County of _____ : S.S.
State of New York :

Anthony Comstock of 150 Nassau Street, New York City, being duly sworn deposes and says, that he is more than 21 years of age, and Chief Agent of the New York Society for the Suppression of Vice; that he is informed, has just cause to believe and verily does believe that

George Rosenthal and J. Horakoff

~~whose real name~~ unknown, but who can be identified, did on or about the 10th day of *October* 1887, in the City of *New York* County of *New York* and State of New York, unlawfully sell, lend, give away and show, and offer to sell, lend, give away or show and distribute a certain obscene, lewd, lascivious, filthy, indecent and disgusting print, picture, photograph, drawing, figure and image, which said picture is so obscene, lewd, lascivious, filthy, indecent and disgusting as to be offensive to the Court and improper to spread upon the record of the Court, wherefore the same is omitted, which said picture, drawing, print, photograph, figure and image is a representation of nude figure of ~~_____~~ and *females* in divers lewd, lascivious and indecent postures

Against the form of the statute in such case made and provided and particularly section 317 of the Penal Code and amendments thereto.

Deponent is further informed and verily believes his information being based upon information largely furnished him by Joseph A. Britton and George E. Oram, that at, in and upon certain premises situate and known as No. 14 *Cooper Union* ~~and 45~~ *but 10th* in the city of *New York*

the said *George Rosenthal and J. Horakoff*

now had in *their* possession with intent to use the same as a means to commit a public offense, and for the purposes of selling, lending, giving away or showing, or offering for loan, sale, gift and distribution, divers and sundry other obscene, lewd, lascivious, filthy, indecent or disgusting books, pamphlets, magazines, newspapers, *Story* papers, writing, paper, picture, drawing, photograph or image, or certain written or printed matter of an indecent character.

WHEREFORE deponent prays that a warrant may be issued for the arrest of the said

George Rosenthal & J. Horakoff

and a search warrant to search for, seize and take possession of the said obscene, lewd, lascivious, filthy, indecent and disgusting matters and things as hereinbefore set forth.

Subscribed and sworn to before me
this *10th* day of *October* 1887

Anthony Comstock

Police Justice.

J. A. Killworth

POOR QUALITY ORIGINAL

0039

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 7th DISTRICT.

Anthony Courtois

of No. 150 Nassau Street, aged 43 years,

occupation Secy & Chief Special Apt. being duly sworn deposes and says

that on the 11th day of October 1887

~~at the City of New York, in the County of New York,~~ that Adolphus

J. Norarkow here present is the
one known and described as
J. Norarkoff in annexed warrant
& complaint.

Anthony Courtois

Sworn to before me, this 11th day
of October 1887

John J. McNeill
Police Justice.

POOR QUALITY ORIGINAL

0040

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

George Rosenthal 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 Rosenthal*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *10 Adams Place 1 year*

Question. What is your business or profession?

Answer. *Idler*

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*

Geo Rosenthal

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

Police Justice.

POOR QUALITY ORIGINAL

0041

Sec. 198-200.

1st District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Adolphus J. Norraisen 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. Adolphus J. Norraisen

Question. How old are you?

Answer. 23 years

Question. Where were you born?

Answer. Poland

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

Answer. 95 Canal St. 3 years

Question. What is your business or profession?

Answer. Born Agent

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 refuse to say anything until I see my counsel
Adolphus Norraisen

Taken before me this 1st day of February 1888
[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0042

Sec. 151.

Police Court First District.

CITY AND COUNTY } OF NEW YORK, } ss. In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Anthony Bonaiuto of No. 150 Nassau Street, that on the 10th day of October 1887 at the City of New York, in the County of New York, ~~that~~ George Rosenthal and J. Kovakoff did unlawfully sell

offer to sell and have in their possession for the purpose of selling the same divers obscene lewd and indecent pictures against the force of the statutes in such case made and provided -

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

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

Dated at the City of New York, this 10th day of October 1887

J. Kilbuck POLICE JUSTICE.

Police Court First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anthony Bonaiuto
vs

Adolphus Morciskus

Warrant-General.

Dated Oct-10- 1887

Kilbuck Magistrate.

M. V. V. Officer.

The Defendant Adolphus Morciskus taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Paul Malach Officer.

Dated Oct-11- 1887

Police Justice.

This Warrant may be executed on Sunday or at night.

RHM ARKS.

Time of Arrest, Oct-11-87

Adolphus Morciskus
95 E. 18 St.

Naive of Russia

Age, 43 yrs

Sex, M

Complexion, dark

Color, W

Profession, Books

Married, No

Single, No

Read, No

Write, No

POOR QUALITY ORIGINAL

0043

BAILLED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

111 B D 1684
Police Court District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Conway
150 Broadway
George J. ...
Charles ...
Office

Dated

Oct 11 188

Magistrate

Officer

Precinct

Witnesses

No. Street

No. Street

No. Street

\$ to answer



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

De Francesco

guilty thereof I order that he be held to answer the same and he be admitted to bail in the sum of 3 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 Oct 11 188 Police Justice.

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

Dated Oct 11 188 Police Justice.

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

Dated Oct 11 188 Police Justice.

POOR QUALITY ORIGINAL

0044

City and County of New York, ss:

In the name of the People of the State of New York:

To any Peace Officer in the City and County of New York:

Proof by affidavit having been this day made before me, by Anthony Bourtoeb of 150 Nassau Street, New York

City, that there is probable cause for believing that George Rosenthal and J. Morakoff

has in their possession, at, in and upon certain premises occupied by them and situated and known number 14 Cooper Union Third Avenue and 95 East 10th Street in said City of New York certain and divers obscene, lewd, lascivious and indecent books, papers, pictures and prints device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, black boards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day

time, to make immediate search on the person of the said George Rosenthal and J. Morakoff

and in the building situate and known as number 14 Cooper Union, Third Avenue (and number 95 East 10th Street) (aforesaid,

for the following property, to wit: all obscene, lewd, lascivious and indecent books, pictures, papers, prints, Faro layouts, Roulette Wheels and layouts, Rouge et Noir, or Red and Black layouts, gaming tables, chips, packs of cards, dice, deal boxes, lottery policies,

letter tickets, circulars, writings, papers,

documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, books,

documents for the purpose of enabling others to gamble or sell lottery policies, black-

boards, slips or drawn numbers of a lottery, money to gamble with, and all device,

establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the Third District

Police Court at 20th St in Centre Street in the City of New York.

Dated at the City of New York, the

10th day of October 1887

A. Wilbuth

POLICE JUSTICE.



POOR QUALITY ORIGINAL

0045

Inventory of property taken by Robert Walsh the Peace Officer by whom this warrant was executed :

~~Faro layouts, Roulette Wheels, Roulette layouts, Rouge et Noir lay
 outs, gaming tables, chips, packs of cards, dice, deal
 boxes, deal trays for holding chips, cue boxes, markers, or tally cards,
 ivory balls, lottery policies, lottery tickets, circulars, writings,
 papers, black boards, slips, or drawn numbers in policy, money,
 manifold books, slates,~~

Two obscene books

City of New York and County of New York ss:

I, Robert Walsh the Officer by whom this warrant was executed,

do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 11th
day of October 1887

Robert Walsh

J. H. Miller Police Justice.

Police Court--- 1st District.

Search Warrant.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anthony Conant
vs.
George Rountal
J. Koraitkoff

Dated October 10th 1887

Miller Justice.

Walsh Officer.

**POOR QUALITY
ORIGINAL**

0046

(dictated)



THE
New York Society for the Suppression of Vice.

150 NASSAU STREET,

Room, 9.

New York, Oct. 20th, 1887

Hon. Randolph B. Martine,
District-Attorney,
New York City.

Dear Sir:

I regret to be obliged to ask your indulgence in the case of George Rosenthal and others, which is to come up to-morrow^{Friday} morning in Part I. General Sessions. I am subpoenaed in Brooklyn in another case, and therefore cannot possibly attend.

Could not this case be adjourned until Tuesday or Wednesday of next week. I desire to be present when the case is disposed of, even though the prisoners plead 'guilty', as there are facts which I desire especially to have presented to the Court.

Very Truly Yours,

Anthony Bonitock Sec'y

POOR QUALITY ORIGINAL

0047

Pes

(b2) (b7)

Leo Rosenthal et al.



New York City
New York State
New York State

Dear Sir:

I regret to be obliged to advise you that the hearing in the case of
Leo Rosenthal and others, which is to come up tomorrow morning in
Court No. 10, will be postponed to another date. I am sorry to hear
that you are unable to attend.
I would not like the case to be adjourned until Tuesday or Wednesday
of next week. I desire to be present in the case to dispose of
it as soon as possible. There are some facts which I
desire to have presented to the Court.

Very truly yours,

Sincerely,

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Fitzgerald Rosenthal and Adolphus Novickow

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

Fitzgerald Rosenthal and Adolphus Novickow of a Misdemeanor, of the name of

committed as follows:

The said Fitzgerald Rosenthal and Adolphus Novickow, both

late of the First Ward of the City of New York, in the County of New York aforesaid, on the tenth day of October, in the year of our Lord one thousand eight hundred and eighty-seven, at the Ward, City and County aforesaid,

did unlawfully have in their possession with intent to sell the same, divers, to wit: one hundred dozens, each, of caricatures, pictures, indecent and disgusting images, drawings and photographs, representing men and women in divers poses, and caricatures, pictures, and disgusting attitudes and postures, and women in the act and posture of the abominable and detestable crime of sodomy, with each other, against nature, and men and women in the act of carnal copulation; and divers, to wit: ten dozens, each, of caricatures, pictures, and disgusting images, containing divers pictures of the character

above described, and also containing
 printed matter of an indecent character,
 which said pictures, drawings, and
 photographs, and also the said books, and
 their contents, are so obscene, lascivious,
 lewd, filthy, indecent and disgusting,
 that a more particular description of
 the same would be offensive to the
 Court here, and improper to be exposed
 upon the records hereof, and for the
 reason aforesaid do not more
 particularly describe the same in
 this indictment, 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.

Richard J. ...
 District Attorney.

0050

BOX:

281

FOLDER:

2685

DESCRIPTION:

Rossenblit, Jacob

DATE:

10/05/87



2685

POOR QUALITY ORIGINAL

0051

17

WITNESSES

Officer [Signature]

Counsel,

Filed *5* day of *Oct* 1887

Pleads *Not Guilty*

THE PEOPLE,

vs. *RB*

Jacob Rosenblin

vs. [Signature]

Sumi & Conrad

Violation of Excise Law.

(Selling on Sunday, etc.)

[[III Rev. Stat. (7th Edition), page 1983, Sec. 21, and page 1989, Sec. 5.]

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Ed [Signature] Foreman.

For [Signature] Guilty on

Oct 24 1887

Spred Court

N.D.W.

Fined \$30 Fined

POOR QUALITY ORIGINAL

0052

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }
OF NEW YORK. } ss.

Jacob Rosenthal 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 Rosenthal

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

Hungary

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

Answer.

104 Cannon Street 3 months

Question. What is your business or profession?

Answer.

Barber

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. You demand a trial by Jury

Jacob Rosenthal

Taken before me this *4* day of *April* 19*38* at *New York* Police Justice.

POOR QUALITY ORIGINAL

0053

Police Court - 1431 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John W. Brink
James Brown Hall

BAILED
No. 1 by *John W. Brink*
Residence *111 Stanton Street*

No. 2, by _____
Residence _____ Street

No. 3, by _____
Residence _____ Street

No. 4, by _____
Residence _____ Street

Office *Violations
Liquor Law*

Dated *Sept 4* 1887

A. B. Smith Magistrate

Proctor Officer

13 Precinct

Witnesses _____

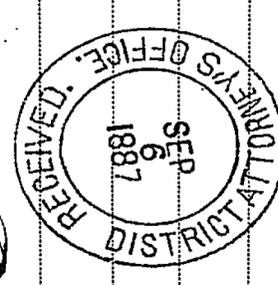
No. _____ Street

No. _____ Street

No. _____ Street

\$ *100* TO ANSWER

Proctor



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

Dated *Sept 4* 1887 *John W. Brink* Police Justice.

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

Dated *Sept 4* 1887 *John W. Brink* 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 _____ 1887 _____ Police Justice.

POOR QUALITY ORIGINAL

0054

Excise Violation—Selling on Sunday.

POLICE COURT- 3 DISTRICT.

City and County } ss.
of New York, }

of No. 13 Peenies Police Street,
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 4 day
of September 1887, in the City of New York, in the County of New York, at
premises No. 604 Canan Street,

Jacob Rossebleak (now here)
did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said Jacob Rossebleak
may be ~~arrested~~ and dealt with according to law.

Sworn to before me, this 4 day
of September 1887 } John Wohlforth
Solomon B. Smith Police Justice.

**POOR QUALITY
ORIGINAL**

0055

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
Plaintiff's

against

Jacob Rosenblit

Defendant.

The Grand Jury of the City and County of New York, by this indictment, accuse the above named defendant of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows :

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *fourth* day of *September* in the year of our Lord one thousand eight hundred and eighty-*seven* at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit : One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

John Wohlfarth

and to certain other persons whose names are to the Grand Jury aforesaid unknown, 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 defendant 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 defendant, late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, 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 then and there 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.

