

0017

BOX:

376

FOLDER:

3513

DESCRIPTION:

Barry, Richard J.

DATE:

12/10/89



3513

POOR QUALITY ORIGINAL

0018

Stadler

Counsel, *Maurice DeLoe*
Filed *10* day of *Dec* 18*89*
Pleads *Not guilty*

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

THE PEOPLE

vs.
No. 160
314 *Richard J. Barry*

JOHN R. FELLOWS,

Dec 13 1889, District Attorney.

Not convicted Area 209.7

A TRUE BILL

902

John A. Hill

Foreman

Dec 17/89
J. S. Moore

Witnesses:

Cathey Kenny
Mrs. Meach
Effi Meach

Witnesses
Call this wife

Both of us had
gone to in only
20 yrs ago we
are her parents
as we are
of parents
and Ch
FS

POOR QUALITY ORIGINAL

0019

Police Court— District.

City and County of New York, ss.:

of No. 35 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 of December 1889 } Richard Barry (now here) Police Justice.

POOR QUALITY ORIGINAL

0020

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Richard J. 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. *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. *Bookkeeper*

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 *November* 188*9*

Wm. M. ...

Police Justice

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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

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backward. Then he, the complainant, tried to get up- stairs, 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 de- fendant 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

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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^c 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

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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

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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

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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.

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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.

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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 Z 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

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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.

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Drafts 2

New York Dec 12/89

To the

Hon Judge Martine

Dear Sir

This will
certify that John Barry has
been in my employ for the
last twenty five years & was
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

Your Obedt-Servt

Wm. L. Weeks
Builder 56 E 33rd St

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0033

Noah L Weeks builder of No 6 East 23rd 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.

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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	J	W	11

Received at: **8 WEST 23d STREET, near 5th Avenue, NEW YORK.** Dec 16 189

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

THIS TELEGRAM HAS JUST BEEN RECEIVED AT THE OFFICE IN CABLE AND MONEY TRANSFER OFFICE. **8 WEST 23d STREET,** ALWAYS OPEN.
Near 5th Avenue.

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 Kennedy in the Peace of the said People then and there being, feloniously did make an assault and him the said Patrick Kennedy 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 Kennedy 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 Kennedy in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and him the said Patrick Kennedy 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—

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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

in

he the said 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

POOR QUALI ORIGINAL

0038

Witnesses:

Joseph Lucic
Harry Donze

James Barry
155 av 10

Sept 1891
Annex for P. 10
Pocket

2 Councilmen
FR

Meyer

Counsel

Filed

Pleads

1889

16 Dec

THE PEOPLE

vs. Wm Barry

Grand Larceny, 4th Degree.
(From the Person.)
[Sections 528, 580 Penal Code]

JOHN R. FELLOWS,
District Attorney

72 Dec 19/89
Fred & Conrada 321

A True Bill. 1257

Foreman
J. M. Sullivan

5740. 5. 10. 89

POOR QUALITY ORIGINAL

0039

Police Court 2 District.

Affidavit—Larceny.

City and County of New York, ss.:

of No. 277 West 27th Street, aged 22 years, occupation Merchant being duly sworn

deposes and says, that on the 4th 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:

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 (number) and another man Turner 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 1889
Police Justice

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ORIGINAL

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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.

Sworn to before me } Joseph T. Scola
this 5th day of Dec 1889

J. M. P. P.
Police Justice

POOR QUALITY ORIGINAL

0041

CITY AND COUNTY }
OF NEW YORK, } ss.

Harry Dause

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 Tucculat* 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. Dause

J. Henry Bond
Police Justice.

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0042

Sec. 198-200.

2 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 5th day of June 1888

Edmund J. Connelley

Police Justice

POOR QUALITY ORIGINAL

0043

1880, bail for \$
Recy. 4th 9 AM

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

Police Court... District 21195

THE PEOPLE, Sec.,
 ON THE COMPLAINT OF
 Joseph Mendel
 123rd St 23rd Ave
 William Panam
 offence Larceny from the Person

Dated New York 5-18-89

James Meason Officer Precinct 16

Witnesses Harry Bruce No. 120 Hedden Street

No. _____ Street,
 No. _____ Street,
 No. 1000 _____ Street,
 to answer



Can

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

Alfred Smith

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \$200 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated New York 5-18-89 J. Thompson 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
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0044

District Attorney's Office.

PEOPLE

vs.

