

0053

**BOX:**

295

**FOLDER:**

2813

**DESCRIPTION:**

DonGiovanni, John

**DATE:**

02/01/88



2813

POOR QUALITY ORIGINAL

0054

Witnesses;

Angela C. ...  
Berget Carraga

Counsel,

Filed

Pleads, not guilty (3)

day of July 1888

THE PEOPLE

vs.

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

John Don Giovanni

JOHN FELLOWS,

District Attorney.

Pr. June 5, 1888

Arrested & jury disagreed  
8 c

A True BILL.

Amundson  
Foreman.

Pr. June 27, 1888  
7th Precinct  
Arrested & jury disagreed.

5580

Police Court 2 District. 174

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Angela Nudi

John Ben Guarnani

Offence *Carrying a Dangerous Weapon*

BAILED,

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

Dated January 27 1888

Magistrate Samuel D. Reilly

Witnesses Perazza, Jossan, Selectus Sengul, Anthony Perazza, No. 300 Madison Street.

Antonio Perazza, No. 247 West 10th Street.

Guaranty & Co., No. 155 1/2 Broadway, Committed.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named defendant guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *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.

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

Dated 1888 Police Justice.

There being no sufficient cause to believe the within named defendant guilty of the offence within mentioned, I order he to be discharged. Dated 1888 Police Justice.

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

The People  
vs.  
John Don Giovanni

Before

Hon. Randolph B. Cross  
Referee  
and a jury

Minutes of March 5<sup>th</sup> 1888.

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WITNESS.	Direct.	Cross.	Re-Direct.	Re-Cross.
Angela Nudi.	1	9	22	26.
Joseph Crovo.	27	28		
Giovanni Nudi.	31	40.		
Officer Anthony Carazzo	44	50	Rebuttal = 71-74	
John Giovanni	56.	62.	70.	

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COURT OF GENERAL SESSIONS OF THE PEACE.

In and for the City and County of New York.

-----x  
T h e P e o p l e                   :                   BEFORE  
                                  :                   HON. RANDOLPHE B. MARTINE,  
                                  :                   and a Jury.  
JOHN DON GIOVANNI.               :                     
-----x-

Indictment filed January 1888. Indicted for Grand Larceny in the first degree.

Assistant District Attorney Goff for the People; Mr. James W. McLaughlin for the defence.

Tried. March 5th, 1888.

ANGELA NUDI called by Mr. Goff being duly sworn testified, through the official interpreter, Dr. Dollin:

DIRECT EXAMINATION:

- Q. (By Mr. Goff): Where do you live?  
A. 413 East 12th Street, near First Avenue.  
Q. What is your occupation?  
A. We have a wine place.  
Q. A wine store?  
A. Yes, sir.

Q. (By the Court): Do you keep it?

A. I keep it.

Q. (By Mr. Goff): Does your husband reside with you?

A. Yes, sir, he lives with me.

Q. Do you remember the 26th of January of this year?

A. Yes sir.

Q. Had you any money in your store on that day?

A. Yes, sir.

Q. How much?

A. \$367.

Q. Where was it?

A. I had it in a little bag and the bag was in a little basket.

Q. Where?

A. In the rear of the store.

Q. Was it in the rear of the store or in a room in the rear of the store?

A. In the kitchen in the rear of the store.

Q. Was it hanging up or resting upon a table?

A. It was on the floor, standing on the floor, in a corner on the floor.

Q. When did you put the money there?

A. When I came in the morning from home I put the money there.

(By the Court)

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Q. What time?

A. About 11 o'clock in the morning.

Q. (By Mr. Goff): Did you count it?

A. Yes, sir; I counted the money the night before.

Q. How many ten dollar bills had you?

A. I had several ten dollar bills and I had some five dollar bills, but I don't recollect how many of each.

Q. When did you last see it that day in the basket?

A. About three or four o'clock in the afternoon.

Q. Was it in the same position then as when you placed it in the basket in the morning?

A. When I paid a bill I saw it for the last time, and it was right in the place where I had it, in the corner, in the basket.

Q. Now did you see the defendant there on that day?

A. Yes, sir.

Q. What time?

A. About one o'clock in the afternoon.

Q. Where?

A. In my store.

Q. Were you talking to him?

A. I paid him a bill of \$17. I paid a bill to this man of \$17.

Q. Did you take the \$17. out of the pile of bills you had in the basket?

A. I took it from the basket- the money there.

Q. Did the defendant see you taking the money from the basket?

A. Yes, sir; he saw me taking the money .

Q. Did he see you putting the money back there?

A. Yes, sir.

Q. Where did he go after that?

A. He went away.

Q. Did you see him afterwards?

A. Yes, sir; he came again.

Q. Where did he go when he came again?

A. He came into the store and he asked me--

Q. What did he ask you?

A. Before ,when I paid the bill to him and before he left, he asked me if I am alone here in the store, and I said 'Yes'. Then he came back. He left and came back, and when he came in, he said, "Give me a gallon of wine". He then was in the kitchen, near the store, and I went to the other room to get the wine.

Q. Did he remain in the kitchen while you went to the other room to get the wine?

A. Yes, sir; I went for the wine and he remained in the kitchen.

Q. And about how long were you getting the wine?

A. For about ten minutes I left him there.

Q. When you returned was he there?

A. Yes, sir; he was there.

Q. And did you bring wine?

A. Yes, sir.

Q. Did he go away then?

A. Immediately he left, when I gave him the wine.

Q. Was there anybody else in the kitchen while he was there and you were getting the wine?

A. No sir; he was alone in the kitchen.

Q. And how soon after did you miss the money?

A. A couple of hours after I noticed my money was gone, but, in the meantime nobody else came into the kitchen.

Q. How did you come to find out the money was gone?

A. I had a shirt in the basket, inside the basket, and I went to get the shirt out of the basket, and then I noticed the money was gone.

Q. Now, did you see the defendant after that--after you lost the money?

A. Yes, sir; I saw him.

Q. Where?

A. He came into my store again.

Q. How shortly after?

A. Almost immediately he came back, after he took the wine away.

Q. Did he say anything to you?

A. He came in, and just commenced to talk to me for a pastime.

Q. Was this before you missed the money that he came back again?

A. I didn't know then that the money was missing.

Q. Now, did you see him after the money was missing?

A. No sir, I didn't. He didn't come back any more.

Q. Who did you see in the place after you missed the money?

A. The man that I keep there. He came in afterward, but he was away the whole day.

Q. What is his name and is he in Court?

A. He is here. Joseph is his name. I don't know his other name.

Q. (By the Court): Ask her, Doctor, if this man Joseph came back there between the time the defendant was there and the time she missed her money?

A. He was out the whole day. He didn't steal it. He came after I knew already that the money was missing. When Joseph came I knew the money was missing.

Q. (By Mr. Goff): Where was your husband working on this day?

A. He is a cook. He worked in the Colombo restaurant, in 14th street- 151 Fourteenth street.

Q. Did you go and see your husband as soon as you found the money was taken?

A. Yes, sir; I went to see my husband and I commenced to cry.

Q. The same day?

A. Yes, sir.

Q. Now, did you ever see any of the money that you missed, afterwards?

A. Yes, sir.

Q. Where?

A. He showed it to me. I saw it in the hands of this gentleman. (indicating Detective Sergeant Parazzo.)

Q. Is that part of the money?

(Money shown to the witness).

THE COURT: Give his name. Who is the gentleman?

MR.GOFF: Detective Sergeant Parazzo.

Q. (By Mr.Goff): Where did you see the money?

A. I think it was the Station House. I don't know what they call it.

MR.GOFF: It is conceded that it was the Police Central Office.

Q. Did Sergeant Perazzo show you any money there?

A. He asked me if I could identify my money.

Q. Did he, Sergeant Perazzo, show you those two bills- one a ten dollar bill and the other a two dollar bill?

(Bills handed to witness).

A. Before I looked at the money I told him to turn it around- that there must be a little patch of paper on the back of it

Q. Before you saw the money?

A. Yes, sir, I said, "If it is a ten dollar bill, you must turn it around, and you will find a little paper patch there".

Q. Do you know anything about the two dollar bill?

A. Yes, sir; it is torn here (indicating). The way it is torn here.

Q. Was the defendant present when this money was handed to you?

A. No, sir, he was not present there when the money was shown to me.

Q. Is your husband in Court?

A. Mes, sir.

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CROSS-EXAMINATION:

Q. (By Mr. McLaughlin): What is your business?

A. I am selling wine.

Q. Where?

A. In 151 Third Avenue, between 15th and 16th street.

Q. Who is your landlord there?

A. I don't know him, because my husband pays the rent always.

Q. What date did this larceny take place on?

A. I don't know exactly the date.

Q. It was in the month of January 9 about the 26th?

A. Yes, sir; I think it was.

Q. Had you paid the rent of that place to the landlord at that time?

A. We always pay on the first of the month.

Q. Is this a basement or on the street?

A. Yes, sir; it is a basement.

Q. How many rooms?

A. There is a kitchen and the store.

Q. The kitchen- Ask her, doctor, if the kitchen is partitioned off from the store?

A. Yes, sir.

Q. And you sell the wine in the front part- the store part?

A. Yes, sir.

Q. What entrance was there to this front or store part of the basement?

A. From the street.

Q. From the street only?

A. Only from the front is the entrance, to the store.

Q. Now this back kitchen-Has not that an entrance from the back yard?

A. Yes, sir, a door. It is nailed up.

Q. Is there not also an entrance from the hallway above?

A. No sir, there is not.

Q. Is there not a pair of stairs leading right down into the basement?

A. About nine or ten steps to go down to the basement from the sidewalk.

Q. I don't mean from the front part- from the back part- from the rear part of kitchen.

A. About three or four steps.

Q. And those go from the floor above- do they not?

A. They go right from the yard.

Q. Well, we have got through with that. You say there is a door and it is nailed up--

Q. (By the Court): Ask her, Doctor, if there is any entrance besides those mentioned?

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- A. The only entrance from the street is the steps-- ten or twelve steps.
- Q. (By Mr. McLaughlin): Is there not a passage way leading up to the floor above?
- A. There is not. There is no passage to go upstairs. It is only a basement there that I occupy.
- Q. Have you ever been in that hall on the street floor of those premises?
- A. No sir, I am not acquainted in the house at all. I only know my place down stairs.
- Q. Don't the butchers who keep the butchers store on the floor above-- Have they not a right to go down into a passage way to the left of your back kitchen through a stairway?
- A. There is, but the doors are nailed up.
- Q. But there is a stairway there?
- A. Yes, sir; but you can't go down. Both doors are nailed up.
- Q. But there is a door on that side of the kitchen hallway leading into this passage way? Ask her, doctor, if there is not a door leading into the passage way that I am talking about?
- A. Yes, sir, there is a door to go from the kitchen into the yard. But that door is also nailed up.
- Q. Now, what is the name of this man who is in your employ?

A. Joseph. I don't know his family name.

Q. What does he do around your premises?

A. Running out on errands with gallons of wine to customers.

Q. You say that he was not in the premises because you didn't see him. Is not that about your evidence?

A. He always takes the wine in the store and has nothing to do in the kitchen, and then he goes away immediately.

Q. Doctor, you don't catch my meaning. She has testified that he was not there at all that day.

A. I say that he was the whole day kept carrying wine out to the customers.

Q. But her was in the front store during that day then?

A. He came down to the store after I knew already that my money was missing. Then he came down.

Q. Have you a license- a United States license to sell?

(Objected to as incompetent and immaterial).

THE COURT: How is it material?

MR. MCLAUGHLIN: Well, if I can prove that she has an unlicensed place it is quite material. I insist upon the question.

THE COURT: Do you offer it solely upon the question of the credibility of the witness?

OF THE CREDIBILITY OF THE WITNESS

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MR.MCLAUGHLIN: Yes,sir,that is my purpose in asking the question. Of course,Your Honor has the right to instruct her whether she shall testify or not.I want to have the benefit of the question,if I can get it before the jury.'

MR.GOFF: Conceding that she did not have the license, we contend that that would not go to her credibility. It is not an act of malum in se.It is not an act of moral turpitude in itself. The fact that she has not a license would not affect her credibility before the jury.

THE COURT: I incline to that view.

MR.MCLAUGHLIN: Now,this is not a question tending to show any violation of the excise law. If she is carrying on an illicit traffic in this place she is not only violating the excise law in the City of New York but also committing a felony in violation of the laws of the United States,and this,I maintain, goes to her credibility.

THE COURT: You can readily show it by other means, Mr.McLaughlin. I exclude the question.

MR.MCLAUGHLIN: I except.

Q. (By Mr. McLaughlin): Have you a license for this place from the City and County of New York?

(Same objection.)

(Same ruling and exception.)

