

0617

BOX:

464

FOLDER:

4261

DESCRIPTION:

Jean, Louis

DATE:

01/14/92



4261

0510

Witnesses:

Wm. J. McNeil
Counsel,
Filed *at* *St. Louis* *Mo.* 189*2*
Plends, *Argued to*

Grand Larceny, *5* *Sections 828, 827,*
Penal Code.]

THE PEOPLE

vs.

Louis Jean

De Lancey Nicoll,
District Attorney.

John J. Conter,
A TRUE BILL
Chas. DeForest

Foreman.

Part I -
Jan 19 1892
S.P. 3 2/3

24
February 410 Jones
6th change 10
50 J

2/19/92

THE PEOPLE
vs.
LOUIS JEAN.

COURT OF GENERAL SESSIONS, PART I.
BEFORE JUDGE FITZGERALD.

Tuesday, January 19, 1892.

Asst. Dist. Atty. McIntyre for the People.
Mr. McLaughlin for the Defendant.

A Jury was empanelled and sworn.

JAMES MALLEN, sworn and examined by Mr. McIntyre.

- Q. Officer, what precinct are you connected with?
A. The 28th.
- Q. In the 28th precinct you are the ward detective?
- Q. On January the first were you on Pier No. 40, North River?
A. Yes sir.
- Q. What time? A. I guess it was about, I was there from about seven o'clock.
- Q. In the morning or evening? A. Evening.
- Q. At the foot of that pier what steamship if any was lying there, if you know? A. The Urania.
- Q. Belonging to what steamship line? A. The Cunard.
- Q. What other officer was there with you at the time?
A. Well, there was no other officer with me, there was another officer down on the dock.
- Q. There was an officer at the dock? A. Yes sir.
- Q. Connected with what precinct? A. Connected with the 28th.
- Q. Do you remember his name? A. Officer Griesel. I think the name is.

- Q. He was on the dock? A. He was on the dock.
- Q. What part of the dock were you standing on? A. I go all parts, generally go around all over aboard the ship.
- Q. You are generally there when the Cunard Steamships are in port? A. Going out or coming in, yes sir.
- Q. On that occasion did you see this defendant at the bar? A. Yes sir.
- Q. What time was it when you saw him? A. I guess it was about half past ten. It might be twenty minutes past, between twenty minutes and half past ten.
- Q. In the evening? A. In the evening, yes sir.
- Q. Where were you standing when you saw him? A. I was then standing up very near to the gate.
- Q. Estimate as near as you can the length of the pier? A. I guess the length of the pier is about two hundred feet.
- Q. So that you were about two hundred feet away from where the steamship was lying? A. Not as far as that; the steamship runs the whole length of the dock. I might have been a hundred feet away from the gang plank.
- Q. Now what drew your attention to this defendant? A. I saw the defendant coming up; we naturally watch anybody going out and coming in on the dock.
- By Counsel: I move to strike out what he naturally does.
- The Court: Yes, strike that out.
- Witness: I saw this man coming up the dock and he had his coat under his arm in this way (showing) and it was a little bulkier than a man would naturally have a coat by the appearance of it. I thought there was something under the coat; I saw

the man before he got within fifty feet of me.

Q. I show you a lady's coat ----

By the Court. Q. That is a lady's seal sacque? A Yes sir.

Q. Did you arrest him or did you go up to him?

A. Yes sir, he had the coat in this position. (Showing

Q. Then you took the coat away, did you? A. He had it in that way; I thought it was strange ----

Q. Did you take it from him? A Yes sir.

Q. What did you find inside when you took it from him?

A. I asked him what he had under that coat; I first said, "what have you got there?" He said, "I have got a coat." I said, "what have you got under that coat?" I got hold of the coat to pull it out. He says, "I have got my wife's sacque."

By Mr. McIntyre. Q. You took the coat away from him? A. I took the coat away from him then.

Q. You found what, this sealskin sacque? A. No, I pulled his coat open.

Q. Did you find this sealskin sacque with him? A. Yes sir.

Q. Now after you took it away from him what did you do with the defendant? A. I took the defendant with me.

Q. Where did you take him to? I took him down to the gang plank.

Q. That was after he said he had his wife's coat?

A. After he said he had his wife's coat I took him down to the gang-plank.

Q. Did you take him aboard the steamer? A. No sir, I did not, I took him down to the gang-plank; he says, "my wife is not here yet." I then called Officer Griesel, he was in

uniform down at the lower end, and I left him in charge of Griesel and I went aboard the ship, went to the saloon to look for an owner of it and I saw Mr. and Mrs. Pidgeon in company with others. I asked them if they had lost anything; they did not know.

Objected to.

Q. Did you bring this defendant at the bar in the presence of Mr. and Mrs. Pidgeon? A. I did not, not at that time.

Q. Did you at any time? A. Yes sir, I did.

Q. When was it? A. That was sometime after I went aboard the ship.

Q. You went aboard the ship? A. Yes sir, I went aboard the ship and I seen Mrs. Pidgeon in company with others, her and her husband standing together; I asked them if they had lost -----

Objected to.

By the Court. Q. Did you go back where the officer and this man was? A. I said I had got a sacque.

Q. Did you go back after you had talked with Mr. and Mrs. Pidgeon no matter what you said to them, don't tell us that; did you go back to where you left the man with the officer?

A. Yes sir.

Q. Did you take anyone back with you? A. I took Mr. and Mrs. Pidgeon back with me to where he was standing at the gang-plank in charge of the officer.

Q. You brought those two people down? A. Yes sir, I still held the sacque on my arm.

By Mr. McIntyre. Q. When you brought Mr. and Mrs. Pidgeon in the

presence of this defendant state what you said, what the defendant said and what Mr. and Mrs. Pidgeon said, and I only want you to testify to that which was said in the presence of this defendant?

A. Yes sir.

Q. Now go on?

A. I went up to the office with Mr. and Mrs. Pidgeon to where Officer Griesel and the prisoner were, the office of the company.

By the Court. Q. On the dock?

A. Yes sir; I asked them if that was their property; they said yes. Mr. and Mrs. Pidgeon both said "that is our property". I said to this fellow, the prisoner, "what did you lie to me for?" Well, he said, "I was a little hard up and I was gambling. I was obliged to do this to get a little money."

Q. What else was said?

(Objected to.)

A. He acknowledged to me ---- He told me what he had taken out of the state-room, he acknowledged - ----

Q. Did he say what state-room.

A. He did not say where, he said he took it out of a room.

Q. On which ship. if any?

A. He said on that ship.

Q. Pointing to what ship?

A. Pointing to the ship what we were at that time there.

Q. Was that the Uranian?

A. Yes sir.

Q. Now what else was said?

A. That is all the conversation I had with him at that time.

Q. Then what did you do with the defendant?

A. I took the defendant with Mr. and Mrs. Pidgeon and the officer over to headquarters, 300 Mulberry Street.

Q. Then what did you do?

A. I had the prisoner locked up.

Q. What was said on the way to police headquarters?

A. Well, he had a conversation with Officer Griesel going to headquarters.

Q. You did not say anything on the way to headquarters to Mr. and Mrs. Pidgeon?

A. No sir, I was not in conversation with them at all.

Q. You said nothing at all?

A. No.

Q. Did you not say anything to them?

A. I said nothing

to them. I had a little conversation, yes; I wanted to persuade them to stay over; this was the trouble, but they said it was impossible under no circumstances could they.

By Counsel.

Q. Was this in the presence of the defendant?

A. Yes sir,

right in the presence of him.

By Mr. McIntyre. Q. They said they could not stay over?

A. They said it was impossible to think of staying over, the lady finally partly consented and then again the husband got talking to her and she changed her mind. He said, "I am willing to do what I possibly can for you, Officer, but we cannot remain over."

Counsel: I object and move to strike it out on the ground that those statements would not call for any remark on the part of the defendant.

The Court: They were all statements made in relation to this transaction in the defendant's presence. I deny the motion.

Counsel: I will except.

The Court: That portion of the answer where the Officer says, "partly consented", that may be stricken out, that is not a part of the conversation.

Counsel: My motion is in regard to the whole conversation.

The Court: I will let the conversation stand. striking out the conclusion of the Officer's mind.

By Mr. McIntyre. Q. Officer, when you got to Police Headquarters,

will you state what was said? A. When I went over

to Police Headquarters the defendant he did not say anything;

I wanted to find out -----

Q. What was said in the presence of this defendant?

A. There was nothing said in the presence of the defendant, I had him locked up then.

Q. Was anything said concerning this cloak in the presence of the defendant?

A. I spoke to Capt. Smith and told him that it was a two hundred dollar cloak. Mr. and Mrs. Pidgeon both were there.

Q. Did Mr. Pidgeon say anything concerning the ownership of this cloak in the presence of the Defendant?

A. Yes sir.

Q. What did he say? A. He said that was his property.

Q. This cloak which you showed to him? A. Yes sir.

Q. Did you take the defendant to the Police Court subsequently?

A. O yes, I took the defendant the next morning to the Police Court.

Q. Where did you go to get him, at Police Headquarters?

A. Yes sir.

Q. What Police Court did you take him to? A. I took him to the Tombs.

Q. Now on the way over to the Police Court from the Tombs did he say anything to you? A. I did not hold no conversation with him.