Wm Barry - et al
Lancany

Ind. Sept 2 /84

Pl. quire - 92. 2 Oct 10/84

Sen Duse

by Judge Gildersleeve

POOR QUALI
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 Smythe*

SUBPCENA 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 - 100th* 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 *20th* day of *December* 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.*

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ORIGINAL**

0046

COURT OF GENERAL SESSIONS.

-----X
The People :
 v. :
William Barry, : Tried Dec. 19/89 before the
 : Hon. Frederick Smyth and
Indictment filed Dec. 16/89; : a Jury.
indicted for grand larceny in :
the first degree. :
-----X

~~Assistant~~ District Attorney Jerome for the People.
Messrs. Purdy & McLaughlin for the Defense.

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 Av-
enue 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 cir-
cle, and was descending the stairs to the main entrance.
He was buttoning up his overcoat when he felt a hand in

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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

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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.

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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 QUAL
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. Fellows,
District Attorney.*

0051

BOX:

376

FOLDER:

3513

DESCRIPTION:

Berge, Thomas

DATE:

12/23/89



3513

POOR QUALITY ORIGINAL

0052

Witnesses;

Arvid Proehl
Oy Nugent
H. P. Hummer

Counsel,

Filed 23

Dec 18 1947

Pleads,

THE PEOPLE

vs.

P

Thomas Berge

Grand Larceny Second Degree [Sections 628, 694.50, Penal Code]

JOHN R. FELLOWS,

District Attorney.

[Signature]

A True Bill. 1947

[Signature]

Foreman.

Dec 23/47

[Signature]

Judge Seal
Record of Court

POOR QUALITY ORIGINAL

0053

Police Court - 1 - District.

Affidavit - Larceny.

City and County of New York, ss.

Arnold Parcelle

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 deponent gave him a ticket representing said property, that was a pledge in a loan office in Brooklyn - Deponent says that he positively identifies

Sworn to before me, this 18 day of 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
Edwin 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 Prochke

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

Walter P. Freeman

Salon D. Smith

Police Justice.

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 Percebe 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

was 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 1st 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 September 1889 Solon DeLaurier POLICE JUSTICE.

POOR QUAL ORIGINAL

0058

1000 for &
Dec 15
10am

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

Police Court--- /- M7831
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Arnold Friedl
62nd Street
Thomas Berge

2 _____
8 _____
4 _____

Offence Larceny

Dated 1 Dec 14 1889

Before Ben J. Smith Magistrate.

August Officer.

Witnesses Mattie P. Freeman

No. 447 bound Street.

David K. Keenan Street.

No. _____ Street.



No. 1000 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 Salon Blank 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. Bride & 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
23rd day of December 1889 }

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.

Button 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.
23rd 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 23rd day of December 1889.

Button C. Thorne

W. L. D. W. W.
Notary Public
1230, N. Y. Co

POOR QUAL
ORIGINAL

0061

N.Y. General Sessions

The People &c }
Against }
Thomas Berge }

City & County of New York S.D.

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

24th day of December 1889

William D. Ball

Com. of S.D.

Chr. J. Berge

POOR QUALITY
ORIGINAL

0062

My General Assn's

The People &
acquaint

Thomas Berge

Affidavit -
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 Proehl

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 Proehl

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 of New York } ss.

Fanny B. Gilday

of No. 101 Miner's Bowery Theatre Street, aged 25 years, occupation Actress

deposes and says, that on the 1st 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 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 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, Massachusetts 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 defendant's possession who had it concealed in her satchel and deponent identified it as her property Fannie Deane Gilday

Sworn to before me, this 2nd day of December 1889

Police Justice [Signature]

POOR QUALITY ORIGINAL

0067

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 65 years, occupation John P. Lynch Special Officer of No. 28
West 28th Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Jimmie B. Gellin
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 2
day of December 1889 J. P. Lynch

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0058

Sec. 193-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Maggie Berrell being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is *her* right to make a statement in relation to the charge against *her*, that the statement is designed to enable *her* if she see fit to answer the charge and explain the facts alleged against *her* that *she* is at liberty to waive making a statement, and that *her* waiver cannot be used against *her* 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 Provinces*

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 Berrell
name

Taken before me this 2
day of December 188

Police Justice

[Signature]

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 _____

1955
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James J. Kelly
Maggie Bennett
or
Charles Lawrence

Offence
1
2
3
4

Dated Dec 2 1889

Hogan Magistrate

Winnick
28

Witness John Flynn
No. Dec 28 M.P.
Street



No. _____ Street _____
No. 500 to answer
Street

Lawrence

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.

