

0017

**BOX:**

376

**FOLDER:**

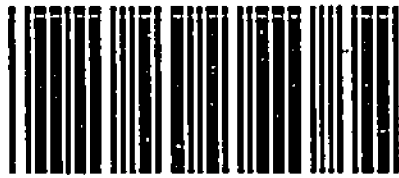
3513

**DESCRIPTION:**

Barry, Richard J.

**DATE:**

12/10/89



3513

Witnesses;

Catrine Kennedy

Mrs. Walsh

Aggi Wade

Persons charged to be in the thing

call this thing

Both of them

going to be in only

20 years ago

and her parents

to me and her

of parents

over to the

to

Stadler

Counsel, Maurice McQueen

Filed 10 day of Dec 1889

Pleads Not guilty

THE PEOPLE

vs.

No. 160

319 bond

Richard J. Barry

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

JOHN R. FELLOWS,

Dec 13 1889, District Attorney.

Not convicted under 2047

A True Bill.

John H. Lewis

Dec 17/89

Foreman

Mr. J. M. Lewis

...

POOR QUALITY  
ORIGINAL

0018

POOR QUALITY  
ORIGINAL

0019

Police Court— District.

City and County { ss.:  
of New York,

of No. 317 East 61st Street, aged 28 years,  
occupation Cabman being duly sworn  
deposes and says, that on the 1st day of December 1889 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Richard  
Barry (now here), who willfully  
cut and stabbed deponent in the  
right hand with a knife then and  
there held in the hands of the said  
Barry.

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

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

Sworn to before me, this 2 day

December 1889

W. J. McDonald Police Justice.

Richard Barry  
Hls  
Mark



POOR QUALITY  
ORIGINAL

0020

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Richard J. Barry* 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. *Richard J. Barry*

Question. How old are you?

Answer. *31 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *237 East 44 St 2 months*

Question. What is your business or profession?

Answer. *Workday*

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*

*Richard J. Barry*

Taken before me this

day of *October* 1938

Police Justice



POOR QUALITY  
ORIGINAL

0021

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court 41 District. 1796

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Richard J. Langley

1330 W. East 61 St

1

Richard J. Langley

2

3

4

Offence

Dated

December 2<sup>d</sup> 1889

McMann

Magistrate

Officer

35

Officer

Witnesses

Mrs. G. C. C.

No. 357

East 61<sup>st</sup> Street.

No. 357

West 61<sup>st</sup> Street.

No. 357

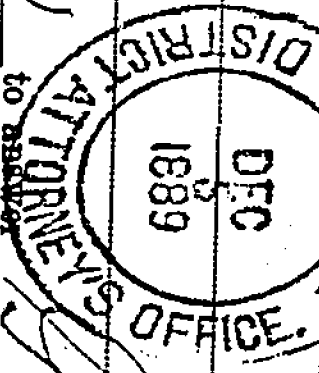
West 61<sup>st</sup> Street.

No. 1672

West 61<sup>st</sup> Street.

No. 1672

West 61<sup>st</sup> Street.



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

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

Dated December 2<sup>d</sup> 1889 R. T. McMahon Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

0022

-----X

The People

v.

Richard J. Barry,

Indictment filed, Dec. 10/89;

indicted for assault in the

third degree.

-----X

\_\_\_\_\_

P A T R I C K K E E N E Y, the complainant, testified that he was a laborer. On the first of December, 1889, he was employed at the United States Public Stores, at Laight and West Streets, in the City of New York. He lived at 350 East 61st Street. He met the defendant on the evening of December 1st on the sidewalk in front of his, the complainant's, house. It was Sunday evening. He, the complainant, was standing on the top step of the front stoop, with his hand resting on the

**POOR QUALITY  
ORIGINAL**

0023

(2)

railing. He, the complainant, was chewing tobacco, and some of the tobacco went down his throat, and he was spitting over the railing and coughing. The defendant came up to him and asked him what he was coughing at. He, the complainant, did not answer him, and the defendant, who was on the sidewalk when he first spoke, came up the steps. The defendant seized him by the overcoat and repeated his question, and he, the complainant, said that he was not coughing at anybody. He told the defendant that he lived in the house and that he had a chew of tobacco in his mouth and some of the tobacco had gone down his throat. Then the defendant tried to pull him down the steps and he, the complainant, got away and got into the doorway, and the defendant followed him. Several other men were with the defendant, and the defendant and the other men struck him, the complainant. Then the defendant made a grab at his, the complainant's, watch. He, the complainant, managed to get into the hallway, and the men who were with the defendant entered the hallway with the complainant and renewed the assault and attempted to take his watch. He, the complainant, raised his right hand to save his watch, and struck the defendant with his left hand and knocked him some distance



**POOR QUALITY  
ORIGINAL**

0024

(3)

backward. Then he, the complainant, tried to get upstairs, but there were people on the stairway coming down, and he could not pass, so he went to the cellar door to go down into the cellar to escape from the defendant and the men with him. Then the defendant made a rush at him, and he, the complainant, put up his hand to protect himself and he received a stab wound in the back of the hand. It was a severe wound. He, the complainant, went into a room on the first floor and closed the door. The occupants of the rooms there got cloths and bound up his hand, and the defendant and his friends tried to enter the room and broke the knob off the door. One of the tenants of the rooms went for a police officer. When the police officer reached the house, he, the complainant, went to meet him, and he saw the defendant at the door, and asked the officer to arrest him. The cut prevented him, the complainant, from working, one of the arteries being severed, and he lost his position through his inability to work. He had never seen the defendant before to his knowledge.

Under Cross Examination the complainant testified that he knew the defendant's father by sight. He, the complainant, had not been living long in the house. He

**POOR QUALITY  
ORIGINAL**

0025

(4)

was not aware that the defendant had any ill feeling against him, and he certainly had had none before the assault against the defendant. There were four or five men with the defendant. He saw a girl and several women there after the arrest. He, the complainant, had not been drinking that night. He was perfectly sober. There was an old man with the defendant at the time the defendant asked him, the complainant, what he was coughing at. He understood that it was the defendant's father.

M R S. A B B I E M<sup>c</sup> G I N N testified that she lived at 350 East 61st Street. On December 1st, 1889, she, the witness, and her daughter went out at seven o'clock and visited a lady, and returned home at about five minutes past ten. When they entered the hall of the house there was a large crowd there, and very abusive language was being used. Keeney was in the centre of the crowd. He was beating off the men with his hands, and was backing towards the rear of the hall. She saw the defendant strike the complainant in the breast with his right hand. The complainant returned the blow, striking Barry in the face. Then the crowd struck Keeney a number of blows. A few minutes afterwards she saw

**POOR QUALITY  
ORIGINAL**

0026

(5)

Keeney with his hand wrapped up. She afterwards saw the cut on his hand. She did not see who cut him.

K A T E W E L S H testified that she lived at 350 East 61st Street. On the night of December 1st she was coming downstairs when she saw the defendant, his mother and his wife holding onto the complainant. The defendant also had ahold of the watch chain of the complainant. She heard the complainant moan, and then saw a knife in the defendant's hands. The knife was covered with blood. She then saw Keeney taken into the back room on the first floor.

Under Cross Examination the witness testified that Keeney boarded with her. Her husband was not related to Keeney. She, the witness, took boarders to support herself and her husband, because her husband had lost his leg and was unable to work. She also saw the defendant's father in the hall.

O F F I C E R B E R N A R D W A D E testified that he had been on the police force about fourteen years. He arrested the defendant on the stoop of 350 East 61st Street at about ten minutes past ten on the night of December 1st. He, the witness, was standing on the corner of Second Avenue and 61st Street, when he was informed



**POOR QUALITY  
ORIGINAL**

0027

(6)

that a man had been stabbed down the street. When he reached the house at 350 East 61st Street, he saw several women standing on the stoop, and he was told that there had been a fight. While he, the witness, was standing on the stoop talking with the women, the defendant and another young man came around the corner. The defendant was under the influence of liquor and was very much excited. He asked the defendant what the trouble was, and the defendant said a man had tried to cut his, the defendant's, throat. Then the complainant came out of the house and charged the defendant with having stabbed him. The defendant said that he did not do it. He searched the defendant at the station house, but found no weapon upon him.