RANDOLPH B. MARTINE,

District Attorney.

0056

BOX:

281

FOLDER:

2685

DESCRIPTION:

Russell, George

DATE:

10/04/87



2685

Witnesses:

Alvin Olan

H. Capers

Counsel,

Filed *4* day of

Oct.

1887

Pleads

Guilty

THE PEOPLE

vs.

R

George Russell

Feb 13/87

Fred & Congratel

of Grand Jury

RANDOLPH B. MARTINE,

District Attorney.

Oct 5 1887

S.P. Four years,
A True BILL.

J. C. [Signature]

Foreman.

W. H. [Signature]

Grand Larceny in the
(MONEY)
degree.
(Sec. 528 and 530, Penal Code.)

57

The People } Court of General Sessions. Part I
 George v Russell } Before Judge Gildersleeve. Oct. 13, 1887
 Indictment for grand larceny in the first degree.
 Frank Capers sworn. I was in Sixth
 Ave. near Third St. a quarter before twelve on
 Sept. 20th. I met an unknown man, and
 in consequence of what he said to me he brought
 me to the defendant; he asked me for a
 dollar before I could obtain a situation. I run
 my hand into my pocket and took out a
 roll of bills containing twenty five dollars
 and 65 cents. I took that in my right hand
 and selected a dollar out and in less than
 half a minute George Russell snatched the
 roll of bills and both of the men skipped and
 ran away. I met Russell afterward in Bleeker
 St. on Sunday night; the moment I saw him
 he started to run; he jumped off, but I
 held him until the officer arrested him.
 I make no mistake; it was my money
 and I labored hard for it. Cross Examined.
 I am a waiter in private families. I was
 going up Sixth Avenue alone when the
 unknown man came up to me and asked
 me a question; the unknown man was
 with me when I saw the defendant first.
 I never saw them before; while I was
 talking to the unknown man and another

man Russell came up to where I was standing; he asked this friend of his where he can buy a ticket to go to such and such a place. Russell did not say anything to me, his friend was keeping up the conversation with me, and while I was getting the dollar out Russell snatched the bill, and both got away. There was no talk between these men and me about a bet. I was willing to accept the situation and pay the dollar for it. It is not a fact that Russell was going down the Avenue and I called him and said, "I have a bet with my friend, I want you to hold the stakes." I did not say to the defendant, "I have lost; pay this money over to this man." Russell and his friend skipped. I did not run after them; this was a quarter to twelve in the day time, broad daylight. The money was stolen on the West side near by the river, I was taken from the Sixth Avenue to the West side. I did not ~~hallow~~ know when the money was taken from me because I was so excited; the man had got out of my sight and ran. I had him arrested five days after this happened. I went up to an officer and told him to arrest Russell because he stole \$25.65 from me. After he struck me in the jaw I held him.

man Russell came up to where I was standing; he asked this friend of his where he could buy a ticket to go to such and such a place. Russell did not say anything to me; his friend was keeping up the conversation with me, and while I was getting the dollar out Russell snatched the bill, and both got away. There was no talk between these men and me about a bet. I was willing to accept the situation and pay the dollar for it. It is not a fact that Russell was going down the Avenue and I called him and said, "I have a bet with my friend, I want you to hold the stakes." I did not say to the defendant, "I have lost; pay this money over to this man." Russell and his friend skipped. I did not run after them; this was a quarter to twelve in the day time, broad daylight. The money was stolen on the West side near by the river. I was taken from the Sixth Avenue to the West side. I did not hallow when the money was taken from me because I was so excited; the man had got out of my sight and ran. I had him arrested five days after this happened. I went up to an officer and told him to arrest Russell because he stole \$25.65 from me. After he struck me in the jaw I held him.

William A. Olston sworn. I am an officer, I arrested the defendant in Bleeker St. on the 25th of Sept. at about one o'clock in the afternoon. I don't know anything about the crime any more than the complainant came running up to me saying that he had a man that he wished me to arrest. He ran away from me towards Bleeker St. and I watched him; he went up and grabbed the prisoner; they were having a tussle in the street; when I ran up the complainant accused the defendant of stealing money on the 20th, the Tuesday previous to the day I made the arrest. A crowd collected.

George Russell, sworn and examined, in his own behalf testified. I live 205 West Houston St. I heard the complainant's testimony. I did not snatch \$25.65 from his hand and run away. I met him on the 25th of Sept. I was going down Seventh Avenue there was the complainant and two men and just as I struck West Sixth St. they halloed at me; he says, "Come here." I came and said, "What do you want?" He said, "I want you to hold stakes, I have a bet." The bet was if he was to draw out a card he would draw a prize. He put up twenty dollars and the

man put up twenty dollars. He says to me then, "Whoever wins this money, give it." The man (not the defendant) won it and I turned it over to the man who won. They were all strangers to me. I went about my business. Sunday I was passing up West St and the complainant walked up to me and hits me head over heels; we had a skirmish and up comes the officer and he made the complaint that I took \$25 and some cents from him. I have never been in trouble before. I worked for Mr. Gerharm in Thompson St. for eight months. Cross Examined. The complainant bet his own money and lost it. I gave the money to the other man and the complainant said he was perfectly satisfied. I worked at Sawyer's in Coney Island "slinging" beer during the summer. I left there three weeks before I was locked up. The officer Olstear was recalled and said the complainant was not out of his sight until he arrested the prisoner.

The jury rendered a verdict of guilty of grand larceny in the second degree. The Court sentenced him to the State prison for four years.

Testimony in the
case of
George Russell

filed Oct.

1887.

0064

Police Court—2 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Frank Cappers

of No. 110 West 14th Street, aged 25 years,

occupation waiter in private family being duly sworn

deposes and says, that on the 20th day of September 1887 at the City of New

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

Person

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

Good and lawful money of the
United to the amount and of the value
of Twenty five & 65/100 dollars
(\$ 25.65)

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 Russell (now here)

and another man whose name is unknown

and not get arrested. From the fact that

at the hour of 11:45 O'clock PM said

date deponent was standing on the corner

of 6th Avenue & West 3rd St. when the said

unknown man not get arrested came up

to deponent and told deponent that he had a

position for a man that would pay thirty

five dollars per month, and asked deponent

if he would want the position. Deponent told

him he did when he the said unknown man

took deponent through different streets until they

were near the North River when they met the

defendant Russell and after some little conversation

of
Sworn to before me, this
1887

Police Justice

the said unknown man told deponent he must give a dollar before he could obtain said position. Deponent took out his money which was in a roll and contained the aforesaid amount when the defendant Russell snatched said sum of money from deponent's right hand and he and the said unknown man ran away together with it. Wherefore deponent charges the said defendant and the said unknown man not get arrested with being together and acting in concert with each other and feloniously taking, stealing and carrying away the aforesaid sum of money from the person of deponent.

Sworn to before me
this 26th Sept 1887

Frank Rogers

J. M. Patterson
Police Justice

0066

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name.

Answer. George Russell

Question. How old are you?

Answer. 32 years old

Question. Where were you born?

Answer. New York City

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

Answer. 205 Dr Houston St 5 years

Question. What is your business or profession?

Answer. Waiter

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

Geo Russell

Taken before me this

day of

Sept

188

27

Wm. J. ...

Police Justice.

POOR QUALITY ORIGINAL

0067

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court-- District 1578

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thos. Robert
George Stewart

Offence Larceny (Felony)

Dated Sept 26 1887

Wm. Patterson Magistrate

Officer 1st

Witnesses

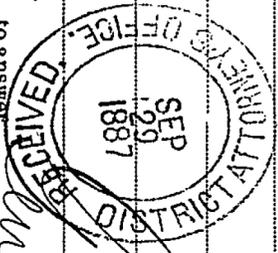
No. Street

No. Street

No. Street

No. Street

to answer



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 200 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 Sept 26 1887 Wm. Patterson Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

**POOR QUALITY
ORIGINAL**

0058

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 Russell

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

George Russell

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

The said *George Russell,*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *thirtieth* day of *September*, in the year of our Lord one thousand eight hundred and eighty-~~seven~~, at the Ward, City and County aforesaid, with force and arms, in the *night* time of the same day, *one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of twenty dollars, and of the value of twenty dollars — ; *two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of ten dollars, and of the value of ten dollars *each* ; *five* 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* ; *ten* 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* ; *ten* 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* ; *one* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars — ; *two* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars *each* ; *five* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars *each* ; *one* United States Silver Certificate of the

**POOR QUALITY
ORIGINAL**

0069

denomination and value of twenty dollars — ; *two* United States Silver
Certificates of the denomination and value of ten dollars *each* ; *five* United
States Silver Certificates of the denomination and value of five dollars *each* ; *ten*
United States Silver Certificates of the denomination and value of two dollars *each* ;
ten United States Silver Certificates of the denomination and value of one dollar
each ; *one* United States Gold Certificate of the denomination and value of
twenty dollars — ; *two* United States Gold Certificates of the denomination
and value of ten dollars *each* ; *five* United States Gold Certificates of the
denomination and value of five dollars *each* ; and divers coins, of a number, kind
and denomination to the Grand Jury aforesaid unknown, of the value of *five*
dollars and sixty five cents,

of the proper moneys, goods, chattels, and personal property of one *Franka*
Royers, or the person of the said
Franka Royers, — then and there being
found, *from the person of the said Franka Royers,* 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.

RANDOLPH B. MARTINE,
District Attorney.

0070

BOX:

281

FOLDER:

2685

DESCRIPTION:

Russell, Thomas

DATE:

10/11/87



2685

POOR QUALITY ORIGINAL

0071

11B.

A

Witnesses:

Jan Murphy

Counsel,

H. S. Murphy

Filed, *11* day of *Oct* 188*7*

Pleaded *Murphy (12)*

THE PEOPLE

vs *H. S. Murphy*

vs

Thomas Russell

alias Farrell

Grand Larceny, second degree [Sections 528, 581 and 550 Penal Code]

RANDOLPH B. MARTINE,

District Attorney.

Oct 14 1887

Oct 27 1887

Pr ver 27/87

A True Bill.

Filed Oct 27

Pen one y.

J. H. [Signature]
Foreman.

Oct 26

G. S. [Signature]

Police Court 2 District.

Affidavit—Larceny.

City and County of New York, } ss.

of No. 1034 73rd Street, aged 41 years, occupation Clerk being duly sworn

deposes and says, that on the 3 day of Oct 1887 at the City of New York, in the County of New York was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property viz:

One Valise of the value of thirty five Dollars (\$ 35.)

the property of

Mr. Orignone in care and charge of Deponent

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

Thomas Russell now here, for the reason that Deponent saw said Valise in the possession of said Defendant, and now charges him with taking, credling and carrying away said property and prays that he be dealt with as the Law directs

J. A. Murphy

Sworn to before me this 3 day of Oct 1887 at 1034 73rd Street, New York City.
J. A. Murphy
Police Justice.

Sec. 198-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Am not guilty

Thomas Russell

Taken before me this
day of

[Signature]
188
Police Justice.

POOR QUALITY ORIGINAL

00074

BAILED,

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

118 B. 00 1623
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1034-3
Office _____

Dated _____ 188

Magistrate _____

Officer _____

Precinct _____

Witnesses _____

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

RECEIVED
OCT 6 1887
DISTRICT ATTORNEY'S OFFICE
to answer

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 *Legendan*

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 *Oct 7* 188 *My Suffer* 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.

New York, March 18th 1899

To Whom it may concern

Dear Sir:

I would cheerfully recommend the beaver Thos Russell as a competent and efficient driver. He has worked for me, ~~for~~ as driver & second-hand for the last 8 months and I have always found him honest, sober and industrious.

Yours Truly

John O'Neil

223 W. 13th St

POOR QUALITY
ORIGINAL

0076

People
✓
Thomas Purcell

City Oct 25-87-9am

Mr Murphy.

You will
have to go down to court
tomorrow and tell them
I am sick and unable
to appear in Russell's
case. go to the Captain
in charge and tell him
to have it postponed
until 28th (Friday) I
shall probably be out
by that time.
Yrs Resp
Officer Tramm

POOR QUALITY ORIGINAL

0077

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Thomas Russell

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

Thomas Russell

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

The said *Thomas Russell,*

late of the ~~First Ward~~ City of New York, in the County of New York aforesaid, on the *third* day of *October*, in the year of our Lord one thousand eight hundred and eighty-*seven*, at the City and County aforesaid,

one value of the value of

Twenty five dollars,

of the goods, chattels and personal property of one *J. W. A. Pigeon,*

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

Thomas Russell

Grand Juror in the second degree,
of the CRIME OF ~~CRIMINALLY RECEIVING STOLEN PROPERTY~~, committed as follows:

The said *Thomas Russell,*

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, *one value*

of the value of the value of
Twenty five dollars,

of the goods, chattels and personal property of one *James made,*
then and there being found, then

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

and then feloniously did steal,

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

same and carry away,

~~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.

RANDOLPH B. MARTINE,

~~District Attorney~~

POOR QUALITY ORIGINAL

0079

~~Court of General Sessions of the Peace~~

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

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

against

Third Count

~~And The Grand Jury of the City and County of New York,~~ by this indictment,
accuse ~~Further accuse the said Thomas Russell~~

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

The said *Thomas Russell,*

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

one article of the value of ~~Twenty~~

five dollars,

of the goods, chattels and personal property of one *F. W. A. Pigeon,*

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

F. W. A. Pigeon,

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

Thomas Russell

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.

