

0505

**BOX:**

397

**FOLDER:**

3698

**DESCRIPTION:**

Bailey, Robert

**DATE:**

06/12/90



3698

POOR QUALITY  
ORIGINAL

0506

Witnesses:

Joseph Smith  
James Benjamin

Upon investigation, I recommend the  
defendant's discharge upon his own  
recognition

June 13/90  
C. L. Clark  
Sgt.

Counsel,

Filed 12 day of June 1890

Pleads

THE PEOPLE

vs.

I

Robert Bailey  
H.D.

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Chas. Higgins

Foreman.  
on recem. of Dist. Atty.  
deft. discharge on  
his own recogn.,  
June 13/90. J.B.M.



POOR QUALITY  
ORIGINAL

0507

Police Court— / District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

of No. *Ship "Atlantic" 454 1/2 Broadway* Street, aged *22* years,  
occupation *Seaman Cook* being duly sworn  
deposes and says, that on the *12<sup>th</sup>* day of *June* 18*90*, at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession ~~an~~  
person of deponent, in the night time, the following property, viz:

*One Silver watch valued  
Fourteen dollars*

the property of *George Smith and in 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 *Robert Baile* (now here)

for the reason that deponent was  
sitting in a doorway <sup>at 37 Baxter Street</sup> asleep  
and had said watch in a pocket  
of the vest then worn on his person  
When deponent awoke he missed said  
watch. Deponent is informed by James  
Benjamin (now here) that he, Benjamin  
was sitting near deponent at said  
time and saw the defendant searching  
deponent's pockets

*Joseph X Smith*  
sworn

Sworn to before me, this *12* day  
of *June* 18*90*

*Wm. M. M. M. M.*  
Police Justice.

POOR QUALITY  
ORIGINAL

0508

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James Benjamin*  
aged *19* years, occupation *Sailor* of No. *Ship Harker lying at New York* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Joseph Smith*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this *12*

day of *June*

18*90*

*W. W. Madison*

Police Justice.

*James Benjamin*  
*over*

POOR QUALITY  
ORIGINAL

0509

Police Court— / District.

Affidavit—Larceny.

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

Joseph Smith  
of No. Ship "Atlantic" 407 1/2 Greenpoint Street, aged 22 years,  
occupation Seaman Cook being duly sworn  
deposes and says, that on the 12<sup>th</sup> day of June 1890 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:

One Silver watch valued  
Fourteen dollars

the property of George Smith and in 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 Robert Bailey (now here)

for the reason that deponent was  
sitting in a doorway at 37 Baxter Street asleep  
and had said watch in a pocket  
of the vest then worn on his person  
When deponent awoke he missed said  
watch. Deponent is informed by James  
Benjamin (now here) that he, Benjamin  
was sitting near deponent at said  
time and saw the defendant searching  
deponent's pockets

Joseph X Smith  
sworn

Sworn to before me, this 12<sup>th</sup> day  
of June 1890

Police Justice.



POOR QUALITY  
ORIGINAL

05 10

Sec. 198—200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Robert Bailey* being duly examined before the under-  
signed according to law, on the annexed charge, and being informed that it is *his* right to  
make a statement in relation to the charge against *him*; 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. *Robert Bailey*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *Virginia*

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

Answer. *90 James St. 9 days*

Question. What is your business or profession?

Answer. *Sailor*

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*

*Robert Bailey*

Taken before me this *17*

day of *June* 18*90*

*W. J. McMahon*

Police Justice.



POOR QUALITY  
ORIGINAL

0511

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

Police Court--- / District

THE PEOPLE, Ac.,  
ON THE COMPLAINT OF

*Joseph Smith*  
*Robert Bailey*

2  
3  
4

Offence

*Larceny from person*

Dated

*June 12* 1890

Magistrate

*William*

Officer

*Reger*

Precinct

*6*

Witness

*James Benjamin*

No.

*George Smith*

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POOR QUALITY  
ORIGINAL

05 12

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Robert Bailey*

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

*Robert Bailey*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows :

The said *Robert Bailey,*

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

*one watch of the value of*

*fourteen dollars,*

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

*John R. Hollows,*  
*Prosecutor*

05 13

**BOX:**

397

**FOLDER:**

3698

**DESCRIPTION:**

Bannon, Edward

**DATE:**

06/12/90



3698



POOR QUALITY  
ORIGINAL

05 14

Witnesses:

Geo. Field

The complainant in this  
case cannot be found,  
It appears from the past year and  
chief ~~executive~~ the complainant  
has not been in this state,  
The People cannot establish their  
case without the testimony of  
complainant  
I presume that the best  
must be dismissed

July 19-1892  
Wm. W. Phelps  
Not Not Not Not

Counsel,

Filed

12 day of June 1891

Pleads

THE PEOPLE

vs.

Edward Bannion

July 19/92

Indictment

JOHN R. FELLOWS,

District Attorney.

Sept 10

of the 1st of

Oct 17 to 1892

A True BILL.

By Dec Term of the request  
of the People

Foreman.

July 19-1892  
Wm. W. Phelps

Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code.)



POOR QUALITY  
ORIGINAL

05 15

Police Court—2 District.

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

of No. 104 7th Avenue Street, aged 20 years,  
occupation Truckman being duly sworn

deposes and says, that on the 31 day of May 1888 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and ~~ATTACKED~~ by

Edward Bannon, now known  
who cut deponent in the  
breast with a pocket knife  
inflicting a dangerous wound  
in deponent's breast

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without  
any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer  
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 1st day

of May 1888

at New York

George Field  
Police Justice.

POOR QUALITY  
ORIGINAL

05-16

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*Edward Bannon*

Question. How old are you?

Answer.

*17 years*

Question. Where were you born?

Answer.

*N.Y.*

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

Answer.

*142 West 19 St - 17 years*

Question. What is your business or profession?

Answer.

*Telephone*

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.

*All I did was to save  
myself from getting hurt.  
E. Bannon*

Taken before me this  
day of June 188

Police Justice.

POOR QUALITY  
ORIGINAL

0517

BAILED,  
No. 1, by *James R. Blair*  
Residence *133 M49*  
Street  
No. 2, by  
Residence  
Street  
No. 3, by  
Residence  
Street  
No. 4, by  
Residence  
Street

Police Court...  
District...

853.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Earl Field*  
*104-13 Ave*  
*Edward Banner*  
*Arson*  
*felony*

Offence

Dated

*June 1*  
188

Magistrate.

Officer.

Precinct.

Witnesses

*Earl Field*

No. *104* 7th Ave. Street.

No. *450* 3rd St. Street.

No. *1000* 3rd St. Street.

*James R. Blair*  
*James R. Blair*  
*James R. Blair*

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...

*Edward Banner*

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

Dated *June 1* 188 *James R. Blair* Police Justice.

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

Dated *June 1* 188 *James R. Blair* Police Justice.

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

Dated... 188... Police Justice.



POOR QUALITY  
ORIGINAL

05 18

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward Bannon

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

Edward Bannon  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Edward Bannon

late of the City of New York, in the County of New York aforesaid, on the  
thirty first day of May in the year of our Lord  
one thousand eight hundred and ninety, with force and arms, at the City and  
County aforesaid, in and upon the body of one George Field  
in the Peace of the said People then and there being, feloniously did make an assault  
and him the said George Field  
with a certain knife

which the said Edward Bannon  
in his right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent him the said George Field  
thereby then and there feloniously and wilfully to kill 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

Edward Bannon  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Edward Bannon

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid with force and arms, in and upon the body of  
the said George Field in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and him the said

with a certain knife

which the said Edward Bannon  
in his right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York,  
and their dignity.

John R. Fellows,  
District Attorney.



05 19

**BOX:**

397

**FOLDER:**

3698

**DESCRIPTION:**

Barone, Joseph

**DATE:**

06/17/90



3698

POOR QUALITY  
ORIGINAL

0520

Witnesses;

P. Colletti  
Off. Manning

Counsel,

Filed

Pleads,

1890

day of June

THE PEOPLE

vs.

Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code.)

Joseph Barone

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Charles Higgins

Foreman.

June 17/90

Handy & Co. 124  
S. E. 4th St. N. B. M.

POOR QUALITY  
ORIGINAL

0521

Police Court— District.

City and County { ss.:  
of New York,

*Pasquale Cellilo*  
of No. *35 Mulberry* Street, aged *40* years,  
occupation *Liquor dealer* being duly sworn  
deposes and says, that on the *27<sup>th</sup>* day of *May* 18*90* at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by *Joseph Barone*  
(now here) who cut and stabbed deponent  
in the shoulder and back with the  
blade of a knife then held in his hand

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without  
any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be ~~apprehended and~~ bound to answer  
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this *11<sup>th</sup>* day

of *June* 18*90*

*Pasquale Cellilo*  
his  
mark

*Wm. M. Ahorn* Police Justice.



POOR QUALITY  
ORIGINAL

0522

Sec. 198—200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Joseph Barone*

Question. How old are you?

Answer. *37 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *Bayonne; New Jersey*

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.*

*Joseph X Barone*  
*his mark*

Taken before me this *11*

day of *June*

189*6*

Police Justice.



POOR QUALITY  
ORIGINAL

0523

June 9, 1890.

This is to certify that Augustus  
Collins of 35 Mulberry st.  
is still unable to leave the  
house. He is considerably  
improved, and, in my opinion,  
will be able to appear in  
court within the next few  
days.

A. J. Walsh, M.D.

POOR QUALITY  
ORIGINAL

0524

June 7, 1890.

This is to certify that Pasquale Celli  
of 35 Mulberry st., is still in  
such a condition as to pre-  
vent him from leaving his  
house.

S. J. Walsh, M.D.

POOR QUALITY  
ORIGINAL

0525

ESTABLISHED A. D. 1865.

WILLIAM M. OLLIFFE,  
DRUGGIST & PHARMACIST,

6 BOWERY, nr. Chatham Square, N. Y.

Physicians' Prescriptions accurately compounded.



All trades of the East Side Elevated R.R. stop in front of the Store, (Chatham Sq. Station).

R

June 5, 1890.  
This is to certify that  
Parquet Cellulo of 3.5 Mulberry  
St. is unable to leave  
his home.

J. J. Walsh, M.D.



POOR QUALITY  
ORIGINAL

0526

June 2, 1890.  
This is to certify that  
Vaginal Ectitis of 35 Years  
long is confined to the  
cervix in consequence of  
traumatic inflammation  
which will be cured in  
a few days for several  
days to come.

J. Walsh, M.D.

POOR QUALITY  
ORIGINAL

0527

May 30, 1890.

This is to certify that  
Pasquale Cellito of 35, Wilbury  
St., is confined to bed and  
is unable to appear in  
Court.

J. H. Walsh, J. C. C.

POOR QUALITY  
ORIGINAL

0528

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.,

New York, May 28<sup>th</sup> 1890

To whom it may Concern:

Pasquale Cecillio  
of 35 Mulberry St. is under  
incarceration at Chambers St. Hotel  
for stab wounds of back  
& shoulder & is unable to  
appear in Court

Walter J. Cole, M.D.  
House Surgeon



POOR QUALITY  
ORIGINAL

0529

CITY AND COUNTY  
OF NEW YORK, ss.

POLICE COURT, 1 DISTRICT.

*John Farrington*  
of the 6<sup>th</sup> Precinct Police Street, aged 40 years,  
occupation Police officer being duly sworn deposes and says

that on the 27 day of May 1880  
at the City of New York, in the County of New York

*Pasqual Ceilio*  
was violently and feloniously assaulted  
and beaten by Joseph Barone (known as)  
Sara Pasquale in former deponent in the  
presence of said Barone, that he  
Barone cut and stabbed him in the  
back with a Knife or Stiletto he held  
in his hand, that Sara Pasquale  
is now confined to the ~~County~~ <sup>Charity</sup> Street  
Hospital from the Effect of the injuries  
inflicted as certified to by the annexed  
Certificate of Doctor Carter & Cole.

Subscribed before me this

1880

Police Justice.

POOR QUALITY  
ORIGINAL

0530

Held without bail  
to await result of  
inquiry and proceedings

Defendant prays that said defendant  
be committed to await the result  
of said inquiries and for further  
prosecution.

Sworn to before me this 28 day of May 1890  
John Harrington  
Justice of the Peace

APPEAL FROM  
THE DISTRICT COURT

Police Court--

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Harrington

vs.  
Joseph Parone

Dated May 28 1890

Witness

Magistrate

John Harrington  
Justice of the Peace

Witness

Disposition, 4 May 30. 2 Pm

" June 3. 2 Pm

" June 5. 2 Pm

2000 bond & June 7. 2 Pm

do June 9. 12 Pm

" 11. 2 Pm

0531

923  
District

BALI, ED

No. 1, by

Resilience

No. 2, by.

Residence ..

No. 3, 544.

Residence ..

No. 4, by...

Resilience

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Doanville Belle  
vs. Muller  
Joseph Doanville  
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Date: \_\_\_\_\_

Dated June 11 1890  
M. M. Mahon Magistrate.

Augusta Starnight  
Officer

## Project

Witnesses: Salvatore Braccia

01 January 18

*Sirel.*

*Margarita Dasso*

100 Muller &  
No. 3 Muller & Co.

35 m. 0.0. 14

Edward Kabiola

No. ....

Direct.

**DISTRICT ATTORNEY'S OFFICE**

**JUN 1 1960**

**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 Admiral

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

Dated June 11 1890 Wm. S. Harrison Police Justice.

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

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

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

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



POOR QUALITY  
ORIGINAL

0532

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

Joseph Barone

The Grand Jury of the City and County of New York, by this indictment, accuse  
Joseph Barone  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Joseph Barone  
late of the City of New York, in the County of New York aforesaid, on the  
twenty-seventh day of May in the year of our Lord  
one thousand eight hundred and ninety, with force and arms, at the City and  
County aforesaid, in and upon the body of one Pasquale Cellilo —  
in the Peace of the said People then and there being, feloniously did make an assault  
and him the said Pasquale Cellilo —  
with a certain knife  
which the said Joseph Barone  
in his right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent him the said Pasquale Cellilo —  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
Joseph Barone  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Joseph Barone  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said Pasquale Cellilo in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and him the said  
with a certain knife  
which the said Joseph Barone  
in his right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York,  
and their dignity.

John R. Fellows  
District Attorney

0533

**BOX:**

397

**FOLDER:**

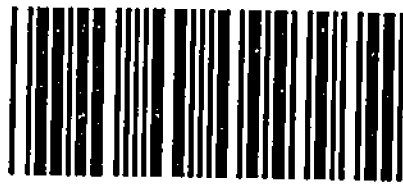
3698

**DESCRIPTION:**

Barrett, David

**DATE:**

06/09/90



3698

POOR QUALITY  
ORIGINAL

0534

Witnesses:

*John Conley*

Counsel,

Filed

Pleads,

day of June 1890

THE PEOPLE

vs.

*David Barrett*

*Indictment*

[Section 498, Penal Code]

JOHN R. FELLOWS,

District Attorney.

10.30 a.m.

A True Bill.

Foreman.

*Spied & convicted of  
an attempt  
to sentence, on May 1st 1890*



POOR QUALITY  
ORIGINAL

0535

The people vs. }  
                    against }  
David Barrett }

To the Honorable

Judge Randolph Mathew:

We the undersigned jurors, who sat in the trial  
of the above entitled action most respectfully  
recommend your merciful consideration in  
passing sentence upon the above named defendant.

Ny. June 19th '90

Dispersed  
H. Phlefeldt  
H. M. Paradise  
John Eggers  
Leu Eyck Posen  
C. E. Randell  
H. Drunzer

# THE HERO-BURGLAR IN THE TOMBS

Sympathy for Ex-Convict Barrett, Who  
Saved Little Charlie O'Connor's Life

David Barrett, the ex-convict, who so heroically saved little Charlie O'Connor from drowning at Pier 37 East River last Sunday, was yesterday transferred from Essex Market to the Tombs.

Charlie had been fishing off the pier and tried to climb on a canal boat, but missed his footing and fell into the water. His playmates yelled for help, but the men who heard them thought they were up to some trick and paid no attention to them.

David Barrett, however, hurried up and without throwing off his coat or shoes plunged into the water. He was not a moment too soon, for the boy was going down for the third time. By great exertion Barrett got him ashore and dropped himself exhausted and unconscious. An ambulance was summoned and the boy was taken to Gouverneur Hospital, where he soon recovered. Barrett was given stimulants and revived.

Barrett said afterwards that he was an ex-convict and the thanks of Charlie O'Connor's mother was sufficient reward for him. He had served two terms for burglary, one of eighteen months and one of ten years. His mother died during the latter imprisonment and she begged him to stop stealing and be an honest man.

"I have ever since," he said, "and will be the least the rest of my life."

The newspapers told the story of his heroism and gave the police a clue to his whereabouts. He was wanted for burglary committed at the saloon of Heming Surbeck, No. 39 Pike street. He had been arrested on May 24 for the same crime, but had escaped the police. Justice Patterson, in Essex Market, held him in \$1,500 bail to answer. His case has excited no little interest, and the World yesterday received \$5 from C. J. Barrett with the request that it be turned over to Barrett, and expressing the hope that he would heed his mother's dying words.

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0537

# THE HERO-BURGLAR IN THE TOMBS.

Sympathy for Ex-Convict Barrett, Who Saved a Boy's Life.