Q. Now, doctor, ask her whereabouts in this back room she had this money?

A. Under a shelf where I keep bottles. Under that shelf I put the basket in a corner.

Q. What time did you say that Don John Giovanni came in there first. <sup>A</sup> About one o'clock?

A. And then after receiving his money he went away?

A. Yes, sir, he left.

Q. And how long was it before he returned?

A. About five minutes afterwards he came again.

Q. With a demijohn?

A. I gave him the bottle for the gallon of wine.

Q. You sold him a gallon of wine?

A. I sold him and I gave him also the bottle. He didn't have anything to put the wine in.

Q. Did he pay for that wine?

A. Yes, sir.

Q. Did he take out of his pocket at the time that he bought

this wine a large roll of money?

A. No sir, he only took out sixty cents with which he paid me.

Q. In silver, or did he pay you one dollar and get the change?

A. He gave me a fifty cent piece and ten cents.

Q. Then he went away with this wine, as I understand. How long was it before he returned?

A. In about a half hour later he came again.

Q. How long did he remain at this time?

A. He remained there for about two hours, when he came for the last time.

Q. And then he went away?

A. Then he left and I didn't see him any more.

Q. Ask her whether she did not sell any wine between his first visit and his last?

A. Only at the time when he was there, a man came and ordered five gallons of wine, but he did not go into the kitchen. He was in front and ordered five gallons of wine and left immediately, and he remained there.

Q. Did you sell this man the five gallons of wine?

A. No, I didn't measure out the wine. I took the order and was waiting until my man comes in the evening, to send him with the wine.

Q. When the man did return, did you fill this order?

A. Yes, sir. Then when I sent away the five gallons of wine I knew already my money was missing.

Q. Do you sell any wine at retail- I mean to parties that come in and want drinks, by the glasses?

A. No sir, only by the gallon and by the bottle.

Q. Did you ever sell Giovanni in that way--that is, by selling him a bottle and permitting him to sit down there and drink the wine?

A. The first day when he came, and that I saw him for the first time, I gave him a bottle of wine, and he drank it there.

Q. Now, were there two men during the time that he was waiting for his wine- were not there two men sitting in your place there, drinking wine?

Q. (By Mr. Goff): Which day?

MR. McLaughlin: The day of the occurrence.

The Witness: No sir; he was alone.

Mr. McLaughlin: I don't mean with him.

The Witness: No sir; he was alone.

Q. (By the Court): Ask her, doctor, if there was any other person besides the man that ordered the five gallons of wine she has told us of, in the store except the defendant, while the defendant was there?

A. No sir;nobody else but the one who ordered the five gallons of wine and this man,and the one that ordered the five g allons of wine did not go into the kitchen.

Q. (By the 12th Juror): Did the witness say the defendant was there for two hours the last time he came there?

The Interpreter: Yes,sir.

Q. (By same juror): What did he do there during those two hours

A. I have a little girl,about two years old,and he was playing with the little girl,and talking with me,and was passing his time there.

Q. (By the 5th Juror): Was it in the store or back room?

A. He remained in the kitchen and played with the little girl in the kitchen.

Q. (By 6th Juror): And where were you during <sup>all</sup> that time?

A. I was moving around for some time reamining in the store and sometimes going back again to the kitchen.

Q. (By 5th Juror): Will you ask the witness when she saw her money last,-I might have misunderstood?

A. I handled the money for the last time when I paid him the bill and I put the money back,and then about six o'clock , when I went to get the shirt out of the basket,I noticed that my money was gone.

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Q. I would like to know if she testified to that before?

A. Yes, sir.

THE COURT: The testimony is that she paid the bill to this man, about one o'clock, and missed the money about six o'clock.

MR. GOFF: She does not reside there, in the store.

FIFTH JUROR: And she carries her money home with her.

Q. (By Mr McLaughlin): Ask her, doctor, if she does not know an Italian who sings in one of the choirs of one of the churches in this City and whether he was not there at the time that Giovanni was there?

A. No sir; I don't know one who sings in a church.

Q. Do you know one who sings in a theatre, in a chorus?

A. Yes, sir.

Q. Was he there when the defendant was there?

A. When a man came the money was already stolen- when this man came.

Q. (By the Court): Which man- the chorister?

A. Yes, sir. He had a half gallon of wine and left, and he was present then and I didn't leave the kitchen then. I was in the kitchen all the time.

Q. (By Mr McLaughlin): Ask her what time he was there- when

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this chorus singer was in this place?

A. About half past one he took a half gallon of wine and immediately left.

Q. Now ask her- she testified, as I understand it, on a previous examination, that she had not sold any wine between the time that she paid this man and his going away. Now ask her whether this chorus singer- did'nt he sit down there and drink some of this wine at her place?

A. No sir, he did'nt sit down.

Q. Did'nt somebody treat him there?

A. There was a man by the name of Rafaele, a friend of his. They were drinking wine, and they did as if they did'nt know each other.

Q. (By the Court): Let me understand. Was there another man there too? Ask her, doctor, what was the name of the other man, if there was one. Ask her if there was any other man besides the singer and the defendant there?

A. No sir; another came.

Q. Was there another man while the singer was there, except the defendant?

A. He and his companion was there when that singer came for the wine.

Q. Whose companion?

A. The companion of the defendant. His name is Rafaele. He left.

Q. How long did Rafaele stay?

A. The other one didn't take the money because I didn't leave the other one alone.

Q. How long did Rafaele stay there?

A. Rafaele remained for about an hour.

Q. Where was he during the time he was there- what part of the premises was he in, -Rafaele?

A. He was sitting at the table.

Q. Where?

A. In the kitchen.

MR. GOFF: Your Honor, the purpose of my arising is not to object to any question, but to call Your Honor's attention to another important element. Counsel on the other side should be warned not to indulge in side remarks in the hearing of the jury, or exclamations of surprise, that are outside of a proper cross-examination.

THE COURT: I should certainly have corrected it, if I heard it.

MR. MCLAUGHLIN: There is no doubt that I may have done so,

in the heat of cross-examination, but it is entirely unintentional.

THE COURT: I must assume that you did not do it intentionally. Of course the case ought to be tried in an orderly way and all comments should be left until the evidence is all in. I heard and saw nothing.

MR. MCLAUGHLIN: I made a comment, but I did it in the heat of cross-examination.

Q. (By the Court): Ask her, doctor, if Rafaele was in conversation with the defendant?

A. Yes, sir, they were talking together, but they were acting as though they were strangers. They acted as though they didn't know each other.

Q. And what was the singer doing while Rafaele was there?

A. That man didn't sit down.

Q. Rafaele didn't sit down?

A. The singer didn't sit down.

Q. How long did the singer stay there?

A. He only took a glass of wine that they offered him.

Q. He was in the kitchen was he-- about two or three minutes the theatrical man remained there?

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A. He did'nt sit down. He drank a glass of wine and left immediately.

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RE-DIRECT EXAMINATION:

Q. (By Mr. Goff): Ask her if Rafaele was with the defendant in the kitchen all the time?

A. Yes, sir; they remained in the kitchen together.

Q. Was that one the defendant's third visit to her store on that day?

A. The third time- when he came for the third time Rafaele came with him.

Q. Now ask her if Rafaele or any other person accompanied him the first time?

A. No sir, he did'nt come with Rafaele.

Q. Ask her if Rafaele or any person accompanied the defendant the second time he came to the store?

A. No sir; the second time he came alone.

Q. And was it the third time that Rafaele accompanied him when he came to the store?

A. When he came for the third time he came alone, and Rafaele came in afterwards.

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Q. Ask her what time of the day was it that Rafaele came there, if she remembers?

A. It was towards evening when Rafaele came in. It was towards the evening, about four o'clock.

Q. (By the Court): Ask her, doctor, if Rafaele came before or after she missed her money?

A. I didn't know it then. When Rafaele was there I didn't know yet that the money was missing.

Q. (By Mr. Goff): Now when Rafaele and the defendant were in the kitchen, were you in the kitchen at the same time?

A. Yes, sir; I was in the kitchen also.

Q. And it was on the first visit of the defendant when you left the kitchen and went out to get the wine for him that he remained there alone?

A. Yes, sir. I was on the second time when I filled up the wine for him, that he remained alone in the kitchen for ten minutes.

Q. Now, was there anybody else during that time in the kitchen or the store except the defendant?

A. During the time that he was alone in the kitchen for ten minutes, this man that ordered five gallons of wine came in, but he didn't go into the kitchen. He remained in the store

and gave the order and left, and the defendant was in the kitchen all the time.

Q. Ask her if anybody else went into the kitchen during the ten minutes the defendant was there?

A. No sir, nobody else went into the kitchen.

Q. (By 5th Juror): How long was it after you missed the money that you went to the Police Central Office?

MR. GOFF: The testimony was that, as soon as she missed the money, she went to her husband and he went to the Central Office.

The 5th JUROR: And how soon did her husband go?

THE COURT: He will testify to that

Q. (By 6th Juror). What time did Rafaele go there and at what time did he leave. I don't understand that part of the testimony clearly?

A. Rafaele came after. He was there and Rafaele came and remained for about an hour and then they went away together.

Q. About what time?

A. About four o'clock it was.

Q. How long did he stay, Rafaele?

A. For about an hour.

Q. (By 3rd Juror): Ask her if there was anybody else in the

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kitchen from the time that Don Giovanni and Rafaele went away and the time she missed the money?

A. No sir, nobody came between that time. I was alone there when I noticed that the money was missing I was alone. I was alone from the time that they left to the time that I noticed the money was missing.

Q. (By the Court): Ask her if she has told us of every person that came into the premises from the time that Don Giovanni first came there until she missed her money?

A. Nobody else came than those I mention, from the time he came first until the time I missed the money.

Q. (By Mr. Goff): Ask her how shortly after the defendant and Rafaele left she missed the money?

A. Almost immediately. I noticed that the money was missing about six o'clock, and they left before that.

Q. (By the Court): How much before? How long before?

A. A short time before. I can't tell how long. I have no clock there. I don't know.

Q. Estimate as best you can the lapse of time between their departure and the discovery of your loss?

A. I think it was about an hour after they left.

Q. (By Mr. Goff): Did you go directly to your husband when you

missed the money?

A. Immediately I went to notify my husband.

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RE-CROSS-EXAMINATION:

Q. (By Mr. McLaughlin): Was not your hired man--

A. I did'nt go to notify my husband. I sent my man to my husband.

Q. Was not Joseph there when these parties were treating this hired man, Joseph?

A. He came in and took the wine and went away.

Q. (By the Court): Now ask her doctor, where she was when she commenced to cry about the loss of her money?

A. I was in the kitchen when I commenced to cry.

Q. What bur of the day was this?

A. Immediately when I noticed the money was missing I commenced to cry.

Q. And where were you when you told your husband about this loss?

A. I sent the man to tell my husband.

Q. Where were you when you talked to your husband about this, if you did talk with your husband about it?

A. My husband came. I sent the man to him and he came into the

store and then we talked.

Q. Did you cry then?

A. Yes, sir; I was crying then.

Q. Was that the first time you cried about it?

A. No sir, I was crying from the time that I noticed the money was missing.

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JOSEPH COCO, called by Mr. Goff, being duly sworn, and examined through the official interpreter, testified as follows:

DIRECT EXAMINATION:

Q. Do you work for the complainant?

A. Yes sir.

Q. At this place in third Avenue?

A. Yes sir, in the wine place.

Q. Where they sell wine?

A. Yes sir.

Q. Do you remember this 26th of January?

A. Yes sir.

Q. Did you see the defendant in the store on that day?

A. Yes sir.

Q. Did you see Angela Nudi in the store that day?

- Yes sir*
- A. She is always there, in the store.
- Q. In consequence of something she told you, did you go to her husband?
- A. Yes sir. She told me something and I went to tell it to her husband.
- Q. Did her husband accompany you back?
- A. Yes sir, we came back together to the store.
- Q. Now did you go with the husband afterwards to see the defendant?
- A. No. I remained in the store.
- CROSS EXAMINATION BY MR. MC LAUGHLIN:
- Q. How long before she sent you to her husband was it that you were in the store. How long were you in the store before you went to the husband?
- A. For about 5 or 6 minutes, I remained before I went to call the husband.
- Q. How often were you in the store between five and six o'clock that day?
- A. Three times, I came down to the store, because I always carry away the wine.
- Q. BY THE COURT: What time was it when you first went to the store that day?

A. I went about half past ten to open the store.

Q. You went there to open the store about half past ten?

A. Yes sir.

Q. Were you there when the complainant came?

A. Yes sir, I worked there until she came.

Q. And what time did she come?

A. She came together with me. We always go together in the morning.

Q. To open the store?

A. Yes sir to open the store-about half past ten.

Q. How long did you stay there that time?

A. I filled up a gallon of wine and went to carry it off.

Q. How far did you go?

A. I went to 19th street and First Avenue, and from there I went to 20th street.

Q. And then?

A. When I finished my errands, I came back to the store.

Q. How long were you gone from the store?

A. About an hour.

Q. And then how long did you stay there?

A. I came back and put five gallons - I filled up five gallons

and then I carried that off.