Dear Sir:— In the case of The People
&c 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 9th 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 vs
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. Hain (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 27th 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. 26th-

1889-

Yrs &c

Hain + Langner

Attys for Defd

23 Chambers Street

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 24th day of } R. J. Haire
December 1889 }

J. W. Simms
Notary Public
(230) N.Y. Co.

Copy

POOR QUALITY
ORIGINAL

0075

City and County of New York ss=

Maggie Berrell 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 26th day of

December 1889

J. H. Simms

Notary Public

(230) N.Y.C.

Maggie Berrell
Mark

Copy

0075

POOR QUALITY ORIGINAL

General Sessions Court.

The People vs

Plaintiff

against

Maggie Small

Defendant.

Affidavit and Notice
by Motions.

James S. Rogers
23 Chambers Street,
NEW YORK CITY.

NEW YORK CITY.

Attorney for Defendant

10 Term John R. Kelly

Attorney for

Plaintiff

James S. Rogers
Attorney for Defendant

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 Berrill

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

Maggie Berrill

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

The said

Maggie Berrill

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 Roeh
Anna Roeh
Clyde Hunsicker

Counsel,

Filed

1889

16 day of Dec
Chiquita

THE PEOPLE

vs.

Andrew Bohn

Burglary in the THIRD DEGREE
(Section 498, Penal Code)

And binds.
Dec 16/89

JOHN R. FELLOWS,
District Attorney.

12563
Punkers

A True Bill 1/16/89

Samuel Lewis
Foreman.

Dec 16/89

Clement Bury Eley
State Reformatory, Elmira.

70

POOR QUALITY ORIGINAL

0081

Police Court 9th 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, 10th Ward in the City and County aforesaid the said being a rear building ~~and~~ attaching of which the ground floor ~~and~~ which was occupied by deponent as a dwellling 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 19th 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~~ attempted to be taken, stolen and carried away by

Andrew Bohu, (now here), and another man supposed 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 bolted, 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

0002

Through the window, deponent followed them when seizing hold of one of them, received a violent blow into his face and said man, make his escape through the hallway of the front house, deponent pursued him and caught hold of him again and arrested 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.

Sworn to before me
this 20th day of October 1889
J. P. Deffy
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

Police Court District
THE PEOPLE vs.
on the complaint of
District
Dated 1889
Magistrate
Officer
Clerk
Witnesses
No. Street
No. Street
No. Street
to answer General Sessions.

POOR QUALITY ORIGINAL

0003

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 *20th* day of *October*, 188*9*

Annie Roth
[Signature]
Police Justice

POOR QUALITY ORIGINAL

0004

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Andrew Bohner 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. *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. *4-25 East 3rd Street, about three years.*

Question. What is your business or profession?

Answer. *Painting*

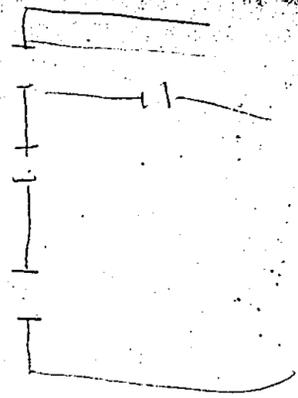
Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

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 *20* day of *October*, 188*7*
[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0085



BAILED,
 No. 1, by William A. Ross
 Residence 512 West 48th St.
 No. 2, by _____
 Residence _____
 No. 3, by _____
 Residence _____
 No. 4, by _____
 Residence _____

Police Court... 3rd District, 1583

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael Pitt
1426 East 118th St.
Andrew J. Goff

Offence Burglary

Dated October 20 1889

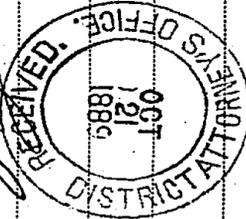
Quincy Magistrate.
Frankelberg Officer.
Precinct. 11th

Witnesses Amie Roth

No. 172 East 118th St.
No. 426 East 118th St.

No. _____ Street _____

No. _____ Street _____
Michael Pitt
Andrew J. Goff
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 Quincy 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. B. FOLGER

WILLIAM J. PELL,

TELEPHONE CALL, "JOHN, 578."

MERCANTILE PRINTING HOUSE,

92 JOHN STREET,

PRINTING, STATIONERY,

LITHOGRAPHY, BLANK BOOKS.