David Barrett, the ex-convict, who so heroically saved little Charlie O'Connor from drowning at Pier 37 East River last Sunday, was yesterday transferred from Essex Market to the Tombs.

Charlie had been fishing off the pier and tried to climb on a canal boat, but missed his footing and fell into the water. His playmates yelled for help, but the men who heard them thought they were up to some trick and paid no attention to them. David Barrett, however, hurried up and without throwing off his coat or shoes plunged into the water. He was not a moment too soon, for the boy was going down for the third time. By great exertion Barrett got him ashore and dropped himself exhausted and unconscious. An ambulance was summoned and the boy was taken to Gouverneur Hospital, where he soon recovered. Barrett was given stimulants and revived.

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"I have ever since," he said, "and will be honest the rest of my life."

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His case has excited no little interest, and The World yesterday received \$5 from C. W. H., with the request that it be turned over to Barrett, and expressing the hope that he would heed his mother's dying words.



City & County of New York, ss:-

Eliza O'Connor, being duly sworn deposes and says that she is thirty-five years of age, & resides at No 65 Clinton St, City & County of New York. That she first saw David Barrett lately convicted of attempt to commit Burglary, on the first day of June 1890, & that said Barrett had before deponent saw said Barrett, at the risk of his own life, rescued deponent's ~~brother~~ eight year of age from drowning, & that said Barrett refused to accept any gift, or present from deponent. Deponent says the New paper clipping hereto attached describing said rescue is correct, & the best information & belief of deponent. Deponent says that she does not seek to interfere with the enforcement of the law but, that she most humbly prays that sentence may be suspended upon him, to whom deponent is indebted for the life of her child, hoping that a brother's prayers may not only temper justice

POOR QUALITY  
ORIGINAL

0539

but in the means of encouraging  
the unfortunate man, who, so  
generously risked his life, for an-  
other, to lead a better & truer  
life.

Subscribed & sworn }  
before me this 19- } Stiggie a Commissioner  
day of June 1890 }

Wm. A. Wooten

Notary Public

Suffolk County

Cent. filed in City Co

General Session Court

The People vs

— vs —

David Barrett

Affidavit

James Langer

Justice of the Peace

23 Chambers St

New York City

POOR QUALITY  
ORIGINAL

0540

but in the means of encouraging  
the unfortunate man, who, so  
generously risked his life, for an-  
other, to lead a better & truer  
life.

Subscribed & sworn to before me this 19<sup>th</sup> day of June 1890

Wm. A. Hooper

Notary Public

Suffolk County

Cert. filed in Sup. Ct.

General Sessions Court

The People vs

vs

David Garrett

Defendant

James Langer  
Left Counsel  
20 Chambers St  
N.Y. City



21.  
The People  
David<sup>vs</sup> Barnett } Court of General Sessions. Part I  
Indictment for burglary in the third degree. } Before Judge Martine. June 16. 1890.

Henning Furbeck sworn. I live at 253 Clinton Street, and am in the liquor business at 89 Pike Street, corner of South Street. There are fan lights over the doors and two iron bars on them. The night before the 24<sup>th</sup> of May the premises were all secure. I shut up the store on Friday night about a quarter to one o'clock. There was nobody left in the premises - the bar keeper was not there. I had a stock of goods in the store worth from about fifteen hundred to two thousand dollars; the premises are in the 7<sup>th</sup> ward. In the morning on the 24<sup>th</sup> of May when I came to the store I found one of the iron bars taken off the fan light on the Pike St. entrance; it was taken off that night. I have seen the defendant around those premises before this, about a week. I am not personally acquainted with him.

Cross Examined. The iron bars are fastened in to the wood from the outside; there was a pane of glass broken in the fan light. I came to the store between eight and half past eight o'clock. I have known Offen Bully several months before this. I did

POOR QUALITY  
ORIGINAL

0542

not see him every day, I had no talk with him about this only when I was called to go to the station house, the defendant was not present at the time.

Patrick Cully sworn. I am an officer attached to the Seventh precinct as rounds man; on the night of the 22<sup>nd</sup> of May I passed the saloon of the complainant corner of Pike and South sts. about two o'clock in the morning. I know the defendant and saw him about that time on that morning. I was going down South street, and when I reached Pike street. I crossed Pike about fifteen feet on the middle of the street and I heard a noise as if some voices were talking. I looked behind and saw the defendant hanging over the fan light of 89 Pike St. next to the corner of the liquor store and another man was standing on the ground like alongside of the door. I ran over, and with that the defendant dropped from the fan light to the ground. I ran over and grabbed him by the arm. I asked him what was going on there? He says, "the bartender is inside and he owes me a dollar and I want to get it." I said, "He will see about that." I rapped with my club, and as soon



as I did the defendant gave a sudden jerk and ran up through Pike st. I followed him four or five blocks; he came into Pelham street, and he being acquainted with the hallways he got away from me. I did not see him until the second of June, I guess about eight days afterwards. I saw him and two other young men in Market Slip and the officer on post there. I had some talk with the officer and he went down to the slip after the defendant, who sat on the string piece; the officer got him and brought him to me. I took him to the station house, and on the way there he asked me what he was arrested before. I said, "I guess you know." He says, "No, I do not know." I say, "I do." I did not tell him until we went to the station house. He said there that he did not know anything about the charge. I told the sergeant at the desk that this was the man who got away from me a few nights ago for an attempt at burglary on Pike and South streets; the defendant said he knew nothing about it. I have had no conversation with him since.

Cross Examined To my knowledge the 2<sup>nd</sup> of May was the first time I saw



POOR QUALITY  
ORIGINAL

0544

the defendant. At the time I approached him he was down on the ground with his back towards me, he kept his side toward me; it was a pretty clear night; there was a gas light on the opposite corner I believe. That length of time was it from the time you took hold of this party who was hanging to the fan light before he escaped from you? About a minute; the instant I rapped on the door the party I had hold of broke away and ran. I had a good opportunity to look at the man in the face. He had a black spring overcoat on of light weight, a black Derby hat and a check jumper shirt. I chased him four or five blocks after he got away from me. I reported the matter at the station house that morning and gave a description of the man whom I chased. I told the sergeant that he was middling tall, not stout. Kind of thin; had a sandy mustache and his beard looked as though it had not been shaved for a week. No other officer called my attention to the fact that David Barrett might be the man. I had not read an article in the paper on the second of June which stated that Barrett had rescued a child from drowning.

POOR QUALITY  
ORIGINAL

0545

I had heard that a man named David Barrett had rescued a child from drowning on Sunday. I heard it the same day he was arrested. At the time I saw the defendant in Pike St. I did not know his name was David Barrett when I saw him at Pike St. I did not know that until he gave his name in the station house, and then I did not know that he was the young man who it was said to have rescued a child. The iron bar that was pried off the fan light was found in the gutter about fifteen feet from the store. The private watchman on the pier took it to the store of the complainant. I was in the store at three o'clock, he brought it in. After I got through chasing the defendant I woke the bartender up to see if there had been anything stolen in the place.

David Barrett, sworn and examined in his own behalf testified. I am 29 years old and it will be one year in September since I was released from confinement the last time. During that time I have been living with my brother at 85 Pike St. I have heard the testimony of the last witness. I was on the night of May 24, in the house of Martin Dineen at 83 Pike St.; he was

POOR QUALITY  
ORIGINAL

0546

expected to die every moment. I was sitting up with him. I left there at three or five minutes past three; there was present at the time three young men - John Kelly, David Toburn and Dick Toburn. Dineen has since died. I went to the house five minutes after eight and left five minutes after three o'clock. I went out for one pint of beer about 25 minutes after 11 o'clock and was out about ten minutes. I was not out of the house any other time until I left. I have heard the testimony of Officer Cully that he saw me hanging from the fan light; that is not correct. I am not the party he said he had hold of. I did not run up Pike street that night the officer following. I came out of Dineen's house, I went down, my brother had the door locked. I went into the area and slept an hour or two hours. About half past five o'clock in the morning I had a conversation with officers Perkins and Williamson on the corner of Cherry and Catherine sts. Williamson said to me, "Where are you going, Barrett?" I said, "Down on the corner of Oliver and Water sts. to wake up a young man, Jack Leary." He said, "It is a good thing we did not



came across you last night." I said, "What for?" The officer said, "Some one was trying to commit a burglary corner of Pike and South sts., if we came across you we would take you in." I said, "It is a good thing I was not around, my being in prison they would take me any how." He said, "Yes, it is a good thing." I went about my business. Since I came out of prison I have been working around the dry dock with my brother and some times I work alampshire. A short time before this I lost my clothes. I saved a boy on Sunday morning. I went to the corner of Pelham and Cherry sts., I took off my pants, vest and shirt and hung them out and put on those working clothes and went on the top of the roof and hung them on the next line. When I went up in the morning the clothes were stolen except the drawers, the clothes that were stolen were those I had on the night of May 24<sup>th</sup>.

Cross Examined. I went to prison March 29. 1883 for ten years. I got three years and six months off for good behavior. I was sent by Judge Cowing for robbery and felonious assault. Since then I served four months for being drunk and

POOR QUALITY  
ORIGINAL

0548

disorderly I was arrested by Officer O'Neil. I was about 21 years old when I was sentenced for ten years, and before I received that sentence I was in for petty larceny. I was not in the workhouse twice for being drunk and disorderly. Martin Dineen was buried last Sunday. I know Kelly and Dave and Dick Toburn well, and I am sure they were at the house. I don't know where the Toburns live. Dick Toburn used to work at painting and scraping. John Kelly lives at the corner of Pelham and Cherry sts.; he keeps a candy store. It was in Mr. Westlake's liquor store I went in with the clothes. I am not the man who ran up Pelham and Cherry sts. and got away from the officer who was pursuing. I am not the man. When I was arrested I had a long dark spring overcoat on. I had on the same kind of a shirt that I wore on the night of the 24<sup>th</sup> of May. I was at Pelham and Cherry sts. that Sunday morning. I saved the boy's life after coming from the General Hospital, that was on the 1<sup>st</sup> of June, after this burglary was said to have been committed. I was not at Pelham and Cherry sts. the night of the 24<sup>th</sup> when I went out from Dineen. I know Mr. Westlake about

POOR QUALITY  
ORIGINAL

0549

seven or eight months. I know the man at Pelham and Cherry sts. a year ago last September I know that neighborhood pretty well, I know the hallways and the buildings. I lived on the block. I don't know that John Kelly is here. I sent for him two or three times; the last time I sent for him they could not find him at all; he sent word to me that he would come and prove my innocence. I have been in Surbeck's place; we get hired sometimes out of his store for work, painting and scraping. I don't tell you whether there were any iron bars on the fan lights or not. I take the man's word. I suppose there is fan lights. The corner of Pelham and Cherry sts. from 83-Pike street is less than two blocks. I was in Dineen's house at half past two o'clock. I went out about eleven o'clock for a pint of beer from 85-Pike st. <sup>less than</sup> two blocks. I was hit once across the back by Officer Cronin, and to avoid the speers I keep away from Cherry St. Once in a while when Williamson would be there I would go through Cherry St. because I was not afraid of him; he never used me wrong. Officers O'Neill and Cronin were sore on me but I



POOR QUALITY  
ORIGINAL

0550

seven or eight months. I know the man at Pelham and Cherry sts. a year ago last September I know that neighborhood pretty well, I know the hallways and the buildings. I lived on the block. I don't know that John Kelly is here. I sent for him two or three times; the last time I sent for him they could not find him at all; he sent word to me that he would come and prove my innocence. I have been in Sarbeck's place; we get hired sometimes out of his store for work, painting and scraping. I could not tell you whether there were any iron bars on the fan lights or not. I take the man's word. I suppose there is fan lights. The corner of Pelham and Cherry sts. from 83-Pike street is less than two blocks. I was in Dineen's house at half past two o'clock. I went out about eleven o'clock for a pint of beer from 83-Pike st. <sup>less than</sup> ~~is~~ two blocks. I was hit once across the back by Officer Cronin, and to avoid the officers I keep away from Cherry St. Once in a while when Williamson would be there I would go through Cherry St. because I was not afraid of him; he never used me wrong. Officers O'Neill and Cronin were sore on me but I

POOR QUALITY  
ORIGINAL

0551

would always go through Williamson's beat. Cronin and O'Neill said that if I did not keep off their beat they would break my back. I suppose it is because I was in prison. I am sure that conversation took place between these two officers. Mr. Perkins said, "yes, it is a good thing I saw you were not round." I do not recollect telling them I was out all night to a pic nic.

Patrick bully recalled. I remember that when the defendant was arrested he had a black spring overcoat on; there was a little slit down at the tail of it, two little ~~to do with~~ I was not led to believe that the man who was arrested was the one who attempted that burglary because of the long coat that he had on; that did not enter largely into my identification.

Frederick C. Williamson sworn. I am attached to the 7th precinct and was on patrol duty on the 24th of May last on Cherry St. from Catherine & Pike Sts. I saw the defendant in the morning about five o'clock. I did not see him at three o'clock. Officer Perkins was in my company. I saw him corner of Catherine and Cherry Sts. I had some talk with him. There was three

a few people standing by; there was a trifling accident that occurred that attracted my attention and he came along. We called him, and just as soon as he came along and he stopped for a moment. I says to Officer Perkins, "That looks ~~like~~ something like Dave Barrett." Perkins called him immediately. He said to Barrett, "What are you doing out this early in the morning?" He says, "I have been up to Martin Shreeen's house who was sick. I left there at three o'clock and went down Oliver St. to call some scraper that was going to work." He said he was locked out and could not get in. That was about the substance of the conversation. I did not have any more talk with him; there was some rambling talk that did not pertain to the case. I did not say to the defendant it was a good thing he was not around earlier because he would have been taken up for the burglary and I did not hear Officer Perkins say anything of the kind; and he was right alongside of me. I did not hear anything said about that at all and I was right close to him all the time.

Cross Examined. I was at the scene of the burglary but it was after he had escaped. I was



a few people standing by; there was a trifling accident that occurred that attracted my attention and he came along. He called him, and just as soon as he came along and he stopped for a moment. I says to officer Perkins, "That looks ~~like~~ something like Dave Barnett." Perkins called him immediately. He said to Barnett, "What are you doing out this early in the morning?" He says, "I have been up to Martin Jansen's house who was sick. I left there at three o'clock and went down Oliver St. to call some scraper that was going to work." He said he was locked out and could not get in. That was about the substance of the conversation. I did not have any more talk with him; there was some rambling talk that did not pertain to the case. I did not say to the defendant it was a good thing he was not around earlier because he would have been taken up for the burglary and I did not hear officer Perkins say anything of the kind, and he was right alongside of me. I did not hear anything said about that at all and I was right close to him all the time.

Cross Examined. I was at the scene of the burglary but it was after he had escaped. I was

POOR QUALITY  
ORIGINAL

0554

about two or three hundred feet away. I heard a rap on Cherry St. I was near Pike St. I heard two raps, and I turned the corner and ran kind of diagonally across the slip as I thought the rap was there. When I got there I did not find anybody and I rapped them to find out the trouble and I heard another rap. I kind of missed the man that was running by, cutting across the slip. Roundsman Cully said, "he has escaped from me; he has gone some place. I don't know exactly where he ran to." This conversation took place on the corner of Cherry & Pike Sts. I did not see the defendant ~~even~~, but I said to Roundsman Cully, "I think possibly he might have run up this alley. There is a large alley there with stalls in it." Roundsman Cully went up Cherry St. a little way. I ran up the alley and saw a figure on the top of the sheds; he vaulted <sup>over</sup> the top of the shed and I heard a sound as if somebody came down on some flap, and I came to the conclusion that he had escaped into Pike St. I came out of the alley and ran down Cherry to Pike St., and by that time I saw a figure in the distance running towards Munroe St. up Pike St. I rapped my club, and

POOR QUALITY  
ORIGINAL

0555

the figure started on the run and I ran after him. He turned into Munroe St. and then into Pelham St. and I after him. I was I should say about 150 or 200 feet from him when he ran into the hallway of a tenement house in Pelham St. I ran after him, but not knowing the ins and outs of the place I lost him. I was ahead of officer Bully; we were both in pursuit. The man was too far ahead of me to positively identify the man. I could see he had a long coat. It was two o'clock in the morning and was dark. I had a description of Barrett from the other officer, but not a full one.

James J. Perkins sworn. I am a patrolman attached to the 7th precinct. I know the defendant and saw him on the morning of the 24th of May at 5 a.m. Officer Williamson was there. I met the defendant corner of Cherry and Catherine St. and had the conversation with him given by the previous witness. He did not say to him that there had been a burglary committed and it was well for him that he was not there.

The jury rendered a verdict of guilty of an attempt at burglary in the third degree. He was remanded for sentence.



POOR QUALITY  
ORIGINAL

0556

Testimony in the  
case of  
David Barrett  
filed June  
1890

POOR QUALITY  
ORIGINAL

0557

Police Court— 3 District.

