

0008

BOX:

246

FOLDER:

2387

DESCRIPTION:

McGrath, William

DATE:

01/19/87



2387

with cases:

Compt. & Dep. Sec.
Franklin Ave.
Elizabeth Ave.

210

1887

Counsel, *[Signature]*
Filed, 19 day of *January* 1887
Pleads, *Verdict*

THE PEOPLE
vs.
William Mc Gath
[Signature]
[Signature]

[Illegible text]
[Section 46, 50, 52, 53, 55, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100]

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

Chas. B. DeLoach
July 4/89
Foreman
Wm. J. Convent
July 1st
S. P. 10 years
July 9

0010

The People
vs.
William McGrath.

Court of General Sessions, Part 1.
Before Recorder Smyth.

February 3, 1887.

Indictment for burglary in the first degree.

Joseph A. Bluxome sworn. I reside 107 West 21st Street, it is a three story basement house, the parlor floor is used in connection with my business and the two upper floors and the basement are used for dwelling purposes, the parlor floor being separated from the store: my brother-in-law and his wife and my sisters occupied the house with me; I remember the 20th of last June, it was the Saturday before the last Saturday in June, I know it from the fact that I returned from Philadelphia on that day, I went over to attend the burial of a brother-in-law of mine, I went up to my room about ten o'clock at night and staid there until eleven and finding that I was not inclined to sleep I went up the avenue and took an oyster stew and a glass of ale and went back to the house at twelve o'clock, I locked the front door and retired to my room but the door of my own room I never did lock until recently, until after this occurrence, I sat in my room until about half past twelve and went to bed, I was not inclined to sleep and I left the gas lighted and got up at three o'clock and took a walk around the room two or three times and then I turned off the gas and laid myself down on the bed and got up again at five o'clock; the large clock in my room had stopped, I wanted to know what time it was, I looked up at my vest on the bed-post, I saw it was gone and the door was a little open, I pushed the door open and I saw my vest lying on the floor along

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with my pants in the hall outside the room, I went for my watch and found it was gone, I felt for the money and the pocket-book and that was gone, I then went down stairs and knocked at my sister's door and told her somebody had taken my things away, I did not know what to do and I continued down stairs to the hall floor, I found the street door about five or six inches open, the door which I had locked and I missed my coat and umbrella from the stand at that time, I examined the lock of the front door and it did not appear to have been tampered with. About twelve or fifteen dollars in money was taken beside the gold watch, overcoat and umbrella, the property was all worth about \$150. I went and notified the police of Capt. Williams's precinct, I told Detective Price the circumstances and he went down to the house to see about it. There was a pair of gloves in the pocket of the coat which was stolen and I saw them at the Police Station two or three weeks ago, I went the following day with Mr. Price over to a pawn broker's shop in Second Avenue and saw the coat there which was stolen, I identified the coat and the gloves as my property. My brother-in-law is James Dorrington, he was in the house on the evening in question and his wife, he is an invalid and was sick in bed.

Cross Examined. After I entered my house at twelve o'clock on the night in question I did not go out; there was one servant in the house at that time; the front door has a Yale lock on it. I should say that nobody went out of the house or entered the house, I mean any members of the family or servant, from the time I went upstairs until I discovered the loss of my things; my

room is on the third story of the house. My brother was an invalid and he had not been able to get out of bed for a week or two at that time and my sister is not in the habit of going out such hours. I am sure that the Yale lock sprung as I fastened the outer door. I had this overcoat two or three years but used it very seldom and the gloves I had worn, the gloves were a light roughish kid, the kid did not wear well, they were embroidered on the back with a kind of light color. I did not consult a clairvoyant regarding this matter. I made the remark that my sister did but that was in the Police Court. I gave a description of the gloves before they were shown to me.

James K. Price sworn. I am an officer attached to the 19th precinct and know the complainant. I saw him about noon time on the 20th of June, I was called to the house to investigate the burglary that had occurred the preceding night, I could not do anything for some months afterwards, I took a list of the property as he gave it to me, I arrested the prisoner on Third Avenue between 32nd and 33rd Streets, I found some of the property that was stolen but not with him, it was a spring overcoat and a pair of gloves, I found this coat (producing it) in a pawn shop on Second Avenue and 42nd Street, Buckmeyer, I think is the name. The prisoner's mother I saw take the gloves out of the bureau drawer and she handed them to me, I took Mr Bluxome to the pawn shop and he identified the coat and the gloves as his. I had a conversation with the mother of the defendant and it was partly in consequence of that conversation that I arrested the defendant, I arrested him upon information other than that I received

from his mother, from information received from Elizabeth Devoe, the sister of the prisoner. After I arrested the prisoner he asked me what the offence was. I told him he was charged with burglary, with having entered the house of Mr Bluxome in 21st Street on the night of the 20th of June. I told him that a portion of the property, the proceeds of that larceny had been recovered and identified by the owner, I stated to him that his own sister had been placed under arrest in connection with that theft, that she had confessed all to me and begged me to release her; he admitted that he was guilty and said he would take it all himself. He told me, let my sister go for her child's sake, I will take it all, I done it and that settles it. I will state his sister was not under arrest, I told him that she was under arrest. This conversation was in 32nd Street and 4th Avenue after we left the room on the way to the Station House, I had several conversations with him at the Station House, I gave him all the information that I had received, I told him that his mother had informed me that on the morning that Bluxome's house was robbed, that he in company with another man, I didnot tell him his name at the start because I did not know his name, but when I found it out I told him his name was Kehoe, I told him that his mother had informed me that he left the house that morning at two o'clock and that they returned about eight o'clock, that they had this watch and chain, coat, gloves and umbrella and some small amount of money, twelve or thirteen dollars; that she had givenme all this information relative to Bluxome's robbery; that she had overheard them state where they had sold the watch to

Mose Erich down in East 10th Street, I gave him the benefit of every bit of information that the mother and sister had given me. He told me that he would take it all, that the other man was out of town up the river and not to be got, he did not state that he was in Sing Sing or the Penitentiary but I afterwards found out he was in the Penitentiary.

I have not give the precise words of the conversation but I have given the substance of what passed between us, I found out afterwards that Kehoe had been convicted.

Cross Examined.

I do mean to swear that I arrested the defendant upon information received from his mother and sister. I have been on the Police force thirteen years, I have never testified to anything that was untrue in any case, I arrested hundreds of people where I have given evidence in Court where I have not sworn to a confession of guilt by the prisoner. I told the defendant I had two charges of burglary against him in our precinct, I mentioned the case of Mr. Bluxome as one. It was not true when I told him that his sister was under arrest, that was not stated to him in order to drag a confession from him; he asked me who it was that gave him away, I told him I had received information that he had committed these burglaries but that I had no knowledge of the truth of it as yet. I told him his sister was under arrest because I was davisied to do so to deceive him for the time being, I did not want to let him know who had informed on him. He afterwards saw his sister at the Police Court, I do not know that he spoke to her there, she was called as a witness and went up to the little bar in the Police Court and he was away from her.