~~RANDOLPH B. MARTINE,~~
~~District Attorney.~~

POOR QUALITY ORIGINAL

0080

Court of General Sessions of the Peace

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

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

~~against~~

Donald Russell.

And ~~The Grand Jury of the City and County of New York~~, by this indictment, accuse *Further accuse the said Thomas Russell*

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

The said *Thomas Russell,*

late of the ~~First Ward of the~~ City of New York, in the County of New York aforesaid, on the *third* day of *October*, in the year of our Lord one thousand eight hundred and eighty ~~seven~~, at the ~~Ward~~, City and County aforesaid, with force and arms,

one value to the value of thirty five dollars,

of the goods, chattels and personal property of one *James Mada,*

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

James Mada,

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

Thomas Russell,

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.

RANDOLPH B. MARTINE,
District Attorney.

0081

BOX:

281

FOLDER:

2685

DESCRIPTION:

Ryan, Frank

DATE:

10/13/87



2685

POOR QUALITY ORIGINAL

0082

Counsel,
Filed 13 day of Oct 1887
Pleads, Christy

Bringing in the Third Degree,
County of Grand Jurors, New Jersey,
[Sections 498, 506, 34, 528 & 530.]

THE PEOPLE

vs.

FR

Frank Ryan

RANDOLPH B. MARTINE,
Nov-14 1887 District Attorney.

Nov 14, 1887, Part III
Indict & Acquitted
A True Bill.

J. C. ...

Foreman

Witnesses:

Aug. Kussak
Officer Maloney,

POOR QUALITY ORIGINAL

00003

Police Court— District.

Affidavit—Larceny.

City and County }
of New York, } ss.

August Reich
of No. *431* *Pease* Street, aged *42* years,
occupation *grocer* being duly sworn

deposes and says, that on the *11th* day of *September* 188*7* 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 *evening*, the following property viz :

Five bags of Flour
Fifteen boxes of soap
A lot of canned goods and
tomatoes

Being in all together of the value
of Five hundred dollars

the property of *Deponent*

and that this deponent *attempted to be*
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by *Franz Ryan (now Lee)* for

the reason that on the night of *said* deponent left the *lan* light over the door leading to said premises open *and* deponent is informed by *Philip J. Maloney* a police officer of the *4th Precinct* that he saw said deponent coming out of the *lan* light over said door about the hour of *2:15* am. on the morning of said day *and* caused him to be arrested, deponent therefore charges said deponent with having attempted to take *steal and carry* away said property.

August Reich

Sworn to before me, this *11th* day of *September* 188*7*
W. C. M. W.
Police Justice.

**POOR QUALITY
ORIGINAL**

0084

CITY AND COUNTY }
OF NEW YORK, } ss.

Philip F Mahoney
aged 31 years, occupation Police Officer of No. 44
Presque Isle Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of August Reck
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of September 1887

Philip F Mahoney
My Copy
Police Justice.

POOR QUALITY ORIGINAL

0085

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Frank Ryan 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

Frank Ryan

Question. How old are you?

Answer

16 years.

Question. Where were you born?

Answer.

United States

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

Answer.

432 Pearl Street 9 years

Question What is your business or profession?

Answer

Printer

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
Frank Ryan*

Taken before me this

day of *September* 188*8*

Police Justice.

POOR QUALITY ORIGINAL

0085

BAILED,
 No. 1, by Wm. J. Sullivan
 Residence 200 Stuyvesant Street.
 No. 2, by _____
 Residence _____ Street.
 No. 3, by _____
 Residence _____ Street.
 No. 4, by _____
 Residence _____ Street.

Police Court-- 1 District, 1472

THE PEOPLE, &c.,
 OF THE COMPLAINT OF

James R. Peck
Frank R. Peck
 2 _____
 3 _____
 4 _____
 Office Herpeto
Lawrence

Dated Sept 11, 1887

James R. Peck Magistrate.
Frank R. Peck Officer.
 Precinct. _____

Witnesses _____
 No. _____ Street.
 No. _____ Street.
 No. _____ Street.

RECEIVED
 DISTRICT
 1887
James R. Peck
Frank R. Peck

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 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 Sept 11, 1887 Wm. J. Sullivan Police Justice.

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

Dated Sept 11, 1887 Wm. J. Sullivan 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 _____, 1887 _____ Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Branda Anger

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

Branda Anger

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

The said *Branda Anger*,

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

August Rindt

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

August Rindt

in the said *store* 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

Franka August
of the CRIME OF *to commit* LARCENY *in the year 1892*, committed as follows :
The said *Franka August*,

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 *month* time of the said day, with force and arms,

Two bags of flour of the value of
two dollars each bag, fifteen boxes
of soap of the value of two
dollars each box, and various other
goods chattels and personal property
a more particular description whereof
is to be found in the inventory
inclosed, of the value of over
thousand dollars.

of the goods, chattels and personal property of one *August Reid*.

in the *town* of the said *August Reid*.

there situate, then and there being found *in the town* aforesaid, then and there
feloniously did *steal* 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.

Handwritten signature
District Attorney.

0089

BOX:

281

FOLDER:

2685

DESCRIPTION:

Ryan, Thomas

DATE:

10/27/87



2685

0090

BOX:

281

FOLDER:

2685

DESCRIPTION:

Shaughnessy, Edward

DATE:

10/27/87



2685

M. Antermeyer
5 Beekman

Counsel,

Filed *27* day of *Dec* 1887
Pleads, *Chitiquely*

Robbery, *King* degree.
[Sections 224 and 228, Penal Code].
THE PEOPLE
vs.
Thomas Ryan
Edward Shaugnessy

RANDOLPH B. MARTINE,

District Attorney.

Chas. P. 2-2-88
Chas. P. 2-2-88
Jan. 17 1887

A True Bill,
Dec 5 1887

Jan 17 1888
Foreman.
January 10 1888
Completed
1887

Witnesses:

Arthur Dehobar
Moran

ARTHUR SCHUBAR, a witness called on behalf of the People,
being duly sworn, testified as follows:-

Direct Examination by Mr. Fitzgerald :-

Q. Where do you live ? A. White Plains .

Q. Were you in this city on the 22nd of October last ?

A. The 21st and the 22nd .

Q. The morning of the 22nd ? A. Yes sir .

Q. Do you remember seeing the defendants, Ryan and Shaughnes-
sy ? that day ? A. In the night time .

Q. You remember seeing them in the night time ?

A. Yes sir .

Q. What time ? A. About a quarter to one o'clock. *✓*

Q. Where in this city did you see them at that time ?

A. I seen them not before .

Q. Whereabouts ? A. I dont know the street, Fordham Depot. *✓*

Q. Did you have any conversation with them at the depot ?

A. No sir .

Q. Did they with you ? A. No sir .

Q. What did they do at the depot to you ?

A. I was waiting for the train .

Q. Did you at that time have a watch ? A. Yes sir .

By the COURT:-

Q. What train were you waiting for ?

A I missed the 11.45; I wanted to be up there at five o'clock in the morning, there was a freight train I was waiting for, I saw Ryan there about ten or fifteen feet away from the depot .

Q You missed the 11.45 train ? A. Yes sir .

Q And then you were waiting for the next train to go to White Plains ? A. Yes sir .

By Mr. FITZGERALD:-

Q What time was the next train to start ? A. There is a freight train that goes away from the junction.

Q Where is the junction? A. Two stations further up .

Q From Fordham ? A. Yes sir .

Q And that freight train calls at that junction and then goes on to White Plains? What time does that freight train leave the junction? A. About 1-2 past 2, or a quarter after two .

Q You wanted to ride up there ? A. Yes sir .

Q From the Fordham station to the junction ? A. Yes sir .

Q Well, did you at that time have a watch? A. Yes sir, I had my watch .

Q What kind of a watch ? A. A gold watch about as big as that? (taking out watch)

Q A hunting case watch? A. A double case .

Q What was its value ? A. I paid forty five dollars for it in the hock shop of Simpson in the Bowery .

- Q Simpson in the Rowery ? A. Yes sir .
- Q How long ago ? A. Four years ago .
- Q Where did you carry that watch ? A. In the same pocket,
in the vest pocket .
- Q Was it fastened to a chain ? A. Yes sir .
- Q The chain you have got on now ? A. Another chain .
- Q What kind of a chain was it ? A. A gold plated chain.
- Q And was that chain fastened to your vest ? A. Yes sir .
- Q Just the same as it is now ? A. Yes sir .
- Q You say you saw Ryan, is that the man you mention?
(pointing to defendant Ryan) A. I saw him about fifteen
feet away from the depot-I saw that man .
- Q Which of these men ? A. That strong man there .
- Q You saw him ? A. Yes sir.
- Q What did you see him doing ? A He asked me what for I
was waiting and I said "Well, I lost the train and I am
waiting for the next train"; he said "About a mile from
here I keep a livery stable, would you like to go up
there, I will take you up there", and the other man he
stood about ten feet away.
- Q Shaughnessy ? A Yes, sir; and he said "You have to
wait about an hour or more for the train, if you would like
to go up there I keep a stable about a mile from here.

- Q Who said this ? A Ryan "I keep a stable about a mile up here".
- Q A mile from the depot ? A Yes, sir.
- Q From Fordham ? A Yes, sir; and I walked with them and he says "Come on".
- Q You walked with them ? A Yes, sir, and Ryan said "Ed., go on and take the horse out".
- Q Did you go to the stable ? A He says "Go on and run and take the horse out".
- Q Were you at the stable at that time ? A Well, I seen no stable at all.
- Q Did you start from the Depot ? A Yes, sir.
- Q Who was with you when you started ? A Ryan.
- Q Was there any one else ? A No, sir.
- Q Did Shaughnessy go with you ? A No, sir.
- Q Ryan sent him before ? A Yes, sir "Go on and take the horse out".
- Q Before you and Ryan started from the Depot, what did Ryan tell Shaughnessy ? A To take the horse out of the stable.
- Q Then what did you do ? A Shaughnessy walked ahead of us and I walked along with Ryan.
- Q Q. How far did you walk with Ryan ? A About five minutes.

Q Then what happened ? A I asked him how much he wanted anyhow to take me up there and he said "Ten dollars"; I said, "No, I can't afford to pay for two hours and a half, ten dollars"; and he said "I will take you up for five dollars"; I said "Yes, I will pay you five dollars"; and Ryan said "I will take you up to the road to Yonkers and from Yonkers there is a road to White Plains"; and at the same time this man came out with a horse, it was not a wagon there.

Q Who came out with the horse ? A Shaughnessy; and Ryan says "Five dollars", I want the money before"; I said "Well, have you got some change, the smallest I had was \$20 in paper money, I had it in my hand; he said "I got no change, you give me the \$20 and I will get some change somewhere up the road"; I didn't know what he meant and I didn't give it to him. I told him "I will pay you, if you were in White Plains I could get plenty of change in the house, I will give you \$5 to take me up there, because that is the quickest way I can get home"; I was afraid I might lose my job. He said "No, you cannot trust, I am the boss, I keep the stables and this is my working man, and he will take you up, I have to work in the morning. Shaughnessy brought the horse out; there was no wagon, but there was a saddle on the horse and he said "If you

like it you better jump up"; I says "I never rode on the back of a horse before, I cannot do it, and two men on a horse cannot go up there, 23 miles" and at the same time I said "I will walk back to the depot". Ryan held me that way, I was back that way, and he took my watch.

Q Who took the watch ? A Shaughnessy. Ryan held me, and I was that way (indicating).

Q He held you with both his arms ? A He took the watch and I was hollering for a police and that man came about a minute after on a horse.

Q This police-officer ? A Yes, sir.

Q He came riding on a horse ? A Yes, sir. Shaughnessy jumped on his horse and the other ran after him and at the same time he had the watch -- Shaughnessy gave the watch to Ryan.

Q How about your chain ? A It was all broken up.

Q Was it broken by taking the watch away ? A Yes, sir.

Q In pulling your watch off they broke the chain ? A Yes, sir .

Q Did any of the chain remain in your vest ? A Yes, sir; it hung straight up.

Q When did you see Ryan and Shaughnessy after that ?

A Ryan and Shaughnessy -- that was on a Sunday morning.

- Q After Shaughnessy took the watch out of your pocket and after Shaughnessy handed the watch to Ryan, what became of Ryan and Shaughnessy ? A Shaughnessy jumped on the horse and ran away and Ryan after him.
- Q Ryan walked after him ? A Yes, sir.
- Q And about a minute after that you say, in answer to your cry a policeman rode up ? A Yes, sir, he came after about a minute.
- Q You told him what happened to you ? A Yes, sir, I told him about it.
- Q When did you see these two men after that night, how many days after ? A The officer asked of me how he looked ?
- By the Court:
- Q When did you next see these two men, or either of them, after that night ? A I saw Shaughnessy about three quarters of an hour after.
- Q Where ? A Pretty near on the same station he robbed me. The same place.
- Q Did the officer have him ? A No, sir.
- Q You saw him ? A Yes, sir.
- Q Did you talk to him ? A No, sir.
- Q When did you see Shaughnessy ? A The officer says "You stand right here".