Q. What time did you go out with the five gallons?

A. It was just noon time when I left.

Q. How long did you stay away?

A. I came back about one o'clock.

Q. And then how long did you remain in the store?

A. Just so long as to fill up five gallons of wine again.

Q. And then?

A. And then I carried out the five gallons of wine.

Q. And how long did you remain away?

A. I went down to Mulberry street.

Q. How long were you away?

A. About an hour and a quarter.

Q. Who was in the place when you came back from that journey?

A. There was no one in the store.

Q. Who was in the back room?

A. Only the woman was there.

Q. And what time was that?

A. About half past three or four o'clock.

Q. Were you treated at any time during that afternoon by anybody in that store?

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A. Yes, sir. If you will let me, I will tell you how it happened.

Q. No; all that I care about is to know if you were treated?

A. Yes, sir.

Q. Where did this occur?

A. I don't know. The man that was with this man here- I don't know whether it is his friend or not- he offered me a glass of wine.

Q. And did you take it?

A. Yes sir.

Q (By 6th Juror): And is that the only stranger that you saw there between one and six o'clock, outside of the defendant?

A. I only saw him when he offered me that glass of wine, and then I didn't see him any more.

MR. MCLAUGHLIN: That is not what the juror asked.

Q. (By the Court): The juror asked if that was the only stranger you saw that afternoon, outside of the defendant.

A. There were three persons- the defendant and the other one, and the one from Mulberry street, who ordered the wine.

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GIOVANNI NUDI, called by Mr. Goff, being duly sworn, testified as follows:

DIRECT EXAMINATION:

Q. Are you the husband of Angela Nudie?

A. Yes sir.

Q. Do you remember the 26th day of January?

A. Yes sir.

Q. Where were you working that day?

A. At the Colombo restaurant at 151 Third Avenue.

Q. (By the Court): Where is that in Third Avenue?

A. Between Tenth and Eleventh street if I am not mistaken.

Q. (By Mr. Goff): Did you receive a message from your wife?

A. Yes, sir.

Q. On that evening, by the witness Joseph?

A. Yes sir.

Q. Now on the night before that day, at your house, did you see any money, with your wife?

A. Why, of course I saw it every night. I counted it myself.

Q. At your residence in Twelfth street?

A. Yes, sir; 413 East 12th Street.

Q. Did you see your wife count her money on that night?

A. Yes, sir; I counted it myself, too- both together.

Q. Did you notice when you counted that money how much there was there?

A We had \$367- all bills- and \$13. in silver.

Objected to as the counting was done in the  
absence of the defendant.

THE COURT: It is not a conversation, but an independ-  
ent fact. I admit it.

(Exception).

Q. (By Mr. Goff): Did you notice anything particular about any  
of the bills when you counted them?

A Yes, sir; I did.

Q. What was it .What did you notice about any of the ten dollar  
bills?

A. I know one ten dollar bill is broken off, like that (illus-  
trating), and I know one two dollar bill is very old and is  
broken straight, and not across, and it looks as though it is  
not any more good, and it is broken in the middle and it  
commences in the long way, not in the cross way. It is broken  
about two fingers, and then I gave the description to the  
detective before he showed it to me.

Q. (By the Court): Tell us what description you gave to the  
detective?

Q. (By Mr. Goff): Was the defendant present?

A. Just what I said before .



there is a two dollar bill that looks like a counterfeit, it is so pale, the color of it.

Q. (By the 5th Juror). Did'nt the lady, as I understand it, pay the defendant some money that day?

THE COURT: Mr. Juror, you had better let counsel ask the questions regularly, and if they do not bring out the evidence, you can ask questions.

Q. (By Mr. Goff): You were not there?

A. No sir; I know the money I got.

Q. I am asking now what occurred at Police Headquarters?

A. Mr. Perazzo gets that man and locks him up.

Q. Did you see Officer Perazzo after you had told him about these bills- did you see him search the defendant?

A. I didn't see him search.

Q. Were you there when Officer Perazzo showed you money?

A. I first gave the description about the money and I first told him what kind of money I had and he called me and he said- I went to the station house, and he said, "See if you can identify any of the money".

Q. Was the defendant present?

A. Yes, sir.

Q. When the officer counted out the money and asked you if you

could identify it?

A No. He asked me that before he showed it to me, and I told him what kind of money I had, and he said, "Look out if you can see any of your money", and I said, "Look out for the ten dollar bill," - what I said before - and I said, "Look out for the two dollar bill that is broken the longwise", and I told him to look out for the two dollar bill that is very pale, and the officer said, "That's enough".

Q. Now, I hand you the ten dollar bill, and I ask you if that is the bill that you identified before the officer?

A Yes sir.

Q How did you identify it? By what marks?

A From the corner that is off, and in the morning my wife said -

Q. (By the Court): Never mind that. Had you any other means of identifying the bill except the piece being off?

A No sir.

Q What piece do you mean?

A This piece.

(Indicating).

Q. (By Mr. Goff): I hand you a two dollar bill, and ask you to say if that is the bill you identified?

A. Yes, sir; it is very old. It is broken lengthwise. Look at it.

Q. Now, on the evening in question, the 26th of January, after you received a message from your wife by Joseph, where did you go?

A. I went to the store to see my wife to see what condition she is in. I found her in a very bad condition. She is howling and so on. I can't stop her at all.

Q. After you saw your wife and after she said something to you where did you go that evening?

A. I went in the place where I worked and I got my hat and coat and went and found two friends of mine, and I went after the defendant.

Q. Now, where did you find him?

A. Now, I found him down in Bleeker street, I don't know what the number is. I found him in Bleeker street near Thomson, in the restaurant - South Fifth Avenue. I sent the two friends down.

Q. (By the Court): What did you do? Did you go down or send your friends down to the restaurant?

A. I sent two of my friends; I remained outside.

Q. (By Mr. Goff): Now, did the defendant come up out of the restaurant to you?

A. Yes, sir; he came out with my two friends.

Q. What did you say to him when he came up?

A. As soon as I seen him I said nothing. One of my friends said, "Come over here. This man has to talk with you", and he commenced to tremble, and he said, "What is the matter", and I did'nt say anything at all, because I wanted to go to Mulberry street where I had been before, and I said to him--

Q. (By the Court): To whom?

A. To the defendant. I said to him--

Q. Where?

A. In the station house in Mulberry street, before going up to the station house.

Q. Had you got away from the saloon or restaurant now?

A. When he came up with my two friends, we four together, and we commenced to walk away from the restaurant.

Q. Where did you go?

A. To Bleecker street, at the corner of Mulberrry .

Q. And from there where?

A. To police headquarters.

Q. You all went to police headquarters?

A. Yes sir.

Q. Now on the way did you have any conversation with the defendant?

A. I did'nt speak to him & all,only when he was between the steps for to go,and I asked him to give me my money back.

Q. Did he go to headquarters with you voluntarily?

A Oh,yes.

Q Did you tell him what you wanted him to go to headquarters for?

A Only I told him when we were at the stoop of the headquarters.

Q What did you tell him then?

A I told him,"You had better give me back my money.You might get five years in prison".

Q What did he say?

A He said,"I don't know anything at all about it.I have no money."

Q. (By 5th Juror). Have you ever had a bank account,or have you one? Did you ever have any money in the bank?

A. No sir.

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CROSS-EXAMINATION:

Q (By Mr. McLaughlin): Mr. Nudi, the defendant worked in the same restaurant with you, didn't he?

A Yes, sir, he worked for me extra for a man that was sick.

Q How often?

A Well, he worked twice with me, once six days and the other time ten days.

Q Did you send him to your place on Third Avenue?

A No sir, he made himself a friend of mine. I bought some stuff from him, and the other day he came to cash the bill without coming to me. He went right to my wife.

Q Did you pay him for the work in the restaurant, and how much?

A I didn't pay him for the work in the restaurant, at all. The man is sick and he gave it to him. The man who is sick paid it. He gave him five or six dollars.

Q Were you ever present when this man paid the defendant - the sick man?

A I saw that he paid him, but I don't know how much; and then he says, "Thank God, I will go and buy a pair of shoes; I am without a penny", and he was all broke up.

Q Did you see him have a roll of money in the restaurant, - in the possession of the defendant?

A I saw money.

Q The defendant had money?

A Yes, sir; he showed it to me. I can't tell about how much it was. It was a little bunch like that (indicating) B\$30 or \$40 .

Q Did'nt you know that Giovanni boarded at the place where you and your friends went for him?

A I thought it was in Prime street, with Stephani, that he lived

Q Did the defendant go right to the Central office with you?

A Yes, sir, he did'nt know where we were going.

Q Did he go with you?

A Well, we three-- he had to go .

Q There was no detective with you?

A No sir, no detective at all.

Q Now, when you got to the central office, did'nt you look over all the money that Giovanni had?

A I only examined until I came to those two bills- until I found those two bills, and then they told me "That's enough" I did'nt look over any more.

Q Did'nt you go over the pile of bills there and pick out these two bills after going over some of them?

A Yes, sir, they were all lying apart there on a table, and I picked those two out,

Q. They were saattered round?

A Yes sir, because they took the money out of three or four pockets.

Q Did you go home then?

A When the detective told us we may go, we went.

Q I want to know if you went home to your house?

A I and my friends did'nt go home. I went with my friends to Plavanno, 136 Third Avenue.

Q And from there you went home?

A Yes sir.

Q Did Mrs. Nudi go to the Central office with you that night?

A No sir.

Q Did she go the next monring?

A Yes, sir.

Q And she identified these very same bills?

A My wife says, "That is the ten dollars", and she said, "Before you show it to me, -"

Q. Now, doctor, get Yes or No from the witness?

A Yes sir.

Q. (By the 6th Juror): I would like to ask a question. The witness swore, there was about \$260 worth of money in 5, 10 and 2 dollar bills, and of all those bills there were only two defaced. I want to know if there were any others that he

remembers?

Q (By the Court): The juror wants to know if you remember any other of the bills that you counted that night- that had any peculiarity, that were defaced or torn or had any peculiarity about them?

A. No sir. I could not recollect any others.

Q (By Mr. Goff: Perhaps the witness does not understand. The witness testified before that there was another two dollar bill, very old, and he called the officer's attention to the fact, and the officer said "that's enough".

THE COURT: There is such testimony. The witness said that it looked like a counterfeit.

Q (By Mr. McLaughlin): I understood you to say there were \$120 in \$10 bills, \$150 in 5's, \$60 in 1's and \$26 in 2's?

A Yes, sir, about that, and I had a fifty dollar bill, but that they could not find on him.

Q You had a fifty dollar bill that they didn't find on him?

A Yes, sir.

Q (By 5th Juror). What is the amount?

THE COURT: I suppose there is no objection to your stating the amount?

*Goff*  
MR. McLAUGHLIN: No sir.

remembers?

Q (By the Court): The juror wants to know if you remember any other of the bills that you counted that night- that had any peculiarity, that were defaced or torn or had any peculiarity about them?

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Q You had a fifty dollar bill that they didn't find on him?

A Yes, sir.

Q (By 5th Juror). What is the amount?

THE COURT: I suppose there is no objection to your stating the amount?

*Goff*  
MR. McLAUGHLIN: No sir.

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MR.MCLAUGHLIN: \$406.

THE WITNESS: I can't say more than that. It was about that.

THE COURT: Gentlemen, we will now take a recess. You will not discuss this case among yourselves, and will be back promptly at 2 o'clock.

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TRIAL RESUMED AFTER RECESS.

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OFFICER ANTHONY PARAZZO, called by Mr. Goff, being duly sworn, testified as follows:

- Q (By Mr. Goff): Are you a detective officer attached to headquarters?
- A. Detective sergeant.
- Q Now, on the 26th of January were you on duty at headquarters?
- A Yes, sir.
- Q. Did you see the defendant Giovanni there?
- A Yes, sir.
- Q. In whose company was he when he appeared?
- A. He was in company with the complainant and two other Italians

45.

Q. Now, officer, just state to the jury what took place there in the presence of and with the defendant?

A. The defendant and the complainant and the other two Italians stepped up to the desk, and the complainant made the complaint of stealing \$367 from him, and I asked him what means he had of knowing it, and in what shape it had been stolen, and he said, "in bills", and I asked if he would know the money if it was found, and he said he would, and I took the prisoner inside and asked him if he had taken the money or not, and he denied having taken it, and I asked him how much money he had on his person, and he said, between \$500 and \$600 dollars, and I asked him how he became possessed of that money, and he said when he works at his trade he gets \$5 a day, and he had got 2000 francs, which is \$400 of our money, from Italy recently, and I asked him to show me the money, and he put his hand in his right-hand trousers pocket and pulled out a bunch of money, and into his left-hand pocket and pulled out another bunch of money, and put it on the table, and I then searched him, and he has some more money in his righthand overcoat pocket and another sum in his left hand overcoat pocket and that small purse

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there (indicating) in his vest pocket. I then put the money all together and I asked the complainant to step into the room and he stepped in and I asked him to look at the money and to see if he could identify any of the money as his, and before looking at it he said 'If there is a ten dollar bill amongst that money with the corner torn off-'

Objected to.

Q. (By Mr. Goff): This was said in the presence of the defendant?

Allowed. Exception.