I told him all that I knew in relation to this matter after

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we left the court-room. I told him that I had a positive identification of some of the property that had been stolen from the precinct; he begged me to let his sister go, he said, she is innocent of it, I will take it all, I am guilty of it, I had not mentioned Mr. Bluxome's name to him at this time; he did know what burglary he was accused of because I told him I had found the coat in a pawn shop in Second Avenue but I did not mention Bluxome's name to him at that time until I got him to the Station House. I arrested him in this room in company with Detective Cuff of the 23rd precinct; when we got into the room and found him there I searched the room and took some little articles in my hand and examined them, I went with Cuff to 32nd Street and Lexington Avenue or nearly to the corner of 4th Avenue when he left me. After he had crossed the Avenue into the 19th precinct the prisoner asked me what he was under arrest for, who gave him away, I said, don't you know, or something to that effect. He said, no; I said, I had a man up in 42nd Street to identify a coat, the proceeds of a burglary in my precinct. I said, your sister is under arrest in connection with this matter; we walked along for a few steps and he said, let her go, I will take it all, I am guilty of it. He used Bluxome's name at the Station House when he was asked who was the complainant. I told him I had a man up there to identify the coat in a pawn shop at 42nd Street and 2nd Avenue. In answer to the questions of the Sergeant who the complainant was I then stated that he had been charged with entering Bluxome's house, that was the first time he heard Bluxome's name, I took him to Court and he was remanded and I had

~~several other seizures~~

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several conversations during the day with him; he requested me to go over and see his mother, I saw his mother and came back and reported to him the conversation I had with her, I stated to him all the information that his mother had given me about him in connection with these other burglaries, I told him his mother told me that on the 3rd of July he robbed the house of Isador Drungold, I told him that the sister had stated in the house in the presence of his mother as she afterward stated in Court that he had brought home that coat, watch, umbrella, money and gloves to that room, that he had sent to her room in a couple of streets where the mother lives a coat and that he directed her to pawn it and that she did pawn it some time after the larceny, I disremember the exact date but I gave it to him just as I got it, she pawned it under fear of this man; he did not say anything in reply other than walk around and ask me if there was anything else. I had several conversations with him before he was committed but have not had any since.

Mary McGrath sworn. The prisoner is my son, I reside at 200 East 49th Street, I remember some time about the last Sunday in June seeing the coat and gloves now shown me; my son and another young man of the name of Kehoe brought them in my room, they talked about where it came from, they said they got it from Mr Bluxome's, then they left it there till the next day and they sent it down to my daughter's. They both said it came from Bluxome's, one of them was as deep in the mud as the mother was in the mire; they said they got the gold watch and the umbrella

in Bluxome's, I do not recollect the street only it was on Sixth Avenue. I did not see any more of them until the detectives come to me. My son and Kehoe said they got into Bluxome's house by opening the door from outside; there was railings on the door or something I believe, and they put their hand in and opened the door. They staid in the house about an hour or an hour and a half and the left about ten o'clock in the morning, they came about seven or eight in the morning; during this conversation they were part of the time in his bed-room and part of the time in my room, I saw no pocket-book and heard nothing about the money. Officer Price got the gloves, I took them and put them in the drawer, I could not say whether I saw my son that night at all or not because he was very much in the habit of staying out every night, he kept company with a girl and he always staid out night after night with her, I saw him next on Monday morning, I saw no pocket-book with him that time.

Cross Examined. I remember that it was ~~not~~ the last Sunday in June when my son and Kehoe came to the house. My son has lived with me since he was born only whilst he has been in prison, I sent for Mr. Cuff, the detective, that I wanted to see him, I told him how my son was treating me; my son left home where he had been living with me before I sent for Cuff, on the 3th of January he stated to me he was married and that he was not going to return to the house, I never saw Mr. Bluxome in my life, I mentioned this matter for the first time to Mr. Cuff on the 10th of January; the reason why I did not speak of it before was that he promised me from time to time he would

reform, I was a cripple or I would have mentioned this long ago. I had not the least objection to my son's getting married; I suppose it was upon the information I gave to Detective Cuff that my son was arrested. I can identify this coat to-day although I have not seen it for six months, there is a grease spot on the corner of it. My daughter is Mrs. Devoe, she was never married before this time, I have not been out in a year and ten months until Officer Price carried me down on his back and brought me here in a carriage.

Redirect Examination.

The reason why I did not like to say anything before this of my son's crimes was because when he came from prison he promised me he would reform, I was afraid of my life because he threatened to strike me with a slung shot. He said that if Bluxome had wakened when he was in his house the one said to the other they would have hit him - they did not have the slung shot now shown me but they had a worse one. Mr Cuff brought Mr Price to me.

Elizabeth Devoe sworn. I live 240 East 47th Street and am a sister of the defendant, I have seen the coat now shown me before at my house some time last June, my brother sent the coat to my house by a lady who lives with my mother Mrs. Kehoe. I kept it there until my brother came the same day, he told me where the coat came from, he said he wanted me to keep it for safety, that there was a big squawl and they were afraid my mother's house would be searched and to keep it there until such times as he could dispose of it, he said he got it at

Bluxome's and that my husband could wear it, my husband would not wear the coat, I thought it better to keep the coat than to pawn it, he told me the old man was asleep when he went there and he put his hand in and opened the door, he said a young man named Kehoe was with him, I kept the coat in my house five months and pawned it. My brother said there was other parties in Bluxome's house and that the old bloat was asleep and he done it, he did not mention any name as I can remember, I disremember whether he said if the old bloat woke up he would fix him. I gave the pawn ticket to Mr Price.

Cross Examined. My brother always lived at my mother's house except the time he has been away in prison, it was through my mother's information that he was arrested, the coat was brought over on a Monday to me by Mrs. Kehoe and my brother came over the same day, I am sure he said it was Mr Bluxome's, I knew that was stolen property, I did not refuse to take it because I was in dread of my life, I was afraid of my life being taken by him, I kept the coat in my house till some day in September my brother told me to pawn it, I did not give him the pawn ticket but kept the money myself. Although I was afraid of my life and my mother also at the hands of my brother, we never made any complaint about it to the police, my husband is living with me and he packs marble, he gets eight dollars a week. I will swear that I was not married before I was married to Mr Devoe, I will swear that I was not married to Thomas Flynn at the rectory of St. George's church on 16th Street and Rutherford Place by the Rev. Dr. White. I wont answer whether there is a divorce suit.

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pending between myself and Henry Devoe. Did you ever commit perjury in a divorce suit? No sir.. My mother and I have not had frequent conversations about this case, I have called upon her since the arrest of my brother. My mother was too heart broken to speak many words with me about it, my mother is heart broken from her hard treatment. Will you swear that your brother ever raised his hand to his mother? Yes sir, he has. You are quite sure of that? Yes sir. Were you present? Yes sir, I was present. Did you interfere? No sir, he raised it to me too. Why was it if you were so afraid of your life to say anything about this coat or even to give it to your husband as your brother requested you to do that you felt free enough to go and pawn the coat and take the proceeds of the money? weren't you afraid of your life? My brother told me to pawn the coat, I was obliged to do so, he came to my house and abused me and he made use of terrible language before my little girl that was not fit for anybody to hear and he has threatened this child's life here. Weren't you afraid to take the proceeds of the pawn ticket without his consent? No sir, my children were in their bare feet and I bought them a pair of shoes apiece, I was always afraid of my brother. How is it that you so distinctly recollect the day he called with this coat at your house or that he came over to see you about the coat? Because it was the morning of the robbery and there was an advertisement in the paper and he said there was a big squeal about it, he told me to keep it for safety, the robbery was on Sunday morning and the Monday after he came to my house. You mean there was an advertisement in the

paper about the robbery in Bluxome's house? Yes sir. Did you see that advertisement in the paper? Yes sir, he showed it to me, I think it was the Sun as far as I can remember; he told me he got it from Bluxome's house; my husband is the only means of my support, I do not do any work at present, I have two children and occupy a room and bed-room, I hung the coat up when Mrs. Devoe brought it to my house in my bed-room and when my brother called that day he went into my room and took the coat down. Did your brother threaten your and your mother's life? Yes sir, he came to my house and he has broken my things; he annoyed me day after day bringing thieves repeatedly to my place and he said he would have my little boy out on the "damper", I was eleven years old. I am just using his expressions. My husband is not in Court. I have seen the box now shown me before, my brother gave it me and left it in my house.

The District Attorney offered to prove that the box contained burglars tools and keys but the Court excluded it on the ground that the box was not found upon him when he was arrested.

John T. Cuff sworn. I am a detective connected with the police force of New York, I know Mrs. McGrath, I received a communication from her and went to see her, I telegraphed Detective Price to come over and investigate the case as it was in his precinct.

The Jury rendered a verdict of guilty of burglary in the first degree.

0022

Court of General Sessions.