For the Defense, R I C H A R D J. B A R R Y testified that he was about twenty-one years of age and was married. He was a brick layer. He had never been arrested but once before, and that was for intoxication. He was sent to the House of Refuge when he was a child at his father's request, because he would not attend school regularly. He had been at work ever since he was fifteen years of age. He had been employed by Henry C. Weeks for about six years. Mr. Weeks's office was in

**POOR QUALITY  
ORIGINAL.**

0028

(7)

23d Street, next door to the Young Men's Christian Association building. His, the defendant's, father had been working for Mr. Weeks for about twenty-two years. He, the defendant, did not assault the complainant, and did not attempt to take his watch. He, the defendant, was just parting with his father and mother at the door of the house, and his, the defendant's, wife was standing with him. The complainant bade his, the defendant's, father good evening, and his father bade him good evening. Then the complainant said something in an undertone and commenced blowing with his mouth at his, the defendant's, father. Then he, the defendant, told the complainant to mind his business, and let the old man go about his business. Then the complainant struck him and he struck the complainant, and his, the defendant's, hand was bleeding and the complainant's hand was bleeding also. He saw a knife in the complainant's hand. It was a small penknife. He, the defendant, used no knife. There were six or seven young men there in a moment after the difficulty commenced. He, the defendant, knew none of them. He, the defendant, made no attempt whatever to steal the complainant's watch, but he could not say whether or not any one else did.

**POOR QUALITY  
ORIGINAL**

0029

(8)

Under Cross Examination the defendant testified that he had a step-brother, but he was not with him that evening. He had not seen his step-brother for some time, and he was not in the habit of associating with his step-brother. For several months before his arrest, he, the defendant, had been working for John D. Crimmins on the subway. In 1884 he was charged with burglary, and he was tried before a jury. He could not say whether the jury convicted him or not, because he was so young. He thought it was Judge Gildersleeve who had sent him to the House of Refuge. He was committed under his own name. His father said that it was better that he should go there, because he wouldn't go to school.

L I Z Z I E B A R R Y testified that she was the wife of the defendant. She and her husband lived, on the first of December, at 237 East 44th Street. She had been married to the defendant about a year. They started from their home at about half past eight o'clock that evening to call upon Barry's father and mother. They got there about a quarter to ten o'clock. They met Barry's father and mother at the stoop. After some conversation, Barry's father started to go up the stoop, and then Keeney spoke to him and made some other remarks.



**POOR QUALITY  
ORIGINAL**

0030

(9)

Then the defendant went up the stoop and asked what the trouble was, and the complainant said that there was no trouble, and the defendant said that he ought not to make fun of an old man, and then the complainant struck her husband and her husband struck back. Her husband used no knife. The complainant retreated into the hall, and her husband went into the hall also, and her husband came out and a lot of young men went into the hall. Her husband then went to a doctor's and got his wound dressed, and when he returned he was arrested. Her husband had a stab wound in his right hand.

Under Cross Examination the witness testified that her husband visited no saloons as they walked up to his father's house. He had not drank anything that day. She was with him all day. It was Sunday. He was a hard working man.

E L I X A B A R E Y testified that she was the mother of the defendant. On the night in question she and her husband went to call upon a friend in 60th Street. When they reached the stoop of their house they saw a disturbance. Her husband wanted to go upstairs, but she told him to wait until she saw what the trouble was. She heard her son say, "I am stabbed," and heard him call

**POOR QUALITY  
ORIGINAL**

0031

(10)

out, "Murder, Watch, Police," and she tried to pull her son away from the crowd and told him to go home. Then her son was arrested. She did not know how the fight began. She and her husband had just come around the corner, when she saw the difficulty. Her son was not with her when they came around the corner.

-----

POOR QUALITY  
ORIGINAL

0032

Dfts 2

New York Dec 12/89

To the

Hon Judge Martine

Dear Sir

This will  
certify that John Barry has  
been my employ for the  
last twenty five years & is  
always found to be an honest  
faithful man. His son Richard  
has worked for me also for some  
years & there is no fault to find  
with him. Hoping you will  
be lenient with him, I am

Yours Obedt-Servt

Noah L. Weeks  
Builder 56 E 23<sup>rd</sup> St



POOR QUALITY  
ORIGINAL

0033

Noah L Weeks builder of No 6 East 23<sup>rd</sup> St  
has known Barry's father for 25 years  
and the defendant since he has been able  
to go about, probably 15 years. He has  
worked for them off and on for about 10  
years. Running errands - cleaning brick  
watching buildings that contained valuable  
property. He is sober and steady when  
at work, never knew him to drink and  
has observed his disposition to be good.  
He cannot say much about his reputation  
as he does not know his associates,  
but believes his character to be good, and  
has always found him perfectly honest.

POOR QUALITY  
ORIGINAL

0034

Form No. 1

**THE WESTERN UNION TELEGRAPH COMPANY.**

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, and in any case where the claim is not presented in writing within sixty days after sending the message.

This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.

THOS. T. ECKERT, General Manager.

NORVIN GREEN, President.

NUMBER

SENT BY

RECD BY

CHECK

45

29

W

11

Dec

189

70

Received at: 8 WEST 23d STREET, near 5th Avenue, NEW YORK.

Dated: 16 Dec 189

To: Henry C Weeks

56 E 23 St NY

Please be in part two  
General Sessions eleven o'clock

Maurice Meyer

Attorney

CABLE AND  
MONEY TRANSFER OFFICE.

THIS TELEGRAM HAS JUST BEEN RECEIVED AT THE OFFICE IN

8 WEST 23d STREET,

Near 5th Avenue.

ALWAYS OPEN.

POOR QUALITY  
ORIGINAL

0035

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

Richard J. Barry

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

Richard J. Barry  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

Richard J. Barry

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

which the said

Richard J. Barry

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

with intent

him the said Patrick Kenny

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

SECOND COUNT—

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

Richard J. Barry  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Richard J. Barry

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

which the said

Richard J. Barry

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

THIRD COUNT—



POOR QUALITY  
ORIGINAL

0036

THIRD COUNT—

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

Richard J. Barry  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Richard J. Barry  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said  
Patrick Kenny in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and  
him the said Patrick Kenny  
with a certain knife

which

the said

in

he Richard J. Barry  
his right hand then and there had and held, in and upon the head  
of him the said Patrick Kenny  
then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said Patrick Kenny

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

JOHN R. FELLOWS,

District Attorney.

0037

**BOX:**

376

**FOLDER:**

3513

**DESCRIPTION:**

Barry, William

**DATE:**

12/16/89



3513

Witnesses:

Joseph Lucic  
Harry Donze

James Barry  
155 av 10.

Sept 1891 James Barry  
Arrested for Prostitution  
P.O. No. 10.

2 Convicted  
PR

Counsel,

Filed

1889

Pleads,

THE PEOPLE

155 av 10

vs.

William Barry

Grand Larceny, 1st Degree.  
(From the Person.)  
[Sections 528, 580 Penal Code]

JOHN R. FELLOWS,

District Attorney.

72 Dec 19/89  
Ind. & Convicted 321.

A True Bill. 1257

James Barry

Foreman.

54 Dec. 5. 1891

POOR QUALITY  
ORIGINAL

0038



POOR QUALITY  
ORIGINAL

0039

Police Court 2 District.

Affidavit—Larceny.

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

of No. 227 West 24th St Street, aged 22 years,  
occupation Merchant being duly sworn

deposes and says, that on the 4th day of December 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession and  
Person of deponent, in the night time, the following property, viz:

One Silver double case  
watch. of the value of twelve  
dollars. (in the case of which was  
deponent's name) \$2,00

the property of deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by William Barry (known)  
and another man unknown  
and not arrested. from the  
fact that at about the hour  
of 10.45 O'clock P.M. said date as  
deponent was in the act of leaving  
Morris 8th Avenue Theatre. and while  
deponent was in the lobby of said  
Theatre. deponent felt his watch  
being removed from the lower left  
hand pocket of his vest. deponent  
made a grab and caught this  
defendant's right hand near deponent's  
vest pocket. and at that time  
deponent's watch chain was in the

Sworn to before me this  
1888

Police Justice

POOR QUALITY  
ORIGINAL

0040

Defendants hand, but defendants watch was missing.

Defendant is informed by Harry Rouse, a friend of defendant who was with defendant at the time that he the said Harry saw this defendant pass something to the said unknown man not yet arrested, who disappeared in the crowd.

Wherefore defendant charges the said defendant and the said unknown man not arrested with being together and acting in concert with each other, and feloniously taking stealing and carrying away said watch from the person of defendant.

Shown to before me } Joseph T. Connel  
this 5th day of Dec 1889

J. Munn, Pres  
Police Justice

POOR QUALITY  
ORIGINAL

0041

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Harry Danese*  
aged *19* years, occupation *Writer* of No. *120 Cedar* Street, being duly sworn deposes and

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

Sworn to before me, this *5*  
day of *Dec* 188*9*

*H. Danese*

*J. Henry Bond*  
Police Justice.