Q When did you next see Shaughnessy ? A Three quarters of an hour after.

Q When did you next see Ryan ? A The day after.

Q Where ? A Three quarters of an hour, half an hour behind Kingsbridge.

By Mr. Fitzgerald:

Q Did you see him at the police station? A Yes, sir.

Q Was Shaughnessy under arrest ? A Yes, sir.

Q You saw them both at the police station behind Kingsbridge? A Yes, sir.

Q Then did you identify them as the two men who assaulted and robbed you on the night before ? A Yes, sir.

Q And they are the two men ? A Yes, sir. ✓

CROSS-EXAMINATION by Mr. Untermeyer:

Q What did you want the horse for two and a half hours for ?
A That is the quickest way, I thought, to get home.

Q Did you want the horse 2 and a half hours to go to White Plains ? A Yes, sir.

Q You didn't want to catch the train ? A No, sir.

Q You changed your mind ? A If I could go quicker home, I could go home quicker.

Q Didn't you offer them \$5 to take you to the junction ?

A Yes, sir -- no, sir, he said to Yonkers, and from there to White Plains.

Q Didn't you offer him anything to take you to the Junction?

A He asked me for Ten dollars, and I said "I will pay you five".

Q Was that to go to the Junction? A He said he would take me from Yonkers to White Plains.

Q That is what you wanted to give him \$5 for? A Yes, sir.

Q How far is it from Fordham up to where you wanted to go?

A From Fordham to White Plains is 19 miles -- it is 23 and a half miles from 42nd Street to White Plains.

Q About five or six miles? A Seventeen or eighteen miles.

Q Where had you been that night before you got to Fordham?

A I went away from White Plains at 6:35 in the evening, and I was down at 7:40 at the Grand Central Depot.

Q Where did you go to from there? A From there I took the elevated road to Houston Street.

Q Where did you go in Houston Street? A I had two beers in there.

Q You went to Houston Street? A Yes, sir.

Q Whereabouts? A In Werfelman's, corner of Houston and the Bowery.

- Q. What is that ? A Werfelman's liquor store.
- Q. A liquor store ? A Yes, sir.
- Q. You went to a liquor store ? A Yes, sir.
- Q. Directly from White Plains ? A Yes, sir.
- Q. Had you made your mind up to go there from White Plains ?
A No, sir.
- Q. Was this your day off from work ? A Yes, sir.
- Q. Did you have all the day off? A No, sir.
- Q. What is your work? A I tend bar in the Union Hotel.
- Q. Now, you got off that morning, didn't you ? A No, sir,
6.35 when I got away from work.
- Q. You came down to New York and landed at Houston Street
and the Bowery about eight o'clock ? A Yes, sir, 7:42.
- Q. Between 7:40 and 8 o'clock ? A Yes, sir.
- Q. Now, who was with you? A Nobody.
- Q. Did you come down alone ? A Yes, sir.
- Q. Are these people friends of yours at the corner of Houston
Street and the Bowery ? A No, sir.
- Q. Who keeps the place ? A Werfelman.
- Q. No friends of yours ? A No, sir.
- Q. Have you been there before ? A Yes, sir.
- Q. Have you been accustomed to going there ? A I had been
there some times.

- Q You had been there pretty often when you came to New York?
A Every week, sometimes once in two or three weeks.
- Q You always come to Werfelman's. How many times were you at Werfelman's? A I was in there five or six times.
- Q In the whole course of your life, only five or six times?
A It is only a year or two.
- Q Did you meet some friends there? A No, sir.
- Q You went in alone? A Yes, sir.
- Q What did you do when you got there first? A I ordered a glass of beer.
- Q That is the first thing you did? A Yes, sir.
- Q Did you drink it alone? A Yes, sir.
- Q There was nobody else drinking with you? A No, sir.
- Q How soon after that did you drink in there? A The second time I took a pony.
- Q That consumed how much time. How long were you, about, drinking those two glasses? A Ten minutes.
- Q Did you stay in there longer? A No, sir.
- Q Where did you go from there? A To the People's Theatre.
- Q Then what time was it when you got there? A About five or ten minutes after eleven.

Q What time did you get there ? A I walked from there right to the People's Theatre.

Q Right straight ? A Yes, sir.

Q It took you five minutes ? A Yes, sir.

Q And you went in to see the show ? A Yes, sir.

Q To see the performance ? A Yes, sir.

Q How many acts were there in the performance ? A I don't know.

Q What was the play ? A I don't remember.

Q You don't remember anything about that ? A No, sir.

Q When were you at the theatre next after that ? A No more.

Q You have never been to the theatre since ? A No, sir.

Q When were you before that, before you went to the People's Theatre ? A I was at Nihlo's Garden.

Q How long before that was it that you went to Nihlo's Garden ? A Three months.

Q What play did you see ?

Excluded.

Q Don't you remember how many acts there were at the People's Theatre ? A No, sir; two or three.

Q Did you go out between the acts ? A No, sir.

Q You didn't go out , A No, sir.

- Q You stayed in the theatre ? A Yes, sir.
- Q Did you have a seat? A Yes, sir .
- Q You got away from there about eleven o'clock ? A Yes, sir.
- Q Where did you go directly from the People's Theatre ?
A I took the elevated to 42nd St.
- Q Where did you go when you left the People's Theatre ?
I took the elevated at the corner of Houston and the Bowery and ran up to 42nd Street.
- Q Didn't you stop on the way from the People's Theatre on the way to the elevated at all ? A No, sir.
- Q Notonce ? A No, sir.
- Q You are sure about that ? A Yes, sir.
- Q What time did you get to the Grand Central Depot? A I got there about 25 minutes after eleven.
- Q And what time does the train start which goes to White Plains ? A 11:45.
- Q While waiting, did you sit in the hot air of the waiting room or did you go outside to get the fresh air ? A No, sir; I went into the restaurant, Brandies' Restaurant.
- Q Where is it ? A Next to the Grand Central Depot. I had three fried eggs in there.
- Q Is it across the street? A Next to the Depot.
- Q You got three fried eggs there ? A Yes, sir.

- Q Did you get anything else there ? A. A Fresh glass of cold ice water.
- Q Are you sure it was cold ? A Yes sir.
- Q Did you catch this 11:45 train? A No, sir. ✓
- Q You missed it ? A Yes, sir, I had to wait too long for them to bring me those eggs.
- Q You missed the train? A Yes, sir.
- Q How do you know you missed the train, did you look at your watch to see ? A Yes, sir. ✓
- Q You looked at your watch where, in Brandies' ? A Yes, sir.
- Q You looked at your watch ? A Yes, sir; and the waiter told me I had three or four minutes time and I was that much late.
- Q When was the next train to leave there ? A No more from the Grand Central Depot ?
- Q Where did you then go ? A I took the elevated and ran up to 130th St. and took the horse car and ran up to Tremont and walked from Tremont to Fordham. ✓
- Q Didn't you get on the train at Fordham ? A No, sir.
- Q Where did the elevated road take you to ? A 130th St.
- Q Then you took the horse car? A Yes, sir.
- Q You took what is called the Huckleberry Road across the

Harlem Bridge ? A Yes, sir.

Q You rode on the horsecar to where ? A To Tremont.

Q Where is that ? A One station below Fordham.

Q And then did you walk from Tremont to Fordham ? A Yes, sir.

Q What time of night was this ? A A quarter to one.

Q Didn't you meet some friends when you got down to Werfelman's ? A No, sir.

Q Didn't you meet a man named Maher ? A No, sir.

Q You met no man at all ? A No, sir.

Q Were you aboard a train of the Central Road at all ?

A No, sir, I was too late.

Q I asked you whether you were on board a train of that road that night ? A Yes, sir.

Q Didn't the conductor put you off and tell you you couldn't ride on the road because you were drunk ? A I was not on the train at all.

By the Court:

Q Did any conductor put you off a train that night ? A No, sir.

Q No conductor told you that you were drunk ? A No, sir.

Q Were you drunk ? A No, sir.

By Mr. Untermeyer:

Q Were you riding on a street car ? A Yes, sir.

- Q Did the conductor of that car say anything to you about your condition ? A. No sir, I paid him five cents and he took me along .
- Q When you saw these men did you say anything to them about having been put off the train ? A. No sir .
- Q You did not say a word to either of them about not having been permitted to ride on the train ? A. No sir, I am for myself .
- Q Did you tell anybody that night that you had been put off train for being drunk ? A. No sir, nobody put me off .
- Q Did you tell anybody you were put off the train for being drunk ? A. No sir .
- Q Were your clothes soiled and in bad condition when you first met these men ? A. Just the same .
- Q Was your clothing dirty and mud spattered ? A. No sir, not a bit .
- Q And you walked all the way from Tremont to Fordham ?
A Yes sir .
- Q Was it a wet night ? A. No sir .
- Q A perfectly dry and clear night ? A. Yes sir .
- Q Your mind is perfectly clear about the weather that night ?
A It was dry weather.

Q You recollect distinctly when you met these men ?

A About a quarter to one .

Q You recollect taking these two drinks at Werfelman's ?

A Yes sir .

Q You recollect going to the People's Theatre ?

A Yes sir .

Q And you dont remember the play or the number of acts ?

A No sir, I dont know what they played .

Mr. FITZGERALD: I object to this .

The COURT:-He has already answered that .

Q Now, well you got to the Fordham depot--was this prisoner Ryan standing on the platform ? A. Ten or fifteen feet away from the depot .

Q Was he standing on the platform ? A. No sir .

Q Ten or fifteen feet away from the platform ? A. On the front of the depot .

Q Was he on the track ? A. No sir .

Q Then he was behind the depot, was he ?

A You know the depot stands on this side, and he was on the road that goes up .

Q The road leading away from the depot ? A. Yes sir.

Q How did you come on that road ? A. I walked up on the railroad track.

Q You walked on the railroad track ? A. Yes sir .

Q Were you going to walk home ? A. No sir, only to Fordham; I know a workman on that freight train and I thought I could get up on that freight train.

Q You walked along the track from Tremont to Fordham?

A Yes sir .

Q How far away from Fordham was this junction where you thought you would catch the freight train ? A. The junction--it is below Fordham .

Q The junction is below Fordham--how far ?

A Two stations . --three stations .

Q Why didn't you stop there ? A. I was up that time, I took the horse car .

Q You passed the junction. Why didn't you get off the horse car when you passed the junction? A. That is far away.

Q You knew you would catch the train there ? A. I had over an hour .

Q You knew you could catch the freight train there ?

A I knew before that that I would catch the freight train.

Q Was it nearer to ride to Tremont and walk to Fordham than to get off the horse car at the junction?

A I jumped off the horse car and walked 3-or 4 blocks;

that horse car stops/ I walked to Tremont, and I walked on the railroad track from Tremont to Fordham.

Q I asked you did you pass the junction on the horse car ?

A No sir .

Q How far waway from the junction was this where the horse car passed ? A. Three quarters of an hour .

Q Would it not have been easier for you to walk from the place where the street car passed to the junction, than to have gone to Tremont and walked to Fordham ?

A No sir .

Q How far is it from Tremont to Fordham ? A. It takes a man in a railroad car three minutes .

Q Does the freight train stop at Fordham?

A Yes sir .

Q You are sure of that ? A. Sure of that .

Q Have you ever been up that way late at night ? A. No sir.

Q How do you know the freight train stops at Fordham ?

A I know of this workman on the freight train, and I thought if I be there at that time it may stop.

Q You dont know positively ? A. No sir .

By the COURT:-

Q The freight train does not as a general thing take passengers unless the men let them on ? A. Yes sir .

Q You were going to take a ride on the freight train ?

A Yes sir .

Q Jump on ? A. Yes sir .

By Me. Untermyer:-

Q You made a bargain with Ryan, you say, to carry you with a horse, or have you ride over to White Plains ?

A He first asked me where I belonged and what for I was waiting, and I told him I belonged up the road seventeen or eighteen miles . ✓

Q How much money did you have in your pocket ? A. \$70.

Q All in bills ? A. Yes sir .

Q What sized bills, what denominations were they ?

A Fives ten and twenties .

Q No fifty dollar bill ? A. No sir .

Q Did not you have fifty in your hand ? A. No sir .

Q Did you take out this roll when you offered to give him the money and ask him for change, did you take the rolls of bills out of your pocket ? A. Only one .

Q Did you have this money in a roll ? A. No sir .

Q How was it in your pocket ? A. I had a pocketbook, I folded it and put it in a pocket book ; I had only one in my vest pocket .

Q Twenty dollars in your vest pocket ? A. Yes sir .