-----x

The People, etc.

against

William McGrath.

-----x

City and County of New York, ss:-

Frank J. Keller, being duly sworn, says:-

I am counsel for the above named defendant. I was charged on the 3rd and 9th February inst., by Detective James K. Price, a member of the Metropolitan Police force of this City, in open Court before Hon. Rufus B. Cowing, City Judge, of having broached him, Price, for the purpose of dividing a certain sum of money, \$161, which is alleged to be stolen money.

That I never in any way whatever made any such proposition, or thought of the same, and the said statement is in every respect false and malicious.

Sworn to before me this

10th day of February 1887,

William D. Landray
Notary Public
My Co.

Frank J. Keller

0023

General Lesson
Crank

The People ~

Mr. McPherson

Efficient -

Part of the

0024

FRANK J. KELLER,
COUNSELLOR AT LAW,
320 Broadway,
NEW YORK.

New York, Feb'y 10th 1887

Hon. Randolph B. Martine,
District Attorney, etc.

Dear Sir:-

On the 3rd February inst., after the jury had retired in the case of William McGrath, indicted for burglary in the first degree, I was publicly accused in open Court by Detective James K. Price, a member of the Metropolitan Police force of this City, of having made a proposition to him to divide certain stolen money. This accusation I stamped at the time as an infamous falsehood. The accusation was repeated yesterday in open Court, and in addition thereto, Price charged me with being "a thief" and "a liar". I again indignantly repudiated the charge.

I now demand the fullest investigation into the matter. It cannot and shall not rest. If Price's charge be true, I should no longer be allowed to practise my profession; if it be untrue, he should not longer be permitted to remain on the police force of this City. There is no half-way measure. I desire full and complete vindication now. The slow and tedious process of a civil action for damages would avail me nothing.

The statement twice made was not under oath. I now enclose my testimony under oath, showing the absolute falsity of Detective Price's statement and ask that you take immediate

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FRANK J. KELLER,
COUNSELLOR AT LAW,
320 Broadway,
NEW YORK.

New York,188

(2)

steps in the matter.

In my daily professional intercourse with your office, I am sure I can add that I have never made a misrepresentation nor has my conduct for one instant been called in question.

I have practised in the civil and criminal Courts of this City for several years and this is the first time any one has dared to impeach my character.

Very respectfully yours,

(Dictated.)

Frank J. Keller

*p.s. I have forwarded a letter
similar in terms to Hon
Judge Cowing*

0026

The People

VS

Wm W. Gault

0027

Police Court District.

City and County
of New York, ss.:of No. 107 West 21st Street, aged 56 years,
occupation Merchantdeposes and says, that the premises No. 107 West 21st Street, being duly sworn,
in the City and County aforesaid, the said being a Dwelling where
deponent resides with his family
and which was occupied by deponent as a Dwellingand in which, there was at the time a human being, by name James
Corrington and wife and otherswere **BURGLARIOUSLY** entered by means of forcibly prying or
opening the lock or fastening on the outer
door leading from the street into said
premises with intent to commit a larceny thereinon the 20th day of June 1886 in the Night time, and the
following property feloniously taken, stolen, and carried away, viz:One gold watch, One Spring overcoat
One silk Umbrella, One pair of Kid gloves
A pocket book containing twelve dollars
Collectively of the value of One hundred
And forty six dollars & fifty centsthe property of deponentand deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away byWilliam McGrath now present, and
John Kehoe now in State Prison acting in collusion,
for the reasons following, to wit:That the door above referred
to was locked and secured about 12
O'clock in on said night and on the morning
succeeding said night about 5 O'clock A.M.
deponent discovered that said door was
open. That the property in question was in
deponent's bed room at the time deponent
retired for the night, which was about half past

0028

Twelve M, And about 5 O'clock A.M.
 When Deponent Awoke and dressed,
 he discovered that the aforementioned property
 had been stolen and carried away. That
 Deponent is now informed by one Elizabeth
 Deore that on the 22nd day of June 1886
 the coat in question was sent by ~~the~~
 defendant to the Residence of said Elizabeth
 with instructions to pawn the same, which
 she did, and informed Deponent where it was
 pawned. That Deponent has since seen the
 coat and identified it as his property. Deponent
 further says that he is informed by Officer
 James R. Price that upon information
 received by him from said Elizabeth that a
 pair of Kid gloves was in a bureau drawer
 in the room occupied by the defendant, and
 that upon said Officer searching the room
 indicated by his informant he found the gloves
 which Deponent identifies as his property and
 taken from Deponent's room on said night, and
 the Officer further says that said Elizabeth
 told him that she heard the defendant describe
 the manner by which he ^{and from her} entered Deponent's premises
 on said night. Deponent therefore charges the
 defendant with the commission of the felony

Deponent to before me this
 12th day of June 1886
 John W. Brown District Justice

Police Court	District.
THE PEOPLE, & c.,	
ON THE COMPLAINT OF	
vs.	
Burglary	Degree.
Dated	188
Magistrate.	
Officer.	
Clerk.	
Witnesses:	
Committed in default of \$	Bail.
Bailed by	No.
	Signed.

John W. Brown

0029

CITY AND COUNTY
OF NEW YORK, } ss.

aged 34 years, occupation Married of No.

240 East 47th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

day of January 188

Henry W. W. W.

Police Justice.

Elizabeth Deroe

0030

CITY AND COUNTY
OF NEW YORK, } ss.

aged

39

years, occupation

James R. Price
Police Officer

of No.

the 19th Precinct

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Joseph A. Blakome

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

Sworn to before me, this

10th

day of

January

188

James R. Price

William M. Munday

Police Justice.

0031

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer.

William McGrath

Question. How old are you?

Answer.

33 Years

Question. Where were you born?

Answer,

England

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

Answer.

479 3rd Avenue

Question. What is your business or profession?

Answer,

Carroasser

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

Answer.

I am not guilty of the charge
W. McGrath

Taken before me this

day of *February* 1938

Robert Justice.

0032

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

William McGrath

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 January 12 1887 Wm. T. ... Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0033

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Joseph A. Clume

107 West 21

William McGath

2

3

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Dated

January 12th

188

J. Murray

Magistrate.

James K. Price

Officer.

Off. E. W. H.

Precinct.

Witnesses

Elizabeth Berne

No.

240

Street.

and said officer

No.

Mary McLeath

Street.

200 E. 49

Off. Buff. 23

Street.

\$ 10.00

to answer

24 Jan 12th

(Cdm)

0034

Court of General Sessions.

The People &c
- agst -
William Mc Grath }

Sir:-

Please take notice that the Defendant will move this Court in Part 2 thereof on Wednesday the 19th of January 1887 at 11 A.M. or ^{so} soon thereafter as Counsel can be heard, for an order on John Harriot the Property Clerk, at Police Headquarters at 300 Mulberry Street in the City of New York, to deliver over to him or his Counsel Frank J. Keller, the sum of \$165⁰⁰ money illegally taken from him said Defendant at the time of his arrest, and which money Defendant has demanded back, but has been refused, and will then and there produce the annexed affidavit in support of said motion.

Dated, New York January 13th 1887.

To Hon. R. B. Martine.

Dist. Ct. &c

Frank J. Keller
Atty for Deft
320 Broadway.

0035

Court of General Sessions- City and County of New York

The People, etc.,

agst

William McGrath.

City and County of New York, ss:- William McGrath, being duly sworn, says:- I am the defendant herein and have been arrested on a charge of burglary which burglary is alleged to have been committed in the month of ~~January~~ ^{June} 1886 and certain wearing apparel taken from the house at the time of ~~the~~ ^{the} alleged burglary. That I am innocent of the said charge and at the time of my said arrest there was taken from my room the sum of \$165 by Detective Price, who arrested me, and which money is now in the hands of John Harriot, property clerk of the City of New York at Police Headquarters, 300 Mulberry Street, in said City.