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

of No. 253 Clinton Street, aged 39 years,  
occupation Liquor Dealer being duly sworn

deposes and says, that the premises No. 89 Pike Street, 7 Ward  
in the City and County aforesaid the said being a four story brick busi-  
ness building the ground floor and cellar of  
and which was occupied by deponent as a Liquor Saloon  
~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly breaking through  
the Fan-light above the door of said prem-  
ises and forcing therefrom an iron bar which  
was in position to secure the said Fan-  
light

on the 24 day of May 1890 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

A quantity of Liquors and Segars  
of the total value of Two thousand  
Dollars  
\$ 2.000.00

the property of this deponent  
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen and carried away by  
David Barrett (now here)

for the reasons following, to wit: On the <sup>said</sup> night at about  
the hour 12.45 am this deponent se-  
curely locked and fastened the doors  
and windows and fanlights of said  
premises and upon his return he dis-  
covered the said Fan-light broken and  
the said Iron bar forced from its pos-  
ition: and the deponent is now inform-  
ed by Officer Gully of the 4th Pre-

POOR QUALITY  
ORIGINAL

0558

cinch (now present) that on the said date  
and night he the officer saw the defen-  
dant Barrett in the act of dropping  
from the said Fan-light and arrested  
him subsequently the prisoner broke away  
from the officer and after escaping  
was not again seen by the said officer  
until this morning to wit: June 2<sup>d</sup> 1890  
at about the hour of 11 o'clock when  
the said officer re-arrested the said  
Barrett and took him into custody -

Henning Schurbeck

Sporn to before me  
this 2<sup>d</sup> day of June  
1890

Wm Peterson

Police Justice

Dated 1888 Police Justice.

I have admitted the above named  
guilty of the offense within named  
There being no sufficient cause to believe the within named  
Police Justice.

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

I have admitted the above named  
of the City of New York, until he give such bail.

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

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

Police Court, District.

THE PEOPLE, &c.,  
on the complaint of

vs.

1.  
2.  
3.  
4.

Offence—BURGLARY.

Dated

1888

Magistrate.

Officer.

Clerk.

Witness.

No.

Street.

No.

Street.

No.

Street.

\$ to answer General Sessions.



POOR QUALITY  
ORIGINAL

0559

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Patrick Cully*  
aged *36* years, occupation *Police Officer* of No. *the 1st Precinct*  
Street, being duly sworn deposes and

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

Sworn to before me, this *2* day of *June* 188*9* *Patrick Cully.*

*J. D. Patterson*  
Police Justice.

POOR QUALITY  
ORIGINAL

0560

Sec. 198—200.

3

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

David Barrett

Question. How old are you?

Answer.

29 years

Question. Where were you born?

Answer.

U. S.

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

Answer.

85 Pike st

10 months

Question. What is your business or profession?

Answer.

Painter and scraper in the dry docks

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 don't know anything about  
the charge

David Barrett

Taken before me this

2

day of

June

1890

at

Police Justice.

POOR QUALITY  
ORIGINAL

0561

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

Police Court--- 3 868  
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Henry Charles

263 E. Clinton St.

David Barrett

2  
3  
4

Offence

Burglary

Date

June 2 1890

Conder

Officer

Witnesses

W. Williams

Precinct

No.

W. Williams

Street

No.

W. Williams

Street

No.

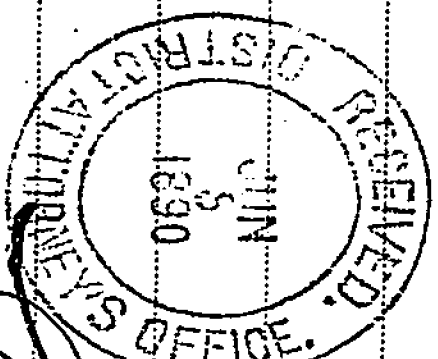
W. Williams

Street

No.

W. Williams

Street



1500 to number  
Conder

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 June 2 1890 J. W. Patterson Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.



POOR QUALITY  
ORIGINAL

0562

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

David Barrett

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

David Barrett

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

The said

David Barrett

late of the Seventh Ward of the City of New York, in the County of New York, aforesaid, on the twenty fourth day of May in the year of our Lord one thousand eight hundred and ninety, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the saloon of one

Henning Swbeck

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

Henning Swbeck

in the said saloon 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.

John R. Fellows,  
District Attorney.

0563

**BOX:**

397

**FOLDER:**

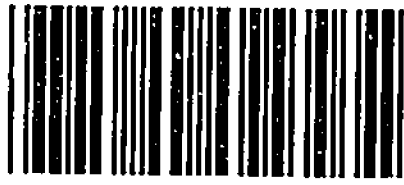
3698

**DESCRIPTION:**

Becker, Frederick

**DATE:**

06/09/90



3698

POOR QUALITY  
ORIGINAL

0564

Witnesses:

*J. W. P. Woodman*  
*Edw. Mc-Cathy*

Counsel,

Filed

Pleads,

day of June 1890

THE PEOPLE

vs.

*Fredrick B. Bickel*

*June 9/90*

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

PETIT LARCENY.

[Sections 528, 532 Penal Code.]

JOHN R. FELLOWS,

*District Attorney.*

A True Bill.

*Charles Higgins*

*Foreman.*



POOR QUALITY  
ORIGINAL

0565

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Frederick Becker*

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

*Frederick Becker*

of the CRIME OF PETIT LARCENY committed as follows:

The said

*Frederick Becker*

late of the City of New York, in the County of New York aforesaid, on the *thirty first*  
day of *May* in the year of our Lord one thousand eight hundred and  
~~eighty ninety~~, at the City and County aforesaid, with force and arms,

*one box, of the value of one  
dollar, six knives of the value  
of fifty cents each and six  
forks of the value of fifty  
cents each*

of the goods, chattels and personal property of one

*James W. Broadman*

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

*John R. Bellows,  
District Attorney.*

0566

**BOX:**

397

**FOLDER:**

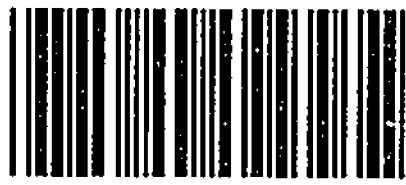
3698

**DESCRIPTION:**

Bennett, Benjamin S.

**DATE:**

06/30/90



3698

POOR QUALITY  
ORIGINAL

0567

Bail fixed at \$500.

R.H.

Witnesses:

Wm H. Hammond

Counsel,

Filed 30 day of Aug 1890

Pleads, C. H. Kelly July 16

THE PEOPLE

25 W 35 23.

25 W 35 23.

Benjamin S. Bennett

Forgery in the Second Degree.  
[Sections 511 and 521, Penal Code.]  
(Indorsement, etc)

JOHN R. FELLOWS,

District Attorney.

Filed July 16/90

A True Bill

part of September 19/90

Pleads guilty - 25

Francis H. Hagan

Foreman.

Sept 17/90

Self + 500

all of 1990



Know all men by these presents;  
that, I, William K. Hammond  
of the town of Story Point, Rockland  
County, have made, constituted  
and appointed, and by these  
presents do make, constitute and  
appoint Benjamin S. Bennett of  
New York City, my true and  
lawful attorney for me and in  
my name place and stead, for  
the purpose of making and sign-  
ing checks, <sup>in the conduct of my business in the city of New York</sup> giving and granting  
into my said attorney full  
power and authority to do and  
perform all and every act and  
thing whatsoever requisite and  
necessary to be done in and about  
the premises, as fully, to all in-  
tents and purposes as I might  
or could do

I am witness whereof I have hereto  
set my hand and seal This 16<sup>th</sup> day  
of February 1888

Sealed and delivered in  
presence of  
Fred. W. Penney

W. K. Hammond

State of New York )  
Rockland County ) ss.

On this 16<sup>th</sup> day of Feb-  
ruary in the year one thousand  
eight hundred and eighty-eight  
before me personally came William  
K. Hammond to me known and  
known to me to be the individual  
described in and who executed  
the foregoing instrument and  
acknowledged that he executed  
the same

Fred. W. Penny  
Justice of the Peace

W. K. Hammond

to

B. D. Bennett

Notary  
Feb 17 / 1888

POOR QUALITY  
ORIGINAL

0570

W. K. HAMMOND,

624 W. 30th STREET,

MANUFACTURERS AGENT

FOR THE SALE OF ALL KINDS OF

BUILDING BRICK.

LIGHT DRAFT VESSELS TO CHARTER.

Telephone, No. 723-39.

New York, Sept 23 1883

Fred. D. House Esq.,

Dear Sir.

In reply to your inquiry of this day.  
Jewett was a long time in my employ.  
was very useful to me, and faithful.  
I came to have confidence in him, and  
trusted him. After the 30th of May last, the  
day he absconded. A while more than ten days  
when I found my bank to short, I had no  
the smallest suspicion of his money doing.  
now that he is a self confessed forger, I  
have only pity for him, and regret, and I  
desire to say very frankly, that any disposition  
which the Court may make of his person  
will be satisfactory to me.

Very truly  
W. K. Hammond



Know all men by these presents;  
that, I, William K. Hammond  
of the town of Stony Point, Rockland  
County, have made, constituted  
and appointed, and by these  
presents do make, constitute and  
appoint Benjamin S. Bennett of  
New York City, my true and  
lawful attorney for me and in  
my name place and stead, for  
the purpose of making and sign-  
ing checks, <sup>in the conduct of my business in the city of New York</sup> giving and granting  
into my said attorney full  
power and authority to do and  
perform all and every act and  
thing whatsoever requisite and  
necessary to be done in and about  
the premises, as fully, to all in-  
tents and purposes as I might  
or could do.

I am witness whereof I have hereunto  
set my hand and seal This 16<sup>th</sup> day  
of February 1888

Sealed and delivered in  
presence of  
Fred. W. Penny

W. K. Hammond

State of New York )  
Rockland County ) ss.

On this 16<sup>th</sup> day of Feb-  
ruary in the year one thousand  
eight hundred and eighty-eight  
before me personally came William  
K. Hammond to me known and  
known to me to be the individual  
described in and who executed  
the foregoing instrument and  
acknowledged that he executed  
the same

Fred. W. Perry  
Justice of the Peace

W. K. Hammond

to

B. S. Bennett

1888

Feb 17

Rockland Co. N.Y.

POOR QUALITY  
ORIGINAL

0573

W. Fox & Co.,  
DRY GOODS,  
SIXTH AVENUE, 15TH & 16TH STS.

New York, - Sept 25<sup>th</sup> 1890

Shaw Jas Fitzgerald.

Dear Sir

The bearer in  
Cam & Moore, has been  
summoned as a juror -  
As this is our busy season  
will you kindly excuse  
him for the present, and  
confer a favor on

Yours truly  
B. C. Parker  
formerly with  
Le Boutillier Bros  
23<sup>rd</sup> St



POOR QUALITY  
ORIGINAL

0574

PACIFIC BANK,  
470 BROADWAY.

H. B. BRUNDRETT, PRESIDENT,  
O. G. WALBRIDGE, VICE-PRESIDENT,  
S. C. MERWIN, CASHIER

NEW YORK,

Nov<sup>r</sup> 19<sup>th</sup> 1882

Mr Hoadley, Lantabach & Johnson

NY City

Re: Your announcement postponement of the  
'Hammond' Case rec'd by telephone in  
I wish to add to my statement  
that Mr Gabriscki (bookkeeper) will testify to  
his belief in the genuineness of the check  
paid out of Hammond's ac. and charged  
by him. The paying teller & he together will  
make the evidence strong, as both are experts  
being familiar with Hammond's signature  
for the past 8 or 10 yrs.

Mr Luyties simply testifies to delivering the  
pass book & vouchers to this man  
'Bennet' (who is accused of destroying every thing)  
while the bookkeeper was at his luncheon

Yours truly  
H. B. Brundrett  
H

POOR QUALITY  
ORIGINAL

0575

Francis L. Leland, President  
Frank G. Lee, Vice Pres.

Wm. H. Johnson, Cashier

New York County National Bank

New York, 11 Feb 1891

Acting Sergeant Leon Benn:

Dear Sir:

I understand that  
the case against Bennet  
who forged W. H. Hammond's  
endorsement on a \$1000  
check has been disposed  
of. I would accordingly  
thank you to return  
me the check which I  
entrusted to you for the  
purpose of securing the  
instrument & which you  
agreed to become respon-  
sible for very respectfully  
Thomas A. Carter

POOR QUALITY  
ORIGINAL

0576

N.Y. Feb 13/91

Recd from John Sparks  
Chief of the Court of General  
Sessions Check on the  
14<sup>th</sup> Ward Bank dated May 27,  
1890 - for one thousand  
Dollars (\$1000<sup>00</sup>) drawn in  
favor of Wm H Mildoon  
by Henry M Brundheim.

The endorsement on same  
having been forged by one  
Benjamin S Brundheim who  
was sentenced to the House  
of Reformation.

Stephen D. Davis

Det Sergeant  
300 Mulberry St



POOR QUALITY  
ORIGINAL

0577

W. K. HAMMOND,  
624 W. 30th STREET,  
MANUFACTURERS AGENT  
FOR THE SALE OF ALL KINDS OF  
BUILDING BRICK.  
LIGHT DRAFT VESSELS TO CHARTER.

Telephone, No. 723-39.

New York, May 29 1888

Officers of Pacific Bank  
470 Broadway

Being now nearly recovered from the sickness  
which prostrated me during 1887, and for  
which it was necessary for me to give  
power of attorney to Mr. P. S. Bennett of  
my employ, I now desire - and do hereby revoke  
the said power of attorney heretofore given and  
Mr. Bennett will not sign for me under the  
power of attorney heretofore authorizing him,  
and this is not to be understood as evidence  
of my lack of entire confidence in him, but  
I consider one enough to sign.

Very Respectfully  
W. K. Hammond

POOR QUALITY  
ORIGINAL

0578

THE  
Building Material Exchange,

OF THE  
CITY OF NEW YORK,  
NO. 59 TO 65 LIBERTY STREET,

New York. Aug 15 1890

"To Whom it may concern"

I have had dealings  
with Benj. S. Bennett  
on the floor of this  
Exchange for 4 years  
and have always  
found him honest,  
upright, and worthy  
of confidence.

Otto E. Reimer

POOR QUALITY  
ORIGINAL

0579

THE  
Building Material Exchange,

OF THE

CITY OF NEW YORK.

NO. 59 TO 65 LIBERTY STREET,

New York. Aug 18<sup>th</sup> 1890

We the undersigned  
have known Mr  
B. J. Bennett  
for five years and  
have always found him  
an honest young man

Signed

Chas. W. McNeely

Geo. M. Linton

W. H. Linton

Chas. W. Jackson

J. C. L. & Co.

Henry B. Beveler

Alto E. Reimer

John H. Miller

Patrick H. Mac

all members of the N. Y. B. M. Exchange



**POOR QUALITY  
ORIGINAL**

0580

City and County of New York, ss:

William K. Hammond, being duly sworn, deposes and says:

I. That he is a merchant-- a dealer in brick-- having his place of business at No. 624 West 30th street in the City of New York. That on the 27th day of May, 1890, Henry M. Bendheim drew his check, directed to the Nineteenth Ward Bank, payable to the order of Wm. H. Muldoon, for the sum of One thousand dollars, which check was in the words and figures following:

"No.-----

New York, May 27, 1890.

NINETEENTH WARD BANK

Third Ave. & 57th Street

PAY TO THE ORDER OF

WM. H. MULDOON-----\$ 1000.00

One Thousand 00/100----- Dollars

HENRY M. BENDHEIM"

II. That the said Muldoon on the same day endorsed the said check to deponent by an endorsement on the back of said check, in the words following:

"Pay to the order of

W. K. Hammond

Wm. H. Muldoon"

III. That the endorsement of the name "W. K. Hammond," on the back of said check was not made by this deponent, is not in his handwriting, and was not authorized by him. That the said endorsement of this deponent's name on the back of said check is in the handwriting of Benjamin S. Bennett. That said Bennett was not authorized to endorse said

**POOR QUALITY  
ORIGINAL**

0581

check in the name of this deponent, and that this deponent's  
said signature was forged.

And further deponent says not.

Sworn to before me this)

19th day of June, 1890. )

*W. D. Daniels*  
Notary Public.  
N.Y. Co.

*W. D. Daniels*

POOR QUALITY  
ORIGINAL

0582

*Let Me!*  
*AGAINST*

*Affidavit of*  
*W. R. Hammond*

NELSON SMITH,

*Counsel for*

7 MURRAY STREET, NEW YORK.



POOR QUALITY  
ORIGINAL

0583

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Thomas A. Parviter*

aged 30 years, occupation Book keeper of No. 49. S. Thomas New York County National Bank  
Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of W. R. Hammond  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 17

day of April

1888

*Thomas A. Parviter*

*A. A. Jan*  
Police Justice.

POOR QUALITY  
ORIGINAL

0584

Police Court, 2 District

City and County of New York, ss.

of No. 634 West 30th Street, aged 40 years,  
occupation Brick being duly sworn, deposes and says,

that on the 27 day of May 1890, at the City of New York, in the County of New York, Benjamin S. Bennett (workman)

did commit the crime of Forgery with intent to injure and defraud deponent feloniously did falsely make, forge and counterfeit, and cause ~~the~~ procure to be falsely made, forged and counterfeited and willingly act, and assist in the false making, forging and counterfeiting of a certain Check (hereto attached) which said false, forged and counterfeited Check is as follows that is to say that the said defendant Benjamin S. Bennett was in deponent's employ as Bookkeeper and Confidential Clerk and collector and in the capacity of collector the said defendant Bennett collected a bill from one William H. Muldoon to the amount of One thousand dollars receiving therefor the attached Check of Henry M. Bendheim.

The said defendant failed to turn over the said Check to deponent but forged deponent's endorsement thereto and deposited the same to his account in the New York County National Bank Cor 14 Street and 8 Avenue.