Q. He said nothing at all? A. No sir.

Q. In the Police Court did he say anything in your presence?

A. Nothing to me, I did not hold any conversation further than that.

CROSS EXAMINED.

By Counsel. Q. Now when you were in the Police Court, Officer, did you have this complaint made?

A. I was a party to have it made, yes sir.

Q. You were the officer there?

A. I was the officer there, yes sir.

Q. You did not make the complaint at first?

A. No sir, Capt. Watson made the complaint, he was assisting in the matter.

Q. You were present at the time it was made?

A. Yes sir.

Q. You did not say a single word in the Police Court in regard to what this defendant said in regard to being drunk, in your statement you did not say anything about that?

A. About who being drunk?

Q. I mean gambling?

A. Well, they did not put any question, they just put a few words to me and I told them what they asked me.

Q. You made no statement of that kind or character in the Police Court at all?

A. No sir.

Q. The first time you said a word about it was here on the stand, is that right?

A. Yes sir, that is right -- all what I said is on that paper.

Q. Now that is all that you know about this case?

A. That is all I know about it.

Q. You are quite positive you have not omitted anything that occurred at any time in regard to this case?

A. Not as I know of.

CONRAD GRIESEL, sworn and examined.

By Mr. McIntyre. Q. Officer, what precinct are you connected with?

A. The 28th.

Q. On January 1st where was your beat located?

A. It is upon the Cunard Pier.

Q. Pier No. 40?

A. Yes sir.

Q. Were you there on that day?

A. Yes sir.

Q. What time?

A. I came there five minutes before six.

Q. In the evening?

A. Yes sir.

Q. When did you leave?

A. I left with Mr. Mallen and with the prisoner, to Headquarters.

Q. You saw the prisoner on that occasion?

A. Yes sir.

Q. What time was it when you saw him?

A. It was either ten minutes to eleven or around eleven o'clock.

By the Court. Q. Ten minutes to eleven at night?

A. Yes sir.

By Mr. McIntyre. Q. State where you saw him?

A. I was

down at the lower gangway, the storage passenger gangway; all of a sudden I saw Mr. Mallen and the prisoner at the bar together and I saw a couple of firemen were congregated around, I thought there was something the matter and I went up.

The Court: Strike out what he thought.

Q. Tell us what you saw?

A. I thought there was something the matter, I immediately went up and he told me to hold this man.

By Mr. McIntyre. Q. Who told you that?

A. Mr. Mallen;

he said, "keep a good hold of him, he has a sealskin sacque."

here"; he (Mallen) had the sealskin on his arm, and he goes aboard the boat and brings down -----

Q. Did he have this sealskin sacque on his arm? (Showing sacque to witness.)

A. That appeared to be the one, yes sir.

Q. Now he went down stairs and brought up who?

A. He went aboard the steamer and brought down Mr. and Mrs. Pidgeon; they came down on the dock; we took them up to the office of the Company and searched the defendant there; Mr. Mallen asked them if they recognized that sacque as theirs.

Q. The defendant was there at that time? A. Yes sir;

they both admitted.

By the Court.

Q. What did they say? A. They admitted that it was their sacque.

Q. What were the words, as near as you can remember?

A. Mr. Mallen said, "do you identify that as your sacque?" She said, "yes", and he said "yes."

Q. Both said yes? A. Yes sir.

By Mr. McIntyre. Q. You took him aside to take his pedigree?

A. Mr. Mallen took him one side, I took his pedigree, I happened to have a slip of paper; I asked him his name, age, and everything. I says, "you have been arrested before." He says "I do not say I did not do it, I ought to get punished, I do not care what becomes of me, nothing but gambling done that." In the meantime Mr. Mallen was telling Mr. Pidgeon and Mrs. Pidgeon what a great lot of robberies occurred on the River and said that it would be prudent for them to stay. This was all in the presence of the defendant.

Counsel: I object to it on the same ground that the questions did not call for an answer from the defendant.

Witness: He said it would be prudent for them to appear, that there had been a great many robberies committed on the docks and it would be hard to convict in cases of people going to Europe. They consented to go to Headquarters; they said it was impossible for them to stay, that they had made arrangements so far ahead it was almost impossible. We proceeded to go to Headquarters, we got into the car; it appeared a drunken man got on the back of the car and Mrs. Pidgeon got frightened, I jumped off the front of the car and went back to chase this man off -----

Objected to.

Q. State the conversation? A. He admitted there to me in the car the second time -----

Q. Do not say admitted, say what he said.

A. I got alongside of him, I says to him, "that is a pretty slick job, very nice, have you ever done any time before?" He says, "no, I do not say I did not do that, I ought to get punished, nothing but gambling did it." I said, "what gambling were you doing?" He said, "throwing dice.

I said, "have you ever done any time, you have been arrested before." He says, "yes, once by Mallen." I said, "what was done to you?" He said, "nothing."

Q. Did you go to Police Headquarters? A. Yes sir.

Q. In Police Headquarters did the defendant say anything to you, the prisoner at the bar? A. No sir.

Q. He said nothing at all? A. No sir.

Q. Did Mrs. Pidgeon say anything in his presence?

A. No, she did not that I know of.

Q. Nothing further was said after that? A. No sir.

Q. Were you in the Police Court the next morning?

A. No sir.

Q. You have told all that you know of this transaction?

A. Yes sir.

Re.

CROSS EXAMINED by Counsel.

Q. You and Mallen were present? the same time all this conversation occurred? A. Yes sir, except in the car, that I did not hear, the conversation in the car I did not hear because they were sitting on the other end.

Q. The conversation in the car was not heard by Mallen but all those conversations were in his (the defendant's) presence.

A. Yes sir.

Q. You were in the Police Court? A. No sir.

Q. You did not go to the Police Court? A. No sir, I did not.

By Mr. McIntyre. Q. Did the defendant tell you where he got this cloak from? A. No, he did not tell me, he did not deny that he took it.

Q. He did not say where he took it from? A. No sir, he did not.

By the Court. Q. That was the steamer Urania? A. I could not tell you, it was one of the Cunard steamers.

Q. She was to sail at 5.30 or 6.00 o'clock in the morning.

A. Somewhere around that in the morning. Usually in that case they send officers in the evening.

Q. She was to sail the following morning? A. Yes sir.

Q. Sailing ~~from~~ for Europe? A. Yes sir.

WILLIAM H. WHITE sworn and examined.

By Mr. McIntyre. Q. Mr. White, what is your business?

A. Salesman for C. Gunther's Sons.

Q. What is their business? A. Furriers.

Q. Now in your capacity as salesman you have bought and sold sealskin sacques, have you not? A. Yes sir.

Q. You know the value of sealskin sacques? A. I do, sir.

Counsel: It is conceded that that seal sacque is worth over twenty five dollars.

By Mr. McIntyre Q. Look at that and state what in your opinion is the value of that sac-que? (Sacque shown.)

A. Well, from the quality I should say. \$175.00.

Q. You say \$175.00? A. Yes sir.

By Counsel. Q. It is worth over twenty-five dollars anyhow?

A. Yes sir.

By the Court. Q. How long have you been in the fur business?

A. Nine years.

Q. At Gunther's? A. Yes sir at C.G. Gunther's.

By Mr. McIntyre. Q. Your place of business is where?

A. No. 184 Fifth Avenue.

JOHN S. WATSON, sworn and examined.

By Mr. McIntyre Q. Captain, what is your business?

A. Superintendent of the Cunard Steamship Company.

Q. On January 1st did any steamship connected with your Company sail from this port? A. No sir, January 2nd.

Q. On the morning of January 2nd? A. Yes sir, at 6.30.

Q. Was any steamship connected with your Company lying at

Pier 40 on the first of January? A. Yes sir, the steamship Urania.

Q. And did she sail on the 2nd of January? A. Yes sir.

Q. What time in the morning? A. 6.30.

Q. Now do you know whether you had cabin passengers of the name of Mr. and Mrs. Pidgeon? A. Yes sir.

Q. Do you know whether they sailed? A. They did, sir.

Q. On what day? A. On January 2nd.

Q. On January 2nd? A. Yes sir.

Q. Do you know what state-room they occupied? A. Nos. 34 and 35.

Q. Did you see them sail, Captain? A. I did see them.

CROSS EXAMINED by Counsel.

Q. Now what are you? A. Superintendent of the Cunard Steamship Co., Port Captain in other words.

Q. You were not present on the day that Officer Mallen took this sacque from the defendant? A. I was on the pier.

Q. I ask you were you present there? A. NO.

Q. You were not present at any time when any conversation occurred between the officers and the defendant? A. NO.

Q. Or anybody else and the defendant? A. NO.

Q. And so far as your knowledge is concerned you have no knowledge that the Mr. and Mrs. Pidgeon ----- no personal knowledge --- who sailed were the people that claimed this sacque? A. Yes sir, I have.

Q. Your own personal knowledge? A. Yes sir.

Q. Outside of what you heard you do not know of your own knowledge? A. No, not from observation.

By the Court: Q. Captain, do you know what time at night, that is of your own knowledge, Mr. and Mrs. Pidgeon went on board that steamer?

A. Only from what they told me, I did not see them go on board --- about a quarter past ten.

Counsel: I object and ask it be stricken out.

The Court: Yes, strike out the answer.

Witness: I interviewed them ---

Mr. McIntyre: The People rest, your Honor.

Counsel: I ask your Honor to direct this Jury to acquit on the ground that there is no evidence here to show that a larceny has been committed.