That I have demanded the said sum which is my individual property and has nothing to do whatever either directly or indirectly as the proceeds of any alleged crime committed by me but which said sum of \$165 the said property clerk refuses to deliver to my counsel, Frank J. Keller, under power of attorney given him by me as I am informed by my said counsel and verily believe. That I furthermore verily believe that the said money was so taken from me to dep for the sole purpose of depriving me of the opportunity of retaining counsel to defend me at my trial and without which money I shall be unable to retain the services of counsel.

Sworn to before me this

18th day of January 1887.

J. M. Sullivan

John Harriot

Wm. McGrath

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

The People v

ago

William McGrath

Copy

Notice of Motion.

Frank J. Keller
Atty for Deft
320 Broadway
N.Y. City

0036

0037

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

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

William McTygath
of the CRIME OF BURGLARY IN THE ~~second~~ DEGREE, committed as follows:

The said *William McTygath*,

late of the ~~Seventeenth~~ Ward of the City of New York, in the County of New York
aforesaid, on the ~~th~~ day of ~~July~~, in the year
of our Lord one thousand eight hundred and eighty-~~nine~~, with force and arms, about the
hour of ~~five~~ o'clock in the ~~day~~ time of the same day, at the Ward,
City and County aforesaid, the dwelling house of one

Sindor Fyrmuold
there situate, feloniously and burglariously did break into and enter, there being then and there some
human being, to wit:

The said Sindor Fyrmuold
within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels
and personal property of the said *Sindor Fyrmuold*.

in the said dwelling house then and there being, then and there feloniously and burglariously to steal,
take and carry away;

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

0038

SECOND COUNT—

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

— William Mc Grath —
of the CRIME OF GRAND LARCENY IN THE *first* DEGREE, committed as follows :

The said *William Mc Grath,*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the Ward, City and County aforesaid, in the *day* time of the said day, with force and arms,
eight promissory notes for the payment of money, being then and there due and un-
satisfied (and of the kind known as United States Treasury Notes), of the denomination of *twenty* ~~one~~
hundred dollars, and of the value of *one hundred* dollars each ; *one* promissory note — 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 *fifty* dollars, and of the value of *fifty* dollars ;
one promissory note 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 ; *one* promissory note 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 ; *eight*
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 hundred dollars each ; *one* promissory note 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
as bank notes), being then and there due and unsatisfied, of the value of *ten* dollars ;
one promissory note 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 ; divers coins,
of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *seven*
dollars, one coat of the value of *fifteen* dollars,
one vest of the value of *four* dollars, one pair of
trousers of the value of *eight* dollars, and
two watches of the value of *twenty* dollars
each.

of the goods, chattels and personal property of one

Isidor Grunwald.

in the dwelling house of the said

Isidor Grunwald,

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

Charles J. Smethie

District Attorney.

0039

Counsel, *[Signature]*
Filed *[Signature]* 1887

Pleads, *Indulgent*

Isurglay in the Degree
Sections 417, 506, 528 & 530

THE PEOPLE

vs.

William Mc Grath

(2 cases)

RANDOLPH B. MARTINE,

2nd July 11/87 District Attorney.

*Filed & Concluded 16.
Aug 2nd 87*

A True Bill.

Chas. B. Roberts

Foreman

to commence to

S.P. 10 years

Witnesses:

Edward J. [Signature]

Charles [Signature]

79 8 3

0040

District Attorney's Office.

Part ~~One~~ Two

PEOPLE

vs.

Wm. McGuath

Feby 11th

as entered

see List

Feby 9

Council

- P-44 -

0041

District Attorney's Office.

Ex rel ^{PEOPLE} *Edwin Grumwald*
vs.

Wm. M. Guth

Burglary

Put this case on
for trial in Part 1
on 11th inst.

I want you to have
this case tried to the
end that ownership
of money in property
clerk's hands may
be determined

Feb 8/87

A.B.M.

To Mr. Parker

0042

District Attorney's Office.

PEOPLE

vs.

Wm. M. Gatto

Burglary

Let this case
be tried in Part
2 - instead of
Part 1 - RB/M
Feb 9/87

0043

Court of General Sessions of the Peace.

~~Of~~ the City and County of New York.

The People of the State of New York

against

William Mc Grath.

THE GRAND JURY of the City and County of New York,
by this Indictment, accuse William Mc Grath of the crime
of Burglary in the first degree, as a second offense com-
mitted as follows:

Heretofore, to wit: At a Court of General Sessions
of the Peace, holden in and for the City and County of
New York, at the City Hall, in said City, on the 24th day
of March in the year of our Lord one thousand eight
hundred and seventy-nine, before the Hon. Rufus B. Cowing,
City Judge, of the said City of New York, Justice of the
said Court, the said William Mc Grath by the name and
description of William J. Preston, was in due form of law
convicted of a felony, to wit, burglary in the third de-
gree upon a certain indictment then and there in said
Court depending against him, the said William Mc Grath,
by the name and description of William J. Preston, as
aforesaid, and one Charles Brown, for that they the said
William J. Preston and Charles Brown ^{then said to be} of the 21st Ward of
the City of New York, in the County of New York afore-
said, on the thirteenth day of March in the year of our
Lord one thousand eight hundred and seventy-nine, with

force and arms at the ward, City and County aforesaid, about the hour of one o'clock in the day time, the dwelling house of one Joseph F. Arnold, ~~there~~ situate, feloniously and burglariously did break into and enter by means of forcibly breaking open the outer door of said dwelling house whilst there was then and there ~~some~~ human being, to wit: one Joseph F. Arnold within the said dwelling-house, they, the said William J. Preston and Charles Brown, then and there intending to ~~do~~ ^{commit} some crime ~~therein~~ ^{to wit:} the goods, chattels and personal property of Joseph F. Arnold in said dwelling-house then and there being, then and there feloniously and burglariously steal, take and carry away.

And thereupon, upon the conviction aforesaid, it was considered by the said Court of General Sessions of the Peace and ordered and adjudged that the said William Mc Grath by the name and description of William J. Preston as aforesaid, for the felony and burglary in the third degree aforesaid, whereof he was so convicted as aforesaid, be imprisoned in the State prison for the term of four years as by the record thereof will more fully and at large appear.

And the said William Mc Grath, late of the Sixteenth ward of the City of New York, in the County of New York aforesaid, having ~~been~~ ^{been} so as aforesaid convicted of the felony and burglary aforesaid, afterwards, to wit, on the 20th day of June in the year of our Lord one thousand eight hundred and eighty six, at the ward, City and

County aforesaid, in the night time of the same day, with force and arms, the dwelling house of one Joseph A. Bluxome, their situate, feloniously and burglariously did break into and enter, there being then and there within the said dwelling-house some human being, to wit, one James Darrington, with intent to ~~commit some crime therein~~ ^{commit some crime therein} ~~therein~~, to wit, with intent the goods, chattels and personal property of the said Joseph A. Bluxome in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away (he the said William Mc Grath being then and there assisted by a confederate actually present, ~~which was~~ ^{one John Kehoe}, and being then and there also armed with a dangerous weapon, to wit, with a certain slung-shot) 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 William Mc Grath of the crime of Grand Larceny in the first degree as a second offense, committed as follows:

The said William Mc Grath, late of the ward, City and County aforesaid, having been so as aforesaid, convicted of the felony of burglarly in the third degree, as in the first count of this indictment set forth, afterwards, to wit, on the said twentieth day of June

0046

4

in the year of our Lord one thousand eight hundred and eighty-six, at the ward, City and County aforesaid, in the night time of the same day, with force and arms, one watch of the value of One hundred dollars, one overcoat of the value of forty dollars, one umbrella of the value of five dollars, one pair of gloves of the value of two dollars, one pocket book of the value of ten cents and the sum of twelve dollars in money, lawful money of the United States, of the value of twelve dollars, of the goods, chattels and personal property of one Joseph A. Bluxome, in the dwelling house of the said Joseph A. Bluxome, there situate, then and there being found, ~~from~~ ^{from} the dwelling house aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided and against the Peace of the People of the State of New York and their dignity.