- Q In the same vest pocket where you state you had your watch ? A. No sir .
- Q You took out this twenty dollar bill and offered it to Ryan to change, is that so ? A. No sir, he says "you give me the twenty dollars and I will get it changed for you," I says "If you dont trust me, take me up there and dont trust me fivē dollars, I pay you; then I kepp the twenty dollars and go back to the depot and wait a half an hour or three quarters of an hour more ."
- Q So you did not take out any other bills at all ?
A Only one .
- Q But all this money was found on your person that same night ? A. No sir .
- Q Did you lose any of it ? A. No sir, I had all the money I had .
- Q You did not lose a cent ? A. No sir .
- Q These people knew you had plenty of money ? A. No sir .
- Q They knew you had twenty dollars ? A. Yes sir .
- Q Do you say they tried to take the twenty dollars ?
A Ryan he said "You give me----"
- Q What did Ryan say ? A. He says "Give me the twenty dollars and I will get some house around here to change it for you"; and I said "Well, I can not trust you, if you

take me up there and trust me five dollars--if you dont trust me then I cannot trust you a twenty dollar bill in the night timeto go and send you away for change ".

Q He sent Shaughnessy for the horse ? A. Yes sir .

Q How long was Shaughnessy gone ? A. About fifteen or twenty minutes .

Q All this time you stood near the station with Ryan talking to him ? A. That was about fifteen minutes away .

Q You kept walking with him ? A. Yes sir .

Q Was anybody else present ? A. No sir .

Q Was anybody immediately behind you ?

A No sir .

Q Didn't you hear anybody in the neighborhood walking ?

A No sir .

Q You walked along this street with Ryan until Shaughnessy came with the horse ? A. Yes sir .

Q What did Shaughnessy say ? A . Well "If you like to get up there, jump on"; and I told him, I ~~was~~ never on the back of a horse and two men could not ride up there two and a half hours .

Q Didn't he say that you could take the horse yourself and that he would send up for it ? A. No sir .

- Q Didn't he ask you to get on alone and ride ? A . No sir .
- Q Was there anything said about his going to find a wagon then ? A. No sir .
- Q Did he offer to go and get a wagon for you ?
- A He had a saddle on .
- Q Did he say:-"If you cannot ride on a saddle, I will find a wagon"? A. No sir, he said nothing, I said "I will walk back to the depot" and at the same time he held me .
- Q You said you would walk back to the depot ? A. Yes sir.
- Q You turned to walk back ? A. Yes sir .
- Q And that was when the assault was committed ?
- A He held me .
- Q He held you ? A. Yes sir .
- Q Didn't you testify on your direct examination that you had in your hand besides this twenty dollar bill, other bills?
- A Only one .
- Q When you got to the station house the seargeant asked you to take your money out, didn't he ? A. Yes sir .
- He asked me "Have you got your money?"; I said "That is all right".
- Q He asked you to take your money out. Did he say "Take your money out?"

A He says: "Be sure you got your money ".

Q What did you do ? A. I show the money, I had the money.

Q Did you go into your trousers pocket to take it out ?

A Yes sir .

Q I mean did you go into your pants pocket and take the money out ? A. I had other money inside here .

Q You did not go down into your trousers pocket ?

A No sir . I took it out of nmy inside pocket .

Q How long after the time you saw Ryan was it that you claim he took the watch away ? A. The next day---

By The COURT:-

Q How long did you talk with him or walk with him before he took the watch ? A. 15 minutes .

By Mr. UNTERMYER:-

Q All this time he had been in your company and never left you for a moment ? A. No sir .

Q And were you crying that night, weeping ? A. No sir .

COURT OF GENERAL SESSIONS, PART III.

-----x
 :
 The People of the State of New York : Before
 : Hon. Frederick Smyth,
 against : and a Jury.
 :
 Thomas Ryan and Edward Shaughnessy. :
 :
 -----x

New York, January 10, 1888.

A P P E A R A N C E S .

For the people, Ass't District Attorney, James Fitzgerald,
gerald,

For the defendants, Mr. Maurice Untermyer.

TESTIMONY FOR THE DEFENCE.

A N D R E W P O W E R L , a witness called on behalf of the
defendants, being duly sworn, testified as follows:

DIRECT EXAMINATION by Mr. Untermyer:

- Q What is your business ? A Real estate broker.
- Q Have you been in any other business recently ? A Yes sir,
I am interested in several other businesses.
- Q In the building business somewhat ? A Yes sir.

- Q Do you know this man, Ryan ? A Yes sir.
- Q He has been in your employ, hasn't he ? A Yes sir.
- Q For how long ? A A little over two years, I should think, with some intervals in between, two or three intervals in between.
- Q Throughout a period of two years ? A Yes sir.
- Q Were those intervals short, a month or week ? A Yes sir.
- Q Did you observe him ? A Yes sir.
- Q In what capacity did he work for you ? A Sometimes as a laborer, and sometimes driving teams.
- Q Tell the jury what his general character, is, for sobriety, honesty and being a decent man ? A Well, as a working man or laborer, I should not have employed him as long as I did if he was not a man to be trusted; he had charge of the horses and harness.
- Q What is his general character ? A I know nothing against him at all.
- Q You found him all right ? A My opinion of him has been very favorable I must say.

T H O M A S R Y A N , one of the defendants, being duly sworn, testified as follows:

DIRECT EXAMINATION by Mr. Untermeyer:

Q How old are you, Ryan ? A 28.

Q Have you ever been in prison ? A No sir.

Q Do you recollect the night of this occurrence ? A Yes sir.

Q Where were you in the early part of the evening ?

A I was down at Fordham.

Q What were you doing there ? A Just taking a walk down to see some friends.

Q Lots of young men you associate with ? A Yes sir.

Q It is your custom to go there evenings ? A Yes sir.

Q Who was with you ? A Shaughnessy.

Q Who else ? A John MacCarroll and Michael Crotty.

Q He is the man that owns the horse ? A Yes sir.

Q He is a friend of yours ? A Yes sir.

Q Carry your mind back to about 12 o'clock that night; where were you at 12 o'clock that night ? A Right at the depot, coming home.

Q Where were you on the platform of the depot ? A The Fordham depot.

Q Where were you on the platform of the depot ? A Right on the sidewalk.

Q Does that sidewalk lead to a gate which opens to allow people to pass through ? A Yes sir.

Q The cars come past there ? A Yes sir.

Q They keep a gateman there ? A Yes sir.

Q The gate opens and shuts ? A Yes sir.

Q What time does the 11:45 train from Grand Central depot pass there ? A Twenty minutes past twelve.

Q Were you there when it passed ? A Yes sir.

Q Who were there ? A We were all together.

Q You saw the complainant on the stand this morning ? A Yes sir.

Q Did you see him get off -- what did you see as to the train ? A He got off that train and ran up to us and says that the conductor told him to get off the train, that the train wouldnt go any further. I said "That was the train for you to get on"; I says "You cant get any other train until tomorrow morning". Then he commenced to cry and begged of us to get him some way to go to White Plains We didn't know no way and we told him and went off. He commenced to cry and said he would lose his job if he waited until five o'clock in the morning. He kept following us up the hill and we said we didn't know noway for him to go there. Shaughnessy and I says "We will

get one of the horses. Shaughnessy slept in this stable taking care of these horses; and Ed went and got a horse out of the stable to fetch him to White Plains; he could not get any wagon.

Q Did the man say anything about money ? A He took a bill out of his pocket, a fifty dollar bill and twenty dollar bill which he held in his hand; he had \$70; he asked me if I had change of \$20. and I told him if he went to White Plains he could give Shaughnessy the money in White plains.

Q You told him to give the money to Shaughnessy in White Plains ? A Yes sir, that is all he had to say between us all night; I left him and went home and went to bed.

Q What happened when Suahgnessy brought the horse ? A we came out with the horse and the complainant said he didn't want to go on horseback and Ed said "It is the only way we can bring you. If you don't want to go you can suit yourself."

Q What was the condition of this man at that time ? A Drunk.

Q How drunk ? A He was pretty drunk; he couldn't keep his feet very well from staggering.

Q Did you notice his clothing disarranged or torn or his vest disordered in any way ? A No sir, I didn't notice

anything about his clothes.

Q Did you put your hand on him ? A No sir, I never touched the man.

Q How near were you to the man at any one time, or the nearest ? A About a foot and a half apart, walking side by side

Q Did you see anybody else put a hand on him ? A No sir, no one ever touched the man.

Q Did the man fall in the roadway ? A No sir, I didn't see him fall; he was staggering pretty well though.

Q You work all the time ? A Yes sir, I work for a living all the time.

Q Where were you when you first saw the officer ? A Standing right on the corner of the stable, a little above the stable.

Q Standing where ? A Right above the stable when I first saw the officer.

Q On Central Avenue ? A Yes sir.

Q How far above the stable ? A 100 feet.

Q Were you in Thompson's shed in the corner ? A No sir.

Q Had you been in Thompson's shed that night ? A No sir.

Q How near to Thompson's shed had you been ? A About 20 ft. from the shed.

Q The officer is mistaken when he says he saw you crouched

in the corner ? A Yes sir.

Q Did the officer come and speak to you ? A Yes sir.

Q What did he say to you ? A He asked me -- Jack MacCarroll what was the matter with him, and got talking about Crotty's horse. ✓

Q Did he ask you and MacCarroll who owned the horse ?

A MacCarroll told him it was Crotty's horse.

Q Where was this ? A At 184th street.

Q And Central Avenue ? A Yes sir.

Q That is where the officer first saw you ? A Yes sir.

Q Who was with you ? A Johnnie MacCarroll.

Q That is when the officer spoke to you ? A Yes sir.

Q Go ahead, what did the officer say to you ? A The officer asked MacCarroll who owned the horse and MacCarroll said it was Crotty's. The officer went down in the yard, and MacCarroll and the officer had some words.

Q Did the officer know MacCarroll before that ? A I don't know.

Q What did the officer say to you when he came up from the yard ? A We got talking there; and then the complainant was talking to the officer.

Q You were there ? A Yes sir. There was no arrest made

that night at all. I was around there about three quarters of an hour and no arrest was made until I went home to bed.

Q The complainant was present ? A Yes sir.

Q And you and the officer were present ? A Yes sir.

Q The officer didn't make any arrest of you that night ?

A No sir.

By the Court:

Q You were arrested the next morning at 11 o'clock ?

A Yes sir.

Q Did you see the large amount of money on this man's person ? A I saw \$70. two bills.

Q Did the man say anything about any money ? A He said he had plenty of money and if we got him to White Plains he would pay well, \$5., \$10. or \$20. to get to White Plains. He was crying and that is how we took pity on him and didn't want him to lose his job and tried to get him there

CROSS EXAMINATION by Mr. Fitzgerald:

Q Where did you live on that night Ryan ? A I live at Berrian Avenue and 183d street.

Q Were you working that day ? A Yes sir.

Q What time did you go out that evening ? A About 8

O'clock; there was no one with me until I was down the street, and I met Sahaughnessy, MacCarroll and Crotty.

Q What time did you meet Shaughnessy ? A About a quarter past eight . .

Q Was he in your company after that ? A Yes sir.

Q What were you doing over at the depot, what brought you out there ? A I was down to see some friends.

Q Who was with you at the depot when you saw this train go by ? A Only the four of us MacCarroll, Crotty, Shaughnessy and myself.

Q Now do you remember the complainant getting off the train.

How did she get off ? A On the off-side of the track.

Q Then he had to cross the track to get on the platform ?

A No sir, he didn't go up on the platform when he got off the train; he got off and came across the crossing.

Q He got off all right ? A Yes sir, the conductor helped him off.

Q You saw the conductor helping him off ? A Yes sir.

Q Just tell us how he helped him off ? A Just as though the train were there going through, and the conductor helped him off. (*illustrative*)

Q Did you hear the conductor tell him the train was not go

going any further ? A No sir, only his own words; I seen
the conductor help him off the train and I told him the
train was going to White Plains.

Q Did he talk to you first ? A Yes sir.

Q He spoke to you ? A Yes sir.

Q Who was with you at the time he spoke to you ? A Shaugh-
nessy.

Q Were you two alone there ? A The other two were ahead of us

Q Were they walking along ? A Yes sir.

Q Then the only people at the time at the depot were you
and Shaughnessy besides the complainant ? A We weren't
at the depot at this time; we had to wait until the train
passed.

Q You remember when you talked to the complainant ? A Yes
sir.

Q Didn't you stand ? A Yes sir.

Q You and Shaughnessy and the complainant stood ? A Yes sir,
the other two were away from us.

Q Were they in the conversation ? A They heard all the talk.

Q How do you know ? A Because they were not far enough
away from us; the four of us were together all the time.

Q Do you remember telling the complainant that you were the

keeper of a livery stable? A No sir, I never told him that.

Q And do you remember telling him that your stable was about a mile away and that if he would ^{go} there that you would get him a rig and take him to this junction? A No sir.

Q Do you remember telling Shaughnessy to go ahead and get the horse ready? A No sir, I did not tell him to go and get the horse ready, Ed went and got the horse ready and he fetched him there.

Q Who went first from the depot; did you go with the complainant? A The complainant followed us up.

Q Did you walk with the complainant or with Shaughnessy?
A Me and Shaughnessy were walking together, and he kept following us for half a mile, crying and begging of us.

Q Did you talk to him at all? A I said some words.

Q Who was doing the talking? A The four of us were talking.

Q Now, didn't Shaughnessy go ahead? at some period of that walk? A No sir, Shaughnessy didn't start ahead until we got down near the stable.

Q What kind of a walk did you take, a quick rapid walk or what? A Slowly.

Q The complainant walked all of the way, didn't he? A Yes sir.