The stenographer read the evidence of Officer Mallon to the Court.

The Court: Motion denied.

Counsel: Does your Honor think there is sufficient to go to the Jury?

The Court: I have denied your motion.

Counsel: I except. That is our case.

Counsel for the Defendant declined to sum up the case to the Jury.

Asst. Dist. Atty. McIntyre summed up for the People.

Counsel: I again ask your Honor to advise the Jury to acquit the Defendant.

The Court: You make that motion ---- motion denied.

Counsel: I except.

0634

Testimony in the
case of
Louis Jean

filed Jan. 1892.

50 U.S.

0635

No. 8.

410

GRAND JURY ROOM.

PEOPLE

vs.

Jean

Dear Mr. Luskay.

If any questions
arise as to the
subfereency etc
of this Complaint
please see me

+ obba

W. Luskay

0636

TORN PAGE

Police Court 1st District. Affidavit—Larceny.

City and County } ss:
of New York, }

of John S. Watson
of Pier 40 Hudson River Street, aged 65 years,
occupation Supt- being duly sworn,

deposes and says, that on the 1st day of January 1892 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the night, the following property, viz:

One seal skin jacket of the value of
Two hundred dollars
\$200-

the property of Daniel Pidgeon in the care and
charge of deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by Louis Jean (over here)

from the fact that deponent is informed
by James Hallen that he found said
property in the possession of said defendant
on Pier 40 Hudson River in said
City

J. S. Watson

Sworn to before me, this 2 day
of January 1892
Police Justice

0637

1877.

CITY AND COUNTY }
OF NEW YORK, } ss.

James Hallen
aged _____ years, occupation Officer of No. 28th Precinct Police Street,

being duly sworn, deposes and says, that he has heard read the foregoing affidavit of John S. Watson and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 2 day of July 1892

James Hallen

W. W. ...
Police Justice.

0638

Sec. 108-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Louis Jean

Question. How old are you?

Answer.

43 years

Question. Where were you born?

Answer.

France

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

Answer.

78 W Houston St - 4 mos

Question. What is your business or profession?

Answer.

Labour

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 picked the property up in the passage way of the steamship ~~can~~

Taken before me this

August 1892
John H. ...

Police Justice.

0639

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 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 Jan 2 1892 W. M. Mahan 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.

0640

1628

Police Court--- 1st--- District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

John S. Watson
for 40 Hudson River
Louis Jean

Agency
Larson
H. H. H.

1
2
3
4

BAILED,

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

Dated *Jan 2* 18*92*
McMahon Magistrate.

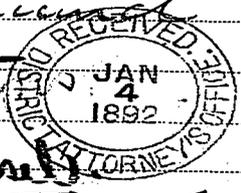
Mallon Officer.
28 Precinct.

Witness *Jamie Mallon*
28th Precinct Street.

No. *15* Street.

No. *11* Street.

\$ *2000* to answer *G. S. H.*



0641

ninety ~~two~~, at the City and County above, with force and arms,

^{sealskin}
one jacket of the value
of two hundred dollars

of the goods, chattels and personal property of one

Daniel Ridgely

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.

0642

SECOND COUNT—

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

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

The said

Louis Jean

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 seal skin jacket of the
value of two hundred dollars*

0643

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Louis Jean

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

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

The said

Louis Jean

late of the City of New York, in the County of New York aforesaid, on the *first* day of *January* in the year of our Lord one thousand eight hundred and

0644

TORN PAGE

505

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Louis Jean

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

Louis Jean

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

The said *Louis Jean*

late of *France* New York, in the County of New York aforesaid, on the *first* day of *July*, at the City and in the year of our *George and Ann*

sealskin
one jacket of the value
of two hundred dollars

[Large handwritten flourish]

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

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.

[Small handwritten flourish]

TORN PAGE

0645

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*one sealskin jacket of the
value of two hundred dollars*

of the goods, chattels and personal property of one

Daniel Pidgeon

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 Pidgeon

unlawfully and unjustly did feloniously receive and have; the said

Louis Jean

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0646

BOX:

464

FOLDER:

4261

DESCRIPTION:

Johnson, Charles

DATE:

01/12/92



4261

Witnesses:

Counsel, *W. J. [Signature]*
Filed *12th* day of *January* 189*2*
Plends,

INJURY TO PROPERTY.
[Section 654, Penal Code.]

THE PEOPLE

vs.

I

Charles Johnson

W. H. [Signature]
Charles

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Chas. D. DeForest

Jan 14/92 Foreman.

W. H. [Signature]
Misdemeanor

1 month & 10 days

0648

CITY AND COUNTY OF NEW YORK. } ss.

POLICE COURT, 3 DISTRICT.

of No. 41 Bowery Street, aged 43 years, occupation Bar tender being duly sworn, deposes and says that on the 22 day of December 189 at the City of New York, in the County of New York. Charles Johnson

to-wit: who did wilfully and maliciously break a large plate glass in the show window in the store premises no 41 Bowery and broke a number of bottles containing liquors in said show window by throwing a brick through said plate glass causing damage of the amount and value of One Hundred Dollars as deposes is informed by William McLearty the property so destroyed is owned by Aaron Herzberg James Duffey

Sworn to before me this 22 day of December 189

John P. Ryan Police Justice

0649

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 20 years, occupation William McCarthy of No. Porter

25 Bowen Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of James Duffy and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 23 day of Dec 1896, } William Mc Carthy

John Ryan
Police Justice.

0650

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *Charles Johnson*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *New Jersey*

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

Answer. *86 Boston St. 3 years*

Question. What is your business or profession?

Answer. *Welder*

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*

Charles Johnson

Taken before me this
day of *July* 19*33*
John H. [Signature]

Police Justice.

0651

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.....

Deputy

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..... Dec 23 1891 *John Ryan* Police Justice.

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

Dated..... 18 Police Justice.

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

Dated..... 18 Police Justice.

0652

Police Court--- 3 1585 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Duff
41 Bowery
Charles [unclear]
2
3
4
Justice *W. J. [unclear]*

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *Dec 23* 188

David Bath Magistrate.

David Bath Officer.

William M. [unclear] Precinct.

Witnesses *William M. [unclear]*

No. *25* Street.

No. _____ Street.

No. _____ Street.

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



lean

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Charles Johnson

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

Charles Johnson

of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *Charles Johnson*,

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

of force of the value of generally five
dollars, and ten bottles containing
spirited liquors.

of the value of *two* *dollars and fifty cents* each.

of the goods, chattels and personal property of one *Charles Johnson* then and there being, then and there feloniously did unlawfully and wilfully *break and*
destroy.

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

SECOND COUNT.

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

— Charles Johnson —

of the CRIME OF UNLAWFULLY AND WILFULLY *destructive* REAL PROPERTY OF ANOTHER, committed as follows :

The said *Charles Johnson,*

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, *a certain*

de fact.

of the value of *seventy five dollars.*

in, and forming part and parcel of the realty of a certain building of one *Baron*

Henry Jones, there situate, of the real property of the said

Baron Henry Jones.

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

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

DE LANCEY NICOLL,
District Attorney.

0655

BOX:

464

FOLDER:

4261

DESCRIPTION:

Cornelius, Henry

DATE:

01/08/92



4261

0656

BOX:

464

FOLDER:

4261

DESCRIPTION:

Johnson, Nelse P.

DATE:

01/08/92



4261

0657

BOX:

464

FOLDER:

4261

DESCRIPTION:

Sanders, John

DATE:

01/08/92



4261

Bail by
Witnesses:
Consent of said
Atty \$1000

#1 Bailed by
Timothy A'Brien
186 Cherry St

In this case the defendant
Sanders was tried & acquitted,
the evidence used against Sanders
is the only evidence the People have
against Johnson & Cornelius, and in
view of the acquittal in the case
of Sanders I am of the opinion that
there can be no conviction in the
case of the other two defendants.
I therefore suggest that Johnson
& Cornelius be discharged upon their
own recognizances
N.Y. April 18, 1892 John P. McKeegan
Dist. Atty

60
Counsel,
Filed *S. J. [unclear]* day of *Jan'y*, 189*2*
Plends, *to the County of [unclear]*

THE PEOPLE
vs.
John P. Johnson
Henry Cornelius
and John Sanders
Grand Larceny, second Degree.
(Sections 623, 627, Penal Code.)

DE LANCEY NICOLL,
District Attorney.

Part 3 April 14/92
No. 3. tried and acquitted
A TRUE BILL.

Ellis J. DeForest
Part 3 April 18/92 Foreman.
Apr 15 31
in recon of *Part 3*
depts *Johnson & Cornelius*
discharged within our recon
R.B.M.

City and County of New York ss.

Machin Miller
being duly sworn says that he resides
at 134 W 63rd Street New York City
and am engaged as Agent for
the Manhattan Lightage Co
Stationed at N. Pier 37, North
River.

On Dec 22, 1891
I was informed by Mr Coleman
Chief Clerk of the Pier, that per-
sons were "working" or robbing
cotton on the barge David J
Anderson, and asked me to
accompany him to catch or
detect the robbers. This was
about fifteen minutes after
ten I did so. We went
aboard of the boat with the
two officers by crossing a
canal boat. We did catch
any men on board. We searched
the Anderson and found that

seven bags had been filled
with cotton, about six were
yet empty and lot of loose
cotton, also a hand bundle
for opening cotton bales, and
a lantern which was ex-
tinguished. The tarpaulin
was triced up.