New York, *Nov 29* 18*89*

This is to certify that Gudy 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, I therefore to the
best of my knowledge think
him honest and upright

W. J. Zell
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

Kinneson:

John Stonegar

Counsel,
Filed,
Pleads,

6 day of *Dec* 18 *69*

THE PEOPLE

vs.

Michael Brennan

F

542 2nd St

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

66

John R. Fellows
Foreman,
Complaint sent to the Court
of Special Sessions,
Rochester, N.Y., Dec. 21, 1869.

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 P. 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

POOR QUALITY ORIGINAL

Witnesses:

John Crowley

I have carefully examined the volume in this case, have actually testified that the deft is guilty of the crime charged, however but inasmuch as the complaint was very abusive and was received on his own admission, I have signed the charge & discharges on either side. I do not think a conviction could be had. I respectfully recommend that a bill be filed inuring thereunto.
John Crowley
Park 3 Jan 7 1907
John Crowley
John Crowley

Wade

Counsel,

Filed

Pleas,

27 day of Dec 1889
Mansury

THE PEOPLE

John R. Fellows
District Attorney

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

JOHN R. FELLOWS,
District Attorney.

A True Bill.

John R. Fellows
Foreman

Park 3 Jan 7 1907
John Crowley

John Crowley

POOR QUALITY ORIGINAL

0094

Police Court First District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 5 Batavia St. (rear) Luke Crowley
aged 50 years,
occupation Labourer 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 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
made

Subscribed and sworn to before me, this 17 day of December 1889
at the City of New York.
Office 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. *U.S.*

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. *Laborer*

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

Answer. *I am not guilty*
Jeremiah Buckley

Taken before me this 14th day of DECEMBER 1888
John D. Smith
Police Justice

POOR QUALITY ORIGINAL

0095

BAILED,

No. 1, by _____
Residence _____ Street _____

No. 2, by _____
Residence _____ Street _____

No. 3, by _____
Residence _____ Street _____

No. 4, by _____
Residence _____ Street _____

Police Court--- / 1891
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Julie Brantley
512 Astoria St
Gerrard Buckley

Offence Larceny from
the Person

Dated Dec 14 1889
S. J. Smith Magistrate

William L. Barnard Officer

4 Precinct

Witnesses Ben Tulin "Joe"
in Family Register
No. 6 Helander Street

No. _____ Street _____
No. _____ Street _____

No. 1080 Street _____
to answer J. L. Smith

Gerrard Buckley

RECEIVED
DEC 16 1889
DISTRICT ATTORNEY'S OFFICE

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

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 Dec 14 1889 Solomon 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

Jeremiah Buckley of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

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.

Luke Crowley
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.H.*
 Filed *20* day of *Dec* 188*9*
 Pleads, *Choyuk*
 Grand Larceny, *First Degree*
 (From the Person.)
 [Sections 528, 580, 581 Penal Code]
 THE PEOPLE
 vs.
John Burns
 JOHN R. FELLOWS,
 District Attorney.
 Dec 23 1889
 72 Jay St
 Pleads *Guilty*
 A True Bill, *174 F*
Paul J. Dean
 Foreman
S.P. 3 yrs 67 mo
R.B.M.

Wentve convicted
Wm. P.B.M.
 Witnesses:
John H. Cassin
Ag. Valverde
Jan 14 - 90
Warrant for Commitment
12/14 3 4 1
in Penn State
W. H. Lewis
126 W 31 St
P. N. Lombard
300 Washington St

POOR QUALITY ORIGINAL

0 100

Police Court 2 District.

Affidavit—Larceny.

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

John G. Couzens
of No. 94 1/2 Greenwich Avenue Street, aged 59 years,
occupation Fire Inspector being duly sworn

deposes and says, that on the 3rd 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 deponent, in the night time, the following property, viz:

One Gold Watch of the value of \$150 One hundred and fifty dollars

Deponent
the property of

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 (not here)

from the fact that at about the hour of 7²⁰ PM on said date, deponent was on West 24th 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 12th day of December 1889 deponent found

Sworn to before me, this 1889 day of _____
Police Justice.

POOR QUALITY ORIGINAL

0101

said match in the Pawn Office of A. Stern No 56 West 31st Street said match having been burned 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 brown paper representing a match which had been burned on December 3rd 1889 in A. Stern's Pawn Office for \$35 said paper being here to answer and that the said defendant admitted to him, the detective, that said paper 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 1st day of December 1889
G. Thompson
Police Justice.