- Q You didn't have to carry him ? A No sir.
- Q You didn't have hold of him ? A No sir, never touched him.
- Q He walked along as well as you did ? A Yes sir, but he would make a stagger pretty nearly --
- Q When yo u got to the stable what did Shaighnessy do ? A He went and got the horse.
- Q Whose horse did he get ? A Crotty's horse.
- Q Was Crotty a the stable ? A Yes sir.
- Q Was Crotty down at the depot ? A Yes sir, he was with us all night.
- Q Who opened the stable for him to get in ? A The stable was open itself.
- Q Who was inside the stable ? A Nobody.
- Q Who went in with Shaughnessy ? A No one.
- Q Where was Crotty at that time ? A He was going around up in the house.
- Q Crotty had gone away ? A No sir, he was going in the house.
- Q Do you remember Shaughnessy bringing the horse out ? A Yes sir.
- Q When Shaughnessy brought the horse out what did the complainant say about the money ?

Objected to; objection overruled; exception.

A He said he would give us five, ten or twenty dollars to get to White Plains; we told him we didn't want the money; he asked me if I could change a twenty dollar bill and I told him no.

Q This man was an entire stranger to you ? A Yes sir.

Q And all you had as to his living in White Plains was his own word ? A Yes sir.

Q You had seen the conductor put him off the train ? A Yes sir, he just left him off the train.

Q He was greatly under the influence of liquor ? A Yes sir, pretty full.

Q Did you and Shaughnessy propose to give him a horse belonging to another man for nothing A No sir.

Q What did you propose to do ? A He said he would give us \$10.

Q Did you ask for it ? A No one asked for it, he offered it himself.

Q What did you or Shaughnessy say that you were going to get the horse for, for how much money ? A We didn't say no money at all.

Q Why did you get the horse ? A He said he would give us so much money; he said he would give us all the way from five to twenty dollars.

Q What amount did you ask for. What did you agree upon ?

A We said \$10., as soon as he said he would give^s the money.

Q Who was he to give the \$10. to ? A To Ed

Q What share of it were you to get ? A I don't know, I might get a couple of dollars out of it.

Q You had no interest in that horse ? A No sir.

Q It didn't belong to you ? A No sir.

Q Ed took care of the horse, but it wasn't his horse ?

A No sir.

Q You proposed to give this man a horse in his drunken condition, if he would give you a ten dollar bill ? A No sir, he wasn't going to give it to him, me or Ed was going to White Plains with him.

Q On the same horse ? A Well, we were going to look for a wagon.

Q But it didn't come. Wasn't there a saddle on the horse?

A Yes sir.

Q Did you propose to lead him on the saddle ? A He could get in the saddle.

Q How did you propose to ride ? A I don't know how.

By the Court:

Q This man was very drunk ? A Yes sir.

Q Do you think it safe to let a man get on a horse's back who was staggering around ? A I think it was safe enough on that horse.

By Mr. Fitzgerald:

Q Did you notice his clothes that night ? A No sir.

Q Did you see his watch ? A No sir.

Q Did you see his chain ? A No sir.

Q You didn't see whether he had a chain or watch on ?

A No sir, or nothing else.

Q Where did he get that \$70 from ? A I don't know sir.

Q Where did he take it from ? A Out of his pants pocket; he pulled right out a \$50. bill.

Q Didn't he open his coat in doing that ? A No sir, he had the coat buttoned the same as I have.

Q Did you do anything at all to him ? A I never laid a hand on him.

Q You know where that shed, is, don't you ? A Thompson's shed ?

Q Yes, Thompson's shed ? A Yes sir.

Q You heard the officer testify that he saw you crouched in that shed ? A No sir, I was not crouched in that shed.

Q That he led his horse's head in and asked you what you

were doing and that you said you had been drinking. Do you remember that ? A Yes sir. ✓

Q Weren't you in the shed ? A I was talking to the officer. I was not in the shed.

Q Do you remember that conversation ? A Yes sir, I was talking with the officer.

Q You remember the officer asking you what you were doing there and you answering that you had been drinking ? ✓

A I never got no drinks.

Q You didn't answer that ? A No sir. I didn't say we were drinking.

Q Where did you go ? A I went right home and got to bed.

Q What time did you get home ? A Half past one.

Q Do you remember being arrested the next morning ? A Yes sir

Q Do you remember the officer telling you that you were charged with stealing a watch and assaulting a man, when you were riding in the wagon from the place where you were arrested to the police station ? A I didn't know nothing about it until I went to the station house.

Q Do you remember the officer telling you in the station house ? A Yes sir.

Q Do you remember telling him that there must be a mistake about it that you were in bed at ten o'clock ? A I told the officer I was in bed at ten o'clock.

Q Why did you tell him that ? A I didn't know what I was arrested for, because he didn't tell me nothing about it.

By the Court:

Q Didn't he ask you where you were last night ? A I said I was in bed at ten o'clock.

Q Do you recollect the officer telling you that he stopped you and talked with you about one o'clock ? A Yes sir, I heard the officer telling that.

Q Did the officer see you at that time ? A Yes sir

Q It was a lie that you told the officer about being in bed?
A Yes sir.

By Mr. Untermyer:

Q Now Ryan, when you told the officer that you went to bed at ten o'clock the night before did you recollect what time you did go to bed the night before ? A I didn't know what I was arrested for.

Q Did you remember what time you did go to bed the night before ? A Yes sir.

Q Did you recollect speaking to the officer a half past one that night. You knew the officer knew you and spoke to you ? A Yes sir, I was talking with the officer and I know him.

Q You knew when the officer asked you that that he had spoken to you the night before ? A Yes sir.

Q And that you had a talk with him ? A Yes sir.

Q You didn't intend to deceive him then ? A No sir. ✓

EDWARD SHAUGHNESSY, one of the defendants, being duly sworn, testified as follows:

DIRECT EXAMINATION by Mr. Untermeyer:

Q How old are you ? A 21 psst

Q Do you recollect this night that has been talked about here ? A Yes sir.

Q You heard the complainant give his testimony ? A Yes sir.

Q Carry your mind back to twelve o'clock that night where were you ? A Near the Fordham depot.

Q How near ? A Well I should say about 50 or 100 feet.

Q Right there so you could see the people coming and going?
A yes sir.

Q Who was with you ? A Ryan, MacCarroll and Crotty.

Q Only Ryan, MacCarroll and Crotty ? A Yes sir.

Q Four in all ? A Yes sir.

Q Did you see this complainant A Yes sir.

Q When did you see him ? A I first seen him on the rail -

road near the depot, getting off the train.

Q The 11:45 train ? A Yes sir.

Q You saw him getting off the train; did he get off unaided?

A Yes sir.

Q Without anybody helping him ? A No sir, he did not.

Q How did he get off ? A With the conductor's assistance.

Q How did the conductor help him off ? A He caught him by the arm and helped him off.

Q Were you near enough to hear what the conductor said when that occurred ? A No sir, I didn't hear that.

Q How soon after that did the complainant speak to you, if he did at all ? A About five or ten minutes after that.

Q Did you notice the condition in which he was at the time?

A Yes sir.

Q Describe as carefully and as minutely as you can his condition at that time to the jury ? A He was under the influence of liquor as far as I know.

Q What do you mean by that ? A He was drunk beastly drunk.

Q He was ? A Yes sir.

Q Was he in a condition to take care of himself alone ?

A No sir.

Q You think he was not ? A No sir.

- Q He was staggering drunk ? A Yes sir.
- Q Did the complainant speak to you first or you speak to him ? A The complainant spoke to us.
- Q What did he say to you ? A He found out his mistake. He asked us the way to White Plains and we told him as near as we could. He asked us where he could hire a hack. We went over to see where he could hire a hack but the livery stable was closed up and we told him that was all we could do for him.
- Q What did he say ? A He didn't say nothing, but he wanted to get to White Plains.
- Q Did he tell you what he was doing in White Plains ? A He said he had a job and would lose his job.
- Q If he was not there at five o'clock ? A Yes sir, at five o'clock the next morning.
- Q What else did he say ? A We told him we would do the best we could for him.
- Q To get him there ? A So he followed us about three or four blocks to the stable; then we got the horse out of the stable.
- Q And then what did you do ? A The officer was across the street and MacCarroll and Crotty and I and Ryan -- and the officer was over talking to us; then he went over

and had some conversation with the officer and I don't know what it was. Then about twenty minutes or half an hour afterwards the officer arrested me.

Q The complainant talked to you? A Yes sir.

Q He told you where he wanted to go? A Yes sir.

Q He told you he would lose his job unless he got there?
A Yes sir.

Q Did you tell him that that was the last train? A Yes sir.

Q And that he made a mistake in getting off the train? A
Yes sir, I told him he made a mistake.

Q What did he say in answer to that? A Yes sir.

Q This man was beastly drunk? A Yes sir.

Q What did he say to you after you spoke about the train?
A He said he was put off the train, or got off by mistake.

Q Which did he say? A He said he was put off the train.

Q Which did he say, that he got off the train by mistake or
was put off? A He said he was put off or got off by mistake

Q Did you touch this man at all? A No sir, I never laid
a hand on him; I was not within two feet of him.

Q At no time that evening? A No sir.

Q Were you ever any nearer than two feet to him? A No sir,
I was not.

Q And you had nothing to do with any assault upon him ?

A No sir, I didn't know what I was arrested for.

Q You remember when the officer came to you ? A Yes sir.

Q Where was it he first saw you ? A 184th street and Central Avenue.

Q Were you in company with MacCarroll & Crotty ? A Yes sir.

Q When did he next see you to speak to you A About twenty minutes after.

Q Whereabouts ? A 186th street, near Thompson's Hotel.

Q He saw you near Thompson's ? A Yes sir.

Q Where were you going then ? A To Jerome Park. I was going there to get a friend of mine home.

Q A friend of yours took care of the stables up there ?

A Yes sir.

Q You were going there to stop over night ? A I was, yes sir.

I worked there several times myself. I was going up with a friend and I met him on the corner.

Q The officer stopped you ? A Yes sir.

By the Court:

Q What did the officer say to you first ? A He asked me where I was going.

Q What did you say ? A I told him to Jerome Park.

Q Did the officer say anything else to you ? A The says "Come back I want to see you". He says "Come back here," I want to see you a moment". I went back and this complainant recognized me as one of the parties.

Q One of the parties who did what ? A They didn't tell me anything further until I got to the station house. I asked what I was arrested for.

Q Didn't you tell the officer you were going to Jerome Park to take care of horses ? A No sir.

Q He says you did ? A I told him simply that I was going to Jerome Park.

Q He says he told you that the races were over and that nobody was taking care of horses there any longer?

A The stables are there all winter.

Q Did the officer tell you that ? A I don't remember.

Q Did you steal that horse ? A Yes sir.

Q What did you steal the horse for ? A To take this party home.

Q This drunken man ? A Yes sir.

Q How did you propose to take him to White Plains ? A On that horse.

Q How were you going to ride the horse ? A There was often two before rode on a horse.

Q Were you going to get up on the horse with this man ?

A He could sit himself, I didn't force him, I rode the horse.

Q Would you let him take the horse by himself ? A Yes sir.

Q Without any money ? A Well no, if he didn't want to pay for the horse

Q Was there something said about paying for him ? A I wouldn't give no man a horse

Q Wasn't there something said about his paying for the horse? A He offered \$10. or \$5., and we didn't have any change for a twenty dollar bill.

Q He offered you a twenty dollar bill to take out how much?

A From five to ten.

Q How did you propose to take this man to White Plains ?

A We could get him up on the horse.

Q Would you let him take that horse without letting him pay for him ? A No sir, not

Q You didn't have any change ? A No sir. And he didn't have any change.

Q Why didn't you take the horse right back into the stable?

A The party that owned the horse wasn't five minutes after me. I was taking the horse back when I met Crotty.

Q Didn't the officer see you on the horse ? A Yes sir, about one block.

Q Tell this jury how you proposed to get him to White Plains on that horse ? A Well, I suppose to get him to White plains on the horse he could take the horse and I walk up there.

Q Walk along with the horse ? A Yes sir.

Q How many miles was it from there to White plains ? A Six or seven miles.

Q From White plains to that place ? A Yes sir.

Q You are sure about that ? A Yes sir.

Q You would walk all the way that night with the horse ?
A Yes sir.

By Mr. Untermyer

Q He started by offering you \$5. ? A Yes sir, he would give anything to get there at the time.

Q You say that two people have often ridden on that horse ?
A Not on that horse, but on any other horse.

Q You knew that horse, you had charge of it ? A Yes sir certainly.

Q Was that horse able to carry two people ? A Yes sir, I could have gotten a wagon if he wanted it.

Q Did you tell him so ? A Yes sir.

Q Did he offer you five, ten, fifteen or twenty dollars ?

A We didn't have any change.

Q If you got a double wagon one of you could have ridden up?

A We didn't have any change.

Q You said to him "You can get a wagon if you want to have it" A Yes sir.

Q What did he say in answer to that ? A He didn't say anything but walked across the street.

Q So you had no opportunity to get a wagon for him ?

A We didn't have an opportunity to get a wagon.

Q He went away from you ? A Yes sir, I took care of this horse.

Q You took the horse back to the stable ? A Yes sir, I was taking him back on the way.