Sworn to before me } Mackin Miller
this 6th day of Jan'y 1891 }
Geo. J. Shaughnessy
Notary Public Kemp Co.
Cent. in Ky Co.

City and County of New York ss.

Alfred W. Cookman
 being duly sworn says that he
 resides at 546 Palisade Ave Jersey
 City and am engaged as Chief
 Clerk of New Pier 37, North River
 N.Y. City.

That on Dec 22, 1891
 about 10 to 10:30 P.M. the watchman
 came to me and said there
 was a man outside of the Pier
 that desired to speak to me,
 and that he did not want
 to come in. I went out and
 met one John White, whom I
 knew as having been a lighter
 Captain and who had also
 worked on my Pier. He
 informed me that one Nelson
 P. Johnson, Captain of the lighter
 David S. Anderson, together with
 two others, and one Jack Sanders
 were going to rob cotton from the

lighter "Anderson" and were no doubt at work at that time and that if I went aboard at once I would catch them. Acting on this information, I went aboard the canal boat between the Anderson and the dock, and noticed the tarpaulin hoisted or triced up, also a light in the fore-castle of the lighter usually occupied by the captain. I thought of this incident to call for Mr Machin Miller and asked him to watch the boat while I send for police assistance. About ten minutes later two police arrived and I, with Miller and the officers went through the "Anderson" using a lantern which I furnished but did not find the robbers aboard, but believe they had escaped and fled before completing the robberies, as I found cotton, bags, lantern and band burster as detailed by Mr Miller. There was no watchman aboard the

0663

boat or carrying for it. I placed
a man to watch it, and
no one connected with the
lighter came around until
the following morning at
about 7:30 when the captain
put in an appearance.

I weighed the cotton which had
been displaced at it weighed
about 480 pounds, valued
at about \$3500 at least calculation.

I also weighed the ~~for~~ bales
which had been depleted and
found they had lost an
average amounting to that loss.

The bands had been carefully
readjusted around the bales
after having been opened
so that the loss could not
be easily detected except
by weighing.

Done to be for me }
this 6th Jan'y 1892 }

Geo. J. O'Haugnessy

Notary Public King, Co. W. Coleman
Cust. in N.Y.C.

0664

City and County of New York ss. -

Henry L. Joyce being duly sworn says, that he is manager of the Manhattan Lighterage Transportation Company doing business at No 104 Wall St. and New Pier 37 North River, New York, and that said company transports freights on barges, lighters and other vessels as common carriers, and is responsible for the loss thereof while in their charge.

That on Dec 21, 1891, he contracted with one Melo P. Johnson as master, and whom deponent believes is owner of the lighter David J. Anderson, to transport 190 bales of cotton from New Pier 37, North River, as follows, 148 bales to be delivered to the American Docks at Staten Island, and 42 bales to be delivered to the German American Mors in Brooklyn, that he said Johnson

was to deliver the said bales at the above mentioned places in the same good order and condition as received by him. That the contract was the same as other contracts made at this port in respect to the conditions of transportation and care, and the same as other similar contracts between the said Johnson and deponent, viz, that the cargo should be guarded, watched and protected from the time he receives it on board of the lighter until delivery at destination, it being distinctly understood and agreed between deponent and said Johnson that Johnson or his agent should watch said cotton during the night while laden on board said lighter "Anderson".

Deponent was informed on the morning of December 23rd 1891, by one Matchin Miller, the agent of deponent's company at N. Pier 37, that ~~the~~ some of the bales of cotton laden on said lighter had been opened during the night and robbed, On receipt of this

0555

information deponent went at once to Pier 37, North River, and examined the cargo of cotton laden on board said lighter as aforesaid, and found said cotton has been robbed, that two bales marked "CCC" had been opened by bursting the iron bands which compressed and held the bales together, and four hundred and thirty four pounds of cotton has been removed therefrom, and then the bands had been replaced and refastened so that the shortage or amount extracted would not be discovered until the cotton was finally sold and sent to its destination, which might be some foreign country. The thieves had filled seven bags with the cotton which were on the deck of the lighter Anderson, had left nine empty bags, and loose cotton, enough to fill three more bags, scattered about the deck, and also left an iron instrument known as a "band burster" of cotton bales, together with a lamp, all of which property is in the

0667

possession of deponent

That deponent at the time
identified said cotton as part of
the cotton delivered by his com-
pany in charge of the lighter
D. Anderson for transportation
as aforesaid,

Sworn to before me
this 31st of Dec 1891

Henry S. Joyce

Geo. F. Shaughnessy

Chas. Puller King Co.

Cent. in N.Y. Co.

0668

City and County of New York } S.S.
 State of New York.

John White being duly sworn declares the following statements to be true
 That on November 25th 1890 which was Thanksgiving day, I was in the employ of the Manhattan Lighterage and Transportation Co. as Captain of the barge Texas and we lay at the Wilson Lane Hoboken with 500 bales of cotton on board. On the afternoon of that day I entered into a conspiracy with the mate of the Texas named John Lange and a man named Jack Sanders, to rob the cotton on the boat and on the afternoon of that day we triced up the covers and myself. Jack Sanders and John Lange did open 3 bales of cotton and take therefrom cotton enough to fill 13 Bags. It was taken away by Jack Sanders and Jack Pender. Pender works for a junkman named Pusick. Pender in loading the cotton into a rowboat fell overboard when Sanders grabbed him and pulled him into the boat. It was between 11 and 12 O'clock P.M. We got \$17.00 for it and divided it between the 3 of us. On December 20th 1890 the barge

0669

Texas loaded at Pier ^(New) 37 ~~RR~~ 500 Bales
 of cotton for the ^{Demond} ~~Hawick~~ ^{New} Pier
 No 37 New York and I again entered
 into a conspiracy (I still being the
 Captain of the boat) with John Lange the
 mate of the boat and Jack Sanders to
 rob this lot of cotton about 9 o'clock
 PM we started. We opened 5 bales and
 took from them cotton enough to fill
 30 bags. It was taken away in a row-
 boat by Eddie Collins who lives at 416
 Canal St. and who works for Hayes the
 junkman at the corner of Franklin and
 West Sts. We got for these 30 bales
 \$60.00 which was divided between
 Lange Sanders and myself each
 taking \$20.00. The money was paid
 to us by Eddie Collins.

On Christmas day 1890 the barge
 Texas lay loaded at the Red Star Pier
 (I still being the Captain) with 250 bales
 cotton which we had put on board at
 New Pier 37 ~~RR~~ New York. I left the mate
 Thomas Farrell in charge of the boat and
 he went away on Christmas ^{morning} ~~night~~ and
 left the boat in charge of a man named
 Brady. I came back on the morning
 of the 26th and found that the boat

had been robbed in my absence 30 bags of cotton being taken. The bales were opened and the cotton packed in bags. 8 bales in all were opened and 30 bags were filled. The 30 bags were taken away by Jimmy Dougherty and Billy Scanlon who were partners in the junk business. Jack Sanders told me that they got \$60.00 for the 30 bags from Douglas but they never gave me a cent from this robbery. I had a fight with Jack Sanders about this robbery but they never gave me a cent from this robbery.

On January 4/91 while the barge Texas was laying at the Norwich Fire Pier 408 R and while I was temporarily away from the boat Jack Sanders and a man named George who I know well by sight and who is a companion of Sanders, came aboard the barge Texas. Sanders coming through the dock and George coming alongside the barge in a rowboat and took away a whole bale of cotton. Sanders told me the next day he did this but never gave me any part of the part of the money he got for it. On about December 11th 1891 the barge

David Anderson was laying on the south side of the Guion Line, Pier (New) 30 ~~of~~ loaded with cotton for the Wilson Line. She had been laying there loaded for about a week. On the afternoon of that day I met Jack Sanders in Billy and Dick's saloon on West St between Charleston & King Sts. and he asked me to enter into a conspiracy to rob the cotton on the barge D. Anderson that night and I consented. At half past 8 that night I met Jack Sanders and Gls. P. Johnson the Captain of the D. Anderson and a man named Bogan a junkman and after having several drinks being waited ^{upon} by Dan the bartender in Billy and Dick's, we went aboard the D. Anderson and we opened 6 or 7 bales of cotton and filled 27 bags. Bogan had his rowboat alongside the barge D. Anderson under her bow the Anderson lying stern on to the street and the rowboat lying under the bow being between the Anderson and the dock so she could not be seen. When we had the 27 bags filled we put them into the rowboat between 9 and 10 ~~o'clock~~

0672

and Bogan took them away. I and Sanders going into the rowboat with Bogan and we took it up to the excursion or lay dock at the foot of Perry St. We laid ^{there} until the morning, about 7 A.M. a truck came down and the men on the truck loaded it from the boat on to the truck, we passing it on to the dock. The men who were on the truck ~~were~~ are regular employees of Pusick the junkman. We followed the truck up, and Bogan, Sanders and myself helped to take the cotton from the truck and put it into Pusick's store.

The Captain of the barge J. D. Anderson Nels. P. Johnson arrived a few moments after we had the truck unloaded and the cotton in the store. The Captain and Bogan then went into the store and got the money for the 27 bags \$68.00 Sanders and I waiting outside for them. When they came out we all went into a liquor store on the next corner and divided the money as follows.