The said defendant Bennett has since drawn on the said bank until there is only a balance of Two dollars and ninety seven Cents left to the said defendant's account as deponent is informed by Thomas A. Painter Bookkeeper in the New York County National Bank.

Wm. H. Muldoon

304 E. 8th St

Subscribed before me  
this 17 day of June 1890  
O. W. Smith  
Notary Public



0505

Residence ...

4

28

~~Offense~~

~~Direct~~

.....

i

## REFERENCES

...

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2

—

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



POOR QUALITY  
ORIGINAL

0586

CITY AND COUNTY }  
OF NEW YORK, } ss.

William H. Muldoon

aged 26 years, occupation Builder of No.

304 East 87<sup>th</sup> Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of William H. Muldoon

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

Sworn to before me, this 17 day of June 1886 } Wm H. Muldoon

[Signature]  
Police Justice

POOR QUALITY  
ORIGINAL

0587

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Benjamin S. Bennett

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

— Benjamin S. Bennett —

of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said

Benjamin S. Bennett,

late of the City of New York, in the County of New York aforesaid, on the ~~nineteenth~~ day of ~~May~~, — in the year of our Lord one thousand eight hundred and ~~eighty-ninth~~, at the City and County aforesaid, having in ~~his~~ custody a certain instrument and writing, ~~to wit: an order for the payment of money of the said called bank cheque~~ — which said ~~bank cheque~~ — is as follows, that is to say:

"No.

New York May 27 1890.

Nineteenth Ward Bank

Third Ave. & 54th Street.

Pay to the order of Wm. H. Muldoon — \$1000.00

One Thousand <sup>00</sup>/<sub>100</sub> ————— Dollars.

Henry M. Bendheim

on the back of which said bank cheque there was then and there written a certain endorsement as follows to wit: "Pay to the order of W. H. Muldoon, Wm. H. Muldoon" the said Benjamin S. Bennett, —

afterwards, to wit: on the day and in the year

aforesaid, with force and arms, at the City and County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly act and assist in forging on the

— back — of the said bank cheque — a certain instrument and writing commonly called an endorsement which said forged instrument and writing commonly called an endorsement is as follows, that is to say:

"W. H. Hammond,"

with intent to defraud, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

POOR QUALITY  
ORIGINAL

0588

SECOND COUNT—

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

— Benjamin S. Bennett —

of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said Benjamin S. Bennett,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid having in his possession a certain instrument and writing,

to wit: an order for the payment of money of the kind called bank cheques

which said bank cheque is as follows, that is to say:

No. New York May 27 1890  
Nineteenth Ward Bank  
Sixth Ave. & 57th Street  
Pay to the order of Wm. H. Muldoon \$1000 00  
One Thousand 00 Dollars,  
Henry M. Baudheim

on the back of which said bank cheque there was then and there written a certain endorsement as follows, to wit: "Pay to the order of W. H. Hammond, Wm. H. Muldoon," and

on the back of which said bank cheque there was then and there written a certain forged instrument and writing commonly called an endorsement of the said last-mentioned bank cheque which said forged instrument and writing, commonly called an endorsement is as follows, that is to say:

"W. H. Hammond,"

with force and arms, the said forged endorsement then and there feloniously did utter, dispose of and put off as true, with intent to defraud, — he — the said Benjamin S. Bennett then and there well knowing the premises, and that the said endorsement was forged, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.



0589

**BOX:**

397

**FOLDER:**

3698

**DESCRIPTION:**

Bennis, William

**DATE:**

06/09/90



3698

0590

**BOX:**

397

**FOLDER:**

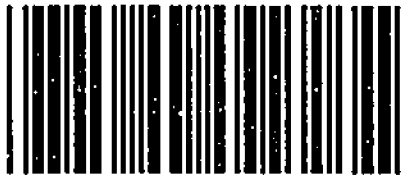
3698

**DESCRIPTION:**

Spencer, John H.

**DATE:**

06/09/90



3698

Witnesses;  
Louis Rothblat  
J. Collins

0591

THE PEOPLE

vs.

William Dennis

John H. Spencer

Defendant in the first degree,  
and accessory in the first degree —  
[Section 496, 506, 528, 530 & 550].

I have enclosed  
 Part I  
 Oct 15/1890 Oct 21/90.  
 Foreman.  
 Oct 21/1890  
 Presd. & Accepted



0592

POOR QUALITY  
ORIGINAL

Bail fixed at \$1000  
July 2/90  
RBC

Wmcs88;

Louis Kobalsky  
Off Collins

Counsel, Rudy  
Filed day of June 1890  
Pleads, L. H. Kelly

THE PEOPLE

vs.

William Dennis

John H. Spencer

Indictment in the first degree  
Grand Jurors in the first degree  
Section 496, 506, 528, 530 & 531.

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL

Benny discharged  
in his own acquittal  
by consent of District  
Attorney. RBC  
Oct 23/90

Francis Higgins  
Part I  
Foreman.  
Oct 15 1890 Oct 21/90  
Oct 21/90 Oct 21/90  
Chas. H. Higgins

POOR QUALITY  
ORIGINAL

0593

COURT OF GENERAL SESSIONS.

-----:  
.....P  
The People :

vs. :

William Bennis. :  
-----:

Sir:-

Please take notice that I will move in Part One of the Court of General Sessions, upon the indictment and all the proceedings had in this case for the dismissal of the indictment in the above entitled action, on Thursday the 23rd day of October, 1890, at eleven o'clock in the forenoon or as soon thereafter as Counsel can be heard, and for such other and further relief as to the Court may seem just in the premises.

Yours &c

Purdy & McLaughlin,

Counsel for Defendant,

No. 280 Broadway, City

To:-

John R. Fellows Esq.,

Dist. Atty. &c.

POOR QUALITY  
ORIGINAL

0594

STATE OF NEW YORK,  
STATE AND COUNTY OF NEW YORK, } ss. :

\_\_\_\_\_ being duly  
sworn, says that he resides at No. \_\_\_\_\_ Street, in the City of  
New York; that he is \_\_\_\_\_ years of age; that on the \_\_\_\_\_ day of \_\_\_\_\_  
18 \_\_\_\_\_, at Number \_\_\_\_\_ in the City of  
New York, he served the within \_\_\_\_\_ on \_\_\_\_\_  
the \_\_\_\_\_ by leaving a copy thereof with \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sworn to before me this  
day of \_\_\_\_\_ 189 \_\_\_\_\_ }

*J. J. Grant of New York*  
*The People*

Plaintiff

against

*William Bennis*

Defendant

*Notice of Motion*

PURDY & McLAUGHLIN,

Attorneys for Defendants

No. 280 BROADWAY, New York City

Due and timely service of copy of the  
within is hereby admitted  
this 22 day of Oct 1890

Attorney.

*John R. Bellows*  
*Proctor*  
*Page*



POOR QUALITY  
ORIGINAL

0595

COURT OF GENERAL SESSIONS

-----  
The People &c

vs.

William Bemmis and

John Spencer  
-----

Sir:-

Please take notice that I will move in Part ~~II~~<sup>I</sup> of  
the Court of General Sessions of the Peace on Wednesday  
the 2nd day of July 1890 to have bail fixed in the above  
entitled action or for such other and further releif as  
to the Court may seem just in the premises.

Yours &c.

Purdy & McLaughlin,

Counsel for defendants,

280 Broadway,

New York.

To:-

John R. Fellows Esq.,

District Attorney &c.

POOR QUALITY  
ORIGINAL

0596

STATE OF NEW YORK,  
STATE AND COUNTY OF NEW YORK, } ss.:

.....being duly  
sworn, says that he resides at No ..... Street, in the City of  
New York; that he is ..... years of age; that on the ..... day of .....  
18 ....., at Number ..... in the City of  
New York, he served the within ..... on .....  
the ..... by leaving a copy thereof with .....

Sworn to before me this  
day of ..... 18 }.

*James J. Connelley*  
*et al*  
Plaintiff,

against

*William J. Barrows & Co*  
*et al*  
Defendant.

*Notice of Motion*

PURDY & McLAUGHLIN,  
Attorneys for

No. 280 BROADWAY, New York City.

Due and timely service of copy of the within  
notice of motions hereby admitted  
this 21 day of July 1890

*Clayton H. Hodge*  
Attorney  
To .....

POOR QUALITY  
ORIGINAL

0597

COURT OF GENERAL SESSIONS.

-----  
The People

vs.

William Bennis.  
-----

Sir:-

Please take notice that I will move in Part One of the Court of General Sessions, upon the indictment and all the proceedings had in this case for the dismissal of the indictment in the above entitled action, on Thursday the 23rd day of October, 1890, at eleven o'clock in the forenoon or as soon thereafter as Counsel can be heard, and for such other and further relief as to the Court may seem just in the premises.

Yours &c

Purdy & McLaughlin,

Counsel for Defendant,

No. 280 Broadway, City

To:-

John R. Fellows Esq.,

Dist. Atty. &c.



POOR QUALITY  
ORIGINAL

0598

STATE OF NEW YORK,  
STATE AND COUNTY OF NEW YORK, } ss. :

.....being duly  
sworn, says that he resides at No. .... Street, in the City of  
New York; that he is ..... years of age; that on the ..... day of .....  
18 ....., at Number ..... in the City of  
New York, he served the within ..... on .....  
the ..... by leaving a copy thereof with .....

Sworn to before me this

day of

189

*U. S. Court of New York*  
*The People*

Plaintiff

against

*William Bernier*

Defendant

*Notice of Motion*

PURDY & McLAUGHLIN,

Attorneys for *Defendants*

No. 280 BROADWAY, New York City

Due and timely service of copy of the  
within ..... hereby admitted

this 22 day of ..... 1898

Attorney.

*To John A. Williams Esq.*  
*Attorney*

POOR QUALITY  
ORIGINAL

0599

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*William Beunis*

Question. How old are you?

Answer.

*21 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*322 Cherry Street 5 years*

Question. What is your business or profession?

Answer.

*Druggist*

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

Answer.

*I am not guilty*  
*William Beunis*

Taken before me this  
day of *April* 1899

Police Justice.

0600

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POOR QUALITY  
ORIGINAL

0601

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 25 years, occupation Police Officer of No. 7<sup>th</sup> Precinct

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Louis Kabaesky

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

Sworn to before me, this 28  
day of May 1890

1890

James Collins

J. D. Blunt

Police Justice.

POOR QUALITY  
ORIGINAL

0602

Police Court—

3 District.

City and County } ss.:  
of New York,

of No.

334 Cherry

occupation

Tailor

Street, aged 26 years,

being duly sworn

deposes and says, that the premises No

334 Cherry

Street,

7<sup>th</sup> Ward

in the City and County aforesaid the said being a

five story brick

tenement house the second floor rear

and which was occupied by deponent as a

boarding apartment

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

Rachel Kobalsky

Joseph Krivians and Deponent

were BURGLARIOUSLY entered by means of forcibly

raising the

window on said floor.

on the

28

day of

May

1899

in the

night

time, and the

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

Two silver watches one Gold chain  
one pair pants one overcoat one  
vest two jackets one shirt and  
one shawl the whole value  
amounting three dollars

\$ 73 <sup>00</sup>/<sub>100</sub>

the property of

Deponent

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

John Spencer and William Blum's  
(both now here)

for the reasons following, to wit:

at the hour of one o'clock  
A.M. on said date deponent closed the  
windows and doors of said rooms at the  
hour of four o'clock A.M. on said date  
deponent was informed by Joseph  
Krivians that the windows were open  
and that he had missed some property.  
Deponent thereupon made search and  
found the aforesaid property was

POOR QUALITY  
ORIGINAL

0603

Missing and the windows leading to  
the fire escape were open.

Deponent is  
informed by Officer Collins of the 4th  
precinct that he arrested the defendants  
and ~~that~~ the said <sup>these</sup> ~~defendants~~ found papers on  
the street which papers deponent  
has identified as having been in the  
pocket of deponents coat. Deponent  
therefor charges the defendants with  
having Burglariously entered said premises  
and did carry away and steal said  
property and says that they intend  
to answer

Louis L. Kobolsky  
Sworn to before me  
this 28<sup>th</sup> day of May 1890

*[Signature]*

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated \_\_\_\_\_ 188\_\_\_\_  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated \_\_\_\_\_ 188\_\_\_\_  
There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated \_\_\_\_\_ 188\_\_\_\_  
Police Justice.

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—BURGLARY.

1  
2  
3  
4

Dated

188

Magistrate.

Officer.

Clerk.

Witness.

No.

Street.

No.

Street.

No.

Street.

\$ to answer General Sessions.



POOR QUALITY  
ORIGINAL

0604

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

3 District Police Court.

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

Question. What is your name?

Answer. *John Spencer*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *332 Cherry Street 6 years*

Question. What is your business or profession?

Answer. *Baker.*

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

Answer.

*I am not guilty -  
John H. Spencer*

Taken before me this  
day of *May* 18*92*

Police Justice.

0605

*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 They be held to answer the same and They be admitted to bail in the sum of Twenty Hundred Dollars, Each, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until They give such bail.

Dated.....May 28.....1890.....✓.....Police Justice.

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

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

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

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

POOR QUALITY  
ORIGINAL

0606

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

William Dennis and  
John H. Spencer

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

William Dennis and John H. Spencer  
of the CRIME OF BURGLARY IN THE *first* DEGREE, committed as follows:

The said *William Dennis and John H. Spencer, both*  
late of the *Seventh* Ward of the City of New York, in the County of New York  
aforesaid, on the *Twenty-eighth* day of *May*, in the year  
of our Lord one thousand eight hundred and *ninety*, with force and arms, about the  
hour of *Three* o'clock in the *night* time of the same day, at the Ward,  
City and County aforesaid, the dwelling house of one *Denis Kordalany*

there situate, feloniously and burglariously did break into and enter, there being then and there  
some human being, to wit: *The said Denis Kordalany,*

within the said dwelling house, with intent to commit some crime therein, to wit: the goods,  
chattels and personal property of the said *Denis Kordalany,*

in the said dwelling house then and there being, then and there feloniously and burglariously to  
steal, take and carry away; *The said William Dennis, and*  
*John H. Spencer, and each of them, being*  
*then and there assisted by a confederate*  
*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.



POOR QUALITY  
ORIGINAL

0607

SECOND COUNT—

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

*William Dennis and John H. Spencer*  
of the CRIME OF *Grand* LARCENY in the first degree, committed as follows:

The said *William Dennis and John H. Spencer, both*

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

*Two watches of the value of fifteen dollars  
each, one chain of the value of twelve dollars,  
one pair of trousers of the value of six  
dollars, one overcoat of the value of twelve  
dollars, one coat of the value of two dollars,  
Two gloves of the value of one dollar  
each, one shirt of the value of one dollar,  
one blouse of the value of one dollar, and  
Ten pieces of paper of the value of one  
cent each piece, —*

of the goods, chattels and personal property of one *Dennis H. H. H. H. H.*

in the dwelling house of the said *Dennis H. H. H. H. H.*

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.

POOR QUALITY  
ORIGINAL

0608

THIRD COUNT—

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

*William Dennis and John H. Spencer*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *William Dennis and John H. Spencer, both*

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

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

of the goods, chattels and personal property of one *Daniel Katschberg*

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

unlawfully and unjustly, did feloniously receive and have; the said *William Dennis and John H. Spencer*

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.

JOHN R. FELLOWS,  
District Attorney.

0609

**BOX:**

397

**FOLDER:**

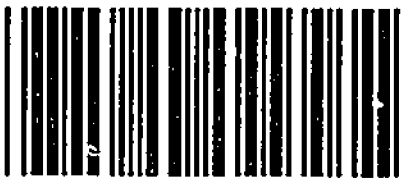
3698

**DESCRIPTION:**

Berger, David

**DATE:**

06/11/90



3698



06 10

**BOX:**

397

**FOLDER:**

3698

**DESCRIPTION:**

Fischer, Jacob

**DATE:**

06/11/90



3698

06 11

**CORRECTION**

06 12

**BOX:**

397

**FOLDER:**

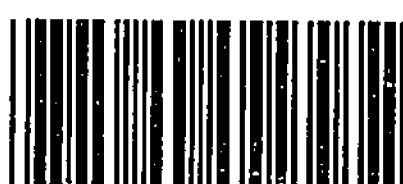
3698

**DESCRIPTION:**

Berger, David

**DATE:**

06/11/90



3698



06 13

**BOX:**

397

**FOLDER:**

3698

**DESCRIPTION:**

Fischer, Jacob

**DATE:**

06/11/90



3698

POOR QUALITY  
ORIGINAL

06 14

Witnesses;

Chas. H. Hildreth

Counsel,

Filed

day of

June 18 90

Pleads,

Chicago, Ill. 13

THE PEOPLE

vs.

David Berger

Jacob Fischer

JOHN R. FELLOWS,

District Attorney.

Grand Larceny Second degree  
[Sections 528, 531, 550, Penal Code.]

Upon examination, I recommend the  
discharge of the deft. Berger upon his  
own recognizance, and release of bail.

June 22/90. J. D. Parker

Off.

A True Bill.

Chas. H. Hildreth  
June 23/90 Foreman.  
On recon. of Dist. Atty.  
Bail checked as to  
deft. Berger - P. B. M.

POOR QUALITY  
ORIGINAL

0615

Police Court

District

Affidavit—Larceny.