THIRD COUNT.

AND THE GRAND JURY AFORESAID, by this Indictment, further accuse the said William Mc Grath of the crime of receiving stolen goods, as a second offense, committed as follows:

The said William Mc Grath, late of the ward, City and County aforesaid, having been so as aforesaid convicted of the felony and burglary in the third degree as in the first count of this indictment set forth afterwards, to wit, on the said twentieth day of

June in the year of our Lord one thousand eight hundred and eighty-six, at the ward, City and County aforesaid, with force and arms, one watch of the value of one hundred dollars, one overcoat of the value of forty dollars, one umbrella of the value of five dollars, one pair of gloves of the value of two dollars, one pocket book of the value of ten cents, and the sum of Twelve dollars in money, lawful money of the United States, and of the value of twelve dollars of the goods, chattels and personal property of one Joseph A. Bluxome, by one John Kehoe, and by certain other persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said Joseph A. Bluxome, then and there feloniously did receive and have, he, the said William Mc Grath, then and there well knowing the said goods, chattels and personal property to have been feloniously taken stolen and carried away as aforesaid, 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.

RANDOLPH B. MARTINE,

District Attorney.

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BOX:

246

FOLDER:

2387

DESCRIPTION:

Meyer, William

DATE:

01/07/87



2387

Witnesses:

Walter J. Gleason
W. C. Thelander
Geo. McKesson

#66

Chas. D. Meyer.

Counsel, Chas. D. Meyer.

Filed, 7 day of January 1887

Pleads, Indictment

THE PEOPLE

vs.

William Meyer

I v. Mel. H. G.

Bail forfeited and

Grand Larceny, 2nd degree
[Sections 628, 681 and 34, Penal Code].

Attorney

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Chas. B. DeLoach

July 24, 1887

Foreman.

James H. DeLoach

W. C. Thelander
Geo. McKesson

0050

Police Court— District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Walter H. Benson
of No. 239 West 21st Street, aged 34 years,
occupation Clerk being duly sworn

deposes and says, that on the 25 day of December 188 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 thousand cigars, known & described as "Sunday-Caucher-Special" & valued in the sum of money - four dollars \$4.00

the property of the firm of Port & Tilford in charge of deponent, said firm consisting of Joseph Port, John M. Tilford & Charles Port, (Captains) and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by William Meyer (now here) from the following facts to wit: - That at the time men-

tioned deponent received from Joseph McKean, a book purporting to be an order book used by said firm, & purporting to contain an order for the above described property. That said McKean at said time represented to deponent that he "McKean, had been sent by one "Sammy," an employee stationed at a branch store of said firm at number 791 Fifth Avenue in said City

Sworn to before me, this

188

day

Police Justice

And that he McKlem had been
 directed by said "Lammy" to
 obtain & deliver said cigars to
 him "Lammy" at said branch
 store. That Depoent ~~that~~ believ-
 ing the statements of said McKlem
 & perceiving that said order book
 was not genuine, delivered
 to said McKlem a number of empty
 boxes represented to said McKlem
 that said boxes contained said cigars.
 That one Thomas Corey is the
 person known as "Lammy", is em-
 -ployed in said branch ^{store}, & authoriz-
 -ed to order cigars for said firm.
 That Depoent is informed by
 said Corey that he Corey
 at no time authorized said McKlem to
 obtain & deliver said cigars as describ-
 -ed. That Depoent is further informed by
 said Joseph McKlem that he McKlem
 received said book from & was
 ordered by defendant to obtain & deliver as de-
 -scribed, said cigars, & that defendant
 represented himself to him (McKlem) as said
 Thomas Corey, or "Lammy". That Depoent is
 further informed by said McKlem, that he (McKlem)
 delivered said boxes into the possession of
 defendant. That Depoent is further informed
 by William C. Phelan that he (Phelan) at said time
 saw defendant take said boxes into his (defendant's)
 possession. That defendant is not
 was not at said time authorized to take said
 property into his possession, nor to
 order nor receive any kind of
 said cigars.

Walter H. Pierson.

Sworn to before me
 this 26th day of December 1886
 Solon O. Smith
 Notary Public

0052

Police Court, 7 District.

City and County of New York, ss.

of No. 336 East 34th Street, aged 14 years,

occupation Errand boy being duly sworn, deposes and says,

that on the 25 day of December 1888 (at the City of New York, in the County of New York, William Meyer (now

here) gave to deponent a book purporting to be an order book belonging to the firm of Ponk & Tilford, grocers at number 791 Fifth Avenue in said City, & directed deponent to present said book to one Walter Pierson of the branch store of said firm at number 917 Broadway in said City, & to inform said Pierson that he (W. Meyer) had been sent by Thomas F. Long, an employee of said firm, to obtain & deliver to said Carey the cigars called for by said order book.

That at said time said Meyer gave deponent to understand that he (Meyer) was the person known as Thomas Carey, and knew that deponent so believed. That deponent presented said book to said Pierson as directed & received from said Pierson a package which he (deponent) believed at the time contained the aforesaid cigars. That deponent delivered said package to said Meyer who immediately returned the said to deponent & went away. That said Thomas Carey was described to deponent as "gammy" by said Meyer. J. Alfred McKelvey

Subscribed and sworn to before me this 26th day of December 1888

John J. Smith

0053

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas F. Carey
aged 20 years, occupation Clerk of No. 339 East 119th Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Milton H. Pieren
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of

188

26 December 1888 Thomas F. Carey

Solomon B. Sturges
Police Justice.

0054

CITY AND COUNTY }
OF NEW YORK, } ss.

William C. Phelan
aged 29 years, occupation Collector of No.
1618 Broadway Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Walter P. Pien
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 26
day of December 1887 } M. C. Phelan

Solomon B. Stine
Police Justice.

0055

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss

X District Police Court.

William Meyer 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 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 h is waiver cannot be used
against him on the trial.

Question. What is your name?

Answer.

William Meyer

Question. How old are you?

Answer.

28 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

314 East 58 Street. 2 years

Question. What is your business or profession?

Answer.

Student

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.

Was guilty. I waive
examination Wm Meyer

Taken before me this

27th day of October 1895

Wm Meyer
Police Justice.

0056

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

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

Dated Dec. 26 188 Alon B. Smith Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0057

Police Court

1931 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Walter H. Benson
239 W 21
William Meyer

2

3

4

Offence Attempted
Larceny

BAILED,

No. 1, by

John George Gries

Residence

1452 Third Avenue Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

Dec. 26

188

Smith

Magistrate.

Chapman

Officer.

25

Precinct.

Witnesses

No. 339 E

William

No. 1618

No. 336 E

\$ 1500

to answer

G. J.

Com

0058

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

William Meyer

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

William Meyer
attempt to commit
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said *William Meyer*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
Twenty-fifth day of *December*, in the year of our Lord
one thousand eight hundred and eighty-*six* — , at the City and County aforesaid,
with force and arms,

one thousand cigars of the
value of ten cents each,

of the goods, chattels and personal property of one

Joseph Carda,

attempt to
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.

Richard B. Smith

District Attorney.

0059

BOX:

246

FOLDER:

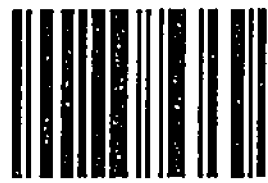
2387

DESCRIPTION:

Meyers, John

DATE:

01/06/87



2387

0060

BOX:

246

FOLDER:

2387

DESCRIPTION:

Hertz, Henry

DATE:

01/06/87



2387

0061

BOX:

246

FOLDER:

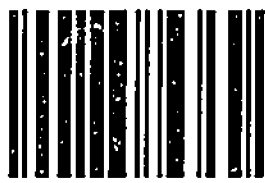
2387

DESCRIPTION:

Hartrodt, August

DATE:

01/06/87



2387

0062

Veray

Witnesses:

Wm J Delaney
James Giffen
Jas Ch Lunkin
Good

Ch. 149
J. F. Redinger
J. W. Klenz

Counsel, J. C. [unclear]
Filed, [unclear] 1887
Pleads, [unclear]

THE PEOPLE

vs.