The Captain got \$23.00.

I got \$14.50.

and the balance was divided

between Bogan and Sanders.
 This is the last job I personally
 participated in.
 All of the above statements are
 true

John White

Confession made in the presence of &
 witnessed by -

Bernie J. Shep.
 Henry G. Bliven Jr.

Sworn and subscribed to
 before me on this the
 31st day of December in
 the year of 1891 -

Henry Joyce
 Commissioner of Deeds
 New York County

0674

City and County of New York ss.

John White
being duly sworn, says, that he resides at
No 214 West 64th Street in the City of New
York, and is a Lighterman by occupation.
That he is personally ^{acquainted} with Mel P.
Johnson, Henry J Cornelius and
Jack Sanders, and knew them
in business. That on December

22nd 1891 at about 5 o'clock in the
afternoon he saw the said
Johnson, Cornelius and Sanders
in a saloon, known as "Billy
& Dick's" between King & Charleton
Street on West Street, and that
he overheard a conversation with
and between them whereby they
agreed to "work" or rob the cotton
bales on the lighter Dave J
Anderson on the same evening.
That the circumstances and con-
versation was as follows. That as

0675

deponent was leaving the liquor store of "Bully & Dick's" he met Cornelius coming in who inquired if he had seen Sanders, and he informed him that Sanders was in the room by the bar. That deponent had seen Sanders on the lighter Anderson about 3 o'clock in the afternoon in company with Johnson the Captain of the lighter, and knowing that Sanders had a bad character for robbing cotton boats, he came to the conclusion that he intended probably, to "work" or rob the lighter. So that when Cornelius, whom also deponent considered one of the same gang, asked for Sanders he concluded it was in connection with the robbery of the lighter Anderson, and said to him, "Are you going to work the "Anderson" tonight with Sanders," and Cornelius replied "I am ready, I have the bags ready, and we are only waiting for the Captain (meaning Johnson) to give the word". Cornelius then

went directly over to Sanders, and deponent waited in the saloon. A few minutes after Capt Johnson entered and the three began a conversation, Deponent then moved near enough to hear it, and heard Sanders say to Capt Johnson "Are you willing to work" to ^{work plus} lighter with us. (mean-^{to}ing himself and Cornelius, and meaning by the word "work" to rob) and Capt Johnson said, "Yes, I am willing", and turned to Cornelius and said "Have you everything ready" to which Cornelius replied, "I have thirty empty bags in the row boat ready to put aboard the lighter". Deponent then left the saloon but watched for them to see where they were going, and saw them separate at the corner of Charleston and Washington Street and later in the evening, to wit about 8:30 Pm, deponent saw Capt Johnson and Sanders go on board the lighter, which was between two canal boats at the end of the bulkhead at Pier 36^{and 37}.

0677

Deponent while watching these people, was employed by Capt. Lane Rung of the Barge Capt. Lane to load sugar at Pier 37 and worked from 9 PM until 10.10 PM. After getting through this work, deponent called on the Chief Clerk of the Pier, Mr. Coleman, and had a conversation with him, and stated that said Johnson, Cornelius and Sanders had agreed to rob the cotton, and that he believed they were doing so. as deponent had crept on the canal boat near the lighter, and knew that someone was opening the bales from the sound of the bands binding them breaking or being unhooked loose. He also saw a light in the forecabin. Deponent also knows that Coleman secured the assistance of an officer, who secured two more officers, and went on board the lighter, and found no persons on board, but found the bales had been opened and part of their

contents extracted, and that the
thieves had filled about seven
bags with cotton, and had
enough loose to fill several
more, also found an instru-
ment used for bursting the
iron bands on the bales.

Sworn to before me &
this 31st Dec 1891 by John White

Wm. Carroll
Notary Public

Arthur M. Co. Stamps

0679

STENOGRAPHER'S MINUTES.

District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Henry D. Joyce
Wesley P. Johnson
Henry Cornelius
John Sanders

BEFORE HON.

Samuel Peck
POLICE JUSTICE,

December 30th 1891

APPEARANCES:

{ *For the People,*.....
For the Defence,.....

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INDEX.

WITNESSES.

Direct Ex.

Gross Ex.

Re-Direct.

Re-Gross.

[Signature]

Official Stenographer.

First District
Justice Court

Henry L. Joyce	} Charged with Grand Larceny December 30 th 1911
Wesley P. Johnson	
Henry J. Cornelius	
John Sanders	
	Deputy Sheriff
	Samuel O'Reilly
	Police Justice

John White being called as a witness for the people being only minor offenses Ed says.

Cap Examined
By Mr. Price

What is your business?
A lighterman
How long have you been a lighterman
A about 9 years
Where do you reside?
A 314 West 64th Street
Do you know these prisoners?
A Yes Sir
If you say you are bound a

Bv

conversation between them?
 A yes Sir I heard a conversation
 between them in July ¹⁸⁹¹ & I think
 of what was this?

A On the 25th day of December 1891
 of what time of night was it?
 A About 5 o'clock

of were you in their company?
 A Yes Sir I was standing there
 having a glass of beer to
 myself, while these men
 were there?

of which men?

A Sanders ^{Ed} & Coullins, and in
 came the captain of the barge
 I heard the conversation, he
 was going to rob the cotton
 of the lighter, I saw a Anderson
 of who spoke first
 A Jack Sanders.

of what did he say?

A He asked the captain if he
 was going to work on the
 Anderson for to rob the

cotton?

Q. Jack Saunders asked the Captain if he was going to work to rob the cotton on the lighter.
 A. Yes sir and they stayed there in Billy and Dick's for 5 or ten minutes
 Q. And one of the men said are you going to work on the lighter to rob the cotton?
 A. Yes sir.

Q. Which one said that?
 A. Jack Saunders.

Q. And the other two prisoners say anything to that?

A. The Captain was satisfied
 Q. No no. that would do, what did the captain say to it?

A. He said yes.

Q. Yes what?

A. He would do it between the 2 of them.

Q. That was what he said?
 A. Yes.

Q. What did the other prisoners say

p 4

A She said he was satisfied to take
the stuff away

Q What did he say?

A He said he was willing to do the
job if you say the word

Q What said that?

A Cornelius

Q If you have not got any enmity
against these men?

A No sir

Q Did you have any conversation
with them on the night in
question the 22^d of this month?

A I spoke to Jack Sanders in the
saloon

Q Who was there at the time in
the saloon?

A Billy Ed Allen was standing
against the bar?

Q Tending the bar, and serving
these people with drinks?

A No sir the bartender did

Q What is his name?

A I do not know.

as

Q Did the captain and the other men
dive at the bar?

A Yes Sir

Q And you did?

A Yes Sir

Q How far away from them were
you when they were doing the
talking?

A Between you and I indicating?

Q And they talked about robbing
a vessel right in your presence?

A Exactly Sir

Q You had no reason to give this
information had you after that
being a good and law abiding
citizen?

A Yes Sir

Q You had?

A Yes Sir

Q What was it?

A There was Five hundred dollars
removed by the Cotton exchange

Q And you worked to find it out?

A Yes Sir

a6

Q And that was your sole object?
A Yes Sir

Q And if these men are convicted
you expect the Five hundred dollars
reward?

A Yes Sir

Q When did you inform against
these men? when did you tell
anybody that they had this
conversation, that they were
talking about robbing the
cotton, how long after it was
it?

A I reported it to the Chief Clerk
Mullen?

A About a quarter past ten the
same night

Q At that time nothing had been
stated had there?

A I don't know I was working on
another lighter

Since then

Q When did you tell Mr Coleman
A The same night.

a7

Q. Was the chief clerk's
Ayes.

Q. Did you see him what information
from you had obtained?
M. J. P. C.

Objected to
By the town
Sustained

Q. Did you have a conversation with
the chief clerk regarding the
matter?
M. J. P. C.

Objected to
By the town
Sustained.

Q. Did you have a conversation with
the dependants themselves that
evening?
Ayes with Jacob Saunders and the
man Cornelius

Q. What was the nature of that
conversation?

A. Just outside of Drury's
Q. Outside of the bar?

a p

Outside of the door.

What was it?

At the same day

What was the transaction?

At the same day Cornelius if he was

going to do the work on the

David A. Anderson, and he

said he was willing to do

as the captain said the word

of what day understood by

paying for the work?

At the same day

Is that an expression of praise
used in your society, among
your people?

Objected to

By the court

Objection Sustained

Should you see the defendant
go aboard the lighter?

Ayes two of them

Abroad of the boat Anderson

Ayes three

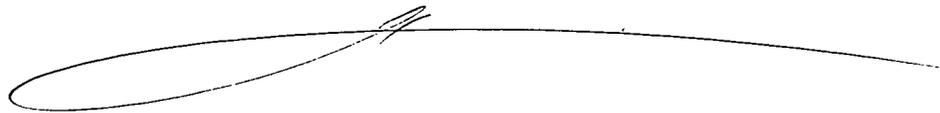
Of what time was it?

0688

29

1

As was about half past eight
o'clock
By the tank
of which of the defendants did
you see?
Alfred Sanders Ed Captain Johnson



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M. W. Calman called as a
witness by the people being
duly sworn deposes and says
Sweet Examination

Q. Where do you live?

A. 546 Palisades Avenue Jersey City
Q. You are the chief clerk of the
dock?

Ans. Yes

Q. State what you know about
this case of anything?

A. I was sitting in my office on
the dock, when between 10 and
10:30 on this evening the watchman
came to me and said there
was a man that wanted to
see me. I asked him to send
the man in, and he said the
man didn't care to come in
so I went out to see who it
was, and it was Tom White
and White told me

By Mr. Price:

Objected to.