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

Theodore Klein

of No. 74 Hudson Street, aged 68 years,  
occupation Tailor being duly sworn

deposes and says, that on the 15 day of May 1880 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

one hundred Gulden  
one Government bond known as an Austrian  
Government bond of the issue of the year  
1864 series 3855 number 52 issued by the  
Austrian government and of the value  
of seventy three dollars and upwards in the  
lawful money of the United States

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 Jacob Fischer and David Berger

under the following circumstances: On  
said 15 day of May 1880 at about a quarter past  
twelve o'clock in the afternoon said Jacob Fischer  
called on deponent and said that he had been  
sent by the ~~Austrian~~ Bank to get  
from deponent a certificate for an Austrian bond  
of the year 1864 — that said bond had been  
redeemed and that I must give him my  
certificate so as to get the bond. I told him I  
already had the original bond, but said Jacob  
Fischer said no — it was only the certificate.  
I produced my original bond and he took it  
away saying it was only the certificate and  
that he would bring me the bond. He never came

Sworn to before me, this 1880 day

Police Justice.



POOR QUALITY  
ORIGINAL

06 16

back and I never received back said bond.  
Within less than half an hour thereafter as I learn from  
the annexed affidavit of Morris Kertenstein  
said Jacob Fischer and David Berger offered  
said bond for sale to said Kertenstein at the Parkview  
House of Henry Dischhoff 325 Lexington Building  
Room 201 New York City and on the same day  
at a sale a quarter to one in the afternoon said  
said bond to said Kertenstein as a cash for said  
Henry Dischhoff for seventy one dollars. Dependent  
therefore charges said Jacob Fischer and said David  
Berger with the crime of grand larceny and said  
David Fischer with the crime of receiving stolen property  
and alleges that said Jacob Fischer and David Berger  
acting in concert feloniously took and carried away  
said Justice Department bond series 3855 number 52 of  
the first series of one hundred grand jury warrants  
from the possession and custody of Dependent and deprived  
and deprive Dependent of the use and benefit thereof  
and that said David Berger feloniously received said  
bond knowing that the same had been stolen from Dependent  
and sold the same and received the proceeds  
thereof

Shown to before me this  
fifth day of June 1938  
R. T. McMahon  
Police Justice

Theodore Klein

POOR QUALITY  
ORIGINAL

0617

CITY AND COUNTY } ss.  
OF NEW YORK, }

POLICE COURT, 1<sup>12</sup> DISTRICT.

of No. *Central Office* Street, aged \_\_\_\_\_ years,  
occupation *Officer* being duly sworn deposes and says  
that on the *2<sup>nd</sup>* day of *June* 188*9*  
at the City of New York, in the County of New York *he arrested*

*David Berger (now ~~Charles~~) charged*  
*with the carrying of a Bond of the*  
*value of One hundred and two dollars.*

*Deponent asks that said*  
*David Berger be committed for exam-*  
*ination, so as to enable deponent*  
*to produce proper evidence in Court.*

*Chas Heideberg*

Sworn to before me, this

*3<sup>rd</sup>* day

of *June* 188*9*

*at New York*

Police Justice.



POOR QUALITY  
ORIGINAL

06-18

Police Court-- 1-- District.

THE PEOPLE, & c.,

ON THE COMPLAINT OF

Charles Heidelburg

vs.

David Berger

Refused 32 Wingham

AFFIDAVIT.

Dated June 7<sup>th</sup> 1890

W. M. M. Magistrate.

Heidelburg Officer.  
C. D.

Witness,

Disposition,

1000.00 24 June 5 2 P.M.  
DO June 6 2 P.M.



POOR QUALITY  
ORIGINAL

06 19

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, DISTRICT.

*Morris Kirtenstein*  
of No. *59 East Avenue C* ~~Street~~, aged *35* years,  
occupation *clerk* being duly sworn deposes and says

that on the *15<sup>th</sup>* day of *May* 188*8*  
at the City of New York, in the County of New York *at about 12.25 PM.*

*me Jacob Fischer and me David Berger called  
at the office of Henry Rischhoff 777 1/2 New York and offered  
me an Indian Government Bond of the issue of 1864 series  
3855 number 52 for sale, I offered them seventy ~~one~~ dollars,  
they wanted more and as I declined to pay more they left.  
At about a quarter before one o'clock in the same afternoon  
said David Berger returned and sold me the bond  
for seventy one dollars, which sum I then there paid  
to him in lawful money of the United States.  
I knew this David Berger before and  
had repeatedly done business with*

Sworn to before me, this

of

188

day

Police Justice.

POOR QUALITY  
ORIGINAL

0620

him before.

Arraigned before me } Morris Hirsenstein  
this 1st day of June 1890 }  
A. T. McMahon  
Police Justice

Police Court-- District.

AFFIDAVIT.  
THE PEOPLE, & C.,  
ON THE COMPLAINT OF  
vs.

Dated.....188

Magistrate.

Officer.

Witness,

Disposition,

POOR QUALITY  
ORIGINAL

0621

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*Samuel Berger*  
*David Berger*

Taken before me this

day of

1893

Police Justice



POOR QUALITY  
ORIGINAL

0622

BAILEY, *Marion's*  
No. 1, by *Marion's*  
Residence *321 E. 11th Street*  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court---

1894  
District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Marion's*  
*Marion's*  
*Marion's*  
*Marion's*

Offense *Shooting*  
*Property*

Dated

*June 6 - 1894*

No.

*Marion's*

Residence

*Marion's*

No.

*Marion's*

Witness

*Marion's*

No.

*Marion's*

Residence

*Marion's*

No.

*Marion's*

Residence

*Marion's*

No.

*Marion's*

Residence

*Marion's*

No.

*Marion's*

Residence

*Marion's*

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 *Marion's*

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

Dated *June 6 - 1894* *W. T. McMahon* Police Justice.

I have admitted the above-named *Marion's* to bail to answer by the undertaking hereto annexed.

Dated *June 6 - 1894* *W. T. McMahon* Police Justice.

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

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

POOR QUALITY  
ORIGINAL

0623

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Daniel Senager and  
Jacob Fischer*

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

*Daniel Senager and Jacob Fischer*

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

The said *Daniel Senager and Jacob*

*Fischer, both* \_\_\_\_\_

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

*one bond and written obligation issued  
by the government of the Austrian Empire,  
of the denomination of and for the  
payment of the sum of one hundred  
guilder in lawful money of the said  
Empire (a more particular description of  
which said bond and written obligation  
is to the Grand Jury aforesaid unknown), of  
the value of currently three dollars,* \_\_\_\_\_  
of the goods, chattels and personal property of one *Theodore Klein,* \_\_\_\_\_

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.

POOR QUALITY  
ORIGINAL

0624

SECOND COUNT—

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

David Berger

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said David Berger,

late of the City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, one bond and written obligation issued by the government of the Austrian Empire, of the denomination of and for the payment of the sum of one hundred gulden in lawful money of the said Empire, (a more particular description of said bond and written obligation is to the Grand Jury aforesaid unknown) of the value of approximately three dollars, of the goods, chattels and personal property of one Theodore Klein, of one Jacob Fischer, and

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

Theodore Klein,

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

David Berger,

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.

JOHN R. FELLOWS,  
District Attorney.



0625

**BOX:**

397

**FOLDER:**

3698

**DESCRIPTION:**

Bourne, George R.

**DATE:**

06/25/90



3698

POOR QUALITY  
ORIGINAL

0626

Witnesses:

H. E. Standing  
George Willard

dest. is a police officer.  
While complaint was  
in custody attempted  
any indecent assault  
upon her.  
Fine not to be remitted  
R.B.M.

428.

419

Counsel,

Filed

day of

June 1890

Pleads,

Not guilty

THE PEOPLE

vs.

ASSAULT IN THE THIRD DEGREE  
(Section 219, Penal Code).

vs.

George R. Boone

Saved Bail Motion

W. D. H. D.

JOHN R. FELLOWS,

District Attorney.

A True Bill

Thurmond Higgins Foreman.

July 1/90

People's Jury.

Pen 1 year

Fine \$250 B.M.

POOR QUALITY  
ORIGINAL

0627

*The New York Society for the  
Prevention of Cruelty to Children*

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, June 28<sup>th</sup> 1890.

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

*The People  
against  
George R. Bourne*

*Notice of Prosecution.*

*To the District Attorney of the  
City and County of New York,*

*Sir: This Society is interested in the prosecution of  
the above defendant, and is familiar with the facts of the  
case. It respectfully requests that before sending the papers  
to the Grand Jury, fixing the day of trial, consenting to  
any postponement thereof, or to any reduction of bail, or  
final disposition of the charge, you will duly notify me as  
its President and Counsel, so that I may confer with you  
in regard thereto. This request is made pursuant to the  
statute (Laws of 1886, Chapter 30, Section 1), and in  
furtherance of the ends of Justice.*

*I have the honor to remain, with great respect,*

*Elbridge T. Gerry,  
President, &c.*



POOR QUALITY  
ORIGINAL

0628

N. Y. GENERAL SESSIONS

THE PEOPLE



*Indecent Assault*  
CRUELTY TO CHILDREN

NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,

*President, &c.*

POOR QUALITY  
ORIGINAL

0629

Police Court—11 District.

CITY AND COUNTY } ss,  
OF NEW YORK,

Mamie Teaffe  
of No. 795 Seventh Avenue Street, aged 15 years,  
occupation Dressmaker being duly sworn, deposes and says, that  
on the 17th day of June 1888 at the City of New York,  
in the County of New York,

and Indecently  
She was violently ASSAULTED and BEATEN by George R. Brown  
man here, who caught hold of deponent  
around the body and threw her down  
while in a cell of the 92 Precinct Station  
House and put his hands upon the naked  
parts of deponent's private and then after  
inserted his fingers in deponent's private  
without any justification on the part of the said assailant.

Wherefore this deponent prays that the said assailant may be apprehended and bound to  
answer the above assault, &c., and be dealt with according to law.

Sworn to before me, this 21

day of June 1888

Mamie Teaffe.

D. McNeill Police Justice.

POOR QUALITY  
ORIGINAL

0630

Sec. 198-200.

       District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer. George R Bourne

Question. How old are you?

Answer. 47 years

Question. Where were you born?

Answer. Canada

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

Answer. No 44 West 58<sup>th</sup> St 3 years

Question. What is your business or profession?

Answer. Domestic

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

Answer. I am not guilty and  
if held I demand a  
trial by Jury

George R Bourne.

Taken before me this

day of

June 1887

So. District Police Justice.



POOR QUALITY  
ORIGINAL

0631

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*James D. Keethman*  
196-03-3000

1

2

3

4

Offence

*Bid cent Assault*

Dated

1890

Magistrate

*W. H. King*

Officer

*Amos*

Precinct

*100 & 23*

Witnesses

*W. H. King*

No.

*100 & 23*

Street

No.

*22*

Precinct

No.

*22*

Precinct

No.

*22*

Precinct

No.

*22*

Precinct

No.

*22*

Precinct

No.

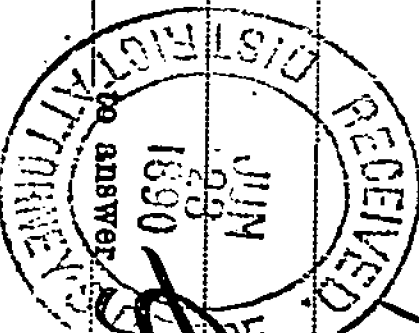
*22*

Precinct

No.

*22*

Precinct



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

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

Dated *June 21* 1890 *Do* Police Justice.

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

Dated *June 21* 1890 *Do* Police Justice.

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

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

POOR QUALITY  
ORIGINAL

0632

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 R. Dawne*

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

*George R. Dawne*

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

The said *George R. Dawne*,

late of the City of New York, in the County of New York aforesaid, on the *seventeenth*  
day of *June*, in the year of our Lord one thousand eight hundred and  
*eighty-nine* at the City and County aforesaid, in and upon the body of one *Marie*  
*Sealbe*, — in the peace of the said People then and there being, with force  
and arms, unlawfully did make an assault, and *then* the said *Marie*  
*Sealbe*, did then and there unlawfully beat, wound and ill-treat, to the great damage  
of the said *Marie Sealbe*, against the form of the  
statute in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0633

**BOX:**

397

**FOLDER:**

3698

**DESCRIPTION:**

Boyle, James

**DATE:**

06/13/90



3698



POOR QUALITY  
ORIGINAL

0634

*Resubmitted 7-23-39*  
Counsel,  
*W. J. Quinn*  
Filed  
*at St. Louis*  
Pleads,  
*Indisputably*

THE PEOPLE  
vs.  
*James Boyle*  
*Indisputably*  
*James Larceny, 2nd degree*  
(Sections 528 and 531 of the Penal Code)  
MISAPPROPRIATION

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*James H. Higgins* Foreman.  
*June 24, 1939*  
*John R. Fellows*  
*June 19, 1939*

Witnesses:  
*W. J. Quinn*

POOR QUALITY  
ORIGINAL

0635

Police Court—2 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

Michael J. Slattery

of No. 15-1 Kanck Street, aged 30 years,  
occupation Installation Business being duly sworn

deposes and says, that on the 5 day of June 1918 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the Day time, the following property, viz:

Four Rugs, of the value of  
thirty dollars and one clock  
of the value of thirteen dollars  
together of the value of  
forty three dollars

\$43.00

the property of Lowell Mfg. Co and under deponent's  
care and custody

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

from the fact that upon said date  
the defendant presented to deponent that  
he could sell the said  
property when deponent entrusted  
the said defendant with said  
property that upon said date the  
defendant returned and said  
that he had disposed said property  
and gave deponent the check  
for the same, shortly  
thereafter deponent discovered  
that said check was false  
and forged where he  
caused the arrest of the said

of  
known to be genuine, this  
may be  
Police Justice



POOR QUALITY  
ORIGINAL

0636

Defendant and when the  
prisoner was searched by Officer  
Philip Krummer of the P. Precinct  
Police and in the presence  
of Depmet. the said officer  
found pawn tickets upon  
this person which Depmet.  
has fully identified as  
representing her property  
and property that he the  
Defendant had represented  
to Depmet. he the defendant  
had sold.

Wherefore Depmet charges the  
said Defendant with feloniously  
taking stealing and carrying away  
the said property  
and prays that he may  
be held and dealt with  
as the law directs  
I am & before me  
this 9th day of Aug 1890

Michael J. Slattery,

A. J. Webb

Police Justice



POOR QUALITY  
ORIGINAL

0637

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Philip Kewinger*  
*Police Officer*  
aged *35* years, occupation *Police Officer* of No. *12*  
*Greenwich* Street, being duly sworn deposes and

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

Sworn to before me, this

day of

189

*Philip Kewinger*

*A. J. White*  
Police Justice.

POOR QUALITY  
ORIGINAL

0638

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

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.

day of

Taken before me this

18

Police Justice.

POOR QUALITY  
ORIGINAL

0639

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

Police Court---  
District 2906

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Muel J. Sullivan  
151 Greenwich St.  
James Bay &  
Larson  
felony

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Offence

Dated June 9 1888

Magistrate

Officer

Precinct

Witnesses

Anthony J. Sullivan

Albert Moore

Edwin J. Sullivan

No. 100

to answer

James

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 June 9 1888 Police Justice.

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

Dated \_\_\_\_\_ 1888 Police Justice.

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

Dated \_\_\_\_\_ 1888 Police Justice.



POOR QUALITY  
ORIGINAL

0640

FOWLER MANUFACTURING CO., LIMITED,

MANUFACTURERS OF AND DEALERS IN

FOWLERS' ADJUSTABLE ROLLING SPRING MATTRESS,

CLOTHES WRINGERS, ETC.

Principal Office, Nos. 548 & 550 West 23d Street, New York

September 11, 1889. 10 M.

MONEY MUST NOT BE PAID UNLESS ORIGINAL CONTRACT IS PRESENTED.

*J. J. J.* 1880

Received of Fowler Manufacturing Co., Limited,

This day under a bargain for the sale thereof, one SMYRNA RUG, Pattern,

Size *50* X *60* for which I promise and agree to pay the sum of *6*

DOLLARS in installments of FIFTY CENTS per week, until the whole is paid. And I do hereby charge my separate estate with payment of same.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that this Rug shall remain the Property of said FOWLER MANUFACTURING CO., LIMITED, and that no title thereto shall be acquired by or vested in me, until said installments are fully paid; and in case of failure to make any of said payments promptly, I agree to surrender said Rug without process of law, and said FOWLER MANUFACTURING CO., LIMITED, or their agent, is authorized to enter my premises, and take and remove said Rug without rendering them liable for any manner of trespass, and retain any and all sums paid by me, as a reasonable charge for rent or use of the same.

And I also agree not to remove said Rug from the premises I now occupy, without first notifying said FOWLER MANUFACTURING CO., LIMITED, in writing, nor without their consent.

And I also aver that there is no contract, agreement or understanding, verbal or otherwise, between myself and said FOWLER MANUFACTURING CO., LIMITED, or their agent or salesman, in reference to the said Rug except that which is expressed in this Lease.