POOR QUALITY  
ORIGINAL

0042

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

*William Barry* 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.

*William Barry*

Question. How old are you?

Answer.

*22 years old*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*155, 10th Ave. 5 years*

Question. What is your business or profession?

Answer.

*Writer*

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

Answer.

*I am not guilty*

*William Barry*

Taken before me this

day of

*Dec*

188

*5th*

Police Justice.

POOR QUALITY ORIGINAL

0043

1800, bail for \$  
Rec'd by G.A.M.

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

Police Court... District 211945

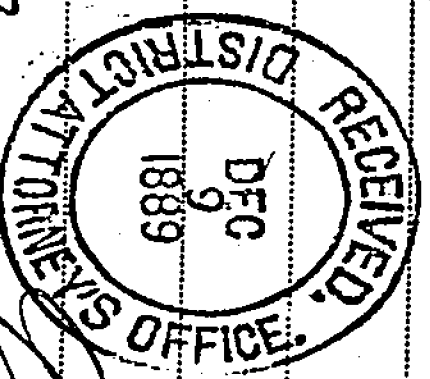
THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Joseph Mendel  
1228 West 23rd St  
William Penn  
offence Larceny from the Person

Dated May 5 1889

James McQueen Officer  
16 Precinct

Witnesses Harry Bruce  
No. 120 Hudson Street

No. \_\_\_\_\_ Street \_\_\_\_\_  
No. 1000 \_\_\_\_\_ Street \_\_\_\_\_  
to answer



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

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

Dated May 5 1889 J. McQueen Police Justice.

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

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

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

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

POOR QUALITY  
ORIGINAL

0044

District Attorney's Office.

PEOPLE

vs.

Wm Barry - et al  
Larceny

Ind Sept 2 /84

Pl. Quirey - 92.2 124 Sept 10/84

Sen Duse

by Judge Gildersleeve



POOR QUALITY  
ORIGINAL

0045

**PART II.**

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

To: *See Recorder Smyth*  
SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To: *James Barry*  
of No. *156 - 10th* Street,

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the *December* *20th* 1889, at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

*William Barry*  
Dated at the City of New York, the first Monday of *December* in the year of our Lord, 1889.

JOHN R. FELLOWS, *District Attorney.*

0046

-----X  
The People  
v.  
William Barry,  
Indictment filed Dec. 16/89;  
indicted for grand larceny in  
the first degree.  
-----X

J O S E P H    T U C O U L A T,    the complainant, testified that he went to Miner's Theatre in Eighth Avenue on the night of December 4th, 1889, to witness the performance there.    He left the theatre about a quarter to eleven, when the performance was over.    There were a number of persons leaving the theatre at the same time. He wore a silver watch in a vest pocket attached to his vest by a chain.    He had had a seat in the family circle, and was descending the stairs to the main entrance. He was buttoning up his overcoat when he felt a hand in

**POOR QUAL  
ORIGINAL**

0047

(2)

his left hand vest pocket, where he carried his watch. It was the defendant's hand. He snatched at the defendant's hand, but before he could catch it the defendant broke his watch chain. Then he caught hold of the defendant's hand. As he seized the defendant's hand he caught hold of a piece of his chain which the defendant was holding in his hand, and the defendant let go of it. He, the complainant, retained the chain and put it into his pocket. After the defendant did this, he saw the defendant put his hand behind his back in the direction of another man. He, the complainant, called upon the defendant to return his watch, and the defendant said that he, the complainant, was making a mistake, and that he, the defendant, was a gentleman. He, the complainant, then caught hold of the defendant by the collar, and took him downstairs. The defendant tried to get away. It was a silver watch, worth twelve dollars. He, the complainant, was accompanied by Harry Donze, a friend. When they reached the sidewalk he, the complainant, called for the police, and Officer Trainor appeared. He told the officer that the defendant had stolen his watch. The officer asked him if he was certain about the identity of the defendant, and he said that he was. Then the



POOR QUAL  
ORIGINAL

0048

(2)

officer arrested the defendant.

H E N R Y D O N Z E testified that he accompanied the complainant to Miner's Theatre on the evening of December 4th. He corroborated the complainant. He saw the defendant pass the complainant's watch to a man who was on his right.

O F F I C E R J A M E S T R A I N O R testified that he arrested the defendant in front of Miner's Theatre on the night of December 4th upon the complaint of Joseph Tucoulat. When the complainant made his charge the defendant made no reply. In the police court on the following morning the complainant said, in the presence of the defendant, that the defendant had offered to return the watch to him after the arrest.

Under Cross Examination the witness testified that he did not hear the complainant say in the police court to the defendant, that if he, the defendant, would return the watch, he, the complainant, would be satisfied and would withdraw the charge.

W I L L I A M B A R R Y, the defendant, testified that he was a waiter and was born in the City of New York. He had always lived in New York. He lived last at 155 Tenth Avenue, between 19th and 20th Streets.

**POOR QUAL  
ORIGINAL**

0049

(4)

He had never before been convicted of any crime. He was at Miner's Theatre on the night of December 4th, and had a seat in the gallery. The steps leading down from the gallery were steep and narrow, and he, the defendant, was crowded up against the complainant and his friend. Suddenly the complainant turned around and asked him if he had his watch. He, the defendant, denied having the watch. He did not steal the watch, nor did he assist any one else in stealing it.

Under Cross Examination, the defendant testified that he had worked in Vail's restaurant in Eighth Avenue off and on for about five months. He had worked at other restaurants in the city, wherever he could get a job. Among these places was "Beefsteak John's" in Chatham Street. He had also worked on the subway. No one was with him on the night in question at the theatre.

-----

POOR QUALITY  
ORIGINAL

0050

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*William Barry*

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

*William Barry*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

*William Barry*

late of the City of New York, in the County of New York aforesaid, on the *fourth*  
day of *December* in the year of our Lord one thousand eight hundred and  
eighty-*nine*, in the *night* - time of the said day, at the City and County  
aforesaid, with force and arms,

*one watch of the value of twelve  
dollars*

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

*John R. Helton,*  
*District Attorney.*



0051

**BOX:**

376

**FOLDER:**

3513

**DESCRIPTION:**

Berge, Thomas

**DATE:**

12/23/89



3513

POOR QUALITY  
ORIGINAL

0052

Witnesses;

Arvid Proehl  
Cy Nugent  
H. P. Hummer

Counsel,

Filed 23

Pleads,

Dec 18 1947

THE PEOPLE

vs.

P

Thomas Berge

Grand Larceny Second Degree  
[Sections 528, 594.50, Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True Bill. 1947

John R. Fellows

Foreman.

Dec 23/47

John R. Fellows

Indictment returned  
Dec 23/47

POOR QUALITY  
ORIGINAL

0053

Police Court— / — District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

Arnold Perchell

of No. 62 South Street, aged 43 years,  
occupation Merchant

deposes and says, that on the 15 day of September 1889 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One bag containing a diamond  
stud of the value of Forty  
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 Thomas Berge

from the fact that deponent is informed  
by Walter P. Freeman that said  
defendant gave him a ticket  
representing said property, that was  
in pledge in a loan office  
in Brooklyn — Deponent says  
that he positively identifies

Sworn to before me, this

18

(day)

Police Justice.



POOR QUALITY  
ORIGINAL

0054

said property and charged said  
defendant with feloniously taking  
the same from No 62 South  
Street in said City where  
said defendant was employed  
at the time

Brought to before me *Amos P. Hall*  
this 13 day of Dec 1889  
*John R. Smith*  
Police Justice

POOR QUALITY  
ORIGINAL

0055

CITY AND COUNTY } ss.  
OF NEW YORK, }

Walter P. Freeman  
aged 23 years, occupation Druggist of No.

447 Court St Brooklyn Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Arnold Proctor

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

Sworn to before me, this 13

day of Dec 1889

Salon D. Smith  
Police Justice.

POOR QUALITY  
ORIGINAL

0056

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*Thomas Berge*

Question. How old are you?

Answer.

*23 years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*44 4th Place Bklyn 3 years*

Question. What is your business or profession?

Answer.

*Salesman*

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

Answer.

*I have nothing to say at  
present -*

*Thomas Berge*

Taken before me this

20th of DECEMBER,

1908

*W. J. [Signature]*



POOR QUALITY  
ORIGINAL

0057

Sec. 151.