Q Did he show you any money that night ? A Yes sir.

Q How much money did he have in his hands ? A I reckon about \$70.

Q Did you see the bills ? A Yes sir.

Q What were the bills he had in his hand ? A One \$20. bill and one \$50. bill.

Q Did he take it out of his pocket ? A Yes sir.

Q What pocket did he take it out of ? A His right hand pants pocket.

Q Did he take any other money out of the same pocket?

A He did when we got to the station house.

Q He didn't that night ? A No sir.

CROSS EXAMINATION by Mr. Fitzgerald:

Q What is the name of that friend of yours you were going to take up to Jerome park ? A Hughes.

Q Where were you to meet him ? A Up at the next street.

Q When did you arrange to meet him up there ? A When we left Fordham.

Q What time were you to meet him there ? A About a little while after we went up.

Q What time did you agree to meet Hughes ? A Around the next block.

Q When did you make the arrangement with him ? A Not any particular hour.

Q Where you to meet him ? A On the corner of the Kings Bridge road.

Q What time was he to be there ? A He left Fordham, and I left the other way.

Q Is he in Court ? A No sir, he is not here.

Q How far did you ride on that horse ? A I didn't ride only

about half a block away from the stable.

Q Why did you ride away from the stable on the horse's back? A Because the party was on the other street.

Q The complainant? A Yes sir

Q The police officer says that on that night he saw you on horseback before he arrested you/ You were riding on the horse then? A Yes sir.

Q You were riding away from the stable? A He was standing across the street.

Q You were riding away from the stable? A Yes sir.

Q What were you doing that for? A The horse wouldn't leave very well I was going as far as the complainant.

Q Bringing the horse? A Leading him by the head - he might know better if you got on his back.

Q He would go better if you got on his back? A Yes sir.

Q Was your object to get the horse into the stable? A Yes sir.

Q Then when you got on him why didn't you ride him into the stable? A I was fetching him into the stable.

Q Didn't you ride some distance away? A Half a block.

Q Why did you do that. Why didn't you ride him right into the stable? A I was coming out with the horse at this time.

By Mr. Untermeyer:

Q Were you searched when the officer first saw you ? A Yes sir.

Q Did he go through your pockets ? A Not until we got to the station house. I didn't leave the ground.

Q Did he find anything on you ? A No sir, he didn't find any thing of that description, he found some change and a handkerchief.

Q You didn't see the complainant's watch ? A No sir.

Q Did you ever see the complainant's watch ? A No sir.

Q He had his coat buttoned up ? A Yes sir.

Q Did you notice his clothes ? A No sir, I didn't. I don't know anything more about it than if the man wasn't there at all.

C A S E C L O S E D .

POOR QUALITY ORIGINAL

0149

COURT OF GENERAL SESSIONS.

-----X
The People of the State of New York

Against
Thomas Ryan & Edward Shaughnessy

Motion for a new trial.

-----X

The defendants were indicted for robbery in the first degree, charged with taking a gold watch of the value of forty dollars from the person of Arthur Schubaur, by force, on the night of the 22nd of October, 1887, and were convicted, and were each sentenced by the Recorder to State Prison for a term of ten years.

This is an application for a new trial, made under sub-division 7 of Section 465 of the Code of Criminal Procedure, the grounds being newly discovered evidence.

In support of this motion the defendants submit three affidavits. The first is one from George Harley, a conductor on the Harlem division of the New York Central & Hudson River Railroad Company, who deposes that the complainant, on the night in question, boarded his train at 42nd Street Depot, in a condition of gross intoxication, and that he saw him on the train until after Fordham station was passed, when he missed him, and concluded that he (Schubaur) must have got off at

Fordham. The attention of the Court in this connection is respectfully called to the evidence of Thomas Ryan, one of the defendants, on folio 4, in which he swears that he saw the conductor put him off the train, and in cross-examination of the said defendant, folios 9 & 10, he particularly describes how the conductor helped him off. In this particular the defendant Ryan was corroborated by his co-defendant Shaughnessy, whose testimony on this point is to be found at folios 18 & 19.

The second affidavit submitted is one of Thomas Roach, a brakeman on the same train of which Harley was conductor, and is so general in its nature as to appear without object, except it be some sort of corroboration of Harley's statement.

The third affidavit is subscribed by Randolph White, doorman of the Harlem Railroad at the Grand Central Depot, who swears that on the night in question, he saw the complainant, Schubaur, enter the depot in a badly intoxicated condition, and board the II, 45 train for White Plains.

These affidavits are in direct conflict with the story told by the complainant on the trial. His story being that he missed the II, 45 train and got to the Fordham Depot by way of the Elevated Railroad, horse cars and walking part of the distance, in the expectation that he would get a way-train at that station that would take him to his home at White Plains.

The defendants are not entitled to a new trial,
First: for the reason that the evidence is merely
cumulative, the defendants having testified that the
complainant left the train at Fordham; and
Second: that there is no proof submitted that the
failure to produce these witnesses was not due to want
of diligence, the defendants having been represented at
the trial by retained counsel, and having themselves
been at large on bail up to the moment that the case
was moved for trial.

For these reasons it is respectfully submitted the
motion for a new trial should be denied.

James T. Gerall
Asst Dist Atty

POOR QUALITY ORIGINAL

0152

A. G. General Sessions

THE PEOPLE OF THE STATE OF
NEW YORK,

against

*Thomas Ryan
and
Edward Haughway*

Motion for New Trial

JOHN R. FELLOWS,
DISTRICT ATTORNEY,
No. 32 CHAMBERS STREET,
NEW YORK CITY.

*Brief for
The People*

COURT OF GENERAL SESSIONS OF THE PEACE,
in and for the City and County of New York.

.....

The People &c,
Plaintiff,

against

Thomas Ryan & Edward Schaughnessy,
Defendants.

.....

INDICEMENT FOR ROBBERY.

Sir,

PLEASE TAKE NOTICE that the above
named defendants Thomas Ryan and Edward Schaughnessy, will
move this Court in Part 1, in the Court House of the City
of New York, on *Monday*, the *16th* day of *July* ~~June~~, 1888, at 11
o'clock A.M. or as soon thereafter as counsel can be heard,
that a new Trial be granted therein upon the newly discov-
ered evidence, to wit, the evidence of Thomas Marley, Thomas
Roach, and Randolph White, under sub-division 7 of section
466 of the Code of Criminal procedure.

Dated, New York, June 11, 1888.

Frank J. Keller,

Defendants' Attorney,

280 Broadway, New York.

To,

HON. JOHN R. FELLOWS,

District Atty. of the City & County of New York.

3rd, Our present Counsel, Mr. Frank J. Keller, informs us, and we verily believe, that the evidence contained in said affidavits of said Marley, Roach and White, had it been produced at our trial on the above indictment, would probably have changed the verdict, and we would have been acquitted; and that the said evidence is not cumulative; and that the said George Marley, Thomas Roach, and Randolph White, are witnesses within the jurisdiction of the Court, and can be produced at another trial.

Sworn before me, this 9th day of June, 1888.

Thomas R. ...
Edward ...

H. C. Westlake
 Notary Public in and for Westchester Co
 N.Y.

Court of General Sessions,
County of New York.

| | |
|--------------------------------|------------------|
| -----x | |
| The People, etc. | : |
| agst. | : Indictment for |
| Thomas Ryan and Edward Schaug- | : Robbery. |
| nessy. | : |
| -----x | |

City and County of New York, ss:

G E O R G E M A R N E Y being duly sworn saith:
 I have been for sixteen years an employe, and for six years past a conductor on the Harlem Division of the New York Central and Hudson River Railway Company and still am employed in said company as such conductor.

I know the complainant Arthur Schaubur and have known him for some time. He lives at White Plains, and is a bartender at the Union Hotel there. On the night of the 21st of October, 1887, he was a passenger on my train, which left the Grand Central Depot at Forty-second street, in the City of New York, at 11.45 P.M. He was in a state of gross intoxication and, in fact, utterly unable to properly take care of himself. I lost sight of him at Fordham and, some days afterwards when I met him, he informed me that he thought he had got off at Fordham.

The said complainant was in such an intoxicated condition that he could not have possibly identified any one who had attacked him, if any one had done so. It was impossible for the said complainant to have taken the cars of the Elevated Railroad at 42nd street to 125th street

**POOR QUALITY
ORIGINAL**

0157

and the surface cars from there as he took the train on
the *and* railway at 11.45 and I
have already mentioned. I am positive as to the date and
can in no way be mistaken.

Sworn to before me this 29th)
day of February, 1888.)

G. H. Marley

William C. Coy
Notary Public
Wyo. Co.

Court of General Sessions,
County of New York.

-----X
 The People, etc., :
 asst. :
 Thomas Ryan and Edward Schaung- :Indictment for
 nessy. :Robbery.
 -----X

City and County of New York, ss:

THOMAS ROACH, being duly sworn says: I am brakeman and have been so on the *Harlem Division of the New York Central and Hudson River* Railway Company for the last *nine months* and know George Marley, the conductor of said train, whose affidavit I have read, and confirm the same in every respect.

I have been acquainted with the complainant Arthur Schubaer for some time and, in a conversation which I had with him some ~~days~~ days after the 22nd of October last he informed me that he had been robbed at 125th street in the City of New York on the morning of the 22nd of October last.

Sworn to before me this) *T. E. Roach*
 :)
20th day of February, 1883.)

William C. Coy
Notary Public
N.Y.C.

Court of General Sessions,
County of New York.

| | |
|--------------------------------|-------|
| -----x | |
| | |
| The People , etc. | |
| | |
| vsst. | |
| Thomas Ryan and Edward Schang- | |
| nassy. | |
| -----x | |

Indictment for
Robbery.

City and County of New York, ss:

RANDOLPH WHITE being duly sworn saith: I am doorman of the Harlem Railroad waiting room at the Grand Central Depot at Forty-second street in the City of New York.

I am personally acquainted with the complainant, Arthur Schubart, who lives at White Plains.

On the evening of the 21st of October, 1887, I was on duty, as such doorman, at said Depot and recognized the said complainant who came to the station in a terrible state of intoxication; so much so that he became ill from the evident effects of the liquor which he had taken. He had an immense bouquet or bunch of flowers and I was obliged to help put him on the 11.45 train for White Plains. He was in no condition to recognize any one or to take care of himself or to know what he was doing.

I let him go upon the train in that condition because I knew him, and knew also that he was acquainted

with the conductor of the train, who I trusted would see him safely on the road. I cannot be mistaken in the date and am positive it was the night of the 21st of October, 1837, at 11.45, when I placed him upon the said train.

At the same time when I saw the said complainant at the said Depot I noticed that his watch chain which was a single one hung loosely from his vest as if it had been separated or broken from the watch attached to said chain. I cannot say whether he had a watch in his pocket or not but unless the chain had been broken from the watch it could not have hung in the manner which I have described.

Sworn to before me this 29th)
day of February, 1838.)

Ralph White

William C. Coy
Notary Public
N.Y. Co.

POOR QUALITY ORIGINAL

0161

Court of General Sessions of the
Peace, in and for the City and
County of New York.

The People &c,
Plaintiff,
against
Thomas Ryan & Edward Schaughnes-
sy, Defendant.

Motion for New Trial and affida-
vits of George Marley, Thomas
Roach, Randolph White, and De-
fendants, in support thereof.

(Copy)

Frank J. Keller,
Atty. for Defendants,
280 Broadway, N. Y.



He brought out a horse from the stable and no wagon and he said I could ride on the horses back. I told him I never rode on a horse and wouldn't do it. Then Ryan held me and Shaughnessy took my watch out of my pocket and they ran away. I went and told a policeman about it. I saw both of the defendants under arrest and identified them at the Station House.

Cross-Examination.

It was about 7.40 when I reached the Grand Central Depot I went to the theatre; I cant remember the name of the play. I had several drinks of beer during the evening but I wasn't drunk at all. I didn't meet any friends of mine either at the theatre or in any liquor store. I was riding on the street car which goes on Harlem Bridge to Fordam but the conductor didn't put me off the car. I wasn't put off the train by the conductor. I had all my money safe t when I got to the Station House. . I wasn't crying that night.

Jeremiah Moran, a witness for the people testified:-

I am an officer of police of the City of New York attached to the 21st Precinct. I was on duty on the morning of this occurence mounted on a horse. I saw the complainant about one o'clock that morning at 184th Street and Central Avenue. He was standing *with 2 men* on the sidewalk. When I saw the complainant his chain was hanging from his button hole and no watch there at all. He went to the station House with me and I examined the chain and found the first link of it was broken. The defendant had lost his watch and gave me a description of the men who robbed him. From the

description which he gave me I arrested these two defendants. I arrested them at 186th Street and Central Avenue. I asked Shaughnessy when I saw him where he was going and he told me and he told me he was going to Jerome Park to the Race Track. I says; "What are you doing there?" and he says: "I have care of a horse there. I asked where he was half an hour before that and he said he was down in Fordam. I arrested Ryan at 11 o'clock the next morning, he was at work. The complainant identified both of the men. Ryan said he was in bed the night before.

Cross-Examination.

I saw three men together on the road; that was the first time that I saw Shaughnessy that evening. I knew this man before that. I didn't hear any cries for help, It was a bright clear night but it was muddy under foot. I didn't say anything about this alleged robbery to Shaughnessy until I got him to the complainant.