Witness *J. J. J.*

Residence, *47 Perry St.*

Place of Business, *47 Perry St.*

POOR QUALITY  
ORIGINAL

0641

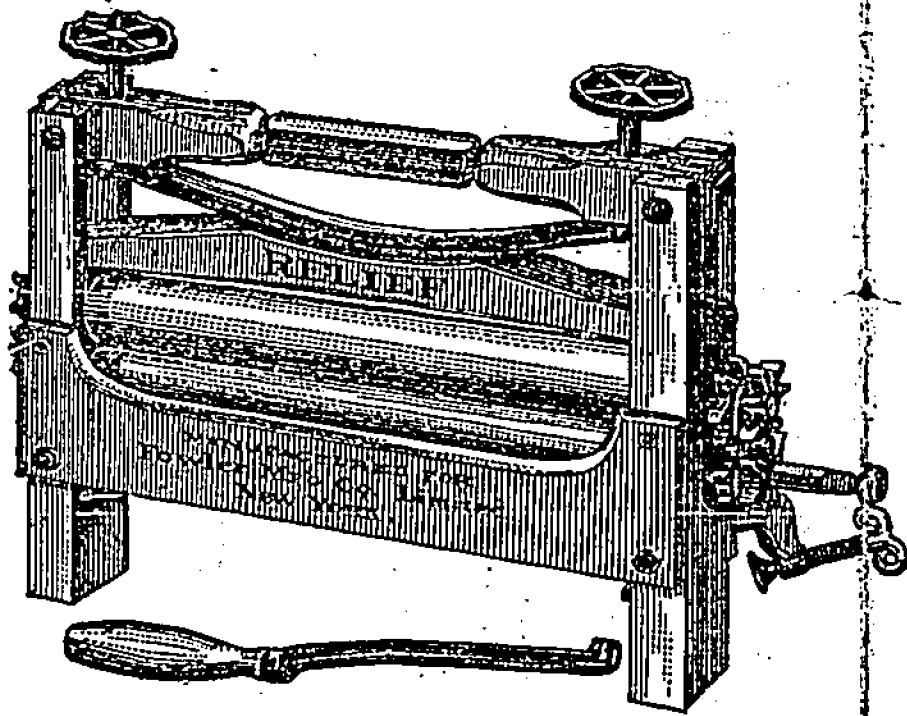
FOWLER MANUFACTURING COMPANY,  
(LIMITED.)

MANUFACTURERS OF  
FOWLER'S  
ADJUSTABLE ROLL-UP  
Spring Mattress.

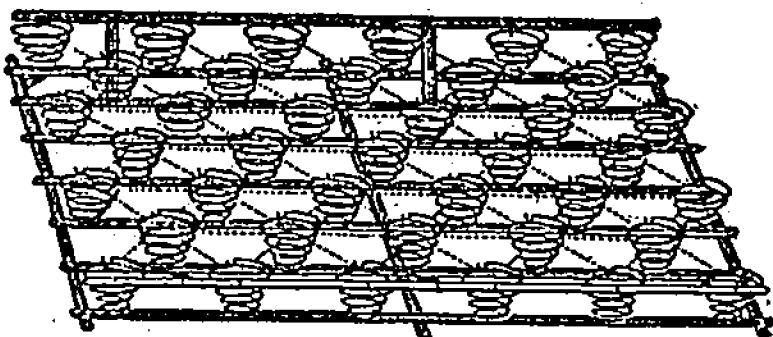


ROLLED UP FOR TRANSPORTATION

DEALERS IN  
CLOTHES WRINGERS,  
FLUTING MACHINES, CARPET SWEEPERS,  
AND SMYRNA RUGS.



The above cut represents the latest improved and  
best Wringer in the market. Rolls 11 inches long.



OPEN. READY FOR USE.

We warrant both our Beds and  
Wringers.

Lease No.

Mrs. Tyerwell  
47 Perry St

June 4 Paid 50<sup>00</sup>

Verified.

Skipped if agent  
will or pay

BRANCH OFFICE

150 WAB ST

SIATLEY, WOOD &  
TREAS.



POOR QUALITY  
ORIGINAL

0642

September 21, 1889. 10 M.

MONEY MUST NOT BE PAID UNLESS ORIGINAL CONTRACT IS PRESENTED.

*June 17* 1889

Received of **Fowler Manufacturing Co., Limited,**

*This day under a bargain for the sale thereof, one SMYRNA RUG, Pattern*  
Size *56* x *72* for which I promise and agree to pay the sum of *9.00* *Nine*  
DOLLARS in installments of FIFTY CENTS per week, until the whole is paid. And I do hereby  
charge my separate estate with payment of same.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that this Rug shall remain the Property of said FOWLER  
MANUFACTURING CO., LIMITED, and that no title thereto shall be acquired by or vested in me, until said installments are fully  
paid; and in case of failure to make any of said payments promptly, I agree to surrender said Rug without process of law, and said FOWLER  
MANUFACTURING CO., LIMITED, or their agent, is authorized to enter my premises, and take and remove said Rug without rendering  
them liable for any manner of trespass, and retain any and all sums paid by me, as a reasonable charge for rent or use of the same.

And I also agree *not to remove said Rug* from the premises I now occupy, without first notifying said FOWLER MANUFACTURING CO., LIMITED, in writing, nor without their consent.

And I also aver that there is no contract, agreement or understanding, verbal or otherwise, between  
myself and said FOWLER MANUFACTURING CO., LIMITED, or their agent or salesman, in reference  
to the said Rug except that which is expressed in this Lease.

Witness: *[Signature]*

Residence, *[Signature]*

Place of Business, *[Signature]*

FOWLER MANUFACTURING CO., LIMITED,

MANUFACTURERS OF AND DEALERS IN

FOWLERS' ADJUSTABLE ROLLING SPRING MATTRESS,

CLOTHES WRINGERS, ETC.

Principal Office, Nos. 548 & 550 West 23d Street, New York.

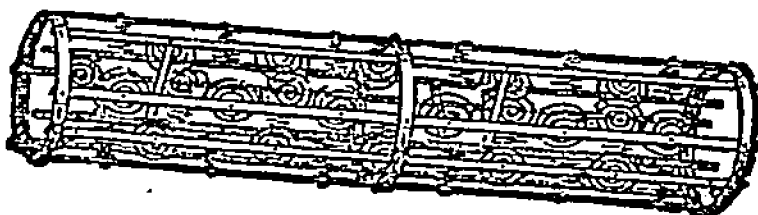


POOR QUALITY  
ORIGINAL

0643

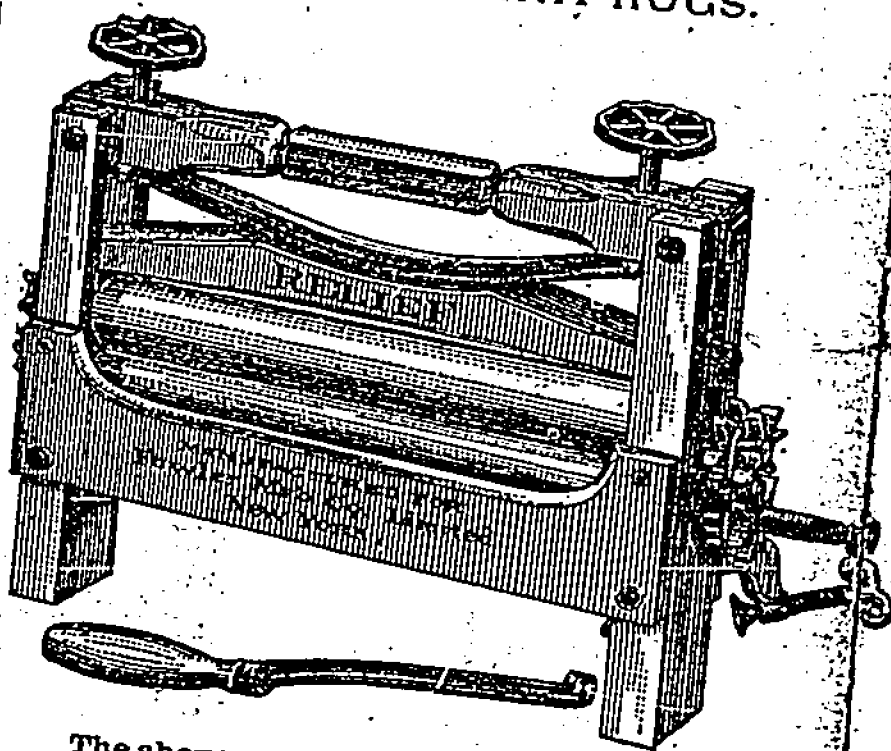
FOWLER MANUFACTURING COMPANY  
(LIMITED.)

MANUFACTURERS OF  
FOWLER'S  
ADJUSTABLE ROLL-UP  
Spring Mattress.

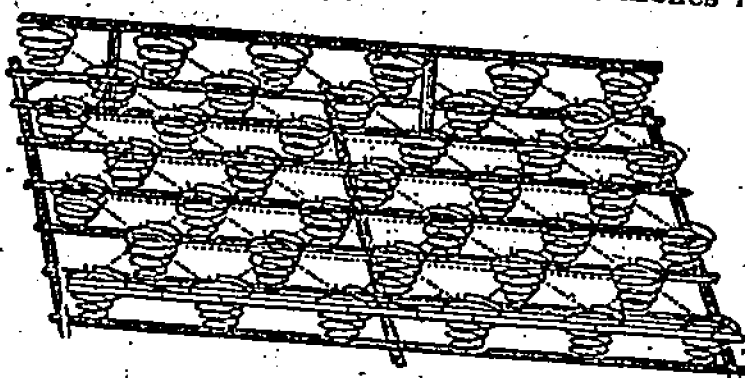


ROLLED UP FOR TRANSPORTATION

DEALERS IN  
CLOTHES WRINGERS,  
FLUTING MACHINES, CARPET SWEEPERS,  
AND SMYRNA RUGS.



The above cut represents the latest improved and  
best Wringer in the market. Rolls 11 inches long.



OPEN. READY FOR USE.

We warrant both our Beds and  
Wringers.

Lease No.

*Anthony Ash*  
*Greenwich Court*

*Jan 8. 4* Paid *Boyle* *50.*  
Verified.

*Bogus Lease*  
*Never Got*  
*a Pig*

BRANCH OFFICE

151 VARICK ST.

CONDUCTED BY

SLATTERY, WELSH &  
KEARNS.

POOR QUALITY  
ORIGINAL

0644

FOWLER MANUFACTURING CO., LIMITED,

MANUFACTURERS OF AND DEALERS IN

FOWLERS' ADJUSTABLE ROLLING SPRING MATTRESS,

CLOTHES WRINGERS, ETC.

Principal Office, Nos. 548 & 550 West 23d Street, New York.

September 22, 1889. 10 M.

MONEY MUST NOT BE PAID UNLESS ORIGINAL CONTRACT IS PRESENTED.

Received of Fowler Manufacturing Co., Limited,

This day under a bargain for the sale thereof, one SMYRNA RUG, Pattern  
Size 30 X 60 for which I promise and agree to pay the sum of 6.50 Six  
DOLLARS in installments of FIFTY CENTS per week, until the whole is paid. And I do hereby  
charge my separate estate with payment of same.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that this Rug shall remain the Property of said FOWLER  
MANUFACTURING CO., LIMITED, and that no title thereto shall be acquired by or vested in me, until said installments are ~~all~~ fully  
paid; and in case of failure to make any of said payments promptly, I agree to surrender said Rug without process of law, and said FOWLER  
MANUFACTURING CO., LIMITED, or their agent, is authorized to enter my premises, and take and remove said Rug without rendering  
them liable for any manner of trespass, and retain any and all sums paid by me, as a reasonable charge for rent or use of the same.

And I also agree *not to remove said Rug* from the premises I now occupy, without first notifying said FOWLER MANUFAC.  
TURING CO., LIMITED, in writing, nor without their consent.

And I also aver that there is no contract, agreement or understanding, verbal or otherwise, between  
myself and said FOWLER MANUFACTURING CO., LIMITED, or their agent or salesman, in reference  
to the said Rug except that which is expressed in this Lease.

Witness: Albion H. Hays

Residence, 144 W 19

Place of Business, 144 W 16



POOR QUALITY  
ORIGINAL

0645

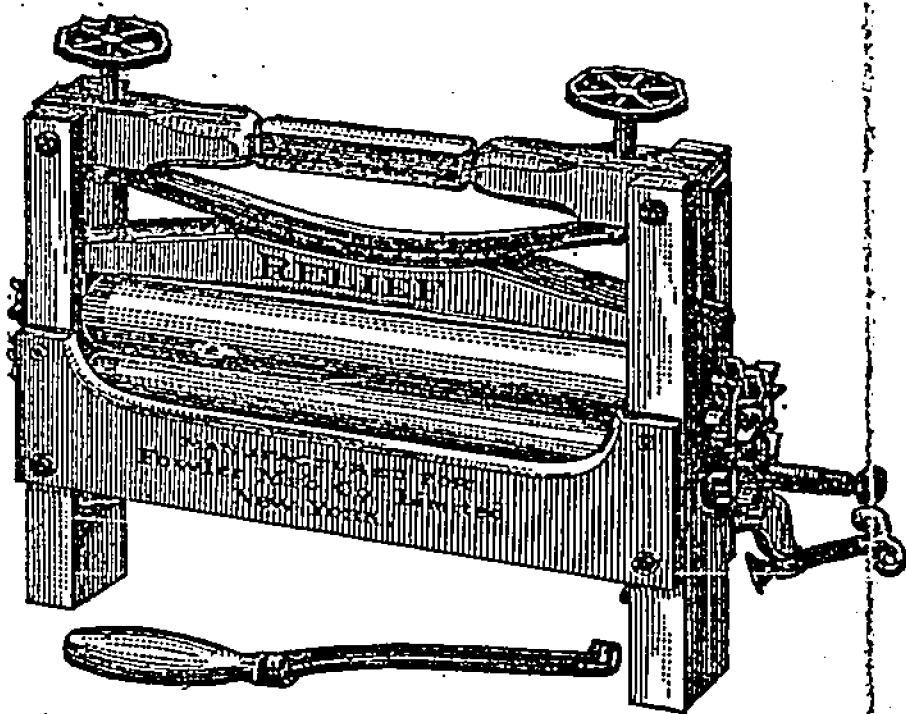
FOWLER MANUFACTURING COMPANY,  
(LIMITED.)

MANUFACTURERS OF  
FOWLER'S  
ADJUSTABLE ROLL-UP  
Spring Mattress.

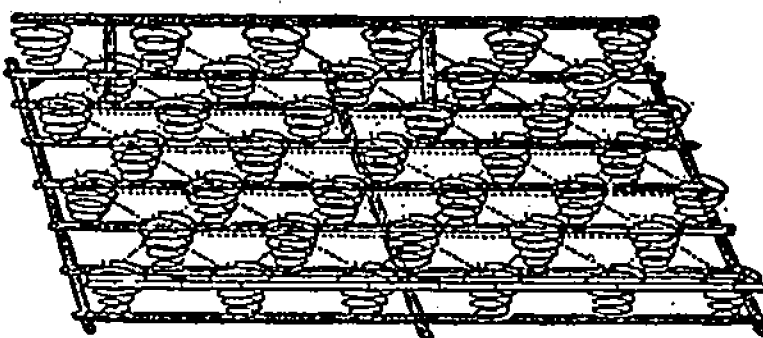


ROLLED UP FOR TRANSPORTATION

DEALERS IN  
CLOTHES WRINGERS,  
FLUTING MACHINES, CARPET SWEEPERS,  
AND SMYRNA RUGS.



The above cut represents the latest improved and  
best Wringer in the market. Rolls 11 inches long.



OPEN. READY FOR USE.

We warrant both our Beds and  
Wringers.

Lease No.

*Albert Moore*  
*144 West 19th*

*June 4* Paid *Boyle* *30*  
Verified.

*Did not buy* *Boyle*

BR NCH OFFICE  
151 VARICK ST.,  
CONDUCTED BY  
SLATTERY, WELSH &  
WEARNS.



0645

Principal Office, Nos. 548 & 550 West 23d Street, New York.

189

**Witness:**

**Residence,**

**Place of Business.**

POOR QUALITY  
ORIGINAL

0647

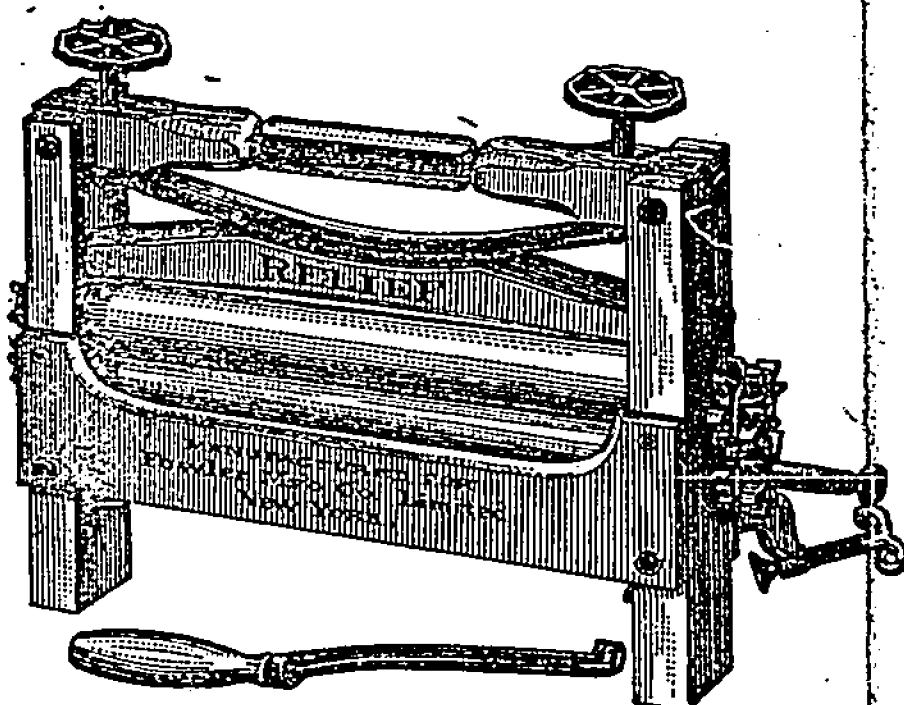
FOWLER MANUFACTURING COMPANY,  
(LIMITED.)