Police Court / District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

In the name of the People of the State of New York; To the Sheriff of the County  
of New York, or any Marshal or Policeman of the City of New York:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by Arnold Perchuk

of No. 62 South Street, that on the 15 day of September  
1889 at the City of New York, in the County of New York, the following article to wit:

One bag containing a diamond stud

of the value of Forty Dollars,

the property of Complainant

w. as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by Thomas Berge

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant  
and forthwith bring him before me, at the 1<sup>st</sup> DISTRICT POLICE COURT, in the said City, or in  
case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the  
said charge, and to be dealt with according to law.

Dated at the City of New York, this 13 day of Sept 1889

Solomon R. Seidman  
POLICE JUSTICE.

POOR QUAL  
ORIGINAL

0058

1000 for &  
Dec 15  
10 a.m.

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

Police Court--- /- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Amos Fredrick  
62 1/2 South St  
Thomas Berge

Offence Larceny

Dated / Dec 14 1889

John 73 South St Magistrate.

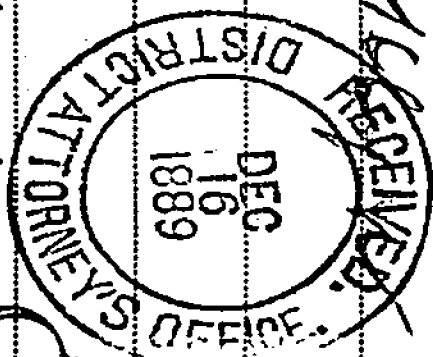
August /- Officer.

Witnesses Walter P. Freeman

No. 447 Court Street.

Received

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



No. 1000 St. St. Street.

com

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

Thomas Berge

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 15 1889 Police Justice.

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

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

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

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

POOR QUALITY  
ORIGINAL

0059

N.Y. General Sessions

The People of }  
                    Against  
Thomas Berge }

City and County of New York S.S.  
Charles J. Taylor  
of No. 464 Fifth Street Brooklyn  
being duly sworn says. I am in  
the Commission business of as Salesman  
for M. & B. & Co 74 Warren Street  
this city. and have been such for  
the past eight years: I have  
known the defendant Thomas  
Berge for the past six years  
and have seen him very often  
during that time, up to the  
present charge against him I have  
never heard of anything against  
him, nor his character for honesty  
questioned. and can give him  
none but the best character!  
I know his family to be very respectable  
people.

Sworn to before me this } Charles J. Taylor  
23<sup>rd</sup> day of December 1889 }  
J. M. Simmons  
Notary Public  
(230) N.Y.C.



POOR QUAL  
ORIGINAL

0060

N.Y. General Sessions

The People vs }  
Against }  
Thomas Berge }

City and County of New York S.S.

Buttton C. Thorne

of No 26 Cambridge place Brooklyn  
being duly sworn says - that he  
has known the defendant Thomas  
Berge for the past three years -  
he is a member of Company F.  
23<sup>rd</sup> Regiment. U.S. S. of N.Y. of  
which I am Captain. I know  
others who know the above named  
defendant: he has been an intimate  
associate of some of the best members  
of my Company. and up to the present  
charge laid against him - I have  
never known or heard of anything  
against his character. he comes  
of a very respectable family.

Sworn to before me  
this 23<sup>rd</sup> day of December 1889.

Buttton C. Thorne

W. L. Linn

Notary Public

1230, N.Y. Co

POOR QUAL  
ORIGINAL

0061

My General Sessions  
The People &c }  
Against  
Thomas Berge }

City & County of New York S.S.

Christian J. Berge

being duly sworn says, I reside at  
No. 44 Fourth Place Brooklyn, I am  
in Provision Commission business and  
have been such for the past 10 years  
The defendant above named is my  
son. He is 23 years of age and has always  
lived home with me, this is the first time  
to my certain knowledge that my son  
Thomas has ever been convicted of  
any crime.

Sworn to before me this

24<sup>th</sup> day of December 1889

William Dace

Com. of Deeds

Chr. J. Berge

POOR QUALITY  
ORIGINAL

0062

My General Remarks

The People &  
acquaint

Thomas Large

Affidavits -  
Character

Jacob Berlinger  
Cath, left  
23 Chambers St.



POOR QUAL  
ORIGINAL

0063

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Thomas Berge*

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

*Thomas C. Berge*

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

The said

*Thomas C. Berge*

late of the City of New York, in the County of New York aforesaid, on the *fifteenth*  
day of *September* in the year of our Lord one thousand eight hundred and *eighty-*  
*nine*, at the City and County aforesaid, with force and arms,

*one stud of the value of  
forty dollars, and one scarf  
of the value of one dollar*

of the goods, chattels and personal property of one

*Arnold Proehl*

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

POOR QUALITY  
ORIGINAL

0064

SECOND COUNT—

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

*Thomas C. Berge*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

*Thomas C. Berge*

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 stud of the value of forty  
dollars and one scarf of the  
value of one dollar*

of the goods, chattels and personal property of one

*Arnold Broehl*

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

*Arnold Broehl*

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

*Thomas C. Berge*

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

JOHN R. FELLOWS,  
District Attorney.

0065

**BOX:**

**376**

**FOLDER:**

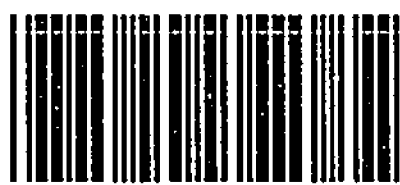
**3513**

**DESCRIPTION:**

**Berrell, Maggie**

**DATE:**

**12/03/89**



3513



POOR QUALITY  
ORIGINAL

0066

Police Court

District

Affidavit—Larceny.

City and County } ss.  
of New York, }

*Fanny B. Gilday*  
of No. *Miner's Bowery Theatre* Street, aged *25* years,  
occupation *Actress* being duly sworn

deposes and says, that on the *1<sup>st</sup>* day of *December* 18*89* at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the *night* time, the following property, viz:

*One hand satchel, containing  
good and lawful money of the  
United States of the value of Thirty eight  
dollars, one pocket book and one  
one gold watch of the value of  
Fifty dollars  
All of the value of Eighty eight  
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 *Maggie Berrell (now here)*

*for the reasons that deponent was  
a passenger on the steamer Providence  
on her voyage from Fall River, Mas-  
sachusetts, and while said vessel  
was on the Long Island Sound,  
deponent had said satchel which  
contained said property, upon her  
arm and shortly thereafter deponent  
fell asleep. When she awoke she  
missed said property and is informed  
by John P. Lynch (now here) that he  
Lynch found the property in the  
defendants' possession who had  
it concealed in her satchel and  
and deponent identified it as her property*

*Fannie Deane Gilday*

Sworn to before me, this

*2*

day

of *December*

18*89*

Police Justice

*John P. Lynch*

POOR QUALITY  
ORIGINAL

0067

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 65 years, occupation John P. Lynch Special Officer of No.

Recd 28 North River Street, being duly sworn deposes and

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

Sworn to before me, this

day of December 1889

J. P. Lynch  
E. J. Gann  
Police Justice.

POOR QUALITY  
ORIGINAL

0068

Sec. 193-200.

District Police Court.

CITY AND COUNTY }  
CITY OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*Maggie Berrell*

Question. How old are you?

Answer.

*51 years*

Question. Where were you born?

Answer.

*British Province*

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

Answer.

*No permanent home*

Question. What is your business or profession?

Answer.

*None*

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

Answer.

*I am not guilty.*  
*Maggie X Berrell*  
*name*

Taken before me this

*2*

day of *December* 188

Police Justice



POOR QUALITY  
ORIGINAL

0069

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

1455  
District Court

District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James J. Kelly

Margie Kennell

Offence

Grand Larceny

Dated

Dec 2 1889

Hogan Magistrate

Trinity 28

Witness

John Flynn

No.

Over 28 MR

No.

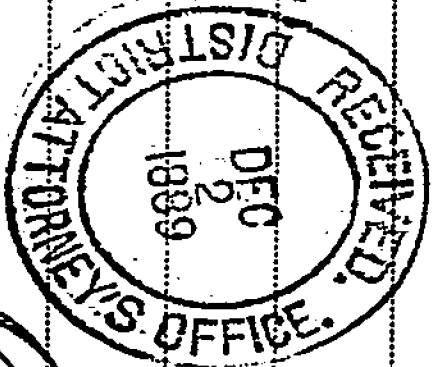
Street

No.

Street

\$

500 to answer



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

defendants

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

Dated 1889

Police Justice.

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

Dated 1889

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 1889

Police Justice.