911

Q Do you know anything of your
own knowledge other than
what he told you?

A I went aboard the boat and
found the cotton

Q Did you find anybody aboard
the boat?

A No sir

Q White came to you and told you
that certain things and that
boats were going wrong?

A Yes sir

By the court

Q Did you see any of the defen-
dants on the boat?

A No sir

Q Did any police officer come
to you?

A Yes sir

Q And did they find anybody there?

A No sir

Q There was nobody on the boat
at the time that white came
and told you?

0591

a12

Q After I got the police I could not
find anybody
Q How many saw anybody at this
time on this boat?

A None

Q Re David C.

Q Do you know whether Johnson was
Captain of the Anderson
A Yes he was.

Q He was in charge of the vessel?
A Yes

13 a

William Perkins called by
 the people as witnesses being
 duly sworn depose ^{and say}
 That Examination

Where do you reside?

A 329 West Street

What is your business?

A Salesman

What is your age?

A 35 years.

Did you see any of these prisoners
 present (pointing out the
 defendants) in your saloon
 on the afternoon of the 25th day
 of December?

A I did Cornelius ^{and} Sanders.

Cap. B.

Point out Cornelius ^{and} Sanders
 (a witness pointing out).

Did you see the Captain there
 pointing to defendant Johnson?

A Not to my knowledge

By the Court

Were these men in the habit

via

of coming to your place every
day?

A The lighterman was
of such was that?

A The captain

of How about the other

A They came very seldom

of you saw them there on the 22^d
Apr 22^d?

of How do you know it was the
22^d?

A I know they were there 'ed I
heard the case next day, next
morning, and I talked to
them the night before.

of Was this means white in your
place the night those two
men were there?

A I didn't see him

of Did you know him?

A Yes Sir

of If he had been there I should
the conversation with those
men in your place would

15

you know it?

Q Yes

Q You know this man white?

Q Yes

Q Is he in the habit of visiting your place?

Q Yes occasionally

Q And if he had been there you certainly would have seen him?

Q He might have been there and I might not have seen him.

Q Yes

Q Do you know Co. Sullivan?

Q Yes

Q Do you know of your own knowledge whether he was arrested for stealing property objected to by the town?