MANUFACTURERS OF  
FOWLER'S  
ADJUSTABLE ROLL-UP  
Spring Mattress.

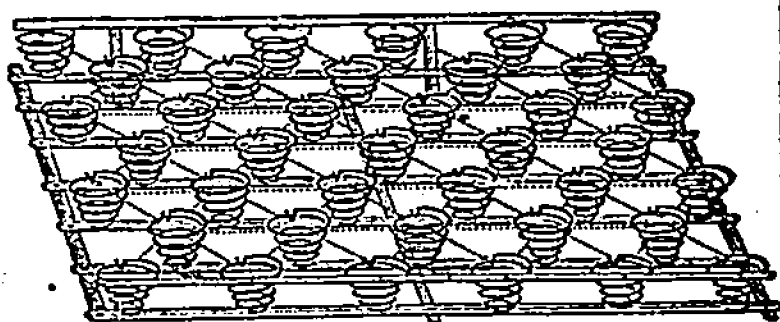


ROLLED UP FOR TRANSPORTATION

DEALERS IN  
CLOTHES WRINGERS,  
FLUTING MACHINES, CARPET SWEEPERS,  
AND SMYRNA RUGS.



The above cut represents the latest improved and  
best Wringer in the market. Rolls 11 inches long.



OPEN. READY FOR USE.

We warrant both our Beds and  
Wringers.

Lease No. }

*Ellen Shea*  
*325, St. 17 St*

*June 4* Paid *By* *6.0*

Verified

*Act. Puller*

*Edw. Bohide 3.10*

*also Puller*

FOWLER MFG CO., Limited,  
AGENCY,

No. 151 VARICK STREET, N. Y.  
Slattery, Walsh & Kearns, Agents.

POOR QUALITY  
ORIGINAL

0648

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*James Boyle*

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

*James Boyle*

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

The said *James Boyle*,

late of the City of New York, in the County of New York aforesaid, on the *21st* day of *June*, in the year of our Lord one thousand eight hundred and eighty *nine* at the City and County aforesaid, being then and there the ~~clerk and servant of~~ *agent and driver of*

*certain corporation known as the*  
*Boiler Manufacturing Company,*  
*agent and driver*  
and as such ~~clerk and servant~~ then and there having in his possession, custody and control certain ~~moneys~~, goods, chattels and personal property of the said *corporation*,

the true owner thereof, to wit: *four maps of the value of*  
*seven dollars and fifty cents each and*  
*one book of the value of ~~fifty~~*  
*fifteen*  
*dollars,*

the said *James Boyle*, afterwards, to wit:  
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,  
did feloniously appropriate the said *goods, chattels and*  
*personal property*

to his own use, with intent to deprive and defraud the said *corporation*

of the same, and of the use and benefit thereof; and the same ~~moneys~~, goods, chattels and personal property of the said *corporation*,

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

JOHN R. FELLOWS,

~~District Attorney~~



POOR QUALITY  
ORIGINAL

0649

Second COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further  
accuse the said *James Dwyer* —

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

The said *James Dwyer*,

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

*four bags of the value of seven*  
*dollars and fifty cents each, and*  
*one bag of the value of thirteen*  
*dollars,*

of the goods, chattels and personal property of ~~one~~ *a certain corporation*

*known as the Knickerbocker Manufacturing Company*

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

*John P. Kellomäki,*  
*District Attorney*

0650

**BOX:**

397

**FOLDER:**

3698

**DESCRIPTION:**

Brady, Charles

**DATE:**

06/05/90



3698

POOR QUALITY  
ORIGINAL

0651

#83  
Counsel,  
Filed *June 1890*  
Pleads,

THE PEOPLE  
vs.  
*Charles Brady*  
*1902*  
*H.*  
*Burglary in the Third Degree*  
*and with carrying*  
*(Section 498, V.C. 1892)*

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*Francis Higgins* Foreman.  
*June 1890*  
*Charles Brady*  
*Edmund C. P.M.,*

Witnesses:  
*Wm. Gleason*  
*Adm 30/94*  
*Note for Justice*  
*Clemency - P.M.*



POOR QUALITY  
ORIGINAL

0652

Police Court—2 District.

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

of No. 337 West 26th Street, aged 25 years,  
occupation Driver being duly sworn

top floor deposes and says, that the premises No 337 West 26th St Street,  
in the City and County aforesaid, the said being a three story brick  
dwelling

and which was occupied by deponent as a dwelling on the top floor  
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking  
the door in the bedroom of a closet  
occupied by deponent on the top  
floor

on the 29 day of May 1888 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

One gold  
chain and gold ring of the value  
of one dollar and fifty cents, and  
one pair of trousers of the value  
of two dollars and fifty cents  
all of the value of four dollars  
\$ 4.

the property of deponent

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

Charles Brady Brown

for the reasons following, to wit:

The said closet was  
securely locked and closed with  
the said property therein on said date,  
and was found broken open and  
the said property missing the day  
after, and the deponent was  
found in possession of the said trousers  
by Officer Wallypade of the  
16th Precinct in deponent's

POOR QUALITY  
ORIGINAL

0653

informed by said Waityfeeder  
and the Defendant Brady admitted  
that he had broken open the said  
closet from the side nearest  
the residence of the said Brady  
in the said house

Thomas Henson

Sworn to before me this 1st day of May 1888  
of \_\_\_\_\_  
Police Justice

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

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Burglary

Degree.

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ \_\_\_\_\_ Bail.

Bailed by \_\_\_\_\_

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

POOR QUALITY  
ORIGINAL

0654

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Samuel H. Waitfeldt*  
aged *29* years, occupation *Police* of No.  
*16th Avenue* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Thomas Gleason*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

*June* 188*8*

*Samuel H. Waitfeldt*  
*E. H. Gan*  
Police Justice.



POOR QUALITY  
ORIGINAL

0655

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am guilty*  
*Charles Brady.*

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

Police Justice.

POOR QUALITY  
ORIGINAL

0656

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

Police Court--- District.

2 848

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James Shearer  
439 West 26 St  
Charles Brady

Offence  
Burglary

Dated June 1 1880

Hopar Magistrate.

Wally Peckle Officer.

16 Precinct.

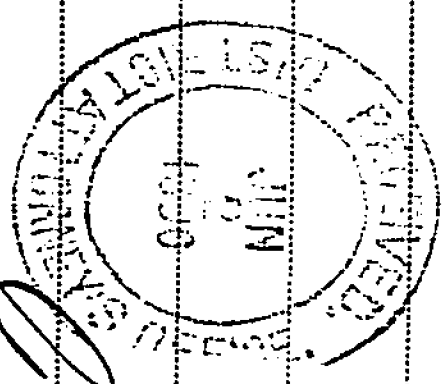
Witnesses \_\_\_\_\_ Street \_\_\_\_\_

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

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

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

\$ 1000 to answer. D. J. H. Street \_\_\_\_\_



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

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

Dated June 1<sup>st</sup> 1880 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.

0657

18



POOR QUALITY  
ORIGINAL

0658

District Attorney's Office,

CITY AND COUNTY OF NEW YORK.

16

Feb 13 1890

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officer Wentzfelder  
attached to your command in  
June 1890 in relation to the case of  
Charles Brady  
sentenced June 6 1890 to five  
years and months imprisonment by  
Judge Martine

Please ask the officer to bring such information in relation to the case, and as to the previous record of the prisoner, as he may be enabled to obtain.

Yours truly,

HENRY W. UNGER,

Deputy Assistant and Secretary to the District Attorney.

POOR QUALITY  
ORIGINAL

0659

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles Brady

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

Charles Brady

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

The said

Charles Brady

late of the Twentieth Ward of the City of New York, in the County of New York  
aforesaid, on the ~~twenty-ninth~~ day of May in the year of our Lord one  
thousand eight hundred and ~~eighty-~~ ninety, with force and arms, in the  
day - time of the same day, at the Ward, City and County aforesaid, the  
dwelling house of one Thomas Gleason

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 Thomas Gleason

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.

POOR QUALITY  
ORIGINAL

0660

SECOND COUNT—

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

*Charles Brady*

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

The said

*Charles Brady*

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

*one chain of the value of one dollar, one ring of the value of fifty cents and one pair of trousers of the value of two dollars and fifty cents*

of the goods, chattels, and personal property of one

*Thomas Gleason*

in the dwelling house of the said

*Thomas Gleason*

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.

*John R. Fellows*  
*District Attorney*



0661

**BOX:**

397

**FOLDER:**

3698

**DESCRIPTION:**

Brady, John J.

**DATE:**

06/23/90



3698

POOR QUALITY  
ORIGINAL

0662

Witnesses:

*Johnson Brady*

Counsel,

Filed

23 day of

June 1890

Pleads,

THE PEOPLE

vs.

*John J. Brady*

Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Wm. H. Haggins*

Foreman.

*June 24/90*

*John J. Brady*  
D.C. 2455 & 6  
P.M.

POOR QUALITY  
ORIGINAL

0663

Police Court— 4 District.

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

of No. 295 Third Avenue Johnson Brady Street, aged 38 years,  
occupation waiter being duly sworn

deposes and says, that on 14 day of June 1890 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John J. Brady

(mark) who wilfully and maliciously  
struck deponent on the arm with  
a scythe, then and there held  
in his hand cutting and  
injuring him severely

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without  
any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer  
for the above assault, etc., and dealt with according to law.

Sworn to before me, this 17 day  
of June 1890

John J. Brady Police Justice.

his  
Johnson X Brady  
mark



POOR QUALITY  
ORIGINAL

0664

Sec. 190-190.

CITY AND COUNTY OF NEW YORK.

4 District Police Court.

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

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*  
*John J. Brady*

Taken before me this

day of

June 17

1892

Police Justice.

POOR QUALITY  
ORIGINAL

0655

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

Police Court District. 944

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James J. Brady  
296 St. 3rd Ave  
James J. Brady

Offence Assault  
Felony

Dated June 17 1890

W. O. Reilly Magistrate

George J. Sullivan Officer

Witnesses Francis Ward  
18th Precinct

No. 565 Street Avenue Street

George J. Sullivan

No. 84th Precinct

Compensation Criminals \$1000  
No. 1000

RECEIVED  
JUN 19 1890  
CLERK OF THE COURT  
NEW YORK

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 Lyndall

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

Dated \_\_\_\_\_ 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

0666

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 4 DISTRICT.

*Hugh Quinn*  
of the 181<sup>st</sup> Precinct - *Police*, aged \_\_\_\_\_ years,  
occupation *Police officer* being duly sworn deposes and says  
that on the \_\_\_\_\_ day of \_\_\_\_\_ 188

~~at the City of New York, in the County of New York~~ *Johnson Brady*

The within named Complainant  
is a necessary and material  
witness against *John J. Brady*  
charged with an offence  
wherein said Complainant has no permanent  
place of abode and asks  
that he give surety for his  
appearance to testify

*Hugh Quinn*

Sworn to before me, this

of

*June 17*  
188

day

*W. J. Brady*  
Police Justice.



POOR QUALITY  
ORIGINAL

0667

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John J. Brady*

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

of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

*John J. Brady*  
late of the City of New York, in the County of New York aforesaid, on the  
*fourteenth* day of *June* in the year of our Lord  
one thousand eight hundred and *ninety*, with force and arms, at the City and  
County aforesaid, in and upon the body of one *Johnson Brady*  
in the Peace of the said People then and there being, feloniously did make an assault  
and *him* the said *Johnson Brady*  
with a certain *say the*

which the said

*John J. Brady*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent

*him*, the said *Johnson Brady*  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT—

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

*John J. Brady*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*John J. Brady*  
late, of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said *Johnson Brady* in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and *him* the said

with a certain *say the*

which the said

*John J. Brady*  
in *his* right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York,  
and their dignity.

POOR QUALITY  
ORIGINAL

0668

THIRD COUNT—

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

*John J. Brady*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*John J. Brady*  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said  
*Johnson Brady* in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and  
*him* the said *Johnson Brady*  
with a certain *scythe*

which

he, the said

in

*his* right hand then and there had and held, in and upon the *arm*  
of *him* the said *Johnson Brady*

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said *Johnson Brady*

against the form of the statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0669

**BOX:**

397

**FOLDER:**

3698

**DESCRIPTION:**

Breen, Philip

**DATE:**

06/04/90



3698



POOR QUALITY  
ORIGINAL

0670

Witnesses:

*Francis Comm*

Counsel,

Filed

day of

1890

Pleads,

*Chiquely*

THE PEOPLE

*132 John W. W. 08.*

*Philip Breen*

Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code.)

*ad in June*

*June 9 Phil ADP*

JOHN R. FELLOWS,

*June 10 Phil ADP*

District Attorney.

A True Bill.

*Francis Higgins*

Foreman.

*June 10, 1890*

*Pleads A. 2 dy*

*S. P. 3 yrs & 9 mo*

*P. B. M.*

POOR QUALITY  
ORIGINAL

0671

Police Court—3rd District.

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

of No. 17 City Hall Street, aged: 30 years,  
occupation Machinist being duly sworn

deposes and says, that on the 21 day of April 1889 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Phillip  
Breen (now here) who cut and  
stabbed deponent six times  
on the face and body with  
the blade of a knife which  
he then held in his hand.  
Said assault was committed

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without  
any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer  
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 30 day  
of May 1889.

Francis Connor

J. M. Patterson Police Justice.

POOR QUALITY  
ORIGINAL

0672

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK.

3  
District Police Court.

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

Question. What is your name?

Answer.

*Phillip Breen.*

Question. How old are you?

Answer.

*27 years.*

Question. Where were you born?

Answer.

*Germany.*

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

Answer.

*132 Division Street, 1 Month*

Question. What is your business or profession?

Answer.

*Shoe-maker*

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

Answer.

*I am not guilty and  
I demand an examination*

*Phillip Breen*

Taken before me this

day of

*May*

1922

at

*132 Division Street*

City of

*New York*

County of

*New York*

State of

*New York*

Police Justice

Police Justice



**POOR QUALITY  
ORIGINAL**

0673

29

6. 12. 20

12

5

11. (the river is the same)  
 12. 6-2-2-1-1

9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20.

$\frac{1}{x} \cdot b, g, f, \dots$

45

POOR QUALITY  
ORIGINAL

0674

Received May 15. 98

Francis Conner is un-  
able to appear in Court  
as yet. He is improving  
and will in all proba-  
bility recover. His wounds  
have been much serious  
They are healed with  
the exception of the  
abdominal one.

G. D. Stewart  
House Surgeon

POOR QUALITY  
ORIGINAL

0675

CITY AND COUNTY  
OF NEW YORK, } ssr

POLICE COURT, 3<sup>rd</sup> DISTRICT.

of No. 114<sup>th</sup> Peck Street, aged 43 years,

occupation. Policeman being duly sworn deposes and says

that on the 20 day of April 1889

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

Philip Green (now  
here) did feloniously cut,  
stab, wound and assault  
with a knife, One Francis  
Comm, who is now in  
Hospital, because of said  
assault, and I depose  
that said Green  
be held to answer the result  
of said assault

John McGinn

Sworn to before me, this

of

1889

day

Police Justice.



POOR QUALITY  
ORIGINAL

0676

Police Court-- *3rd* District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Phil Green*

AFFIDAVIT.

Dated *Apr 21* 188*9*

*Walter* Magistrate.

*McGinn* Officer.

Witness,.....

Disposition *It awaits*  
*result*

0677

10. am

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

Massachusetts  
17 City Hall Place

Philip Ree

Office \_\_\_\_\_

Date: May 30 1966

*M. L. Thomas*, Magistrate,  
*M. L. Thomas*, Officer.

Notary Public in and for the State of New York  
 My Comm. Expires 12/31/2011  
 I, Michael J. McLean, do hereby certify that the foregoing is a true and correct copy of the original document filed with me for recording.

Witness my hand and the seal of my office this 14th day of April, 2011.

\_\_\_\_\_  
 Michael J. McLean  
 Notary Public  
 State of New York

Officer Eugene Clendy ~~147~~ - Phone  
No. Joseph Goodson 3346 9160  
Street.

No. 60  
Joseph K. Borth  
RECEIVED JUN 11 1897  
JUN 11 1897  
Street.

Bergant John P. Esq.  
No 60 Barclay Street  
New York City

to Mr. Bergant

1

James

*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.....*

committed, and that there is sufficient cause to believe the within named \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
 Twenty Hundred Dollars, \_\_\_\_\_ and be committed to the Warden and Keeper of  
 the City Prison of the City of New York, until he give such bail

Dated May 30 1890 J. M. Kutsen Police Justice.