POOR QUALITY  
ORIGINAL

0070

LAW OFFICES  
—OF—  
HAIRE & LANGER,  
23 CHAMBERS STREET,

R. J. HAIRE  
OSCAR E. LANGER.

New York, July 21 1890

Hon. J. R. Fellows  
District Atty.

Sir:- In the case of The People  
vs- Maggie Birrell, for  
Grand Larceny, the defense  
has two witnesses who are thea-  
trical people & on the road, &  
we can not get them here  
without a few days notice -  
say one week. Will you please  
set a day for trial, about one  
week in advance to oblige

Most Respectfully  
R. J. Haire  
Oscar E. Langer

POOR QUALITY  
ORIGINAL

0071

District Attorney's Office.

PEOPLE

vs.

Maggie Berrell

vs. Davis;

This case ought  
to be tried the day it is  
put on. The case has  
been hanging for a long  
time & witnesses are  
difficult to get here.

JC

Subpoenas issued  
Jan'y 9/89

D

District Attorney's Office.

PEOPLE

vs.

Maggie Berrell

Put this case on the  
calendar during the  
first week of the January  
1890 term and send  
the subpoena for the  
complainant to  
Mr. Jacob Berlinger,  
23 Chambers Street  
two days before the day  
on which it is put on  
the calendar.

Dec. 27/89

Wm J. Jerome

To  
Mr. Thos. Costigan.



POOR QUALITY  
ORIGINAL

0072

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

The People &c  
against  
Maggie Berrell

To the

Hon: John R. Fellows,

District Attorney of City and County.

Sir:-

Please to take notice, that a motion  
will be made, based upon the affidavits  
of the defendant and R. J. Haire (copies of  
which are hereto attached) + all the pa-  
pers + proceedings in the above en-  
titled cause, at a session of said  
Court, to be held at the Court  
house, of the above entitled Court.  
(Part two) in the City of New York on  
the 27<sup>th</sup> day of Dec. 1889, at eleven  
o'clock in the forenoon of said day,  
or as soon thereafter as counsel can be  
heard: That the defendant be discharged  
upon her own recognizance.

Dated Dec. 26<sup>th</sup>-

1889-

Haire + Langer

Attorneys for Defendant

23 Chambers Street

Court of General Sessions

The People &c }  
against } Grand Larceny  
Maggie Berrell } Second Degree

City and County of New York ss:

R J Haire being duly sworn deposes and says that he is one of the Counsel for the defendant in the above entitled cause and that on the day of December 1889 he appeared in Court for the defendant who was then ready for trial and that on motion of the District Attorney the case was set for trial on the 18<sup>th</sup> inst and so marked by said District Attorney but that on the said 18<sup>th</sup> day of the present month the case was not on the calendar and that it has not been on the calendar for trial although the defendant has at any and all times been ready for trial. Deponent further says that he is informed that the complaining witness is not a resident of New York and that she received the property alleged to have been stolen and that she has left the state and that there is no reasonable belief that she will return to prosecute said cause Deponent further says that he



POOR QUALITY  
ORIGINAL

0074

verily believes from the statement of the  
defendant and of one Mrs Jennie Cook,  
who was present at the time of the alleged  
larceny that the defendant is not guilty  
of the offense charged. Deponent further says  
that the defendant is very poor and wholly  
unable to procure bail, or to pay counsel any  
fee whatever

Subscribed & sworn to }  
before me this 26<sup>th</sup> day of } R J. Haile  
December 1889 }

J. W. Simms

Notary Public

(230) N.Y. Co.

Copy



POOR QUALITY  
ORIGINAL

0075

City and County of New York ss:-

Maggie Bernell being duly sworn deposes and says that she has read the foregoing affidavit of R. J. Haire Esq. hereto attached and that the same is true as to her own knowledge so far as it relates to the readiness of this deponent for trial. Defendant further says that she is not guilty of the crime charged against her herein and that at the time of her arrest she was on her way to California where she resides and that she is wholly without means and only has her ticket by way of water to San Francisco and that she is anxious to resume her journey.

Subscribed and sworn to }  
before me the 26<sup>th</sup> day of } Maggie Bernell  
December 1889 } Mark

J. H. Simms

Notary Public

(230) N.Y. Co

Copy

POOR QUALITY  
ORIGINAL

0076

*General Sessions Court.*

*The People &c*

*Plaintiff*

*against*

*Maggie Cornell*

*Defendant.*

*Affidavit and Notice  
by Motion.*

*James C. Langer*  
*23 Chambers Street,*

*NEW YORK CITY.*

*Attorney for Defendant.*

*John J. Kelly*  
*Attorney for Plaintiff.*

*Dec 10 1889*  
*at New York*  
*Dec 10 1889*



POOR QUALITY  
ORIGINAL

0077

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Maggie Berrall

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

Maggie Berrall

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

The said

Maggie Berrall

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

the sum of thirty-eight dollars in  
money, lawful money of the United  
States and of the value of thirty-  
eight dollars, one watch of the  
value of fifty dollars, and one  
satchel of the value of five dollars  
and one pocketbook of the value  
of fifty cents

of the goods, chattels and personal property of one

Fanny B. Gilday

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



POOR QUALITY  
ORIGINAL

0078

SECOND COUNT—

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

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

The said

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

the sum of thirty-eight dollars in money,  
lawful money of the United States, and  
of the value of thirty-eight dollars,  
one watch of the value of fifty dollars,  
one satchel of the value of five dollars and  
one pocketbook of the value of fifty cents

of the goods, chattels and personal property of one

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

Fanny B. Gilday  
unlawfully and unjustly, did feloniously receive and have; the said

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

JOHN R. FELLOWS,  
District Attorney.

0079

**BOX:**

376

**FOLDER:**

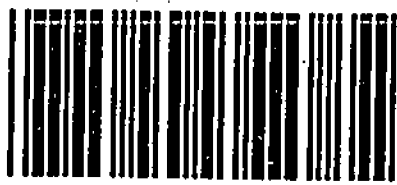
3513

**DESCRIPTION:**

Bohn, Andrew

**DATE:**

12/16/89



3513

POOR QUALITY  
ORIGINAL

0000

Witnesses:

Michael Roach  
Anna Roach  
Off. H. H. L. L. L.

Counsel,

Filed 16 Dec 1889  
Pleads, Chappin

THE PEOPLE

vs. ~~THE~~  
Andrew Bohm  
Burglary in the THIRD DEGREE  
(Section 498, Penal Code.)  
Just. L. L. L. Dec 16/89

JOHN R. FELLOWS,  
District Attorney.

A True Bill 1467

Foreman.  
Dec 17/89

Clerk of Court  
State Reformatory, Elmira.

20



POOR QUALITY  
ORIGINAL

0081

Police Court—9<sup>th</sup> District.

City and County  
of New York, } ss.:

of No. 172 Essex Street, aged 21 years,  
occupation Expressman being duly sworn

deposes and says, that the premises No. 172 Essex Street, 10<sup>th</sup> Ward  
in the City and County aforesaid the said being a rear building ~~and~~  
~~and which~~ of which the ground floor  
and which was occupied by deponent as a dwelling  
and in which there was at the time no human being, by name

were BURGLARIOUSLY entered by means of forcibly opening the  
front window

on the 19<sup>th</sup> day of October 1889 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

Clothing & Furniture of the amount  
and value of "Fifty dollars"

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

Andrew Bohu, (now here), and another man  
exposed to be, William Eichler (not arrested)

for the reasons following, to wit: On said date deponent &  
his wife were out on a visit. Their rooms  
which had been carefully locked & the windows  
bolts, when they came home, deponent when  
opening the door of their apartments, heard  
a noise inside of his rooms & when  
entering the room, & heard the window opened  
again, the deponent went into the yard  
& saw two men coming out of his rooms

POOR QUALITY  
ORIGINAL

00002

Through the window, deponent followed them <sup>up</sup> when seizing hold of one of them, received a violent blow into <sup>his</sup> against his face and said men, make his escape through the hallway of the front house, deponent pursued him and caught hold of him again and caused his arrest, charging him with the burglary as aforesaid and praying the he, said defendant be dealt with as the Law in such case made & provides, may direct.

Sporn to before me  
this 20<sup>th</sup> day of October 1889  
J. P. Depp  
Police Justice

Michael Roth

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1889  
Police Justice.  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1889  
Police Justice.  
There being no sufficient cause to believe the within named  
guilty of the offence mentioned, I order he to be discharged.  
Dated 1889  
Police Justice.

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POOR QUALITY  
ORIGINAL

00003

CITY AND COUNTY }  
OF NEW YORK, } ss.