THE WITNESS: "If there is a ten dollar bill with the corner torn off and patched and a very old two dollar bill and torn, it is mine", and I asked him to look at the money and he got down about one quarter of the money--it made a bunch fully four inches in height, and he came across the ten dollar bill, and he said 'That's mine'.

Q. Did you mark the ten dollar bill?

A. Yes, sir, after identification.

Q. Is that the ten dollar bill that he identified?

A. Yes, sir, that is my mark on it.

Q. Proceed.

A. Then he went on and examined some more of the money and came across that two dollar bill, and shouted 'That's also mine'.

Q Did you mark the two dollar bill?

A Yes, sir, after identification.

Q Is that the two dollar bill?

A Yes, sir. He then found a two dollar bill that was very light in color, extraordinarily so, so much so as to look like a counterfeit, and he said 'That's mine'.

Q I said, 'By what means do you identify that'?

Q You said that?

A Yes, sir, and the complainant said 'Because it is so white.

It looks like a counterfeit', and I said "That is not necessary; you have identified two; that is sufficient".

Q Meaning these two bills here?

A Yes, sir, and after that I took the prisoner down stairs and locked him up.

Q How much money did you find on the prisoner?

A I have made a memorandum of it- \$735.99.

Q And how much did he say he had when you asked him?

A Between \$500 and \$600.

Q Now, on the next day at police headquarters did you see Angela Nudi?

A Yes, sir.

Q Did she identify the ten dollar bill which you have sworn to?

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A Yes sir.

Q And the two dollar bill which you have sworn to?

A Yes sir.

(The two bills are offered in evidence).

(No objection).

(Admitted).

(Marked People's Exhibit No 1.

Q Was the defendant present when Angela identified the money?

A In the morning- no sir, he was not.

Q When you arrested the defendant, what did he say to you?

A Taking him down stairs- the defendant was drunk, very much  
so- he asked me if I will take a message for him.

(The message objected to).

THE COURT: He has not come to the message yet, if that  
is what you object to.

MR. MCLAUGHLIN: I object to the testimony in full.

I will withdraw the objection.

THE WITNESS: I asked him whom he wanted me to take  
the message to, and he asked me if I knew a man by the name  
of Bresant, and I said- my answer was that he had  
better leave Bresant alone, because he had a very bad reput-  
ation, and he said no more.

Q You told him so?

Q. Yes sir.

Q. You know Bresant?

A. Yes sir.

Q. Does he live in this City?

A. Yes, sir.

Q. Where does he keep?

Objected to.

The Court: The mere fact where he is in business, to identify him-

MR. MCLAUGHLIN: I object to all of this testimony as immaterial and move to strike it out.

(Allowed to stand).

(Exception).

A. It is directly opposite McDougall, between Clark and Sullivan street.

(Testimony taken subject to objection and exception).

Q. What kind of a place does he keep?

(Objected to).

THE COURT: I will allow what business he carries on.

A. He keeps a millinery or dry-goods business with his wife.

(Testimony objected to as immaterial and also motion

to strike it out is sustained.)

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made to strike out).

(Allowed to stand.)

(Exception).

Q. (By Mr. Goff): I ask you if the man Bresant is known to the police of this city as a thief and confidence man?

( Excluded ).

Q. How long have you known Bresant?

A. By reputation fully fifteen years.

MR. McLaughlin: I object ,and except to the asking of the last question by the District Attorney in the presence of the jury.

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CROSS EXAMINATION :

THE COURT: Anything that bears upon Bresant, except the testimony as to who he is and his business and as to any conversation <sup>that</sup> ~~with~~ the witness may have had with the defendant, is stricken from the record, -all besides that.

Q. (By 5th Juror): How much did the defendant say he had in his pocket?

THE COURT: The testimony is between \$500 and \$600

FIFTH JUROR: But he was very drunk when he said that?

THE WITNESS: Yes, he was drunk.

Q. (By Mr Mc Laughlin): Did'nt he say when he asked you to  
take a message to Bresant, Barsotti? Was not that the name?

A. No, he said Bresant.

Q. He did'nt say Briotti or Bosotti?

A. No sir, Bresant.

Q. How much did you find on the defendant when you counted  
the money?

A. \$735.99.

Q. And in what denominations were the bills?

A. Twenties, tens, fives, twos and ones.

Q. A great many twos and ones?

A. Yes sir.

Q. A great many twenties?

A. No sir.

Q. About how many?

A. I could not say?

Q. There is no complaint by the complainants that they lost  
twenty dollar bills?

A. Yes, sir; on the night I put him under arrest the complainant  
said that?

Q. You have heard his testimony here to-day?

52.

A Yes sir.

Q Did'nt he say also that he had some fifty dollar bills?

A He said he had several fifty dollar bills.I could not say how many;one or two I think he said.

Q Several?

A One or two I think he said;I am not positive.

Q. You found no fifty dollar bills on this man?

A No sir.

Q You put all this money together,did you not?

A Yes,sir.

Q Before this identification?

A Yes sir.

Q And you scattered it on the table?

A No sir,it was all in one bunch.

Q And did he go over the pile?

A He went over it;~~and~~ handled it bill by bill.

Q (By the Court): When you sayHe,you mean Nudi?

MR.Mc Laughlin: Yes sir.

Q And after going over it he took out those two bills?

A Yes sir.

Q Mrs Nudi did 'nt go to the Central Office that evening?

A No sir.

Q It was Mr Nudi who was identifying the bills?

A Yes sir

Q That night?

A Yes sir.

Q Next day Mrs Nudi came down?

A Yes sir.

Q Mr Nudi was with her?

A Yes sir.

Q And she also identified these bills?

A Yes sir.

Q Now, you have heard the testimony of Mr. Nudi in regard to the identification of this bill in court?

A Yes, sir.

Q You say that he identified it that night on account of its being torn at the corner and patched?

A Yes sir.

Q Did you hear him testify here?

A Yes sir.

Q In regard to identifying it on the corner alone- without the patch?

A I don't recollect whether he said anything about the patch.

THE COURT: The jury will remember that.

MR. GOFF: He spoke about the patch.

Q (By Mr Mc Laughlin): Next day-

Q (By the Court): You went right to the police court with the complainants and defendant?

A Yes sir.

Q Who made the complaint in the police court?

A Mrs.Nudi?

Q Not Mr.Nudi?

A Mr.Nudi simply corroborated her.

Q She made the complaint then?

A Yes sir.

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THE PEOPLE REST.

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MR.MCLAUGHLIN: I ask Your Honor to direct a verdict of acquittal in this case for the reason that the evidence does not point to the guilt of this defendant to the exclusion of every other hypothesis, for the reason that all of the testimony in the case shows that there was not only- it was not only possible for the defendant to have taken this money, but that it might have been taken by this chorus singer

or Rafaele, by Joseph or by the child, the daughter of the complainant.

THE COURT: I call your attention <sup>to</sup> the additional fact that they claim that the identical money was found upon the defendant, and that is a question for the jury to determine.

MR. MCLAUGHLIN: But the fact that the money was found in the possession of the defendant is but a circumstance?

THE COURT: Upon which the jury may determine this case one way or the other as they may find the facts to be. I will deny your motion.

Mr. MCLAUGHLIN: I except.

MR. GOFF: I want to ask Nudi one question, if you will consent?

Mr. MCLAUGHLIN: Certainly.

Q. (By Mr. Goff to Mr. Nudi): How old is your little daughter?

A. Two years old.

THE COURT: The mother testified to the age-two years

MR. MCLAUGHLIN: There are two other children?

Q. (By Mr. Goff): How old is the oldest?

A. There is only one-

THE DEFENCE.

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JOHN GIOVANNI, called as a witness for the defence, being duly sworn, and examined through the official interpreter testified as follows:

Q. DIRECT EXAMINATION:

Q. (By Mr. McLaughlin): You have heard the complaint in this case, Giovami?

A. Yes, sir; I understood what the woman said, but the husband spoke in English and I could not understand everything.

Q. Did you on the 26h of January take #367 or any money, from the complainant Mrs. Nudi?

A. No sir.

Q. Were you in those premises that day?

A. Yes sir.

Q. Now explain to the jury why you went there and under what circumstances?

A. By two o'clock I went for the first time to her place, in the basement, where she sells wine, and I told her to give me a gallon of red wine. At the same time she said to me "My husband told me to pay you the bill, which amounts to

~~\$17. for the liquor that you delivered to me", and then she~~

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said, "If you don't mind it I will give you it all in silver", and I said "I don't care; just as you like; give it in what money you like", and then the little girl was crying at the time and I took her and went to the rear window leading into the yard. Then she went into the middle of the place

Q (By the Court): Do you mean the complainant when you say She?

A Yes, sir; the woman Nudi went to the partition that divides the kitchen from the store and she took out the money and put it on the bench.

Mr. McLaughlin: Well, go on.

THE WITNESS: Then I took the money and then she said "Wait a little while until Joseph comes- my man- and he will give you the wine". Joseph came and gave me the wine and I paid for the wine sixty cents and I went away. I went with the wine to the restaurant Roma in Bleecker street. The proprietor of the place, the Roma restaurant, said-

(Mr. Goff objects to any conversation between the proprietor and the defendant).

(Answer continued): He sent me back and he said he wants a half gallon of white wine, and I went back immediately to her place. When I came there, in the kitchen, not in the

kitc  
store, there were two persons; one was sitting and the other  
was standing. The one who was sitting was drinking, and he  
looked to me intoxicated, and he has a bottle of wine before  
him standing. Then the other one said, whilst I came in, -  
said to the woman Nudi, the proprietor "Tell your man when  
he comes in that I will wait for him at Twelfth street".

Q (By the Court): Who said that?

A The one that was standing; the man that was standing.

Q. Go on.

A. Then when Joseph came in, I and the woman and Joseph went in  
front to the store, and I got the wine, and they gave me  
that white wine, and in the meantime, whilst we went to the  
store to get the wine, the man that was drinking in the  
kitchen remained alone, and the other one left, the one that  
was talking to me left, and we went into the store to get  
the white wine. Whilst we were about to get the white wine,  
a man came in with a black beard. He also had a half gallon  
of wine, and the one who was sitting in the kitchen drinking  
he then offered to buy all of us a drink, the woman and me  
and all the people; and the wine was filled up, and then I

paid up- in the kitchen I paid the woman for the white wine and left, and when I left the man who was drinking there he had left a little while before I left. There was nobody any more in the store, and when I left there there was only Joseph and the woman remaining in the basement. I took the wine to the Roma restaurant and did not go back any more to the place, that is all. I did not go back any more to the place.

Q (By Mr McLaughlin): Now, explain with regard to the arrest that night?

MR. GOFF: Explain what? Wne moment.

BY THE COURT: In regard to the arrest. <sup>2 (By Mr McLaughlin):</sup> Take him back <sub>1</sub> doctor, to the time he came out of the restaurant and went to the complainant and his friends?

A. I was in the restaurant Colosseo, in Bleecker street, and I was sitting there and did not drink or do anything, and two men came in. I knew one of the two. He was a servant in the restaurant Colombo, and he invited me to take a drink. Then he said to me "If you want to be so kind as to come out. Some misfortune has happened to Nudi and he wants to talk with you". I went out without any difficulty, without objecting, and I met Nudi. Nudi did'nt say anything to me,

60.

but the others asked me what I did in Nudi's place, how many times I went there and what I did there, and so we arrived at the corner of Bleecker and Mulberry street, and then I said "In substance, what do you want with me?" And this man, he was a waiter in the restaurant Colombo, he said to me "Come here before the judge and you will answer the questions according to what they will ask you". I went inside and when I was there, some one of the people, of the employees, called me into a little room, and he said ~~to me~~ "Give me the money that you have in your pocket", and then I took out a heap of money and gave it to him".

Q. (By the Court): Is that the man?

(Pointing to Detective Perazzo?)

A. Yes, sir; that is the man.

Q. Go on.

A. Then he left the money with me and went and talked to the Nudis. No, he talked to Nudi. Then he said to me "If I have any more money", and then I gave him the money that I have yet, and then he put it on a table, and then he called up Nudi

And then this gentleman (Detective Perazzo) took the

Ten dollar bill and said to Nudi "See if you recognize that bill"? and Nudi said "No, I don't know it. I don't recognize it". Then this gentleman said "Look at it again; there is a piece missing", and Nudi said "No I don't recognize it". Then he said "In the name of the law, you are arrested".

Q. Did you converse in English or Italian?

A. In Italian.

Q. (By Mr. Mc Laughlin): Did you steal this \$367 from Engela Nudi?

(Objected to as already asked).

(Question allowed).

A. No sir.

CROSS - EXAMINATION.

Q. (BY THE COURT): How long were you in these premises the last time you ~~were~~ there?

A. About half an hour.

Q. Was that the longest period you were there any time that day?

A. The first visit I had that afternoon I remained longer than that.

Q. How long were you there then?

A. I didn't have my watch with me, but about an hour and a quarter or an hour and a half the first time.

Q. Did you see a basket there on that day?

A. No sir; I didn't see anything because I didn't <sup>even</sup> then see wherefrom the woman took the money; I only saw the money <sup>when</sup> she put it on the bench.