Q Sustained

~~~~~

0695

16 a

James O'Brien called by the  
people as a witness being duly  
sworn deposes & says  
That to-wit

Where day or line?  
No 311 Hudson Street

How did you  
Many years

What is your business?  
A Boat for Foreign Steamship  
Company

Did you see a small boat  
attached south of the pier of  
which the Anderson lay on  
the 24 of December.

Yes I do about that that night  
I and did you find it missing  
from the yard find it some  
where else the next day  
Yes Sir

By the Court.

Where did you find it?  
A Foot of Canal Street

Did you find it in the possession

a 17

of anybody's

A 910 Sir

Did you know a dog with meow  
anybody that took it's

A 910 Sir

If you know now he and who took  
it, and you don't know who  
took it do you?

A 910 Sir

918

Edward Wood called as a  
witness by the people being duly  
sworn depose & says  
Strict Examination

Q Did you make make the arrest  
in this case?

A Yes Sir

Q Just state Ed to us all you  
know about it?

A Mr Joyce called my attention  
to the robbery and I first arrested  
the captain, then Cornelius and  
the third one was Sanders.

Q Do you know anything more  
than naming the names in  
this case.

A Nothing much, only these  
people had been tampering  
with cotton.

By the Court

Q Do you know anything about the  
tampering with the cotton

A Yes Sir the cotton opener is here  
that they opened the cases

5419

with

If you see them do it?  
A 910 Si

If you don't know anything at  
all about the tampering with  
the cotton do you?

A 910 Si I reported the first  
man 12 hours after it  
happened.

Re Direct to

If you found the three men in  
the hold of the vessel?

A 910 Si

By the Court

If you saw men who they were?  
A 910 Si

If you don't know anything about  
them?

A 910 Si

Dependants In charges

—

District Police Court.

Henry T. Joyce

vs  
Wesley Johnson

Henry J. Cornelius

John Sanders

STENOGRAPHER'S TRANSCRIPT.

December 30 1887

BEFORE HON.

Samuel O'Leary

Police Justice

J. C. Williams

Official Stenographer.

0700

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 P. Johnson  
Henry Cornelius and  
John Sanders*

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

*John P. Johnson, Henry Cornelius and John Sanders*

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

The said *John P. Johnson, Henry Cornelius and John Sanders, all*

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

*four hundred and thirty four pounds  
of cotton of the value of eight cents  
each pound,*

of the goods, chattels and personal property of one *Henry P. Johnson.*

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

SECOND COUNT—

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

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

The said

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,

of the goods, chattels and personal property of one

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

unlawfully and unjustly did feloniously receive and have; the said

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,  
*District Attorney.*

~~Second~~ COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further accuse  
the said *Wm. P. Johnson, Henry  
Condit and John Randers*—  
of the CRIME OF GRAND LARCENY IN THE *second*—  
DEGREE, committed as follows:

The said *Wm. P. Johnson, Henry  
Condit and John Randers, all*—  
late of the City of New York, in the County of New York aforesaid, on the *twentieth*  
day of *December*, in the year of our Lord one thousand eight hundred and  
ninety-*one*, at the City and County aforesaid, with force and arms,

*four hundred and thirty four*  
*pounds of cotton of the value of*  
*sixty two dollars and fifty cents,*

of the goods, chattels and personal property of ~~one~~ *a certain corporation*  
*known as the Manhattan Telegraph*  
*and Transportation 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.

*James Mill,*  
*Attorney*

0703

**BOX:**

464

**FOLDER:**

4261

**DESCRIPTION:**

Jones, Michael

**DATE:**

01/20/92



4261

0704

Witnesses:

227

*D. C. Henry*

Counsel,

Filed

day of *January*

189*2*

Pleeds,

*Joseph W. ...*

THE PEOPLE

vs.

*Michael Jones*

Grand Larceny, *Second Degree,*  
(From the Person, *Second*  
[Sections 528, 537, Penal Code.]

Dr LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Chas. J. De Forest*

Foreman.

*Jan 25 1892*

*James ...*

*John ...*

*City Prison ...*

*Jan 25 1892*

0705

(1885)

Police Court— 2 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 119 W. Houston Street, aged 52 years,  
occupation Machinist being duly sworn,

deposes and says, that on the 11 day of January 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession and

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

Gold and lawful money  
of the United States of the  
amount and value of four  
dollars

the property of Deponent

and that this deponent has a probable cause to suspect and does suspect, that the said property was feloniously taken, stolen and carried away by Michael Jones (numbers for the reasons following to wit: as deponent was standing on W. Houston Street having the said money in the right pocket of the trousers then worn by deponent as a portion of his clothing the defendant seized hold of deponent and began to shake him and then swore away Deponent then passed the money and followed deponent across the street and seized hold of him and drove him into the hallway of 119 W. Houston Street and in said hallway the defendant

of  
189  
deponent before me this  
day

Police Justice

was seen by deponer and Phillip  
Haasle (working) drop said money  
in said hallway. Deponer further  
says that from the time he last saw  
his money until he missed the same  
as we for the defraud was near  
deponer.

Given to before me } John Schulteis  
this 11 day of January }  
1871

John Schulteis  
Justice

0707

District Attorney's Office,

City & County of

New York

Jan 29<sup>th</sup> 1892

Hon James Fitzgerald

My dear Judge.

In the case of the People vs Michael Jones convicted before you for petty larceny and up this morning for sentence I beg to solicit the utmost mercy as I learn he is not a man inclined to criminal ways. He is a pedlar and has a little home that he has struggled to maintain and from there you know <sup>as well as myself</sup> I am convinced that he is worthy of consideration. I understand the jury recommended him to pay money and I hope that such mercy will be liberal and kind.

Yours friend  
Theodore Lyman

N. Y. Oyer <sup>and</sup> Terminer.

The People, vs.

Thomas Ward

Prison.

City and County of New York, ss:

Thomas Ward being duly sworn, deposes and says: -

I am the defendant above named, and am thirty-two years of age. I was born in the City of New York, which I have always made my home.

For the past sixteen years I have been an actor, having performed at the principal vaudeville theatres throughout the United States.

Prior to my arrest on the above charge, I was never arrested or charged with the commission of any offense.

I now aver that for about two weeks prior to my arrest I had been drinking heavily and

constantly. In fact, I subsisted entirely during the said two weeks on liquor and intoxicants; and for nearly three weeks after my arrest and incarceration in the Tombs in this city, my stomach was in such a state as a result of my debauch that I was unable to take any solid food.

The main cause for my going on the said debauch, was information I had received of my wife's infidelity.

I solemnly swear that I remember absolutely nothing of the occurrences leading up to my arrest and imprisonment on the charge of arson; and the only explanation I can offer thereof is that I was not in full possession of my senses at the time of the commission of the said offense.

I do further say that for over a week after my arrest, the keepers in the Tombs were compelled to administer bromide

to me in consequence of my worn  
out and shattered condition.  
I have been informed that on  
several occasions I endeavored  
to commit suicide in my room,  
the particulars of which are  
stated in the affidavits of

I have also been told  
since my arrest by persons who  
have visited me, and who saw  
me while I was on said drunken  
debauch, that it was their  
opinion I was not in my right  
mind; and I solemnly swear  
that it is my own belief  
that I was unconscious  
of my act of mine tending to  
disturb the peace and quiet of  
the community.

Sworn to before me this 17 day of April 1892.  
J. B. Allen  
Notary Public  
N. H. Co

Thos. H. Ward

0711

N. Y. Oyer + Terminer.

The People vs.

Thomas Ward

Arson.

City & County of New York, ss:-

Isabella Hurley being  
duly sworn deposes and says:-

I am a widow, and re-  
side at No. 33 1/2 E. 38<sup>th</sup> Street  
in this City.

The defendant above named  
is my brother.

While my brother and  
his wife resided in the premises  
No. 3<sup>rd</sup> West 21<sup>st</sup> St., I resid-  
ed there with them, and kept  
house for them.

My sister-in-law, who  
is an actress professionally  
known as Lottie Gilson, has been  
away with the company for  
which she was performing, for  
about 2 weeks prior to  
this occurrence. During her

absence my brother, the defendant, was made aware of a report which has been circulated as to his wife's unfaithfulness. Upon his wife's return my brother, who, since the report was made known to him has been drinking heavily, upbraided her and they had a bitter quarrel. She left the house, and my said brother continued drinking heavily.

Friends and members of the family commented on his unusual appearance and actions, and my mother, my brother and I begged of him to stop drinking. He however continued doing so, and virtually lived on drink. I was in a portion of our apartment on one occasion a few days prior to his arrest, when I noticed that my brother had taken unusual precautions in fastening the door of his bed room, in which he then was. I turned the knob of the door, and found it

locked. I knocked loudly on the door, but my brother made no response. Securing assistance, I broke open the door, and found my brother on the bed, while the gas in his room was turned on, and the room itself was filled with it.

About a day or so thereafter I took from his possession a revolver, from which he has fired shots at the mirror, pictures and other articles in the apartments. I feared that he would do himself bodily harm if given his own liberty.

I verily believe that my brother at the time of his arrest was rendered mentally irresponsible from drink, and that he was not aware of the nature of the act he was committing.

Signed to refer me to  
 Isabella Hurley  
 day of April, 1892.

Louis D. Allen  
 Attorney at Law, N.Y. Co.

R. Y. Oyer & Trenchard

The People vs.

vs. Thomas H. Ward

Person

City & County of New York, ss:

Catherine L. Ward being duly sworn, deposes and says:

I am 62 years of age, and am the mother of the above named defendant.

I reside with my family at 315 E. 70<sup>th</sup> St in the City of New York, where I have lived for a year past.

I was in the habit of seeing my son for nearly every day for about two weeks prior to his arrest. I saw that he has been drinking heavily, and I begged of him to desist, as I was convinced from his behaviour that his reason was gradually being dethroned. I understood at the time that his reason for going

on the debauch was his discovery of his wife's unfaithfulness.

My remonstrances and pleadings to him to stop drinking were without avail, and members of the family were thinking seriously of applying to the authorities for his commitment, as all who saw him were convinced that he was mentally irresponsible.

The defendant has always, with the exception of this occurrence, been a good, dutiful and respectful son to me, and, although he has resided with me during the greater portion of the time since his birth 32 years ago, I have never had cause to complain of his treatment of me.

I aver on my oath that I believe he was not in his right mind for some days prior as well as subsequent to his arrest, and that his reason for going on the debauch which

led up to his arrest, was the infidelity of his wife aforesaid.

On two or three occasions after his arrest I visited my son in the Tombs, bringing with me food for his use.

He, however, was unable to eat the same in consequence of the condition of his stomach which could not retain any food because of the condition it had been left in from the defendant's debauch.

Per + mark

Sworn to before me this  
day of April, 1892.

Louis B. Allen  
Notary Public  
N. Y. Co.

0717

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Philip Haeneke*  
aged 32 years, occupation Machinist of No.

119 W - Houston Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of John Schulthies  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 11 day of January 1890, } *Philip Haeneke*

*[Signature]*  
Police Justice.

0718

Sec. 198-200

District Police Court

CITY AND COUNTY OF NEW YORK, ss.

*Michael Jones* 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. *Michael Jones*

Question. How old are you?

Answer. *25 years.*

Question. Where were you born?

Answer. *New York*

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

Answer. *106 Thompson Street, 3 months*

Question. What is your business or profession?

Answer. *Leader*

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

Answer. *I am not guilty*

*Michael Jones,*

Taken before me this

day of *September* 188*2*

Police Justice

0719

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

*Alfred...*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars, 500 and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Jan 11 18 18 *[Signature]* Police Justice

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

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

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

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

0720

Police Court--- 2 District.

43

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Schulting*  
vs. *Michael Jones*

1  
2  
3  
4

Offence

*Henry J. ...*

Dated *Jan 11 1891*

*Richard ...* Magistrate.

*Parry* Officer.

*8* Precinct.

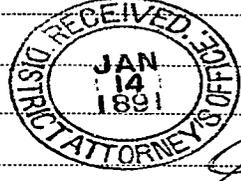
Witnesses *Philip ...*

No. *119 W - ...* Street.

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

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

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



*Henry J. ...*

BAILED,

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

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

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

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

Court of General Sessions  
New York County  
People etc  
against  
Michael Jones

City and County of New York for Michael Jones  
being duly sworn, deposes and says,  
that he resides at No 160 Thompson  
Street in the City of New York and has  
so resided there for the past three years  
that he is 36 years of age, that he has  
never been arrested, charged or con-  
victed, of any crime previous to the  
present, that he has always lead  
an honest, industrious and respect-  
able living, and that upon  
his release from imprisonment  
he will continue to do so.

Sworn to before me this  