Annie Roth  
aged 20 years, occupation Keeping house of No.  
172. Essex Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Michael Roth  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

20<sup>th</sup>

day of October 1889

Annie

Roth

me  
Mend

[Signature]  
Police Justice



POOR QUALITY  
ORIGINAL

0004

Sec. 198—200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

3 District Police Court.

*Andrew Bohner* 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. *Andrew Bohner*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *N.Y. City*

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

Answer. *425 East 3<sup>rd</sup> Street, about three years.*

Question. What is your business or profession?

Answer. *Printing*

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

Answer.

*I came out of a barbershop, when  
this party (deponent) rushed out of the  
house & seized hold of me & caused  
my arrest, I am not guilty.  
Andrew Bohner*

Taken before me this

day of

*October 1887*  
*John J. Duffy*  
Police Justice.

POOR QUALITY  
ORIGINAL

0085

BAILED,  
No. 1, by William A. Ross  
Residence 512 West 48<sup>th</sup> St.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court... 3rd District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Michael Roth  
1426 East 11<sup>th</sup> St.

Andrew J. Cook

Offence Burglary

Dated October 20 1889

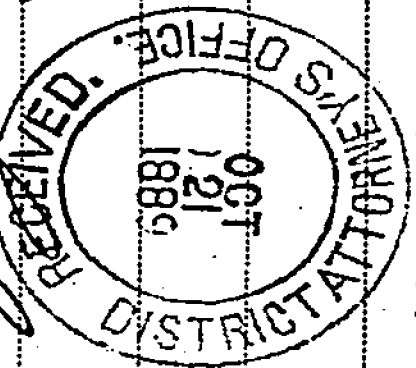
Cliffy Magistrate.  
Frankelney Officer.

Witnesses Amico Roth

No. 1426 Street East 11<sup>th</sup>

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

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



Michael Roth  
Burglary

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

Defendants

guilty hereof, 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 October 20 1889 Cliffy Police Justice.

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

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

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

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



POOR QUALITY  
ORIGINAL

0086

FORMERLY WM. D. FOLGER

WILLIAM J. PELL,

TELEPHONE CALL, "JOHN, 578."

MERCANTILE PRINTING HOUSE,

92 JOHN STREET,

PRINTING,  
STATIONERY,

LITHOGRAPHY,  
BLANK BOOKS.

New York,

Nov 29 1889

This is to certify that Quady Bohm was  
in my employ several years. He was  
attentive to his duties, always respectful  
in demeanor, & I considered him one of  
my best employees.

W. J. Pell



POOR QUALITY  
ORIGINAL

0087

New York Nov 29/89  
This is to Certify  
That Andrew Bohm has  
been under my personal  
supervision for upwards of  
8 years and I always felt  
that anything around the Office  
as well as my personal property  
was safe and secure while  
he was present; he also was  
always ready to do anything  
that I wished him to do  
cheerfully. Therefore to the  
best of my knowledge I think  
him honest and upright

W. J. Telle  
92 John Street Foreman

POOR QUALITY  
ORIGINAL

0000

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Andrew Bohu

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

Andrew Bohu

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

The said

Andrew Bohu

late of the Tenth Ward of the City of New York, in the County of New York  
aforesaid, on the nineteenth day of October in the year of our Lord one  
thousand eight hundred and eighty-nine, with force and arms, in the  
night time of the same day, at the Ward, City and County aforesaid, the  
dwelling house of one

Michael Roth

there situate, feloniously and burglariously did break into and enter, with intent to  
commit some crime therein, to wit: with intent, the goods, chattels and personal property  
of the said

Michael Roth

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

John R. Fellows,  
District Attorney

0089

**BOX:**

376

**FOLDER:**

3513

**DESCRIPTION:**

Brennan, Michael

**DATE:**

12/06/89



3513



POOR QUALITY  
ORIGINAL

0090

Witness:

*John Stenequa*

Counsel,

Filed

Pleads,

6 day of Dec 18

THE PEOPLE

vs.

*Michael Brennan*

*F*

*542 2nd Ave*

**VIOLATION OF EXCISE LAW**  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1033, Sec. 21 and  
page 1980, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

A True Bill

*664*

*John R. Fellows*  
Foreman  
Complaint sent to the Court  
of Special Sessions,  
Rochester, N.Y., Dec. 18, 1890.

*John R. Fellows*

POOR QUALITY  
ORIGINAL

0091

**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 Brennan*

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

The said

*Michael Brennan*

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

*Daniel B. Donagan*

and to certain other persons whose names are to the Grand Jury aforesaid unknown,  
against the form of the Statute in such case made and provided, and against the peace of  
the People of the State of New York and their dignity.

SECOND COUNT—

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

*Michael Brennan*  
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG  
AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Michael Brennan*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, the same being the first day of the week, commonly called and known as  
Sunday, being then and there in charge of and having the control of a certain place  
there situate, which was then duly licensed as a place for the sale of strong and  
spirituous liquors, wines, ale and beer, with force and arms, at the City and County  
aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep  
closed, and on the said day the said place so licensed as aforesaid unlawfully did then  
and there open, and cause and procure and suffer and permit, to be open, and to remain  
open, against the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

**JOHN R. FELLOWS,**  
District Attorney.

0092

**BOX:**

376

**FOLDER:**

3513

**DESCRIPTION:**

Buckley, Jeremiah

**DATE:**

12/27/89



3513



0093

John Crowley

I have carefully examined  
the volume & it is satisfactory  
I am entirely satisfied  
that the MS is still  
the same changed,  
fewer but unaltered  
as the copy was  
made and has needed  
no further  
alteration  
& I do not think a committee  
could be had. I perfectly  
recommend that a  
MS of the same  
be accepted.

Part 3 June 7 1929  
Belknap

Washburn

**Filed**

day

188

## Pleads,

Pleads, *Wrongfully* 50

# THE PEOPLE

21 Oct '28.  
1800  
P

Herrenrath Bucheler

**Grand Larceny, *First* Degree.**  
(From the Person.)  
[Sections 528, 584] ← Penal Code].

**JOHN R. FELLOWS,**

District Attorney.

# A True Bill.

227(7)

Paul J. Kelly

## Fotemam,

Part III January 1790

Plasti-Petroleum

Dear Mr. Lott

POOR QUALITY  
ORIGINAL

0094

Police Court First District.

Affidavit—Larceny.

City and County } ss.  
of New York,

of No. 5 Batavia St. (rear) Luke Crowley  
occupation laborer or about 50 years,  
being duly sworn

deposes and says, that on the 17 day of December 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
and person of deponent, in the night time, the following property, viz:

Good and lawful money of the  
United States consisting of a  
gold coin of the denomination any  
value of Twenty 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 Jeremiah Buckley (now here)

from the fact that said defendant  
snatched said money from deponent's  
hand and ran away.

Luke Crowley  
mark

Subscribed and sworn to before me, this 18 day of December 1889  
at New York, N.Y.  
Police Justice.

POOR QUALITY  
ORIGINAL

0095

Sec. 188-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Jeremiah Buckley* 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.

*Jeremiah Buckley*

Question. How old are you?

Answer.

*21 years*

Question. Where were you born?

Answer.

*N. Y.*

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

Answer.

*18 Oak St 10 years*

Question. What is your business or profession?

Answer.

*Labourer*

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*

*Jeremiah Buckley*

Taken before me this

14th day of DECEMBER 188

Police Justice



POOR QUALITY  
ORIGINAL

0096

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

Police Court--- / 1891  
District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Julie Brantley*  
512 Astor St  
*James Brantley*

Offence *Larceny from the Person*

Dated *Dec 14* 1889

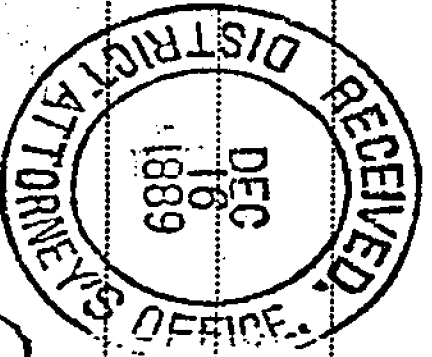
*B. J. Smith* Magistrate.

*William L. Barnard* Officer.

No. \_\_\_\_\_ Precinct *4*

Witnesses *Bar Teller "Joe"*  
*in French Hospital*  
No. *6* *Belvedere* Street

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



No. *1000* Street *9th*  
to answer

*James Brantley*

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 *Syndant*

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

Dated *Dec 14* 1889 *Solomon B. Smith* Police Justice.