Q. (BY MR. GOFF): How long are you in this country?

A. On the 30th of November 1886, I arrived here.

Q. Have you been working ever since you arrived in this country?

A. Yes sir; always.

Q. How much did you earn a day?

A. In Troy New York- in the City of Troy, New York, I <sup>used</sup> was to earn \$1.75 a day.

Q. What is your trade, if any?

63

A. I make pavement, cement pavement.

Q. Did you ever work in New York?

A. Yes sir.

Q. For whom?

A. For a German; I don't know his name, I know where he lives.

Q. How long did you work for the German?

A. Five weeks.

Q. How much did you get from the German?

A. He paid me \$10 a week.

Q. For five weeks?

A. Yes sir.

Q. Is that all you have worked in New York?

A. No sir; I have worked in other places.

Q. In New York?

A. Yes sir.

Q. Who for?

A. I worked with a man named Coster who lives at 231/2 South  
Fifth Avenue, the same kind of work, cement work.

Q. How much did you get a week there?

A. The foreman paid me \$2 a day.

Q. Now, how much money did you have when you came from Troy  
to New York?

64

A. \$700.

Q. When you came from Troy?

A. Yes sir.

Q. (BY THE COURT): When was that?

A. A year ago, the latter part of May.

Q. BY MR. GOFF: What did you do with the \$700?

A. I always carried it with me. I always carried it on my person and when I used to go to work, I always put it somewhere among my things.

Q. Did you spend any of it since last May?

A. I increased the amount. I always spent from what I earned. The \$700 always remained intact.

Q. Did any of that money come from Italy?

A. On my way to America I changed in Antwerp, Belgium, French money and I got American money for it.

Q. How much American money?

A. When I arrived here I had \$700.

Q. From the time that you arrived here up to the time of your arrest, did you receive any money from Italy?

A. No, I have no relations on the other side.

Q. Now, did you carry that \$700, that you had when you landed on your person ever since you arrived in America?

- 65
- A. Yes sir. I always carried it with me.
- Q. Did you ever put any money in the bank in America?
- A. No sir; I didn't have any practice in that kind of business.  
I always carried the money with me.
- Q. And did you say that you never put any money in a bank since you came here?
- A. No sir; not in America.
- Q. You remember the morning of the 26th of January, the day you went to the store of the Nudi's?
- A. Yes sir; it was on a Thursday, but I went there on the afternoon.
- Q. Where did you sleep the night before?
- A. In Prince Street- 141. I lived there.
- Q. Did you have the \$700 that morning when you got up?
- A. Yes sir.
- Q. Where was it?
- A. I had it in different pockets; some in one pocket and some in another pocket, and so on; and in a little purse I had money for my expenses, daily expenses; I kept some money for that.
- Q. When did you put your money in your over-coat pocket?
- A. I didn't have any in my over coat pocket.

Q. You had no money in your over coat pocket?

A. No sir.

Q. Was all the \$700 contained in the pockets of your trousers?

A. Yes sir, in the pantaloons pockets.

Q. And no money in any of the pockets except the pantaloons pockets?

A. Only in the pantaloons pockets.

Q. Did you count the money that morning?

A. No sir; I didn't, but I knew I had the money.

Q. Now, how many times did you go to Nudi's shop that day?

A. Twice.

Q. Out of how many pockets did the officer take money at police headquarters?

A. I gave him money from one pocket myself, and from two pockets he took it himself.

Q. From what pockets?

A. From the hip pocket and from the front pantaloons pocket, he took it, and I gave it from one pocket.

Q. And did the officer search your over coat pockets?

A. Yes sir, he searched me all over.

Q. Didn't he get any money in your over coat pockets?

67  
A. No sir. I had it only in three pockets. I can swear that I had my money only in three pockets.

Q. When you went to Nudi's the first time, was there any body else in the back kitchen?

A. When I first went there, there was the man who said to the woman Nudi, to tell Joseph when he comes back that he would wait for him at 12th street; that man was there.

Q. Was he in the back kitchen?

A. He was standing in the door, in the partition door, between the kitchen and the store, in that partition door it was, and he left immediately.

Q. When Mrs. Nudi went to get the \$17 to pay you, <sup>was</sup> there ~~was~~ any body else besides yourself in the kitchen?

MR. MC LAUGHLIN: The District Attorney assumes that he was paid in the back room?

A. Only the woman and the little child and myself?

Q. Where were you when Mrs. Nudi went to get the \$17?

A. I was near the little window, the little window looking out in to the yard, and I had the little child in my arms.

Q. How long were you there?

A. Some few moments.

Q. Where was the money when you saw it?

68

A. The money was already on the bench, and near the money were two pocketbooks-empty pocket books-lying.

Q. Was it all in silver?

A. \$15 in silver, and two one dollar bills.

Q. Did you ever see that \$10 bill before?

(Bill shown).

A. Yes sir. This bill I had in one of my packages, and I got it in West Troy in payment.

Q. You had it in one of the packages in your pocket?

A. Yes sir.

Q. Did you know a man by the name of Rafaele?

A. No sir; the man that Mrs. Nudi says I had something to do with I don't know. I don't know that man.

Q. Is the proprietor of the Roma restaurant in Court?

A. No sir; I think he is not here. I can't see.

Q. Didn't you state to the officer at police headquarters that you had received 2000 francs from Italy?

No sir; I said to him that I have- that I brought that money here when I came here, not that I received it whilst I was here.

Q. Now didn't you tell the officer that you could earn \$5 a day?

A. Yes sir, I could in my trade.

Q. Well, what is your trade—this cement business?

A. Yes sir; people understanding that kind of business are paid \$5 a day.

Q. Can you name any man in New York who ever paid you \$5 a day?

A. No sir, I was not paid \$5 a day because I can't speak the English language, but others receive \$5 a day.

Q. Had you 2000 francs when you left Italy?

A. No sir; I worked in France. I didn't come from Italy here. I worked in France and came here and I had \$700 when I came here.

Q. Had you 2000 francs when you left Italy?

A. Yes sir.

Q. How long did you work in France?

A. Two years.

Q. Now did you get this 2000 francs changed into French money as soon as you arrived in France?

A. Yes sir; I changed into French money in France.

Q. Now how many francs had you when you left France?

A. I had 3700 francs when I went on my way from France to America, when I started for America.

Q. Where did you get it changed into American money?

A. In Belgium, in Antwerp.

70

Q. Did you have the same overcoat then that you had on when you went to police headquarters?

A. no sir; I bought clothes here.

Q. Did you ever carry money in your overcoat pockets?

A. No sir; never.

*Direct*  
-----00000000-----  
RE -GROSS EXAMINATION.

Q. By MR. MC LAUGHLIN: Did you tell officer Perazzo anything in regard to Berretzi?

A. When he took me from the tombs to the police court in Eighth street, then I told him the money that was returned to me- which the lawyer had returned to me- he said, "With whom do you want to leave that money?"

Q. He said that?

A. The detective- "With whom do you wish to leave the money which will be returned to you". He asked if I had any friend in whom I had confidence and I said, "You could - I could leave it with Berretzi".

Q. Who is Berretzi?

A. I know Berretzi keeps a bank in Centre street - number 2 & 4.

-----00000000-----  
DEFENCE RESTS.

71

REBUTTAL.

Detective Sergeant Perazzo being recalled by Mr. Goff testifies as follows.

DIRECT EXAMINATION:

Q. The defendant testifies, officer Perazzo, that you took money out of one trousers pocket and out of his hip pantaloons pocket, is that true?

A. No sir.

THE COURT: I think that the testimony was that he took the money out of one pocket, and the officer out of the other two pockets.

MR. GOFF: That is my recollection of the testimony. He said that you took it out of one front pocket and the hip pocket of the pantaloons.

A. Partly true and partly not. I didn't take any out of his hip pocket but out of one pantaloons pocket. I took money from both overcoat pockets, right and left side.

Q. Both of his overcoat pockets?

A. Yes sir; right and left side.

Q. He says that the money given back to him out of this amount,

\$368.99 was given back to him, and the \$367. claimed by Nudi  
was retained at police headquarters?

A. Yes sir.

Q. He says that the \$368.99 he desired to have left with  
Beretzi, the banker ?

A. No sir, he said nothing of the kind to me.

Q. Did he state to you at police headquarters that he had  
received this 2000 francs from Italy?

A. Yes sir, when I asked him where he got that large amount of  
money.

MR. MC LAUGHLIN: That has been asked already.

THE COURT: Yes, this is a reaffirmance, the defendant  
having denied it.

THE WITNESS: I asked him where he had got such a  
large amount of money and he said, lately that he  
received 2000 francs from Italy.

Q. (BY 5TH JUROR): Where is the money that is presumed to belong  
to him?

MR. MC LAUGHLIN: I have the money in my bank for him.

Q. (BY THE COURT): You found, Mr. Officer, this money in different  
pockets?

A. Yes sir.

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Q. Did you count the money as you took it from each pocket?

A. No sir.

Q. You counted it after?

A. Yes sir.

Q. And you have no means of identifying the money taken from one pocket as to amount, from any other?

A. No sir.

Q. And in reserving the amount of \$367 you reserved simply the amount that the plaintiff said he had lost?

A. Yes sir, and the bills that were there, <sup>identified</sup> ~~I didn't~~ have.

Q. you understand <sup>the</sup> Italian, <sup>language</sup> ~~any~~, officer?

A. Yes sir.

Q. And all the conversation which you had with these parties was in that language?

A. Yes sir, at police headquarters.

Q. BY MR. GOFF: He says that when the ten dollar bill was first shown to Nudi that Nudi didn't recognize it. Is that true?

A. No sir; the ten dollar bill was not shown to Nudi. He picked it out himself, and identified <sup>it</sup> immediately, as soon as he saw it.

Q. BY THE COURT: And did Nudi prior to seeing the bill, describe the bill to you?

74

A. Yes sir, he said that if there was a ten dollar bill, torn in one corner and patched up, I would be perfectly convinced that the money was his and not the prisoners.

Q. BY MR. GOFF: Before he saw the money at all?

A. Yes sir, before he laid eyes on the money.

-----00000000-----

THE CASE CLOSED.

-----00000000-----

Court of General Sessions

The People

vs

John Don Giovanni

STENOGRAPHERS' TRANSCRIPT.

March 5<sup>th</sup> 1884

A. S. Ben  
Official Stenographer

POOR QUALITY  
ORIGINAL

0934

*Court of General Sessions*

*The People*

*vs*

*John Don Giovanni*

STENOGRAPHERS' TRANSCRIPT.

*March 5<sup>th</sup> 188*

*A. S. Ben*

*Official Stenographer*

Court of General Sessions

The People, &c. }  
 vs }  
 John Bon Giovanni. }

Sir,

Please take notice, <sup>that</sup> I will move in  
 Part II of the Court of General Sessions,  
 on Monday June 25<sup>th</sup> 1888, for the  
 dismissal of the indictment in the  
 above entitled action, under sec.  
 668 of the Code of Criminal Procedure.  
 Dated New York, June 22, 1888

James M. Brady  
 Counsel for Defendant  
 280 Broadway  
 N.Y. City

To  
 Hon John R. Fellows,  
 District Attorney  
 New York

Count of General  
Lessons

The People, &c.

17  
John Bon Giovanni

Notice

James M. Brady,  
deft Counsel.  
280 Broadway  
N.Y.

0936

POOR QUALITY ORIGINAL

0937

Police Court— 2d District. Affidavit—Larceny.

City and County of New York, ss.

Angela Nudi

of No. 413 E 12th Street, aged 25 years, occupation House Keeper being duly sworn

deposes and says, that on the 26 day of January 1888 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:

Good and lawful money of the United States consisting of thirteen bills of the denomination and value of Ten dollars each and divers other bills of divers denominations of the amount and value of Two hundred and thirty seven dollars all of the value of Three hundred and sixty seven dollars  
\$367

the property of deponent and husband John Nudi

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 Ben Giovanni (now here)

Deponent says that said money was contained in a satchel in a basket in the back room adjoining store No 451 Third Avenue <sup>157</sup> 3rd Street in said City and said deponent was the only person in the place from the time she saw said property until she missed the same. Deponent further says that she is informed by Anthony Perazzo a Detective Sergt that he found a package of money amounting to the above sum \$367 in the possession of said deponent and deponent identifies part of said money as aforesaid described that was taken stolen and carried away as aforesaid  
Angela Nudi

Sworn to before me this 27 day of Jan 1888

Paul J. H. [Signature] Police Justice

0938

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Anthony Perazza*

aged 33 years, occupation Detective Sgt- of No.

300 Mulberry Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Angela Nudi

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

Sworn to before me, this 27  
day of Jan 1888

*Anthony Perazzo*

*Samuel C. Bull*  
Police Justice.

0939

2

Sec. 198-2po.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

John Bon Giovanni 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 Bon Giovanni

Question. How old are you?

Answer. 33 years

Question. Where were you born?

Answer, Italy

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

Answer. 141 Prince St 2 1/2 mos

Question. What is your business or profession?