29th day of January 1891  
Michael Jones  
Notary Public,  
Kings Co. Cert. filed in N. Y. Co.

Court of General Sessions

The People vs

vs  
Michael James

City and County of New York

Butcher

Jacob Blauth, being  
duly sworn deposes and says that  
he resides at No. 131 Thompson  
Street in said city that he is  
intimately acquainted with  
Michael Hickey convicted of petty  
larceny under the name of  
Michael James for the past  
year and knows him  
to be a quiet and in-  
dustrious and honest man  
and from his personal  
acquaintance does not know  
of anything against his  
character

Sworn to before me }  
29<sup>th</sup> day of June 1871 } Jacob Blauth  
at New York }  
at the Court of Sessions }  
at the Court of Sessions }  
at the Court of Sessions }

Court of General Sessions  
New York County

People etc }  
vs }  
Michael Jones }

City and County of New York. ss

Joseph Lewis who resides  
at No 85 Macdougal Street in  
said City being duly sworn  
deposes and says that he has  
known Michael Hickey convicted  
of petit larceny under the name  
of Michael Jones for the past year  
and one half made the same  
him to be a sober industrious  
and respectable man always  
considering himself as a guilty  
man; that as for as deponent  
knows he has never been  
convicted of any crime.

Done at New York this 29th day of January 1841  
By the Court Joseph Lewis  
Clerk

Court of General Sessions  
New York County

People et al

agst

Michael Jones

City and County of New York do  
Lewis Ettinger being duly sworn  
deposes and says that he resides at  
No 86 Thompson Street in said City that  
he is personally acquainted with Michael  
Fickey convicted under the name of Michael  
Jones of petit larceny for the period  
six years that he is industrious and  
honest and always known to be  
so and has always lead an  
honest and industrious & sober  
life that he does not know of any  
stain on his character or anything  
against his reputation

Sworn to & affirmed

24<sup>th</sup> day of January 1872

Jay Goldsmith  
Notary Public

Louis Ettinger

Court of General Sessions

The People etc  
vs  
Michael Jones

City Clerk Cauchy of New York "do"  
sworn deposes and says that  
he resides at 160 Thompson  
Street in said City that he  
has known Michael Hickey  
convicted under the name of Michael  
Jesse for petty larceny that  
he has known him for the past  
years and knows him to be  
honest and industrious  
and a gentleman.

Subscribed

Subscribed before me this 27th day of January 1892  
Jay Goldsby  
Notary Public  
New York

Court of General Sessions  
The People vs  
agst  
Michael Jones

City and County of New York

George A. Sinner being

Sworn

deposes and says that  
he resides at No. 57 W. Houston St  
in the City of New York that he  
is personally acquainted with  
Michael Jones otherwise known  
as Michael Hickey that he knows  
him to be an honest sober and  
knows and respectable citizen and  
does not know of any other  
discredit

Geo A Sinner

Sworn before me  
on this 1st day of Aug. 1892  
H. J. Caldwell  
Notary Public  
N.Y.C. (74)

Court of General Sessions

The People et al

vs

Michael Jones

Affidavit of

Jay Goldsmith  
of Council

23 Chambers St

N.Y.C.

Court of General Sessions

The People, et al  
against  
Michael Jones

City and County of New York

James Henry being duly sworn deposes and says that he resides at 5. Caroline Street in said City and has so. Resided there for the Past 20. years that he is personally acquainted with the above named defendant and has known him for the Past 20 years that during the time he has known him he has found him to be honest true and upright and deponent does not know of any act which would put a stain on his Reputation

Sworn to before me this 7<sup>th</sup> day of February 1892  
Attest  
Notary Public  
James Henry

Court of General Sessions

The People etc  
against  
Michael Jones

City and County of New York  
Edward O'Connor being  
duly sworn deposes and says  
that he resides at 24 Albany  
Street in said City and has so  
resided there for the past  
eleven years. that he is personally  
acquainted with the above named  
defendant and has known him  
for the past eleven years, that  
during the time he has known  
him, he has found him to  
be honest, true and upright  
and deponent does not know  
of any act which would put  
a stain on his reputation

Edward O'Connor

Subscribed for me this  
20th day of January 1872  
Wm. C. Edwards  
Notary Public

By General Session

The People etc

agst

Michael Jones

Affidavits

Ray Goldbaum  
of Counsel

out of the hall fast enough the first time. He made no attempt to get away. He did not say, "I will wait here until the officer comes." I told you before I did not see the defendant drop the money. I did not have any conversation with him when I went up stairs in the room. He sat on a chair till the officer came, which was about ten minutes; he made no attempt to go away.

Phillip Adacke, sworn and examined. My business is machinist; on the 11<sup>th</sup> of January I was on West Houston st. I saw the complainant about a quarter past two in the afternoon. I came down in answer to the bell, and I saw my father-in-law and the defendant. My father-in-law said right away, "Phillip, this fellow stole my four dollars. I got hold of him. I fetched him up stairs and sent for a policeman. Then my father-in-law said he had stole the four dollars. The defendant said he would find it on the floor. The old man picked up the four dollars, it was a two dollar bill and two one dollar bills. I did not see the money before the old man pick it up. I took the defendant up stairs and my father in-law went after a policeman.

When he was up there he said he did not steal four dollars, and then he says, "Please let me go, I have got a wife, my wife is in the family way." An officer came, and that officer said he could not take him, he says to the old man, "you go in the station house," and he went in the station house and got another officer, and there he was arrested. I did not see him drop the money. I saw the money drop and nobody else could drop it; I saw it drop and the old man picked it up. These men were struggling and I could not say from whom it dropped.

Cross Examined I have been in this country eight years. I do not recollect telling Jones that I put a man away for five years and before. I said to Jones, you are a gang of fellows which go along after fellows when they come into a saloon and charge five dollars and rob them. "That is what I said. I said nothing about five years." He was drunk; my father-in-law was sober. Who was in the room up stairs? My wife, that pedlar, me and him; that was all. The front door is always open, it is never locked; he only rings the bell

John Parry, sworn and examined, testified I belong to the eighth precinct and made the arrest in this case at about 2:15 p.m. on the complaint of Schulties; he was in the house 119 West Houston street. The complainant told me that he went to the saloon on the southwest corner of Houston and Thompson sts. and bought a pint of beer and presented a five dollar bill and for payment received four dollars in bills and 90 cents in silver - two one dollar bills and a two dollar bill; he placed it in his right trousers pocket and the silver in his left. He told me that after entering the hall that the prisoner followed him in and grabbed him and took the money forcibly off him; and after taking it he ran out of the hall, <sup>of the house</sup> across the street. The complainant followed him and caught hold of him and I believe the prisoner resisted. He said he brought him over forcibly and he got him as far as the hallway door and rung the bell for his brother in law and he came down, and the brother in law told me and the complainant also that they saw him drop the money. The defendant said he did not do it.

Michael Jones, sworn and examined in his own behalf testified. Live at 160 Thompson St that is around the corner from the complainant. My business is bottling. During February I was peddling oranges and lemons. I am married and support my wife. This was a rainy day and I did not go out. I was home all day. I left the house about two o'clock. I was going to the laundry corner of Sullivan and Houston streets. I was after leaving some shirts in the laundry. I came out and was going home when the complainant came out of his hall and crossed over to me and halloed Hey! I turned around; he said, "you got my money." I says, "What money?" He says, "I lost some money out of my pocket just now. I think you have got it." I said, "Where did you lose your money?" He says, "I lost it in my hall." I says, "I will go with you." I went with the man to his hall, and he goes back up the stairs, and he looks around, and he finds his money. I says, "Here is your money; what did you accuse me for?" He said, "I had it in my pocket, and I do not know how it came out." I said, "You get an officer and have me arrested. I will go up to your house

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New York, 189

No. Bought of A. MULLANEY,  
WHOLESALE AND RETAIL DEALER IN  
BOOTS AND SHOES,  
All Kinds of Custom Work a Specialty.  
281 HUDSON STREET, near Spring St.

Judge W. J. ...  
A man by the  
name of Michael  
Jones was convicted  
in your court of a  
...  
I have known  
him and he is  
for some years  
I have always known  
him to be a hard  
working respectable  
man. If you can  
help him in any way  
I would be greatly  
obliged to you.  
A. Mullane  
Assemblyman 30th St.

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The People  
vs  
Michael James

Court of General Sessions. Part I  
 Before Judge Fitzgerald. January 25. 1912  
 Indictment for grand larceny in the second degree  
 John Schultzeis, sworn and examined, testified  
 I live at 119 West Houston street in this city  
 I am a machinist. On the 11<sup>th</sup> of January  
 when I met the defendant it was in West Houston  
 corner of Thompson streets. I never saw him  
 before to my knowledge. I had a five dollar  
 when I went for a pint of beer. I got in  
 change four bills and 90 cents in silver.  
 Then I met the prisoner I had that money in  
 my possession; the ninety cents was in the  
 left trousers pocket and the four dollars was  
 in the right trousers pocket; the money be-  
 longed to me. Then the prisoner came up  
 to me he said, "Did you notice them two  
 making that bit of fun in there?" I said, I  
 did not take notice what they done in there.  
 Then he turned around and walked out  
 and then it struck me it cannot be  
 all right. The defendant took hold of me  
 and showed me what they did making fun  
 He took hold of me by the two shoulders, show-  
 ing what the other men had done. I put  
 down my beer and said, "What about  
 the four dollars? Did he put his hand  
 in your pocket? I did not feel that.  
 After he went out I put the bills in my

pocket. Did anybody touch you from the time that you changed the five dollar bill for the beer until you charged the defendant with stealing it? No sir, no one was near me. Can you swear positively just before ~~you~~ touched you that you had four dollars in your pocket? I can swear to that. I immediately put my hand in my pocket and I missed the four dollars. I put down the beer and then ran after him in the hall. I caught him across the chest where that steam <sup>laundry</sup> ~~is~~ is. I said, "What about the other four dollars?" He said, "Come over here in the hall, and if you have lost anything, you will get it." I said, "Never mind, you come over with me." He did come. I rung the electric bell. I said, "You stay here while Phillip Waacke, the other witness, comes down and we will see if you have the money or not." Phillip Waacke came down right away. The defendant said, "if you lost that money it must be lost in the hall, you will find it here." He went down a little and he said something else there. I picked up a two dollar bill, I cannot swear he dropped it. I said to the defendant, I cannot have lost it, it could not fly out of my pocket.

I did not notice whether the defendant was in the saloon when I went in to get the pint of beer and got the change of the five dollar bill. I saw him first in the middle of the hall, which was the hall leading into our house 119 Houston street; the defendant followed me in there. I picked up a two dollar bill and two one dollar bills in the hall. I got the four dollars back.

Cross Examined. I am a machinist and have lived in 119 West Houston street about fourteen months. It is one flight up. I live with my son-in-law, who is the other witness in this case. That was the second pint of beer I had that day up to about three o'clock. Phillip Maacke and his wife helped me to drink them. The second pint got nearly spilt. I got the five dollar bill from a pedlar, he was selling rags in the house and he wanted change. I said it was very hard to get change in this neighborhood. If I get a pint of beer and you will treat I will get change. I don't know the name of the pedlar, he peddles rags. I got the beer in a saloon on the corner of Thompson and West Houston streets. I folded the bills when I got them. The wife of the defendant wished me not to press the case and I promised not to press it.

if I possibly could. That is what I told her. The wife said not to be hard with him because she was in delicate health, she stated she was in the family way and it would be hard for her. If I did, I do not recollect the exact words. The man who sold the rips was waiting for me all this time in the room. It is pretty dark in the hallway just where the stairs begin. I saw the defendant follow me in there. I saw his face, but I could not see it very plainly. I followed him and never lost sight of him. I was very careful in putting the money into my pocket and no one came near me except the defendant. I did not have my hand in my pocket all the time from the time I went out of the saloon till I got in the hallway. I did not feel the defendant's hand in my pocket. I said to the defendant, "What about the four dollars you took off me?" He said, "I did not take no money from you; if you lost it, it must be in your hallway." I said, "we will go across." He went across. I was a little excited about losing the money. I may have got hold of his arm and brought him over. The defendant walked

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if you think I took the money. At that time the son-in-law came down and I went up with the son-in-law and waited in his house until the officer came. I have never been in trouble in my life before.

The jury rendered a verdict of guilty of petty larceny.

Testimony in the  
card of  
Michael James  
filed Jan. 1972

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Jones

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

Michael Jones

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

The said

Michael Jones,

late of the City of New York, in the County of New York aforesaid, on the 11th day of January in the year of our Lord one thousand eight hundred and ninety-two, in the day time of the said day, at the City and County aforesaid, with force and arms,

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

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

De Lancey Mcoll,  
District Attorney