John J. Lyons

POOR QUALITY ORIGINAL

0 102

CITY AND COUNTY OF NEW YORK, } ss.

James F. Pallely
Detective Sergeant of No.

aged 300 years, occupation Mullberry Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of John S. Couzens and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 14 day of Aug 1889

J. M. P. Vally
Police Justice.

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 2 DISTRICT.

Symon Stern
of No. 56 West 31st Street, aged 36 years,
occupation Pawn Broker being duly sworn deposes and says
that the pawn ticket hereto annexed represents the watch which this complainant redeemed from Depozent's pawn office on December 12th 1889 and was given at the time said watch was pledged

Symon Stern

Sworn to before me, this 14 day of August 1889

J. M. P. Vally

Police Justice.

POOR QUALITY ORIGINAL

0103

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 me once*
John Burns

Taken before me this

14

day of *September* 1889

Robert M. ...

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... 2 District.

1828

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John B. Long
by *James J. ...*

1
2
3
4

Offence *Larceny*
felony

Dated

Dec 14 1889

Henry ... Magistrate

W. ... Officer

Witnesses

H. Stern

No. ...

576 West 31st St

No. ...

...

No. ...

...

No. ...

...



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 ...* 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

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 *John G. Couzens*
on the person of the said *John G. Couzens*
then and there being found, from the person of the said *John G. Couzens*
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

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

0108

Witnesses:

Geo. F. McLean
Off. Secy

A.C.
207 Broadway

Counsel,
Filed *3* day of *Dec* 18*89*

Pleads *Not guilty*

THE PEOPLE

P
vs.
Thomas Bynes
W. G. W.
W. J. W.

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

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Paul T. Lewis
Dec 23/89 Foreman.

Chas. J. Conington
State Referees
E. C. W. B.

POOR QUALITY ORIGINAL

0109

Police Court 5th District.

Affidavit—Larceny.

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

George F. Kleber

of No. 92 Bank St. - Waterbury Connection Street, aged 28 years,
occupation Barber being duly sworn

deposes and says, that on the 12 day of November, 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 together 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 (see here) found
the fact that since the commission of
said offense, deponent was informed
by Officer George W. Brown 27th Precinct
Police (see here) that he said Brown
arrested the said Thomas Byrnes and
described same 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 14th day
of November, 1889
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 27th 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. [Signature]
Police Justice.

POOR QUALITY ORIGINAL

01111

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Thomas 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 684th St., 3 months

Question. What is your business or profession?

Answer.

Labna

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

*for
Thomas Byrnes
Mark*

Taken before me this

day of *March*

19*29*

Police Justice.

POOR QUALITY ORIGINAL

0112

The Magistrate *providing* me *deem* *will* and determine the within case in my office

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 F. Mullen
92 St. Paul St
Thomas Mullen

Offence *Quarrel*
Felony

Dated *Nov 14* 1889

White Magistrate.
Long Street Officer.
27 Precinct.

Witnesses *George A. Brown*

No. *27* Police Office Street

No. *170* Street

No. *2111* Street



Q. 18. 250

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 *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

0113

21

The People
vs.

Thomas Byrnes

Court of General Sessions, Part I
Before Judge Gilderleeve, 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 27th 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 12th 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 sleeping 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 ^{two} 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

0115

minutes after this man left.
George Doran sworn. I am an officer
of the 27th precinct and on the night
of the 12th of November I saw Mr. Kleeber
in the 88th street station house and
had a talk with him. I afterwards went
to the saloon at 96th street and Third
avenue and from information I
received there I went to 238 East 84th
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.

POOR QUALITY
ORIGINAL

0117

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 Byrnes
Thomas Byrnes
filed Dec.

1889

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0119

Mr. Fellows. Waterbury Dec 12th/79

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 23rd and

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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 16th have to be in
Hartford so the 23rd would suit
better. Hoping to hear from
you with favorable report
I remain

Geo. Miller
92 Bowdoin St.
Waterbury
Conn

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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.

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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

Walsh

Counsel,
Filed *Dec* day *6* 188*9*
Pleads, *Whitney*

THE PEOPLE
vs.
Thomas Carr
P. I.
PETT LARCENY.
[Sections 528, 532 Penal Code]

JOHN R. FELLOWS,
District Attorney.

A True Bill. *224 (7)*
John R. Fellows
Foreman.

Complaint sent to the Court...
of Special Sessions,
Part III, *January 6*.....18*96*.

Witnesses:
Walter Burdell

**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*