D E F E N S E .

Andrew Powell, a witness for the defendants testified:-

I know this man Ryan. I have known him a little over two years. He has been in my employ as a laborer I know nothing against his character. My opinion of him is that his character is good.

Thomas Ryan, on of the Defendants testified:-

I am 28 years old. I have never been arrested before. I recollect the night of this occurrence. I was in the company of Shaughnessy and two other friends of mine. This man came along on the night in question and got off

a train; the conductor told him to get off of the train would not go any further. I told the man he could not get another train until the following morning. Then this complainant began to cry and begged of us to get him to White Plains. That he would lose his job if he didn't get there at five o'clock in the morning. He followed us ~~about~~ *up the hill* and finally Shaughnessy and I says to him "We will get you a horse". He pulled out a twenty dollar bill and a fifty dollar bill and asked us me if I could change the \$20. and I told him "No". When we got to the stable Shaughnessy brought out the horse and the complainant said he didn't want to ride horse back. He was very drunk at this time.

Q Did you put your hand on him? A. No sir I never touched the man.

Q How near were you to the man? A. About a foot and a half away from him.

Q Did you see anybody else put their hand on him?
A No sir.

I didn't steal this man's watch or take his chain. I was arrested the next morning about 11 o'clock at my work.

Cross-Examination.

I was working on the day of this occurrence. The complainant walked all the way from the station to the stable. He staggered pretty much. The horse belonged to a man named ~~Grady~~ *Grady*. This man was an entire stranger to us. We saw the conductor put him off the train; he was greatly under the influence of liquor. The horse didn't belong to ^{us} _A. I didn't see

his watch or chain. I saw him take this bundle of bills out of his pants pocket. I told the officer it was about ten o'clock but I didn't recollect what time what time I had got to bed, and at that time I didn't know what I was arrested for.

Edward Shaughnessy one of the defendants testified:-

I am 21 years old. I recollect the night that has been spoken of here. I saw this man when he got off the train at the Fordam depot

Q Did you touch this man at all? A. No sir, never laid a hand on him.

Q At any time that evening? A. No sir.

Q You had nothing to do with any

A No sir.

I didn't take his watch and chain. When the officer arrested me I didn't tell him I was going to Jerome Park.

Cross-Examination.

I had an *engagement* to meet a man at Jerome Park the morning after this occurrence. I never saw the complainants watch.

THE JURY returned a verdict of "Guilty of Robbery in the First Degree".

**POOR QUALITY
ORIGINAL**

0167

Indictment filed Oct. 27. 1887

COURT OF GENERAL SESSIONS

Part III.

The P E O P L E &c.

against

Thomas Ryan and Edward

Shaughnessy.

x-----

Abstract of testimony on

trial January 10th 1888.

3rd, Our present Counsel, Mr. Frank J. Keller, in-
forms us, and we verily believe, that the evidence contain-
ed in said affidavits of said Marley, Roach and White, had
it been produced at our trial on the above indictment,
would probably have changed the verdict, and we would have
been acquitted; and that the said evidence is not cumula-
tive; and that the said George Marley, Thomas Roach, and
Randolph White, are witnesses within the jurisdiction of the
Court, and can be produced at another trial.

Sworn before me, this 7th :
day of June, 1888.

Thomas Ryan
Edward Straughmerry
Notary Public in and for Westchester Co. N.Y.

Court of General Sessions,
County of New York.

-----x
The People, etc. :
agst. :
Thomas Ryan and Edward Schaug- :
nessy. :
-----x

Indictment for
Robbery.

City and County of New York, ss:

G E O R G E M A R L E Y being duly sworn saith:

I have been for sixteen years an employe, and for six years past a conductor on the Harlem Division of the New York Central and Hudson River Railway Company and still am employed in said company as such conductor.

I know the complainant Arthur Schubaur and have known him for some time. He lives at White Plains, and is a bartender at the Union Hotel there. On the night of the 21st of October, 1887, he was a passenger on my train, which left the Grand Central Depot at Forty-second street, in the City of New York, at 11.45 P.M. He was in a state of gross intoxication and, in fact, utterly unable to properly take care of himself. I lost sight of him at Fordham and, some days afterwards when I met him, he informed me that he thought he had got off at Fordham.

The said complainant was in such an intoxicated condition that he could not have possibly identified any one who had attacked him, if any one had done so. It was impossible for the said complainant to have taken the cars of the Elevated Railroad at 42nd street to 125th street

**POOR QUALITY
ORIGINAL**

0172

and the surface cars from there as he took the train on
the *road* ————— railway at 11.45 as I
have already mentioned. I am positive as to the date and
can in no way be mistaken.

Sworn to before me this 29th
day of February, 1888.

W. M. Mauley

*William C. Cox
Notary Public
M. C.*

Court of General Sessions,
County of New York.

-----x
 The People, etc., :
 agst. :
 Thomas Ryan and Edward Schaug- :Indictment for
 nessy. :Robbery.
 -----x

City and County of New York, ss:

THOMAS ROACH, being duly sworn says: I am brakesman and have been so on the *Harlem Division of the New York Central and Hudson River* Railway Company for the last *nine months* and know George Morley, the conductor of said train, whose affidavit I have read, and confirm the same in every respect.

I have been acquainted with the complainant Arthur Schubaur for some time and, in a conversation which I had with him ~~some~~ days after the 22nd of October last he informed me that he had been robbed at 125th street in the City of New York on the morning of the 22nd of October last.

Sworn to before me this)
29th day of February, 1888.)

T. E. Roach

William C. Cox
Notary Public
N.Y. Co.

Court of General Sessions,
County of New York.

| | | |
|--------------------------------|---|----------------|
| -----x | : | |
| | : | |
| The People , etc. | : | |
| | : | |
| agst. | : | |
| | : | Indictment for |
| Thomas Ryan and Edward Schaug- | : | Robbery. |
| nessy. | : | |
| -----x | : | |

City and County of New York, ss:

RANDALPH WHITE being duly sworn saith: I am doorman of the Harlem Railroad waiting room at the Grand Central Depot at Forty-second street in the City of New York.

I am personally acquainted with the complainant, Arthur Schubaur, who lives at White Plains.

On the evening of the 21st of October, 1887, I was on duty ,as such doorman, at said Depot and recognized the said complainant who came to the station in a terrible state of intoxication; so much so that he became ill from the evident effects of the liquor which he had taken. He had an immense bouquet or bunch of flowers and I was obliged to help put him on the 11.45 train for White Plains. He was in no condition to recognize any one or to take care of himself or to know what he was doing.

I let him go upon the train in that condition because I knew him, and knew also that he was acquainted

with the conductor of the train, who I trusted would see him safely on the road. I cannot be mistaken in the date and am positive it was the night of the 21st of October, 1887, at 11.45, when I placed him upon the said train.

At the same time when I saw the said complainant at the said Depot I noticed that his watch chain which was a single one hung loosely from his vest as if it had been separated or broken from the watch attached to said chain. I cannot say whether he had a watch in his pocket or not but unless the chain had been broken from the watch it could not have hung in the manner which I have described.

Sworn to before me this 29th
day of February, 1888.

) *Randolph White*
)

William C. Cox
Notary Public
W. C. Cox

An admission to the
 operation, that the
 newly discovered
 evidence is clearly
 cumulative and
 that it could have
 been produced
 when the best of
 the case, the evidence
 is in direct conflict
 with that of the
 defn. as given by
 themselves, and that
 the best evidence
 has been produced
 it is not reasonable
 to suppose that the
 jury would be
 misled at a different
 result - Motion
 denied
 May 27/88

Court of General Sessions of the
 Peace, in and for the City &
 County of New York.

.....

The People &c,
 Plaintiff,
 against

Thomas Ryan & Edward Schaughnessy,
 Defendants.

.....

Motion for New Trial and Affidavits of George Marley, Thomas Roach, Randolph White, & Defendants, in support thereof.

.....

Notice of service was a July 11th 1888
 J. W. C. Fisher

Frank Kelly
 Attorney at Law
 280 Broadway, N. Y.
 May 27/88

.....

Court Journal Sessions
before Richard Smyth
July 26. 1888

The People
vs.
Thomas Ryan
and Edward Shaughnessy

Conviction by
Verdict of Robbery
first degree, and
sentenced to State Prison
ten years each -
(Gaugy term 1888)

The motion heretofore made by Counsel
for defendants for a new trial for the
said defendants on affidavits duly filed
of George Marley, Thomas Roach -
Rudolph White and each of the defendants,
in support thereof, and the brief of Ass.
District Attorney Fitzguald filed in
opposition thereto, having been duly
considered by the Court, it is ordered
that said motion be and the same
is hereby denied -
and on reading the files the
stenographer notes of the trial
of the action read by the district
attorney in opposition to the
motion and after hearing of

Mr. Kelley.
 Counsel for ~~subscribers~~ for the
 Sept. in ~~subscribers~~ of said motion.
 I. Mr. Kelley, I am not with you
 in opposition. I am not for
 that said motion be set
 back in being. I am
 truly
 yours
 J. H.

The People
 v. Thomas Ryan
 & Edu. J. Humphreys
 Order of Court
 denying motion
 of defts for new trial.
 Filed July 30 1888

New City
January 16/1888.

To whom it may concern.

This is to certify that I have known Edward Shaugnessy of Jordanham New City for the past ten years, and that his reputation in the neighborhood in which he has lived during all said time, has been that of an honest sober and industrious young man and well respected.

His mother

and father are honest.
hardworking people with
a very large family and
have depended in a great
measure upon their son
for support.

Ormel Westland

Jordan
N.Y. City

I have read the foregoing,
and cheerfully state from
my own knowledge that the
statements therein contained
are true. I have known the
young man and his parents for
a number of years and believe
that their reputation in the

community was always good.
I have signed a copy
of this letter
Ally Schmitt
93 No 20th St
New York City

Police Court

5th District.

CITY AND COUNTY }
OF NEW YORK. } ss.

Arthur Schubaar
of No White Plains Village Street, Minn Hotel
being duly sworn, deposes and saith, that on the 22nd day of October
1887, at the 24th Ward of the City of New York, in the County

of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the FOLLOWING PROPERTY, VIZ:

One gold cased watch of the value of Forty five dollars

of the value of Forty five DOLLARS,
the property of deponent

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

Thomas Ryan and Edward Schampussy
both make him from the fact that on said date at about the hour of 1 o'clock AM while deponent was on a horse on road in the 24th ward of said City - being directed as deponent believed to a stable by said deponents, that said Ryan did seize or hold of deponent about deponents body and severely held deponent while said Schampussy violently seized said watch and ran away with the same in company with said Ryan
Arthur Schubaar

Sworn before me, this
day of October 1887

[Signature]
POLICE JUSTICE.

POOR QUALITY ORIGINAL

0182

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas Ryan 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. *Thomas Ryan*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *W*

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

Answer. *Irakham*

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*
Thomas Ryan

Taken before me this

day of *July* 188*8*

[Signature]

Police Justice.

POOR QUALITY ORIGINAL

0183

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Edward Shaughnessy 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.

Edward Shaughnessy

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

Wt

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

Answer.

South Fordham 10 years

Question. What is your business or profession?

Answer.

Hostler

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
Edward Shaughnessy*

Taken before me this

day of

188

W. J. [Signature]

Police Justice.

POOR QUALITY ORIGINAL

0184

BAILED,

No. 1, by Peter Ryan

Residence Convent Avenue Ave. 9, 187th Street.

No. 2 by Mary Shear (500)

Residence S. E. Cor. 10th Ave. & 10th St.

No. 3 by John Skolachain

Residence One Room from S. E. Cor. of 10th Ave. & 10th St.

No. 4, by

Residence _____ Street.

Marianne Wickham
deposition

#358
Police Court-- 55
District 1929

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Arthur J. Ryan
John J. Ryan
James Ryan
Edward Ryan

Offence Robbery

Dated October 23 188

W. H. ...
Magistrate.

Moran
Officer.

34
Precinct.

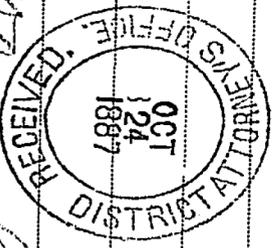
Witnesses

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 1500 to answer



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 Ayudaunt

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

Dated October 23 188

[Signature]
Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY ORIGINAL

0185

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Ryan and Edward Shanagessy

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

Thomas Ryan and Edward Shanagessy

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

The said *Thomas Ryan and Edward Shanagessy*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *twenty second* day of *October*, in the year of our Lord one thousand eight hundred and eighty-*seven*, in the *right* time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one *Arthur Schneider* in the peace of the said People, then and there being, feloniously did make an assault, and

*one watch of the value of *twenty**

five dollars,

of the goods, chattels and personal property of the said *Arthur Schneider*, from the person of the said *Arthur Schneider*, against the will, and by violence to the person of the said *Arthur Schneider*, then and there violently and feloniously did rob, steal, take and carry away, *each of them* the said *Thomas Ryan and Edward Shanagessy* being then and there aided by an accomplice actually present, *to wit: each by the other* -

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.

Henry J. ...

District Attorney.