Answer, Plasterer

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

Answer. I am not guilty  
John Bon Giovanni

Taken before me this

day of

January

188

27

Police Justice.

POOR QUALITY ORIGINAL

0940

Police Court 2 District. 174

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Angela Nuchi  
John Bon Currami  
Offence concerning  
Felony

Dated January 27 1888

Magistrate  
Samuel B. Bell  
Perazzo  
Jussang Selectin Sengphet  
Officer's

Witnesses  
No. 300 Madison Street.  
Anthony Perazzo  
No. 247 West 17th Street.

No. 247 West 17th Street.  
Antonio Perazzo

No. 1557  
Guadalupe Perazzo  
\$15.00  
Committed

RECEIVED  
JAN 27 1888  
CITY CLERK  
NEW YORK

BAILED,  
No. 1, by  
Residence Street.  
No. 2, by  
Residence Street.  
No. 3, by  
Residence Street.  
No. 4, by  
Residence 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 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 Jan 27 1888  
Police Justice.

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

Dated 1888  
Police Justice.

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

Dated 1888  
Police Justice.

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Don Giovanni*

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

*John Don Giovanni*

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

The said

*John Don Giovanni*

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

0942

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

of the proper moneys, goods, chattels and personal property of one *Angela Audi* \_\_\_\_\_

found, \_\_\_\_\_ then and there being \_\_\_\_\_ 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.

0943

**BOX:**

295

**FOLDER:**

2813

**DESCRIPTION:**

Donoher, William

**DATE:**

02/09/88



2813

Witnesses:

No 98

Counsel,  
Filed, 9 day of Feb 1888  
Pleads, *Chryzilly - Co.*

THE PEOPLE,  
vs.  
*B*  
William J. Donohoe  
VIOLATION OF EXCISE LAW  
(III Rev. Stat., page 1889, Sec. 6)

JOHN R. FELLOWS,  
RANDEPH B. MARTINE,  
of *St. Louis* District Attorney.  
*114 1/2 Market St. St. Louis*

A True Bill.

*G. J. Hewitt*  
Foreman.

*Wm. N.*  
Filed 3 Dec 7/88  
Complaint sent to Special Agents

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
*Plaintiffs*

*against*

*William J. Donohue*  
*Defendant.*

**The Grand Jury of the City and County of New York.** by this indictment accuse the above named defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said defendant late of the City of New York, in the County of New York, aforesaid, on the *twenty-second* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight*, 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 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,*

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

0946

**BOX:**

295

**FOLDER:**

2813

**DESCRIPTION:**

Donohue, James

**DATE:**

02/29/88



2813

487

Counsel,

Filed 29 day of July 1888

Pleads,

Robbery, second degree, [Sections 224 and 229, Penal Code].

THE PEOPLE

vs.

1160 11/16  
James Donohue

James Donohue

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Glyff Haven Foreman.

Part III March 1888  
Pleads Robbery 3rd deg  
S.P. - 10 yrs. - P.S.M.

Witnesses:

J. Mehan  
Off. Legum

A bad man - Pre-  
viously convicted  
before Corning J. P.S.M.

0948

Police Court 2 District.

CITY AND COUNTY }  
OF NEW YORK, } ss

Terence Meehan

of No. 247 West 17<sup>th</sup> Street, Aged 55 Years

Occupation Brick Layer being duly sworn, deposes and says, that on the

1<sup>st</sup> day of February 1888, at the 16<sup>th</sup> Ward of the City of New York,

in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

Double case silver watch with good watch chain attached together

of the value of Fifteen DOLLARS,

the property of Deponent

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

James Donohue (wrote)  
From the fact that at about the hour of 11. O'clock P.M. said date deponent was walking on West 17<sup>th</sup> Street toward 8<sup>th</sup> Avenue. and when he was opposite no 209. the said defendant came up to deponent caught deponent by each wrist and pinned his arms to his body he the defendant then thrust his head violently into deponents face. deponent broke his head when he the defendant said I was only going to see what time it was. deponent then placed his hand in his pocket to keep his watch. when the defendant caught

day of February 1888  
I depose to before me, this  
Police Justice

0949

violently hold of said watch chain and snatched it and said watch away from deponent. deponent caught hold of them when he threw deponent violently down and ran away.

Deponent is informed by Officers John Carey and Gerrige Logan that <sup>they</sup> arrested the said deponent in a liquor store on West 16th St near 10th Avenue at the home of H. H. O'Connell Run same day and when they got him on the street he the deponent threw a watch away which Officer Logan received. and when he was searched by Officer Carey a watch chain was found in his possession.

Deponent has since seen said watch and watch chain and fully identifies them as his property. Wherefore deponent charges the said deponent with felonious taking, stealing and carrying away said property from the person of deponent by force and violence without his consent and against his will.

Sworn to before me }  
19th day of July 1888  
Police Justice

George Maclean  
Dated 1888

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

James A. Smith  
Police Justice

I have admitted the above named to bail to answer by the undertaking hereto annexed.  
Dated 1888

Police Justice

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.

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

Police Court, District, Offence—ROBBERY.  
THE PEOPLE, &c., on the complaint of  
Dated 1888  
Magistrate.  
Officer.  
Clerk.  
Witnesses, No. street, No. Street, No. Street, § to answer General Sessions.

0950

CITY AND COUNTY }  
OF NEW YORK, } ss.

*John Carey*  
Police Officer

aged \_\_\_\_\_ years, occupation \_\_\_\_\_ of No. \_\_\_\_\_  
*16th Precinct Police*

Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of *Bruno Muhom*

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

Sworn to before me, this *19* day of *July* 188*8* by *John Carey*

*Samuel C. Bell*  
Police Justice.

0951

CITY AND COUNTY }  
OF NEW YORK, } ss.

*George Logan*

aged \_\_\_\_\_ years, occupation *Police Officer* of N

*14th Precinct Police*

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *James McKean*

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

Sworn to before me, this *19*

day of *July* 188*8*

*George Logan*

*James C. Kelly*  
Police Justice.

0952

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *James Donohue*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *460 West 16th St., 5 years*

Question. What is your business or profession?

Answer. *Lumber handler*

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

Answer. *I waive examination*

*James Donohue*

Taken before me this *22*  
day of *February* 188*8*  
*Wm. R. ...*  
Police Justice.

0953

Police Court-- 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Terence McMan  
vs.  
James Andrew  
Offence  
Curtsey

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

Dated July 19 1888

Magistrate.  
Barry Anderson Officer.

Witnesses  
John J. McManey  
16th Precinct Police Street.

James Logan  
16th Precinct Police Street.

\$2500 & Feb 20 1888

No. \_\_\_\_\_ Street,  
to answer

The Justice presiding in this  
Court will hear and determine  
this case by reason of my  
absence James Andrew  
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named  
James Andrew  
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 July 19 1888  
Police Justice.

I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1888  
Police Justice.

There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 1888  
Police Justice.

F. B. Brown  
for default

Police Court-- 2 District.

3/2

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Terence Meekhan  
247 West 17th St  
James Donohue

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated Feb 19 1898

Amick Magistrate.

Barney Officer.

16 Precinct.

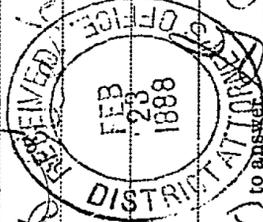
Witnesses John Barney

No. 16th Street

George Logan

No. 161st Street

No. 2500 Street



Coll

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

James Donohue guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

Twenty-four 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 Feb 19 1898

James Donohue Police Justice

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 1898

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 1898

Police Justice

4560

0955

March 1 - 1888

My dear Judge -

Our own Jas Donohue  
alias "Dog Donohue" is to  
be called before you in  
Park St today at least  
on an indictment of Hottory.

He was arrested by my  
Detectives - Geo Logan <sup>our pro</sup>  
Denny - both of whom will be  
in your Court today in this case.

This Donohue is 'millions'  
doubts one of the worst - if not  
the worst they ever caught that  
infests the City. He has  
power to buy taking command  
of this precinct - for a long  
time completely demoralized the

0956

This entire neighborhood. The Complainant  
in this case - James Meekau - was when  
within about five doors of his residence  
about eleven o'clock at night, knocked  
down by Dog Donolue and robbed of a  
watch & chain. Donolue was arrested  
by Detectives Logan & Carey in a saloon  
on West 16<sup>th</sup> St near 10<sup>th</sup> Ave in a little  
less than an hour after the crime had  
been committed, and the stolen property  
found on Donolue. I therefore request  
that you will talk with the Detention

and have them give a little of this ruffian's  
previous record, and I sincerely hope  
you will furnish him to the full extent  
of the law, as it certainly is a case  
where the prisoner is not deserving of  
one particle of sympathy or leniency.

With best wishes and a hope that  
I have not intruded too long on your  
valuable time, I am

Very respectfully yours

Donald Frank,  
Captain of Police  
16<sup>th</sup> Precinct

Hon  
R B Marshall

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Dandrea

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

James Dandrea

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

The said James Dandrea,

late of the City of New York, in the County of New York aforesaid, on the 13th day of February, in the year of our Lord one thousand eight hundred and eighty-eight, in the middle time of the said day, at the City and County aforesaid, with force and arms, in and upon one Terence Mahan, in the peace of the said People, then and there being, feloniously did make an assault, and

one watch of the value of seven dollars, and one chain of the value of eight dollars,

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

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

John P. Kelly, District Attorney

0958

**BOX:**

295

**FOLDER:**

2813

**DESCRIPTION:**

Donohue, John

**DATE:**

02/10/88



2813

0959

**BOX:**

295

**FOLDER:**

2813

**DESCRIPTION:**

Flanagan, John

**DATE:**

02/10/88



2813

0960

**BOX:**

295

**FOLDER:**

2813

**DESCRIPTION:**

Nash, Thomas

**DATE:**

02/10/88



2813

0961

Witnesses:

Counsel,

Filed

Pleads,

No 121 B.C.

10 day of Feb 1889  
1889  
Cotzquilly (13)

THE PEOPLE vs. Robbery, [Sections 224 and 228, Penal Code].

John Donohue  
John Shanagan  
Thomas Nash  
H.D.

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

G. L. O'Connell  
February 16th.  
(call)  
J. J. O'Connell

0962

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 3 DISTRICT.

James J. Major  
of No. 7th Precinct Police Street, aged \_\_\_\_\_ years,  
occupation \_\_\_\_\_ being duly sworn deposes and says  
that on the \_\_\_\_\_ day of \_\_\_\_\_ 188

Japan Nakamura  
the within named Complainant is a necessary  
and material witness against John Dundus  
and two others who are charged with a Felony.  
Deponent says that said Complainant  
does not reside in this City and may not  
appear to prosecute and asks that he  
give surety for his appearance to testify

James J. Major

Sworn to before me, this \_\_\_\_\_ day

of \_\_\_\_\_ 188

Paul J. McFadden  
Police Justice.

0963

Police Court-- 3 District.

CITY AND COUNTY }  
OF NEW YORK, } ss

Japan Nakaharra  
of No. 4 Navy St Brooklyn Street, Aged 23 Years  
Occupation Boarding House Keeper being duly sworn, deposes and says, that on the  
6th day of February 1888, at the 7th Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

A pocket book containing good and lawful money  
of the United States consisting of Eight bills of the  
denomination and value of Five dollars each  
and one piece of silver coin of the value of Twenty  
five cents and one half dollar of the value of Two  
dollars and one English bank note of the  
value of one hundred pounds all

about Five hundred <sup>and</sup> forty two <sup>25</sup>/<sub>100</sub> DOLLARS,  
of the value of the property of Deponent.

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

John Donohue John Flanigan <sup>and</sup> Thomas Nash (now here)

Deponent says that about 10.45 P.M. on said date  
he was walking along Catharine Street in said  
City when said Donohue came up to him and  
took his hat from his head and said Flanigan  
threatened to cut deponent with a knife and  
said Nash struck deponent twice on the face  
with his fist and thrashed him down.

Deponent says he took his pistol from his  
pocket and discharged the same twice and said  
defendants ran away and officer Major caught  
said Nash running away, and deponent identifies

Sworn to before me, this  
day of

1888

Police Justice

0964

other  
said defendants who were in company with said  
Nash Deponent says that he had said property  
in his possession previous to said defendants  
assaulting him as aforesaid

Sworn to before me *Napakarua*  
this 7 day of Feby 1888  
San Francisco Police Justice

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

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

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

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

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

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.

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

Police Court, \_\_\_\_\_ District,

Office—ROBBERY.

THE PEOPLE, &c.,  
on the complaint of

vs.

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

Dated \_\_\_\_\_ 1888

Magistrate.

Officer.

Clerk.

Witnesses,

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

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

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

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

\$ \_\_\_\_\_ to answer General Sessions.

0965

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

John Flanagan 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 to 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 Flanagan

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

No 9 Birmingham St 5 weeks

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 innocent of the charge

John by John Flanagan  
mark

Taken before me this

day of

7

1888

Samuel M. Kelly Police Justice.

0966

Sec. 196-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

*John Donohue* 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 Donohue*

Question. How old are you?