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

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

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

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

POOR QUALITY  
ORIGINAL

0097

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Jeremiah Buckley*

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

of the CRIME OF GRAND LARCENY in the

The said

*Jeremiah Buckley*  
late of the City of New York, in the County of New York aforesaid, on the *seventeenth*  
day of *November* in the year of our Lord one thousand eight hundred and  
eighty-*nine*, in the *night* - time of the said day, at the City and County  
aforesaid, with force and arms,

*one gold coin of the  
United States of the kind called  
double-eagles of the value of  
twenty dollars*

of the goods, chattels and personal property of one *Luke Crowley*  
on the person of the said *Luke Crowley*

then and there being found, from the person of the said *Luke Crowley*

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

*John R. Fellows,  
District Attorney.*

0098

**BOX:**

376

**FOLDER:**

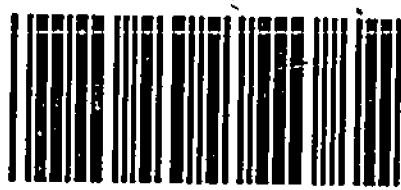
3513

**DESCRIPTION:**

Burns, John

**DATE:**

12/20/89



3513



POOR QUALITY  
ORIGINAL

0099

Counsel, *J. H. [Signature]*  
Filed *20* day of *Dec* 188*9*  
Pleads, *Chattel*  
THE PEOPLE  
vs. *John Burns*  
Grand Larceny, 1st Degree  
(From the Person.)  
[Sections 528, 580, 581 Penal Code]

*Dec 23 1889*  
JOHN R. FELLOWS,  
District Attorney.

A True Bill, *174* *(7)*

Foreman,

*S.P. 3 yrs 97 mo*  
*P.B.M.*

*Per me connected*  
*P.B.M.*

*James H. [Signature]*  
*Ag. Valerian*

*Jan 14 - 90*  
*Warrant for Commitment*

*Jan 14 3 40*

*on Penn Ship [Signature]*  
*by H. H. [Signature]*

*126 W 31 St*

*N. N. [Signature]*

*300 Madison St*

POOR QUALITY  
ORIGINAL

0 100

Police Court—2 District.

Affidavit—Larceny.

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

John E. Conners  
of No. 94 1/2 Greenwich Street, aged 59 years,  
occupation Fire Inspector being duly sworn  
deposes and says, that on the 3<sup>rd</sup> day of December 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of person of deponent, in the night time, the following property, viz:

One Gold Watch of the value  
\$67.50 One hundred and fifty  
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 John Burns (now here)

from the fact that at about the hour  
of 7<sup>20</sup> PM on said date, deponent  
was on West 24<sup>th</sup> Street near the  
entrance to the family circle of the  
Grand Opera House in the arena.  
at that time deponent had said  
watch in the lower left hand  
pocket of his vest attached to  
a chain and after deponent had  
got out of said arena deponent  
discovered that his watch chain  
was hanging down and his watch  
was missing, and on the 12<sup>th</sup> day  
of December 1889 deponent found

Sworn to before me, this  
188

Police Justice.



POOR QUALITY  
ORIGINAL

0101

said match in the Pawn Office  
of A. Stern No 56 West 31<sup>st</sup> Street  
said match having been pawned  
for \$35.

Deponent made affidavit  
that said match was his and  
redeemed it. Deponent is informed  
by ~~Deponent~~ Sergeant James J. Kelly  
that he arrested this defendant  
on suspicion of picking pockets  
and when he, the detective, searched  
the defendant, the defendant handed  
him a pawn ticket representing  
a match which had been pawned  
on December 3<sup>rd</sup> 1889 in A. Stern's  
Pawn Office for \$35 said ticket  
being hereto annexed and that  
the said defendant admitted to  
him, the detective, that said ticket  
represented a match which was  
stolen in front of the Grand  
Opera House.

Therefore deponent charges  
the said defendant with feloniously  
taking, stealing and carrying away  
said match from the person of deponent,  
and prays that he may be dealt  
with as the law directs.

Sworn to before me this 13<sup>th</sup> day

of December 1889

G. M. M. D. D.

Police Justice.

John J. Longene



0102

*Police Justice.*

*Myra Egan*

## Police Justice.

POOR QUALITY  
ORIGINAL

0 103

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK

*John Burns* 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. *John Burns*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *437 West 30 St? 7 months*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I bought the tickets from a man for one dollar*

*John Burns*

Taken before me this

*14*

day of

*September* 1889

*Robert J. Smith*

Police Justice.

POOR QUALITY  
ORIGINAL

0104

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court-- District.

1828

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*John B. Long*  
*of the County of New York*  
*vs.*  
*John A. Long*

Offence

*Larceny*  
*felony*

Dated

*Dec 14* 1889

Magistrate

Officer

Precinct

Witnesses

*H. Stern*

No. 576

*leaf 31 of*

No.

*16*

No.

*1000*

No.

*1000*



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

*Defendant*

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

Dated *Dec 14* 1889 *J. Henry Bond* Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.



POOR QUALITY  
ORIGINAL

0 105

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 Burns*

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

*John Burns*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

*John Burns*

late of the City of New York, in the County of New York aforesaid, on the *third*  
day of *December* in the year of our Lord one thousand eight hundred and  
eighty-*nine*, in the *night* time of the said day, at the City and County  
aforesaid, with force and arms,

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

of the goods, chattels and personal property of one

on the person of the said

then and there being found, from the person of the said

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

*John G. Bouzere*  
*John G. Bouzere*  
*John G. Bouzere*

POOR QUALITY  
ORIGINAL

0-106

SECOND COUNT—

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

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

The said

*John Burns*

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

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

of the goods, chattels and personal property of one

*John G. Couzens*

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

*John G. Couzens*

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

*John Burns*

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

JOHN R. FELLOWS,

*District Attorney.*

0107

**BOX:**

376

**FOLDER:**

3513

**DESCRIPTION:**

Byrnes, Thomas

**DATE:**

12/03/89



3513



POOR QUALITY  
ORIGINAL

0100

Witnesses:

Geo. H. McRae  
Off down

Counsel,

Filed

3

day of

Dec 18 89

Pleads

Not guilty

THE PEOPLE

vs.

P

Thomas Byrnes

Grand Larceny Second degree  
[Sections 529, 531, 532 Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True Bill

Paul T. Carr

Foreman.

Dec 23/89

Quin V. Lounsbury  
State Refornalory  
Elmwood

POOR QUALITY  
ORIGINAL

0109

Police Court 5<sup>th</sup> District.

Affidavit—Larceny.

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

George F. Kleber  
of No. 92 Bank St. - Waterbury Armistice Street, aged 28 years,  
occupation Barber being duly sworn  
deposes and says, that on the 12 day of March, 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the night time, the following property, viz:

One gold watch, with gold chain and  
gold fob attached to it - of the  
value of One hundred & twenty-five  
dollars

the property of

Alfred

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Thomas Byrnes (now here) from

the fact that since the commission of  
said offense, deponent was informed  
by Officer Samuel Brown 27<sup>th</sup> Precinct  
Police (now here) that the said Brown  
arrested the said Thomas Byrnes and  
disclosed and found the above described  
watch in his said Thomas Byrnes possession  
and deponent fully identifies said watch  
as his property

George F. Kleber

92 Bank St.

Sworn to before me, this 14 day  
of March, 1889  
by W. H. [Signature]  
Police Justice.

POOR QUALITY  
ORIGINAL

0110

CITY AND COUNTY }  
OF NEW YORK, } ss.

George A. Swan  
aged 25 years, occupation Police Officer of No. the 27<sup>th</sup> Precinct Police Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of George F. Kleber  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 14 day of March 1889 } George A. Doran.  
W. A. Wells  
Police Justice.



POOR QUALITY  
ORIGINAL

0111

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Thomas Byrnes* 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.

*Thomas Byrnes*

Question. How old are you?

Answer.

*23 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*238 684<sup>th</sup> St., 3 months*

Question. What is your business or profession?

Answer.

*Labman*

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 of the charge*

*Thomas Byrnes*  
*Mark*

Taken before me this

day of *March* 189*9*

Police Justice.

POOR QUALITY ORIGINAL

0112

The Magistrate *John A. Smith*  
will hear him and  
determine the within case  
in my absence *John A. Smith*  
Police Justice

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

113  
Police Court 5  
District 1129

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*George T. Mullen*  
92 13 Ave 10  
Thomas, New York  
Offence *Larceny*  
*7th Ave*

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

Dated *Apr 14* 1889

*White* Magistrate.