John Meyers
Henry Mertz
August Harbott
No 3 tried & convicted

RANDOLPH B. MARTINE,

Clary 24/77 District Attorney.

Ch. 1. Feb 24
Specie & [unclear]

A True Bill. S. P. 5. 2 per.

1887 Foreman.
[unclear]
[unclear]
[unclear]

Grand Larceny, [unclear] degree
Sections 528, 588
Penal Code
24 8 [unclear]

0063

STENOGRAPHERS' MINUTES.

County General Session - P. 2

The People vs
against
August Hartst, Indicted for
Grand Larceny - 2 degree -

BEFORE

Hon. Frederick Smyth

Recorder and Jury

Tuesday, March 28th 1887

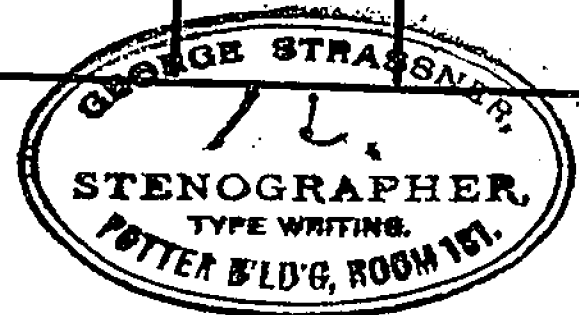
WITNESSES.

DIRECT.

CROSS.

RE-DIRECT.

RE-CROSS.



0064

1

Court of General Sessions, Part 2.

THE PEOPLE &c.

-vs-

August Hartrott, Indicted for
Grand Larceny, in the
Second Degree.

Before Hon. Frederick Smyth,
Recorder, and a Jury.

Tried Tuesday March 8th, 1887

A P P E A R A N C E S.

Assistant District Attorney, Purdy, for the People;
Mr. Berlingey, for the defence.

1000

Officer THOMAS GRIFFIN, of the 17th Precinct, being
duly sworn, testifies that on the 23rd of December, about
half past 3 o'clock in the morning he was patrolling Clinton
Street, from Division to Front Street. He saw the defendant.
Officer Kelly and he, the witness, were standing at the
corner of Clinton and Madison Streets, and they noticed some
parties at the corner of Henry and Clinton Streets acting
suspiciously and they finally started up East Broadway and

0065

2

there they went up Henry Street , and then the three went up Henry street and then the three crossed the street on the opposite side. We crossed over on the same side and finally the parties, the defendant and two other men, walked right towards the witness and officer Kelly, and then he, the witness, and officer Kelly jumped into a basement so they could not be seen and then the three men came and stood right in front of the basement and looked all around, and when they saw nobody there, they, the defendant and two other men, started back again, and then the witness looked up the street and saw two of them rolling the ^{barrel of} whisky down ^{the street}, and Hartrott, the prisoner, was standing there in advance of the other two men, about 15 feet away. He, the witness, and officer Kelly stood at the corner watching them and as Hartrott got opposite Henry Street, he whistled and then he, the witness, and officer Kelly started after them and they arrested Hartrott, the prisoner. The whisky barrels were standing in front of Thomas Shields's liquor store. The whisky was returned to Thomas Shields.

NO CROSS EXAMINATION.

0066

3

JOHN B. KELLY, an officer, attached to the 7th Precinct being duly sworn, testified, that he was with with officer Griffins on the night in question, and he corroborated officer Griffin's testimony.

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WILLIAM J. DELANEY, called as a witness for the People, being duly sworn testified, that he was in the liquor business, and that he worked for Thomas Shields, at 290 East Broadway. On or about the 20th of December, some whisky was left in barrels, in front of the store, about 44 gallons in all; it was worth about 3 dollars a gallon. He, the witness, saw the whisky standing in barrels, in front of the store on the night of the 21st of December, and also on the 23rd of December, and finally I identified the barrels of whisky in the station house, the next morning.

-----000-----

Under cross examination, he testified, that he did not open the barrel, before he opened it in the station house and that it was then whisky.

-----000-----

0067

4

AUGUST HARTROTT, the defendant, being duly sworn, testified that he lived at No. 36 Hester Street, was a married man and had a family. He was on his way to Brooklyn, on the morning of the 23rd. of December to get some posts to hang washlines on. He was a carpenter by trade and worked at his trade for ten years. He started about 4 o'clock on the morning in question to go to a lumber yard in Brooklyn, to get these posts. When he got to the corner of Clinton and Henry Streets, he saw two men and they asked him what time it was. He said 4 o'clock, and then he, the witness, heard a noise behind him and saw two policemen; he then walked down Clinton Street and the policeman came after him and said, "Come to the station-house, we want to see you up there." The policemen asked the witness whether he knew the other fellows, and he said he never saw them in his life. He, the witness, did not intend to steal the whiskey and knew nothing about it, and was never before arrested in his life.

-----000-----

Under cross examination he testified that the two men asked him what time it was and where they could get a cup of coffee. He told them they could get it in Grand

0058

5

Street near Norfolk. He, the witness, could not exactly say what time it was, but the milkman woke him up and he comes about 4 o'clock every morning. He, the witness, was housekeeper over three houses for a Mr. Kuhn in Essex St., and he went to get the posts for Mr. Kuhn's house, and he started out early in the morning because he wanted to get back to his work at 7 o'clock. He did whistle and talk when passing through Clinton Street, but he always did that when alone. He, the witness, was not arrested for attempting to steal a soda water fountain, but was arrested for fighting about ten years ago. He was going to a saw mill in Brooklyn in Waer Street, to get posts for on the wash roof of Mr. Kuhn's house who keeps a butcher shop there.

-----000-----

0069

Filed Jan 6/27
Court of General Sessions

The People vs
against
August Hartnett

STENOGRAPHERS' TRANSCRIPT.

March 8th 18

0070

To Whom it may Concern,
Mr August Hardrop has been
in our employ for ten years, on
and off and always has been a steady,
Honest and industrious man,

W. Frankenberg
Boss Carpenter

0071

PART III.

THE COURT ROOM IS IN THE THIRD STORY.

If this Subpoena is disobeyed, an attachment will immediately issue.

Bring this Subpoena with you, and give it to the Officer at the Court Room

Door that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To *Off Kelly*
of No. _____ Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the County Court House, in the Park of the said City, on the day of *June* instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf against

H. Wertz
in a case of Felony, whereof *he* stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of *June*, in the year of our Lord 1887.

RANDOLPH B. MARTINE, District Attorney

0072

New York,.....188

M

Bought of JOHN NEELY,

WHOLESALE AND RETAIL

DEALER IN LUMBER,

22 & 24 MANGIN STREET.

N.Y. March 10 1881
This is to certify
that August
Heard has paid
for all the lumber
each time he paid
at from me
John Neely

0073

The People
vs.
John Meyers.

Court of General Sessions, Part I.
Before Judge Cowing.

January 24, 1887.

Jointly indicted with Henry Hertz and August Hart-
rodt for grand larceny in the second degree.

William J. Delaney sworn. I am in the liquor
business at 219 East Broadway corner of Clinton Street,
on the 23rd of December I had about thirty-six barrels of
whiskey outside the door ready to be put in the cellar, at
night time when I went home the whiskey was all there and
when I came back in the morning the bar-tender reported
that a barrel had been stolen, it was valued about \$125
and was in my charge, I saw it on the morning of the 23rd
of December in the Station House, I am sure that it was in
front of my premises.

Cross Examined: The whiskey belonged to my boss
Mr. Shields; neither of the bar-keepers or Mr. Shields is
in court; the barrel that I saw in the Station House is in
the cellar now, I had an expressman take it from the Sta-
tion House and it was put back in the sub-cellar, I know
that it was whiskey was in this barrel that was stolen be-
cause I tried it at the store, I ordered one of the men to
get a bung starter; previous to that I was told about the
men being there and the Judge sent me down to the Station
House to see if I could identify the barrel and I identi-
fied the barrel with the government stamp on it, I examin-
ed it very carefully to see whether it was whiskey or
not.