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

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

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

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

POOR QUALITY  
ORIGINAL

0678

**PART I.**

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

*Ask to see clerk  
Parker at 100 Wall*

To *Officer Eugene Clinton*

of No. *14th Precinct* Street.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the

*June* 189*0* at the hour of *10* in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

*Philip Breen*

Dated at the City of New York, the first Monday of *June* in the year of our Lord, 189*0*.

JOHN R. FELLOWS, *District Attorney.*



**POOR QUALITY  
ORIGINAL**

0679

Should the case not be called on for trial, and no reason assigned in Court, please inquire in the District Attorney's Office about it, and you may save time.

If inconvenient to remain, and you prefer another day, state this early to the District Attorney, in the Court.

If ill when served, please send timely word to the District Attorney's Office.

If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.

4 10  
- 9 12 13 14 15  
- 16 17 18 19 20  
- 21 22 23 24 25  
- 26 27 28 29 30  
- 31 32 33 34 35  
- 36 37 38 39 40  
- 41 42 43 44 45  
- 46 47 48 49 50  
- 51 52 53 54 55  
- 56 57 58 59 60  
- 61 62 63 64 65  
- 66 67 68 69 70  
- 71 72 73 74 75  
- 76 77 78 79 80  
- 81 82 83 84 85  
- 86 87 88 89 90  
- 91 92 93 94 95  
- 96 97 98 99 100

POOR QUALITY  
ORIGINAL

0580

**PART I**

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York. *Ask to seal Parkes at 10 A.M.*  
To *Officer Max Tracher*  
of No. *14th Regiment* Street.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the *7th* day of *June* 189*0* at the hour of *10* in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

*Philip Green*  
Dated at the City of New York, the first Monday of *June* in the year of our Lord, 189*0*.

JOHN R. FELLOWS, District Attorney.

POOR QUALITY  
ORIGINAL

0681

Should the case not be called on for trial, and no reason assigned in Court, please inquire in the District Attorney's Office about it, and you may save time.

If inconvenient to remain, and you prefer another day, state this early to the District Attorney, in the Court.

If ill when served, please send timely word to the District Attorney's Office.

If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.

Handwritten notes in a columnar format, likely a list of names or case details, including names like "J. H. Smith" and "J. H. Jones".



POOR QUALITY  
ORIGINAL

0682

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Philip Green*

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

*Philip Green*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

*Philip Green*

late of the City of New York, in the County of New York aforesaid, on the  
*twenty first* day of *April* in the year of our Lord  
one thousand eight hundred and *ninety*, with force and arms, at the City and  
County aforesaid, in and upon the body of one *Francis Comm*  
in the Peace of the said People then and there being, feloniously did make an assault  
and *him* the said *Francis Comm*  
with a certain *knife*

which the said

*Philip Green*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent

*him* the said *Francis Comm*  
thereby then and there feloniously and wilfully to kill, 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

*Philip Green*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*Philip Green*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said *Francis Comm* in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and *him* the said

with a certain

*Francis Comm*  
*knife*

which the said

*Philip Green*  
in *his* right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York,  
and their dignity.

*John P. Fellows,*  
*District Attorney*

0603

**BOX:**

397

**FOLDER:**

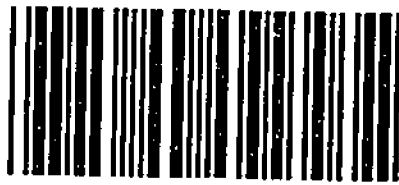
3698

**DESCRIPTION:**

Brembs, John

**DATE:**

06/25/90



3698

POOR QUALITY  
ORIGINAL

0684

Counsel,

Filed 25

day of

June 1890

Pleads,

THE PEOPLE

vs.

John Bromba

June 25

VIOLATION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1083, Sec. 21 and  
page 1089, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

James Higgins  
Foreman.

Witnesses:

Off Cagney



POOR QUALITY  
ORIGINAL

0685

Court of General Sessions of the Peace,

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John Brembs*

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

*John Brembs*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows :

The said

*John Brembs*

late of the City of New York, in the County of New York aforesaid, on the *eight* day of *July* in the year of our Lord one thousand eight hundred and *eighty-eight*, 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 *David E. Gayney*

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

*John Brembs*  
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

*John Brembs*

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.

JOHN R. FELLOWS,

District Attorney.

0686

**BOX:**

397

**FOLDER:**

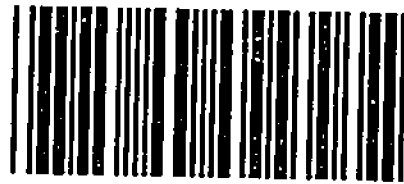
3698

**DESCRIPTION:**

Britting, John H.

**DATE:**

06/04/90



3698

0687

**BOX:**

397

**FOLDER:**

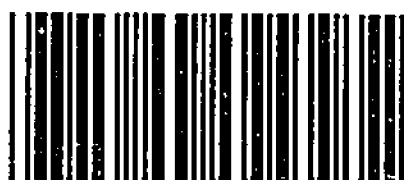
3698

**DESCRIPTION:**

Britting, John H.

**DATE:**

06/04/90



3698



POOR QUALITY  
ORIGINAL

0688

Witnesses;

David M. Man

Counsel,

Filed

Pleads,

1890

THE PEOPLE

vs.

P

John H. Britting

Sundered  
Sept 2 Sept 5/90.

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

JOHN R. FELLOWS,

District Attorney.

Sub 3 June 17

A TRUE BILL

Foreman.

Sept 10 1890

11:15 PM

Sept 2 Sept 11 1890.  
Died and Acquitted.

POOR QUALITY  
ORIGINAL

0689

Police Court—

District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 155 Clinton Street, aged 44 years,

occupation City Marshall being duly sworn

deposes and says, that on the 23 day of April 1890 at the City of New

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

of deponent, in the day - time, the following property, viz:

28 Dixie Cigars - One Show Figure

10 Dixie Cigarettes. One Show Case.

All being of the Value of Sixty four.  
19/100 dollars -

the property in the Case was Charge of  
deponent as City Marshall.

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

the fact that on the 15<sup>th</sup> day of April  
1890 deponent. Served upon the said

property in premises no. 451 Hudson  
street and 1/2. The same in the

care and charge of the said Britting  
that on the 23<sup>rd</sup> day of April 1890.

deponent. discovered. That said  
property had been feloniously taken

and carried away - and that  
the said Britting admitted and

confessed to deponent. That he did  
remove said property from said  
premises and refused to inform  
deponent where said property was.

Sworn to before me, this

18

day

Police Justice.

POOR QUALITY  
ORIGINAL

0690

removal to. Deponent further says  
that he relied upon said property  
in an execution against the said Britton  
issued by Justice Greig  
on the 15<sup>th</sup> day of April 1890.

Deponent therefore prays that the  
said Britton may be arrested and  
dealt with as the law directs.

Done at Regina on 24<sup>th</sup> day of April 1890

Charles A. Linton  
Justice



POOR QUALITY  
ORIGINAL

0691

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

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

Question. What is your name?

Answer. *John H. Britting*

Question. How old are you?

Answer. *40 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *451 Hudson St 8 month*

Question. What is your business or profession?

Answer. *Grainer*

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*

Taken before me this *25*  
day of *April* *1891*

Police Justice.

*John H. Britting*

POOR QUALITY  
ORIGINAL

0692

BAILED.  
No. 1, by James Stewart  
Residence 689 Broadway  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court---

District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Samuel Hellman  
155 2d Avenue

Edward Holcomb

Offence Larceny

Dated April 25 1890

James Stewart Magistrate.

James Stewart Officer.

James Stewart Precinct.

Witnesses Callahan

No. 45 Court Room Street.

W.B. Phillips

No. 451 Street.

No. 451 Street.

No. 451 Street.

Backed

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

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

Dated April 25 1890 Charles K. Winter Police Justice.

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

Dated April 26 1890 Charles K. Winter Police Justice.

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

Dated 18 Police Justice.

POOR QUALITY  
ORIGINAL

0693

Sec. 151.

Police Court 9 District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by Samuel W. Alman  
of No. 115 Clinton Street, that on the 23 day of April

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

20 Boxes Cigars - One Silver Figure - one  
Shin Case - 10 Boxes Cigarettes

of the value Eighteen - 18/100 Dollars,

the property of John H. Sullivan  
w. John H. Sullivan taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by John H. Sullivan

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant  
and forthwith bring him before me, at the 2 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 25 day of April 1889

Charles A. Smith

POLICE JUSTICE.



POOR QUALITY  
ORIGINAL

0694

Police Court 3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

David Ullman  
vs.

John W Britton

Warrant-Larceny.

Dated April 24 1889

W. L. Lantier Magistrate

Penjley Officer.

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

..... Officer.

Dated ..... 188

This Warrant may be executed on Sunday or at  
night.

..... Police Justice.

April 25<sup>th</sup>  
40  
W  
U.S.  
457 Hudson St

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

Dated ..... 188

The within named

Police Justice.

POOR QUALITY  
ORIGINAL

0695

EXECUTION AGAINST THE PROPERTY.

*Ex. No. 1* The People of the State of New York.

To any Marshal or Constable of the City of New York, GREETING:

Whereas, judgment was rendered on the 15<sup>th</sup> day of April one thousand eight hundred and ninety- in an action in the District Court in the City of New York, for the Fifth Judicial District, before HENRY M. GOLDFOGLE, Esquire, Justice, between

and

in favor of the said Plaintiff  
against the said Defendant  
for the sum of

And whereas,

*Ignatz Kaufman* Plaintiff  
*Chas. W. Britting* Defendant  
*Fifty four and 19/100* Dollars,  
*64 19/100* is now actually due thereon

Therefore we Command you, that you collect the amount due on said judgment out of the personal property of the said judgment debtor, and pay the same to the said Plaintiff and return this execution, within twenty days after its receipt by you, to the said District Court, with a certificate thereon endorsed, stating the manner in which you have executed the same.

Witness, HENRY M. GOLDFOGLE, Esquire, Justice of said Court, at the City of New York, the 15<sup>th</sup> day of April one thousand eight hundred and ninety

*John D. [Signature]* Clerk

POOR QUALITY  
ORIGINAL

0696

457 / Hudson

DISTRICT COURT  
For the Fifth Judicial District

Vol. 30 Fol. 3

Hartman

against

Dritting

EXECUTION AGAINST THE PROPERTY

\$ 6 24/100 Judgment,  
Percentage,  
Total,

28 Box Agave,  
1 Show figure  
10 Box Cigarettes  
Show cases  
Counters.

ENDORSEMENT.

33 Grossman  
CODE SEC. 1934  
The officers executing this process will take notice that the following named defendants were not personally served with a summons herein, viz:

and that as to them, the execution thereof must be restricted as below prescribed.

"An Execution against property shall not be levied upon the sole property of such a defendant, but it may be collected out of personal property owned by him jointly with the other defendants who were summoned, or with any of them, and out of the real and personal property of the latter or any of them."

CLERK.



POOR QUALITY  
ORIGINAL

0697

Fol. 1

District Court in the City of New York  
For the Fifth Judicial District.

Ignatz Kaufman

-vs-

John W. Britting

:  
:  
:  
:  
:

The plaintiff complaining of the defendant, alleges  
FIRST:- That at the City of New York, and between the first  
day of February, 1890, and the 8th day of February, 1890,  
(both days inclusive) that plaintiff sold and delivered to the  
defendant, at his special instance and request, goods, wares,  
and merchandise at the agreed price and of the value of Fifty  
Three and 82/100 Dollars,.

SECOND:- That no part thereof has been paid, although due de-  
mand therefor has been made.

2 WHEREFORE, plaintiff demands judgment against the defendant  
for the sum of Fifty Three and 82/100 Dollars, with interest  
thereon from the 8th day of February, 1890, besides the costs  
of this action.

J A C O B L E V Y

Plaintiff's Attorney

25 Chambers Street,

New York City.

CITY AND COUNTY OF NEW YORK, SS:-

3 Ignatz Kaufman, being duly sworn, deposes and says that he is  
the plaintiff, in this action, that he has heard read the fore-  
going complaint and knows the contents thereof, that the same  
are true to his own knowledge except as to the matters therein  
stated to be alleged on information and belief and as to those  
matters he believes it to be true.

Sworn to before me this  
31 day of March, 1890.

Charles Cross  
Com of Deeds

I Kaufman

POOR QUALITY  
ORIGINAL

0598

District Court in the City of New York  
FOR THE FIFTH JUDICIAL DISTRICT.

*Egnatz Kaufman*  
Plaintiff

against

*John W. Britton*  
Defendant

SUMMONS.

The People of the State of New York,

To THE ABOVE-NAMED DEFENDANT:

You are hereby Summoned and required to appear in this action, before HENRY M. GOLDFOGLE, Esquire, Justice of the District Court in the City of New York, for the Fifth Judicial District, in the Court at the Court Room thereof, No. 154 Clinton Street, in the City of New York, on the *Eight* day of *April* 18 *90*, at nine o'clock in the forenoon, to answer the complaint of the Plaintiff in this action, who, if you then fail to appear and answer, will take judgment against you for the sum of *53.82/100* Dollars, with interest from the *1st* day of *Feb* 1890, besides the costs of this action.

Dated, New York,

*March 31* 1890

*Chudman*  
Clerk.

To entitle this Cause to a favorable position on the Calendar, this Summons should be returned to the Clerk of the District Court, at least one day before the return day.

GLUED PAGE

POOR QUALITY  
ORIGINAL

0699

d, to entit

DISTRICT COURT IN THE CITY OF NEW YORK  
FOR THE FIFTH JUDICIAL DISTRICT.

County of New York, ss :

day of 18 ,  
Copy of the within Summons and Complaint, in  
New York, on the within-named Defendant ,  
No.

Street.

Marshal.

Depute  
Summons.

County of New York, ss :

sworn, says that he is years  
on the day of

in said City,  
copy of the within Summons and Complaint

out therein named, by delivering to and leaving  
a true copy thereof ; that he knew the person  
to be the person described in said Summons as  
therein.

before me, this

day

18

Commissioner of Deeds.

DISTRICT COURT IN THE CITY OF NEW YORK  
FOR THE FIFTH JUDICIAL DISTRICT.

Vol.

Fol.

*Kaufman*

Claim \$ 53.82/100

Ret. the 8

against

day of April

*Bittling*

1890, at 9 A. M.

Plaintiff appeared by

Complaint

Defendant appeared by

Answer

Adjourned to

Judgment for the

For Damages.....\$

" Costs.....

" Extra Costs...

Amount, \$

Dated this

day of

18

Justice...



GLUED PAGE

POOR QUALITY  
ORIGINAL

0700

This Summons must be returned to the Clerk before the return day, and the trial fee paid, to entitle it to be placed on the Calendar.

District Court in the City of New York,  
FOR THE FIFTH JUDICIAL DISTRICT.

*Ignatz Kaufman*  
PLAINTIFF,  
against  
*John H. Britting*  
DEFENDANT.

Alias Summons.

THE PEOPLE OF THE STATE OF NEW YORK,

To the above named Defendant:

You are hereby Summoned and required as before to appear in this action before  
HENRY M. GOLDFOGLE, Esquire, Justice of the District Court in the City of New York,  
for the Fifth Judicial District, in the Court, at the Court Room thereof, No. 154 Clinton  
Street, near Grand Street, in the City of New York, on the  
*April* 1890, at nine o'clock in the forenoon, to answer the complaint of  
the Plaintiff in this action, who will take judgment against you for the sum of \$ *53.82*  
Dollars, with interest from the *8th* day of *February* 1890  
if you then fail to appear and answer.

Dated New York,

*April 4* 1890 *Chas. D. ... Jr.*  
Clerk.

POOR QUALITY  
ORIGINAL

0701

City and County of New York, ss.:

On the 8 day of April 1890  
I served the within summons and complaint in the  
City of New York, on the within named Defendant in  
person at No. 457 Hudson  
by delivering to and leaving with

John Britting  
a true copy thereof, and at the same time showing the  
within original, and that I know the person so served  
to be the Defendant therein  
named.

David McLaughlin Marshal.

City and County of New York, ss.

being duly sworn, says, that on the  
day of 188 , at No.

in said City,  
he served the within Summons and Complaint on

the Defendant therein named, by delivering to and  
leaving with a true copy thereof, and at the  
same time showing the within original, that he knew  
the person so served to be the person de-  
scribed in said Summons as Defendant therein, that  
deponent is 21 years of age and a resident of said  
City.

Sworn before me, this day of 188

I hereby depute  
to serve this Summons,  
Dated New York,

188

Justice.

Plaintiff's Residence.  
Defendant's Residence.

DISTRICT COURT,  
FIFTH JUDICIAL DISTRICT.

SUMMONS. Vol. 30

Kaufman  
against

Britting

\$ 53.02  
Ret. the 15  
day of April  
1890

Plaintiff appeared by  
Complaint filed

Defendant appeared not

Answer

Adjourned by

to at 9 A. M.

Damages \$  
Interest,

Total, \$

Judgment for the

For \$ 54.32

damages, besides

costs,

and \$ 7

extra costs,

Dated this

15 day of

Apr

1890

Justice.



POOR QUALITY  
ORIGINAL

0702

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John N. Britting*

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

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

The said

*John N. Britting*

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

*one thousand and four hundred cigars  
of the value of three cents each, one  
show figure of the value of ten  
dollars, ten boxes of cigarettes of the  
value of ten cents each box and one  
show cases of the value of ten  
dollars*

of the goods, chattels and personal property of one *David Ullman*

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

*John R. Fellows,  
District Attorney*