Answer.

*25 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*Car Market & Madison Sts 2 weeks*

Question. What is your business or profession?

Answer.

*Truck driver*

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 innocent of the charge &  
John Donohue*

Taken before me this

day of

*May*

188

*Paul J. McNeill*  
Police Justice.

0967

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK,

Thomas Nash

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 Nash

Question. How old are you?

Answer. 18 years

Question. Where were you born?

Answer. Ireland

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

Answer. No Birmingham St 1 year

Question. What is your business or profession?

Answer. Brewer

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. His companion attempted to strike me and I struck him I ran away and I heard a pistol discharged and the officer stopped me

Thomas Nash  
made

Taken before me this

day of

Feb 1888

1888

James J. Mulvey Police Justice.

0960

Police Court - District

n 232

THE PEOPLE, & C.,  
ON THE COMPLAINT OF

Sapara Naka Kama  
(N.A.O.)  
1. Coim Sanchez  
2. Coim Flanigan  
3. Zamas Nask  
4.

Offence *Robbery*

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

Dated 7 February 1888

Samuel O. Rilly Magistrate

James J. Major Officer

Precinct 7

Witnesses Call Officer

No

Street

\$2500 & Feb 9 10 a.m.

The defendants main justice

Examination and an

for answer in five

\$2500 to answer

Complaint Committee  
to the House of Selection in default  
of \$100 to appear to testify

Samuel O. Rilly Police Justice



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

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

Dated Feb 7 1888

Police Justice

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 1888

Police Justice

There being no sufficient cause to believe the within named

guilty of the offence within mentioned, I order he to be discharged.

Dated 1888

Police Justice

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Dondue, John Trainger and Thomas Nash

The Grand Jury of the City and County of New York, by this indictment, accuse John Dondue, John Trainger and Thomas Nash of the CRIME OF ROBBERY in the first degree, committed as follows:

The said John Dondue, John Trainger and Thomas Nash, do

late of the City of New York, in the County of New York aforesaid, on the 12th day of February, in the year of our Lord one thousand eight hundred and eighty-eight, in the time of the said day, at the City and County aforesaid, with force and arms, in and upon one Japan Nabakama, in the peace of the said People, then and there being, feloniously did make an assault, and

promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination and value of five dollars each; five promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of five dollars each; five United States Silver Certificates of the denomination and value of five dollars each; five United States Gold Certificates of the denomination and value of five dollars each;

one bank note of the Bank of England, (a more particular description thereof is to be found in the indictment) of the denomination and value of five pounds, and one hundred and twenty-five shillings, of the United Kingdom of Great Britain and Ireland and of the value of five hundred dollars, one silver coin of the United States of the kind called a quarter dollar, of the value of twenty-five cents and one lot of the value of two dollars

of the goods, chattels and personal property of the said Japan Nabakama, from the person of the said Japan Nabakama, against the will, and by violence to the person of the said Japan Nabakama, then and there violently and feloniously did rob, steal, take and carry away, the said John Dondue, John Trainger and Thomas Nash, and each of them, being then and there aided by an accomplice actually present, to wit: each by the other, and being also then and there armed with a deadly and dangerous weapon to wit: a certain knife

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 H. Adams

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 Donohue  
John Branigan  
Thomas Wash

The Grand Jury of the City and County of New York, by this indictment, accuse John Donohue, John Branigan and Thomas Wash of the CRIME OF ROBBERY in the first degree, committed as follows:

The said John Donohue, John Branigan and Thomas Wash, all

late of the City of New York, in the County of New York aforesaid, on the 12th day of February, in the year of our Lord one thousand eight hundred and eighty-eight, in the time of the said day, at the City and County aforesaid, with force and arms, in and upon one Japan Nakaahama, in the peace of the said People, then and there being, feloniously did make an assault, and

promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination and value of five dollars each; eight promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of five dollars each; eight United States Silver Certificates of the denomination and value of five dollars each; eight United States Gold Certificates of the denomination and value of five dollars each;

one bank note of the Bank of England, (a more particular description whereof is to be found in the Grand Jury aforesaid report) of the denomination and value of five hundred pounds in lawful money of the United Kingdom of Great Britain and Ireland and of the value of five hundred dollars, one silver coin of the United States of the kind called quarter dollars, of the value of twenty five cents and one hat of the value of two dollars of the goods, chattels and personal property of the said Japan Nakaahama, from the person of the said Japan Nakaahama, against the will, and by violence to the person of the said Japan Nakaahama, then and there violently and feloniously did rob, steal, take and carry away, the said John Donohue, John Branigan and Thomas Wash, and each of them, being then and there aided by an accomplice actually present, to wit: each by the other, and being also then and there armed with a deadly and dangerous weapon (to wit: a certain knife) —

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 H. Kellogg  
District Attorney

0971

**BOX:**

295

**FOLDER:**

2813

**DESCRIPTION:**

Doughty, John

**DATE:**

02/10/88



2813

0972

No 115

Counsel,  
Filed, 10 day of Feb, 1888.  
Pleads,

Witnesses:

THE PEOPLE

**BIGAMY.**  
[Section 298, Penal Code].

vs.

John E. Doughty

JOHN R. FELLOWS,  
RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.

G. K. [Signature] Foreman.  
Feb 13 1888  
Head of Jury  
Wm [Signature]

0973

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

POLICE COURT, 2

DISTRICT.

of No. 17 Cornelia Street, being duly sworn, deposes and  
says that on the Sixth day of February 1888

~~in the City of New York in the County of New York~~ John E. Doughty

did unlawfully marry a woman  
at Coney Island in the State of  
New York. and at that time he  
had a lawful wife living by  
name Margaret A. Doughty from  
whom he has never had any legal  
separation as deponent well believes  
from the fact that deponent is  
informed by the aforesaid Margaret  
A. Doughty that on the 23<sup>rd</sup> day  
of August 1883 at No 23 Cornelia  
Street in the city of New York she was  
married by the Rev Jacob Thomas  
to the said John E. Doughty, and  
that he the said John E. Doughty  
never was divorced from her the said  
Margaret A. Doughty and that he  
Doughty never had any legal separation  
from her the said Margaret A. Doughty.

Wherefore deponent charges the said  
John E. Doughty with a violation of  
Section 298 of the penal code of the  
State of New York and prays he may  
be apprehended and dealt with  
according to law.

Sworn to before me }  
this 8<sup>th</sup> day of July 1888

Lucy Johnson  
Deponent

A. J. White  
Police Justice

0974

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Margaret A Doughty*

aged *34* years, occupation *Washerwoman* of No.

*227. W. 15<sup>th</sup>* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Lucy Johnson*

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

Sworn to before me, this

*5<sup>th</sup>*

day of

*July*

188

*Margaret A Doughty*

*A J White*

Police Justice.

0975

Sec. 100-200

CITY AND COUNTY OF NEW YORK

2 District Police Court.

*John E. Doughty* 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 E. Doughty*

Question. How old are you?

Answer.

*49 years old*

Question. Where were you born?

Answer,

*Washington North Carolina*

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

Answer.

*193 Prince St. BMS*

Question. What is your business or profession?

Answer,

*Porter.*

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

Answer.

*I am not guilty*

*John E. Doughty*

Taken before me this

day of

*[Signature]*

188

Police Justice.

0976

Sec. 151.

Police Court 2 District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police

Justices for the City of New York, by Lucy Johnson

of No. 17 Cornelia Street, that on the 6th day of February

1887, at the City of New York, in the County of New York,

*Long Island in the state of New York  
John C. Doughty, did unlawfully marry this  
Complainant. At that time he had a lawful  
wife living by name, Margaret A. Doughty to whom  
he was married on 28th day of August, 1872, and from  
whom he never had a divorce or legal separation in violation  
of Section 298 of the Penal Code of the state of New York*

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 2 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 6th day of February 1887  
A. J. White POLICE JUSTICE.

0977

Police Court 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Lucy Parsons

vs.

John E. Doughty

Warrant-General.

Dated February 8 1888

Andrew P. White Magistrate

Thomas. Bowes Officer.

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

Thomas. Bowes Officer.

Dated February 8 1888

This Warrant may be executed on Sunday or at  
night.

\_\_\_\_\_  
Police Justice.

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

Dated \_\_\_\_\_ 188

\_\_\_\_\_  
Police Justice.

The within named

245 B.M. 48. B. N.Y. Peter M. No. 188. Bunch Street

0978

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

Dated 1888 Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

W Police Court 222 District

THE PEOPLE, & C., ON THE COMPLAINT OF

Lacy Thompson  
John E. Houghton  
Offence Burglary

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

1888

Magistrate

Officer

Precinct

Witnesses

No.

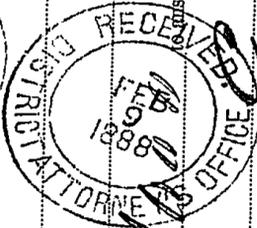
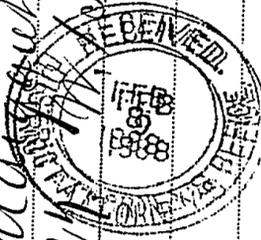
Street

No.

Street

No.

Street



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 E. Donaghy

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

John E. Donaghy -

of the CRIME OF BIGAMY, committed as follows:

The said John E. Donaghy,

late of the City of New York, in the County of New York aforesaid, on the twenty third day of August, in the year of our Lord one thousand eight hundred and eighty three, at the City and County aforesaid, -

did marry one Margaret A. Donaghy and her the said Margaret A. Donaghy did then and there have for his wife; and the said John E. Donaghy -

afterwards, to wit, on the sixth day of February, in the year of our Lord one thousand eight hundred and eighty seven at the Town of Sag Harbor, in the County of Suffolk in the said State of New York, -

did feloniously marry and take as his wife one Susan Johnson and to the said Susan Johnson was then and there married, the said Margaret A. Donaghy,

being then living and in full life, 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.

and Edwards, to wit: on the  
eight day of January in the  
year of our Lord one thousand  
eight hundred and eighty eight  
the said John L. Edwards was arrested  
at the City of New York in the  
County of New York aforesaid  
for the felony and piracy herein  
above alleged.

John L. Edwards,  
District Attorney

0981

**BOX:**

295

**FOLDER:**

2813

**DESCRIPTION:**

Dunn, Thomas

**DATE:**

02/20/88



2813

10350

Witnesses:

*Off. Murphy*

Counsel,

Filed *20* day of *July* 188*8*

Pleads *Guilty*

VIOLATION OF EXCISE LAW.  
[III, R. S., (7 Ed), page 1981, § 18, and Laws of 1888, Chap. 840, § 6].

THE PEOPLE

vs.

*B*

*Thomas Dunn*

JOHN R. FELLOWS,

RANDOLPH B. MARTINE,

District Attorney.

*In Nov 1888. District Attorney.  
At District by counsel to A. G.  
25th Nov 1888, W. D.  
A FINE BILL.  
Nov 23. Part 2. Sept appeal*

*Wm. Woodbury*

Foreman.

# 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 Dunn*

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

*Thomas Dunn*

(III. Revised Statutes, [7th edition] p. 1987 Section 13).

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES WITHOUT A LICENSE, committed as follows:

The said *Thomas Dunn*

late of the City of New York, in the County of New York aforesaid, on the *first* day of *February* in the year of our Lord one thousand eight hundred and eighty *eight*, at the City and County aforesaid, certain strong and spirituous 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantity less than five gallons at a time, to *one James P. Murphy and to* certain *other* persons whose names are to the Grand Jury aforesaid unknown, without having a license therefor, as required by law, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1889, chapter 940, section 5.)

SECOND COUNT:

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

*Thomas Dunn*

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND BEER WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said *Thomas Dunn*

late of the City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the City and County aforesaid, and at the premises there situate, ~~known as number~~ *at the corner of Wolf and Union Streets,* certain strong and spirituous liquors, and certain ales, wines and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell to *one James P. Murphy and to* certain *other* persons whose names are to the Grand Jury aforesaid unknown, to be drank upon the premises aforesaid, without having a license therefor, as required by law, 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.

(Laws of 1888, chapter 840, section 5.) **THIRD COUNT:**

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

*— Thomas Dunn —*

of the **CRIME OF GIVING AWAY STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND BEER, WITHOUT A LICENSE, to be drank upon the premises, committed as follows :**

The said *Thomas Dunn*

late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the City and County aforesaid, and at the premises there situate, ~~known as number~~ *at the corner of Wolf and Union Streets —* certain strong and spirituous liquors, and certain ales, wine and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did give away to

certain \_\_\_\_\_ persons whose names are to the Grand Jury aforesaid unknown, to be drank upon the premises aforesaid, without having a license therefor, as required by law, 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,*  
**~~RANDOLPH B. MARTINE,~~**

**District Attorney.**

0985

**BOX:**

295

**FOLDER:**

2813

**DESCRIPTION:**

Dusenbury, Robert

**DATE:**

02/10/88



2813

0986

Witnesses:

W B Lawrence  
of Jacobs.