0074

Thomas Griffin sworn. I am an officer of the 7th precinct and was on duty on Clinton Street between three and four o'clock in the morning of the 23rd of December, I saw the prisoners Meyers, Hurtz and Hartrodt, Officer Kelly and I were standing on the corner of Madison and Clinton Streets, I noticed the prisoners on the next corner and called Kelly's attention to it, they started towards East Broadway and crossed the street where the whiskey was; there is an electric light right on that corner and you can see every move; they started to go back toward Henry Street and Kelly and I got into the basement, they came down to the corner and looked all around and saw nobody and they went back again and took a barrel of whiskey. When they got on the corner he was about ten or fifteen feet in advance, Meyers and Hurtz rolled it and Hartrodt began to cough and whistle as a signal, he started down at a quicker pace down Clinton Street and Kelly and I arrested the other two, Hartrodt was arrested afterwards at the corner of Cherry Street, this barrel of whiskey was brought to the Station House and identified by the previous witness as having been taken from the front of Sheild's place.

Cross Examined. This was at half past three in the morning, I was on the corner of Madison Street where I first saw the prisoners and when I went up to Henry Street they were at East Broadway, the basement we went into is on the northwest corner of Clinton and Henry Streets, it was very dark but there was a light in front of it, they were between us and the gas lamp in front of the basement.

0075

John Meyers sworn and examined in his own behalf, testified: I am fifty-six years old, I have never been arrested charged with crime before, I have lived in the city twenty-two years, I am a married man and my wife is going on crutches, she is with her people and I am living in the Bowery, I am a laborer. On the night in question I was from eight o'clock in Columbia Street working for Mrs. Reese, they were moving to Albany, I staid there fifteen minutes before three o'clock and then I must go to Brooklyn in Hudson Avenue to see John Simpson, I was going to Washington Market to buy some Christmas trees, I had \$20.75 when I was arrested, I walked down Columbia Street to East Broadway and saw three or four men and asked them ~~the three men~~ ~~Catherine Meyer and the two officers~~ came up and arrested me. I never saw Hertz and Hartrodt before that night, I was not rolling a barrel of whiskey at that hour of the morning, I saw that they had it at the mud-gutter and saw some barrels standing on the sidewalk but I walked away.

Cross Examined. I swear positively I never touched the barrel of whiskey and did not help to roll it away that night.

John Kelly sworn and examined by Mr Bedford. I am an officer of the 7th precinct and on the morning of the 23rd of December I was with Officer Griffin corner of Clinton and Madison Streets when we saw the three men, we supposed they were about to steal something, I am positive that Meyers is one of the men that was there, I saw Hertz and Meyers roll the barrel of whiskey from East Broadway down to Henry Street.

The Jury rendered a verdict of guilty.

0077

Court of General Sessions, PART THREE.

THE PEOPLE

Henry Henry

For

INDICTMENT

Not known here

No. *132* Street. *Henry*

The indictment against the above-named defendant for whose appearance you are bound, has been placed upon the Calendar for *trial* at the Court of Criminal Sessions of the Peace, at the New Court House, in the Park of the said City, on *Thursday* the *9* day of *June* instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

RANDOLPH B. MARTINE,

District Attorney.

0078

VI

STATE OF NEW YORK.
Executive Chamber,
ALBANY,

Sir:

June 5, 1888.

Application for Executive clemency having been made on behalf of August Hartrodt who was convicted of Grand Larceny, 2d Deg....in the county of New Yorkand sentenced March 11, 1887, to imprisonment in the Sing Sing Prison,.....for the term of 2 years, 8 months,.....I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to Your knowledge since conviction?

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

I am,

very respectfully yours,

Hon. F. Smyth,
Recorder of the City of New York,
New York City.

William G. Rice,
Private Secretary.

0079

VI

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

Sir:

June 5, 1888.

Application for Executive clemency having been made on behalf of August Hartrodt..... who was convicted of Grand Larceny, 2d. Deg. in the county of New York..... and sentenced March 11, 1887, to imprisonment in the Sing Sing Prison..... for the term of two years, eight months..... I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

I am,

very respectfully yours,

Hon. John R. Fellows,
District Attorney of New York County,
New York City.

William J. Rice
Private Secretary.

0000

covered
July 14th 1988
J. R. H.

0081

Police Court

District.

Affidavit—Larceny.

City and County
of New York, ss.

of No.

occupation

deposes and says, that on the

day of

William J. Delaney
219 East Broadway Street, aged 32 years,
being duly sworn
28 December 188
at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the night time, the following property viz:

A barrel of Whiskey (say
about forty four gallons
of the value of about the
sum of twenty five dollars)

the property of

being at the time in the care
and charge of deponent

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

John Meyers & Henry Heitz
August Hartrock acting in
collusion and all now present

that the property in question was
on Clinton Street in front of premises
199 which is a liquor store. And
was left there preparatory to putting
the same in the cellar of said house

That deponent is informed by Officer
Giffin & Kelly of the 7th Precinct that
about half past three o'clock A.M. on said
night they saw the two first named def-
endants rolling the barrel along Clinton
Street and saw the third named defendant
walking in advance of the other two acting

0082

As a lookout, to warn the others
of the approach of an officer
That deponent is further informed
by Officer Griffin that he heard the
third named defendant whistle as a
warning signal, when said Griffin
came in view and that he Griffin
then approached and found the
aforesaid property in the possession of
the two first named defendants while
the third was a short distance from
them all of which deponent believes
to be true. Deponent has since
seen the property as found in the
possession of said defendants and
identifies it as having been stolen
and carried away from in front of
said premises and therefore charges
the defendants with the commission
of the felony

Sworn to before me this 2
24 day of Decr 1886
J. H. Murphy }
Police Officer }

W. J. Delaney

0083

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 44 years, occupation Police Officer of No. the 7th Precinct Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of William J. Delaney

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

Sworn to before me, this 24

day of December 1888

Thomas Griffin

J. J. Bennett
Police Justice.

0084

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss

3 District Police Court.

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

Question What is your name?

Answer

Question. How old are you?

Answer

Question. Where were you born?

Answer.

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

Answer.

Question What is your business or profession?

Answer.

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

Answer

*I am not guilty of the
charge*
John Meyers

Taken before me this

day of December 1888

Police Justice.

0085

Sec. 198-200,

3

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty of the charge

Henry Heitz

Taken before me this

day of December 188

Police Justice.

0086

Sec. 198-200.

34

District Police Court.

CITY AND COUNTY { ss
OF NEW YORK,

August Hartrodt 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. *August Hartrodt*

Question. How old are you?

Answer. *44 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *36 Hunter street lower north*

Question. What is your business or profession?

Answer. *Baker*

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

Answer. *I am not guilty*

A Hartrodt

Taken before me this

day of

Sept

1886

1886

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Police Justice.

0087

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 John Meyers
Harry Keitz and August Hartrock
guilty thereof, I order that they be held to answer the same and they be admitted to bail in the sum of Five 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 Dec 24 1886 J. Thompson Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0000

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by George Gratia

Residence 300 Henry Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Delaney

John Meyers

Henry Veitz

August Kretschmer

Dated December 24 1888

Ford Magistrate.

Thomas Griffin Officer.

John Kelly Precinct.

Witnesses John Kelly Officers

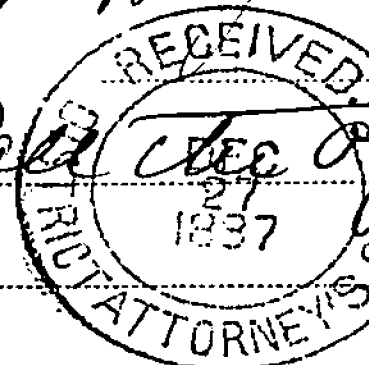
No. _____ Street.