*Long Street* Officer.

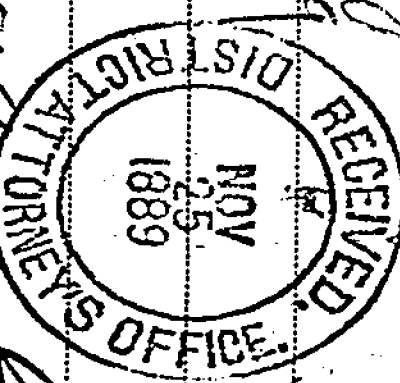
*27* Precinct.

Witnesses *George A. Brown*

No. *27* Police Street.

No. *1704* Street.

No. *2111* Street.  
TO ANSWER



*Q. T. 18. 254*  
*Am*

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 *November 18* 1889 *W. A. Smith* 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.

21

The People  
v.  
Thomas Byrnes

Court of General Sessions, Part I  
Before Judge Gildersleeve. Dec. 23, 1889.  
Indictment for grand larceny in the Second  
degree.

George F. Kleeber, sworn and examined.  
I live in Waterbury, Conn. On the 12th  
of November at Ninety Sixth St. and  
Third Avenue I lost a gold watch and  
chain and locket of the value of one  
hundred and twenty five dollars. I went  
into a saloon corner of Ninety Sixth  
street and Third Avenue and asked  
permission to go to the water closet and  
while in there fell asleep and when  
I woke up I found my watch was  
gone. I notified the proprietor and then  
I went down to the 24th precinct and  
made a complaint. I subsequently re-  
ceived the property from the sergeant  
at the Station house on the 13th of Nov.  
I identified it as mine. I got the watch  
back but not the chain and locket. I  
did not give the property to anybody.  
Cross Examined. The watch was not  
a Waterbury watch. I was asleep in  
the water closet about ten or fifteen  
minutes.



POOR QUALITY  
ORIGINAL

0114

James J. O'Donohue sworn I live at 1965 Third Avenue and am a bartender at Ninety Sixth St. and Third Ave, the saloon is kept by Mary Jane O'Donohue. On the 12<sup>th</sup> of November I saw Mr. Kleeber in the saloon. He came in and stood at the bar for a little while and I did not notice anything of him until I found he was keeping in the water closet. I happened to be busy at the time. I did not notice him going back. I saw the defendant there at the time. I think he came in after the complainant had gone to the water closet. He had a drink at the bar with a friend; he went out and returned again and there were three more with him; they called for drink at the bar and the defendant went back to the water closet, and the other three had been waiting quite a while for him and they had a glass of ale and walked out on the corner; the defendant had been in the water closet quite a while and came out and did not touch his ale but walked to the door. I saw Mr. Kleeber after that about two or three minutes

POOR QUALITY  
ORIGINAL

0115

after I went in and tapped him on the shoulder on one or two occasions before that, but he came out this time himself - nobody disturbed him. Later in the evening I had a conversation with the officer and gave him some information. I had never seen the defendant before that night. Cross Examined. I have been a bar tender in this place since last June. I went on duty this day about ten o'clock in the forenoon and I closed at one o'clock. The defendant was in the place twice; the first time he came in a man named Sullivan was with him. They had a drink at the bar and paid for it; they went out and returned with <sup>two</sup> more ~~drinks~~. I don't know whether the complainant during this time was in the water closet or whether he went out of doors. The complainant had nothing to drink from the time he came in until I noticed that he was asleep in the water closet about half an hour elapsed. There were a good many people going out and coming in during that time. I saw the complainant come out of the water closet two or three

POOR QUALITY  
ORIGINAL

0116

minutes after this man left.  
George Doran sworn. I am an officer  
of the 27<sup>th</sup> precinct and on the night  
of the 12<sup>th</sup> of November I saw Mr. Kleeber  
in the 88<sup>th</sup> street station house and  
had a talk with him. I afterwards went  
to the saloon at 96<sup>th</sup> street and Third  
avenue and from information I  
received there I went to 238 East 84<sup>th</sup>  
street and arrested the prisoner the  
next evening. I found him in bed  
and found the complainant's watch in  
his pocket. I woke him up and asked  
him where the chain was belonging  
to the watch? He said he only bought the  
watch from a man on the street  
whom he had never seen before and  
gave two dollars for it. I afterwards  
showed the watch to Mr. Kleeber and  
he identified it. Cross Examined.  
There was a lady, a man and a little  
boy and girl there when I went to the  
house. The defendant was under the  
influence of liquor when I woke him  
up. He said he bought the watch of a  
man outside the saloon for two dollars.  
I believe he is a brother-in-law of  
Patrick Dorsey and works for him.



Thomas Byrnes, sworn in his own behalf testified: I live at 258 Eighty Fourth St. and am a laboring man. I help my brother in law, Patrick Dersay, who is a flagger. I have lived with him over a year. I have been in this country three years and never have been in trouble before. I was in this saloon on the night of the 12th. I worked during the day. I went in with two or three friends and had a glass of beer. I went into the water closet. I did not steal a watch and chain and locket from him. Cross Examined. Bought the watch from a man on Third Avenue, he wanted five dollars for it and I gave him two dollars. There was a man in the water closet reading a paper when I went in. Did you not go out of that saloon as quick as you could so that you would not be arrested?

I never had the man's watch at the time at all.

The jury rendered a verdict of guilty.  
He was sent to the Elmira Reformatory.

POOR QUALITY  
ORIGINAL

0118

Testimony in the  
Case of  
Thomas Byrnes  
filed Dec.

1889.

POOR QUALITY  
ORIGINAL

0119

Waterbury Dec 12<sup>th</sup>/99  
Mr. Fellows.

Dear sir  
Arriving home late night &  
found a subpoena for next  
monday, I have been down 2  
this week Monday & Wednesday  
and the case not brought up  
it cost me 4 Dollars for car fare  
and in fact I had to borrow  
money to come down yesterday  
I have just started in business  
and all my time is required  
at home, if you could put  
it off until the 23<sup>rd</sup> and



POOR QUALITY  
ORIGINAL

0120

then with our full will and good  
my testimony in regard to the  
case has been given and is  
authenticated. Mr. Fellows is  
there no way that I can get  
Albany I cannot afford to spend  
8 Dollars a week for car fare  
Monday the 16<sup>th</sup> have to be in  
Hartford so the 23<sup>rd</sup> would suit  
better. Hoping to hear from  
you with favorable report  
I remain

Geo. Miller  
92. Bowditch St.

Waterbury  
Conn

POOR QUALITY  
ORIGINAL

0121

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Thomas Byrne*

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

*Thomas Byrne*

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

The said

*Thomas Byrne*

late of the City of New York, in the County of New York aforesaid, on the *twelfth*  
day of *November* in the year of our Lord one thousand eight hundred and *eighty-*  
*nine*, at the City and County aforesaid, with force and arms,

*one watch of the value of  
seventy dollars, one chain of the  
value of thirty dollars, and one  
locket of the value of twenty-five  
dollars*

of the goods, chattels and personal property of one

*George F. Kleber*

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

POOR QUALITY  
ORIGINAL

0122

SECOND COUNT—

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

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

The said

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

one watch of the value of sev-  
enty-five dollars, one chain  
of the value of thirty dollars, and  
one locket of the value of  
twenty-five dollars

of the goods, chattels and personal property of one

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

George F. Kleeber  
unlawfully and unjustly, did feloniously receive and have; the said

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

JOHN R. FELLOWS,  
District Attorney.



0124

**BOX:**

376

**FOLDER:**

3514

**DESCRIPTION:**

Cain, Thomas

**DATE:**

12/27/89



3514

POOR QUALITY  
ORIGINAL

0125

Wash<sup>g</sup>

Witnesses:

Walter Burdell

Counsel,  
Filed *Dec* day 6<sup>th</sup> 1889  
Pleads, *Washington*

THE PEOPLE

vs.

*Thomas Carr*

PETIT LARCENY.

[Sections 528, 532 Penal Code].

JOHN R. FELLOWS,

*District Attorney.*

A True Bill. 224 (7).

*Frank J. Lewis*

*Foreman.*

Complaint sent to the Court...  
of Special Sessions,  
Part III, *January 6* 1890.

POOR QUALITY  
ORIGINAL

0126

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Cain

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

Thomas Cain

of the CRIME OF PETIT LARCENY committed as follows:

The said

Thomas Cain

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

one watch of the value  
of ten dollars

of the goods, chattels and personal property of one

Walter Burke

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

John R. Fellows,  
District Attorney