No 120

Counsel,

Filed

10 day of Feb 1888

Pleads,

Chiquilly

THE PEOPLE

vs.

R

Robert Dusenbury

Grand Larceny second degree. [Sections 528, 581, 559 Penal Code].

JOHN R. FELLOWS,

District Attorney.

Leahy Pat. Dist. Justice by  
request Feb 18/88 A. P. M.

A TRUE BILL.

G. H. Carr Foreman.

Part II February 20/88

Tried and acquitted

0987

2 DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF

Wm. H. Lawrence  
agst.  
Robert Dusenbury

Examination had Feb 7 1888  
Before Andrew J White Police Justice.

I, William L. Ormsby Stenographer of the 2 District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of  
the original Stenographer's notes of the testimony of Wm. H. Lawrence,

Charles Jacobs, Robert Dusenbury

as taken by me on the above examination before said Justice.

Dated Feb 8 1888 W L Ormsby  
Stenographer.

A J White  
Police Justice.

0988

Police Court  
Second District

The People vs  
William B. Lawrence,  
Robert<sup>2</sup> Trusenbury

Examination Before Justice White  
Feb 7 1888  
For the defendant - Mc Golding.

William B. Lawrence being duly sworn  
and examined by the court deposes  
and says:

Q When do you live?

A 41 Eighth Avenue

Q What is your business?

A Engineer.

Q Where?

A At 411 Broadway

Q Was anything stolen from you?

A Yes.

Q What was it?

A A watch and chain.

Q What was the value of it?

A About forty dollars

Q Where was it?

A At 411 Broadway

Q Who stole it, if you know?

A The defendant as far as I can understand.

Q What are the circumstances of the case?

A Because he was the last man that was in the place. When I went up stairs the watch was there. When I went down again I looked at the time. It was still there. I went up and finished my dinner and came down. The man had come down while I was cleaning. He said to me something about I was going away. I said no. Then I turned around and went up stairs and then the watch was gone. When I came down it was gone. And all the time there was only one man there.

Cross Ex

Q

2

A He was there, yes sir.

Q The question is, would anybody else have gone there and taken that watch?

A I am telling you the facts.

Q From the time you last saw the watch until the time you missed it, are you willing positively to swear that no other person had access to that place?

A Nobody except my employer.

Q Are you willing to swear that no other person had access to that place except the defendant?

A No sir. I am not willing to swear.

By the Court

Q Did you see any other person there but the defendant?

A No, sir.

Q

Re. Cross

Q How can you say that when you was up stairs?

A. He was there.

By the Court

Q. The person you saw last  
there was this man?

A. Yes.

Re-cross

Q. What are these premises  
occupied for?

A. It is a restaurant.

Q. Whereabouts in the engine room?

A. In the rear.

Q. Are there not many waiters,  
employed there?

A. Yes Sir.

Q. How many?

A. I could not say.

Q. Did they all have access to  
this place?

A. No Sir: They had no business  
there.

Q. None but defendant?

A. There was one or two.

Q. Whereabouts?

A. There was a man by  
the name of Jackson.

Q. Any other?

A. There was my employer's  
cousin.

Q. What is his name?

A. Stewart.

Q. This Stewart was there  
before?

A. He was there before. He  
saw my watch there. He  
saw the chain hanging.

Q. How do you know

A. Because he told me so.

Q. Then there are three persons  
who had access to this  
place: your employer, Mr.  
Jackson and Mr. Stewart -

A. Yes, Sir.

Q. Did defendant say to you  
that he took it?

A. No, Sir. I surmised it myself.

5 Robert Dusembury the Defendant

being duly sworn and examined  
as a witness in his own behalf  
by his counsel before said  
says:-

Q How long have you been working  
in this place?

A About four months

Q Did you steal this man's  
watch?

A No sir.

Q How many people have  
access to this engine  
room?

A Four or five people, and  
then there is people passing  
in the back kitchen

Q How long was it after this  
alleged larceny that you  
were arrested?

A I was not arrested. I  
went up to head quarters  
and gave myself up. I  
went to the complainant  
as soon as I heard of this  
and I said "I am willing

to go with you to headquarters  
and you can have me locked  
up. He said "If I was  
sure you stole this watch  
I would kill you"

Complainant recalled, and further  
examined by the Court:-

Q. Is that true what he  
said?

A. Well not altogether. He  
said he would go to head-  
quarters and I took him  
to headquarters myself and  
delivered him to the officer.

Re-cross

Q. He did not object?

A. No, Sir

Charles Jacob, being duly sworn  
and examined as a witness  
for the People depone and  
says: I am a detective

of the Central Office.  
 Q How did you come to make this arrest?

A The prisoner was brought in to headquarters. The case had been previously placed in my hands. The prisoner was brought in and Sergeant Burt told me to take charge of the <sup>case.</sup> prisoner. Then afterwards the sergeant locked him up.

Defendant recalled and being further examined by the court before and says: - The fact is I cannot get out of the place until after 3 pm when another man comes to relieve me.

Defendant held to answer \$500 bail.

0996

Police Court— 2 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. William B. Lawrence  
41 E 10th Avenue Street, aged 28 years,  
occupation Engineer being duly sworn

deposes and says, that on the 4 day of February 1888 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 metal  
plated watch, gold chain and chain  
of the value in all, of forty dollars,  
(40)

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

Robert Breenbury  
(nowhere) for the reason that on said date deponent left the said watch hanging in his vest in the engine room of the premises 411 Broadway where deponent is employed as an engineer. Deponent saw the said watch there about half past two p.m. The defendant was employed on said premises as a waiter and hung his clothing near where deponent's clothes hung. About quarter to 3 o'clock deponent missed the said watch, and now charges the defendant with stealing the

Subscribed before me, this day of 1888

Police Justice.

saw for the reason that the said defendant left said premises between the hours of half past two and quarter to 3 p.m. on said date, and was the only person who had access to said property. Defendant asks that the defendant be dealt with as the law directs.

Done to before me this  
7th day of February 1882  
A. W. [Signature]  
Clerk of the Court

W. B. Lawrence

0998

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY )  
OF NEW YORK, ) ss.

Robert Dusenbury 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. Robert Dusenbury

Question. How old are you?

Answer. 32 years

Question. Where were you born?

Answer. M. S.

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

Answer. 25 B. Ave St. 1 year

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 - I was up stairs at the time  
Robert Dusenbury

Taken before me this

day of

188

Police Justice.

66699

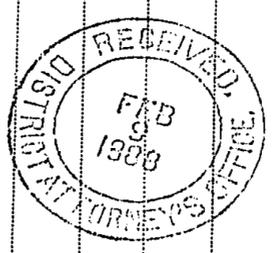
Police Court-- 2701 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Wm. D. Lawrence  
41 - 8 Ave  
Robert Duncanson

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

Dated July 17 1888  
John White  
Magistrate.  
Jacob & Knud  
Officers.  
Central Office  
Witnesses Campbell employe

No. Street.  
No. Street.  
No. Street.



No. 500 to answer  
\$ 500  
July 13. 1888  
[Signature]

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

Robert Duncanson  
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 July 17 1888  
[Signature]  
Police Justice.

I have admitted the above-named  
to bail to answer by the undertaking hereto annexed.  
Dated 1888  
Police Justice.

There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 1888  
Police Justice.

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Robert Dusenbury*

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

*Robert Dusenbury*

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

The said

*Robert Dusenbury,*

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

*one watch of the value of five dollars,*

*one chain of the value of twenty dollars, and*

*one chain of the value of fif-  
teen dollars*

of the goods, chattels and personal property of one *William B Lawrence*

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

SECOND COUNT--

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

Robert Dusebury

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

The said Robert Dusebury

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 five dollars,  
one chain of the value of twenty dollars, and  
one chain of the value of fifteen dollars

of the goods, chattels and personal property of one William B. Lawrence

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

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

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.

1002

**BOX:**

295

**FOLDER:**

2813

**DESCRIPTION:**

Dynan, Michael

**DATE:**

02/13/88



2813

Witnesses:

W. Clark

Upon investigation, the testimony herein seems insufficient to sustain indictment, and accordingly recommend to dis-

missal.

Feb 21/88

W. Barker

Da Disney

6  
Apr 1888

Counsel,

Filed,

13 day of April 1888

Pleads,

Guilty - 114

THE PEOPLE,

vs.

B

Michael J. Dynam

VIOLATION OF EXCISE LAW  
(Keeping Open on Sunday)  
(III Rev. Stat. (7th Edition), page 1889, Sec. 6)

455

JOHN R. FELLOWS,

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

G. H. Kavan

Foreman.

On recom. of Dist. Atty.  
indict. dis! P.B.M.

1003

Excise Violation-Keeping Open on Sunday.

POLICE COURT- 2 DISTRICT,

City and County } ss.  
of New York,

of 20th Precinct Robert W. Clarke Street,  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 22nd day  
of January 1888, in the City of New York, in the County of New York,

of Michael Dyanan (now here)  
being then and there in lawful charge of the premises No. 455 W 27th  
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be  
drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of  
the statute in such case made and provided.

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

Sworn to before me, this 23 day of January 1888 by Robert W. Clarke

James C. Smith Police Justice.

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK. } ss.

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

Question. What is your name?

Answer. Michael Dymon

Question. How old are you?

Answer. 28 years old

Question. Where were you born?

Answer. Ireland

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

Answer. 455 W 27th St 2 years

Question. What is your business or profession?

Answer. Saloon Keeper

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

Answer.

I am not guilty and if held I demand a trial by jury  
Michael J. Dymon

Taken before me this

day of

July 1888

James J. Kelly

Police Justice.

1006

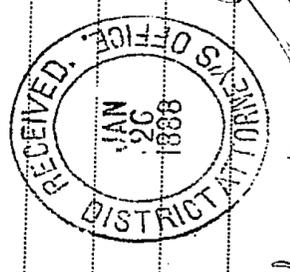
Police Court - 2 District: 154

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*Wm. Clark*  
vs.  
*Michael Ryan*

Dated *June 23* 188*8*  
Magistrate *Clark*  
Officer *W.D.*  
Precinct.

Witnesses  
No. Street  
No. Street  
No. Street  
\$ *100* to answer

*Bailed*



BAILED,  
No. 1, by *Carl Lamm*  
Residence *331 N. 32* Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence 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

*Michael Ryan*

guilty thereof, I order that he be held to answer the same and he be committed to bail in the sum of

*100*

Hundred Dollars, and be committed to the Warden and Keeper of

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

Dated *June 23* 188*8*

Police Justice.

I have admitted the above named

*Michael Ryan*

to bail to answer by the undertaking hereto annexed.

Dated *June 23* 188*8*

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.

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
*Plaintiffs*

*against*

*Michael J. Dyran*  
*Defendant.*

**The Grand Jury of the City and County of New York.** by this indictment accuse the above named defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said defendant late of the City of New York, in the County of New York, aforesaid, on the *twenty-second* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight*, 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 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,*

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

1008

**BOX:**

295

**FOLDER:**

2813

**DESCRIPTION:**

Dunnham, Robert

**DATE:**

02/15/88



2813

WITNESSES:

*Off Higgins*

No 255

Counsel,

Filed 15 day of Feb 1888

Pleads

*Guilty (16)*

THE PEOPLE,

vs.

B

*Robert S. Dymham*  
*Oct 26/87*

Violation of Excise Law.  
(Ballinger's Stat. (7th Edition), page 1983, Sec. 21, and  
page 1989, Sec. 5.)

JOHN R. FELLOWS.

RANDOLPH B. MARINE

*Oct 3 20th day of Feb 1888*

*Oct 29/88* District Attorney.

A True Bill.

*John R. Fellows*  
Foreman.

10 10

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
*Plaintiffs*

*against*

*Robert S. Dunham*  
*Defendant.*

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

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *twenty-ninth* day of *January* - 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

*Peter Higgins*

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

SECOND COUNT :

**And the Grand Jury aforesaid**, by this indictment, further accuse the said defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

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

*John R. Fellows*  
~~RANDOLPH B. MARTINE,~~

District Attorney.

10 11

**BOX:**

295

**FOLDER:**

2813

**DESCRIPTION:**

Dunn, James

**DATE:**

02/14/88



2813

10 12

No 220

Counsel,

Filed 14 day of

1888

Pleas

WITNESSES:

*M. V. V. V.*

THE PEOPLE,  
 vs. *B*  
*James H. Dunn*  
*Chgo. 10/17/88*  
*924 107th St*

Violation of Excise Law.  
 (Selling on Sunday, etc.)  
 [III Rev. Stat. (7th Edition), page 1983, Sec. 21, and  
 page 1989, Sec. 5.]

JOHN R. FELLOWS,  
 RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*G. J. Farnham*  
 Foreman.

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

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

*against*

*James H. Duun*  
*Defendant.*

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

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *January* 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

*Walter Valley*

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

**SECOND COUNT :**

**And the Grand Jury aforesaid**, by this indictment, further accuse the said defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

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

*John R. Fullows*  
**RANDOLPH B. MARTINE,**

**District Attorney.**

10 15

**END OF  
BOX**