No. _____ Street.

No. _____ Street.

500 Exchange to answer

Corbin



0089

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 Meigs, Henry
Stearns and August Waterhouse

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

John Meigs, Henry Stearns
and August Waterhouse —
of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed
as follows :

The said

John Meigs, Henry Stearns
and August Waterhouse, all —

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
Twenty third day of December, in the year of our Lord
one thousand eight hundred and eighty-six — , at the City and County aforesaid,
with force and arms,

forty four gallons of whiskey
of the value of three dollars
each gallon,

of the goods, chattels and personal property of one

William J. D. Daney.

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.

Richard B. Smith
District Attorney.

0090

BOX:

246

FOLDER:

2387

DESCRIPTION:

Miller, Annie

DATE:

01/04/87



2387

Witnesses:

Frank L. Lynam
John King

#4

Robert B. Martin

Counsel,

Filed, *4th day of May* 1887.

Pleads,

Not guilty

THE PEOPLE

vs.

R

Annie Miller

Grand Larceny, 2nd degree
(FROM THE PERSON)
[Sections 528, 529, 530, Penal Code]

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Robert B. Martin

Very truly

Foreman.

Spencer & Associates

Printed by

Pen Company

0092

Police Court—

District.

Affidavit—Larceny.

City and County } ss.:
of New York,of No. White Plains Wy Street, aged 30 years,
occupation Housekeeper being duly sworndeposes and says, that on the 22 day of December 1886 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession andPerson of deponent, in the day time, the following property viz:

a purse containing gold and
lawful money of the United States
to the amount and value of five + $\frac{76}{100}$
dollars and some papers all of the value
of Six + $\frac{25}{100}$ dollars

(\$ 6, 25)

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 Annie Miller (now here)

from the fact that deponent was in the
store of Simpson. Crawford and Simpson
at No 311 Sixth Avenue at about the
hour of 4 O'clock PM said date deponent
was standing in front of a counter and the
defendant was standing next to deponent in
front of said counter. Deponent had said
purse in her satchel and held the satchel
in her left hand next to the defendant. And
after standing at said counter for about
5 minutes deponent opened her satchel
for the purpose of getting her purse and
discovered that it was missing. And from
the fact that no person other than the

Sworn to before me, this
day
188

Police Justice.

Said defendant was near defendant from the time that defendant saw her purse last until she missed it. Defendant called the arrest of the said defendant. And defendant is informed by John Kirzinger detective officer of the 29th Precinct Police that when he the officer searched the defendant he found concealed in her muff the aforesaid purse which defendant fully identifies as hers. Wherefore defendant charges the said defendant with feloniously taking stealing and carrying away said purse from the satchel then and there held in defendant left hand and prays she may be held and dealt with as the law directs.

Sworn to before me
this 23^d day of Decmbr 1866

Wm. W. W.

Police Justice

Police Justice.

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

Police Justice.

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

Dated _____ 188

Police Justice.

Dated _____ 188_____.
 of the City of New York, until he give such bail.
 Hundred Dollars _____ and be committed to the Warden and Keeper of the City Prison
 equally thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
 _____ Police Justice.

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

Police Court, _____ District.

THE PEOPLE, &c.,
on the complaint of _____

vs.

1. _____
2. _____
3. _____
4. _____

Offence—LARCENY.

Dated _____ 188 _____

Magistrate. _____

Officer. _____

Clerk. _____

Witnesses, _____

No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

\$ _____ to answer _____ Sessions. _____

0094

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 28 years, occupation Police Officer of No.

29th Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Augusta Weaver

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

Sworn to before me, this 23 day of Dec 1886

John Frazier
Police Justice.

0095

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY
OF NEW YORK,

Annie Miller

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.

Annie Miller

Question. How old are you?

Answer.

18 years old

Question. Where were you born?

Answer.

New York City

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

Answer.

185 7th St New York

Question. What is your business or profession?

Answer.

Strip tobacco

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

Annie Miller.

Taken before me this

day of Dec

1888

John J. McQuinn
Police Justice.

0096

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 _____

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

Dated *Dec 20* 188*6* *John Roman* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0097

Police Court

1926 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Augusta Weaver
White Plains N.Y.
Annie Miller

Offence Larceny
(felony)

2
3
4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Dec 23 1886

Gorman Magistrate.

Price and Kuzinger Officer.

19 Precinct.

Witnesses Sarah Lynn

No. 571 Street.

John Kuzinger

No. 29 Street.

No. Street.

\$ 1000 to answer

City

0098

The People
vs.
Annie Miller.

Court of General Sessions, Part I.
Before Judge Cowing.

January 6, 1887.

Indictment for grand larceny in the second degree.

Judge Bedford: By consent of Counsel, in the absence of the complainant I will read the complaint of Mrs. Weaver.

Augusta Weaver, White Plains, N. Y., aged thirty, occupation house-keeper, being duly sworn deposes and says, that on the 23rd day of December, 1886 at the city of New York in the county of New York, was feloniously taken, stolen and carried away from the possession and person of the deponent in the day time the following property, namely: a purse containing good and lawful money of the United States to the amount and value of \$5.76 and some papers, all of the value of \$6.25, the property of deponent; and that this deponent has probable cause to suspect and does suspect that the said property was feloniously taken, stolen and carried away by Annie Miller now here, from the fact that deponent was in the store of Simpson, Crawford & Simpson at 311 Sixth Avenue about 8 o'clock P. M. on said date, that the deponent was standing in front of a counter and the defendant Annie Miller was standing next to deponent in front of said counter, and deponent had said purse in her satchel and held the satchel in her left hand next to the defendant, and after standing at said counter for about eight minutes deponent opened the satchel for the purpose of getting her purse and discovered that it was gone and from the fact that no person other than said defendant was near deponent from the time that deponent saw her purse last until she missed

0099

1

it. Deponent caused the arrest of said defendant and deponent is informed by John ---

Counsel: I object.

Mr Bedford: It was her property valued at \$6.25.

Counsel: That is conceded.

John Kirsinger sworn. I am a police officer of the 19th precinct, I was not in Crawford, Simpson & Crawford's place about four o'clock on the afternoon of the 22nd of December, I searched the defendant at the Station House and found a pocket-book, belonging to Augusta Weaver concealed in her muff and Augusta Weaver who was there at the time identified it as her property. The defendant acknowledged having taken it and afterwards she told me she had six all together, she told me she took five others in Macy's and Hearn's.

Cross Examined. A special man employed by Simpson & Crawford brought the defendant to the Station House; Mrs. Weaver did not get her pocket-book back, it is at the property clerk's, the amount in it was \$5.76. The defendant told me the next morning and told Judge German that she found it on the counter. When I found the pocket-book in her muff she acknowledged that it was stolen, she acknowledged taking it, she did not say how she took it, I asked her whose pocket-book it was and she said, it is that lady's. Where did you get it, I asked? She said, I found it on the counter, Mrs. Weaver saw me take the pocket-book out of the defendant's muff; the lady said, that is my pocket-book, the defendant said, yes, that is hers.

Sarah L. Lyon sworn. I was not with Mrs. Weaver at Simpson & Crawford's, I was in the store and when I went to purchase my goods my satchel was unclaspd and my pocket-book was taken from it, I did not see Annie Miller steal a purse from the satchel of Mrs. Weaver, I don't know anything about this case, I never saw this girl in the store to my knowledge, I did not accuse this girl of stealing my property but the detective found my pocket-book in her satchel, I did not give her my pocket-book or permit her to take it, I went to the Station House but I made no complaint against the defendant, I lost my pocket-book the same afternoon between three and four o'clock, I have not got my pocket-book back yet, it was the same officer that was here just now who found it on the defendant.

The Case for the Defence.

Annie Miller sworn and examined. I am eighteen years old and live at 185 7th Street with my parents between Avenues B and C, I have never been arrested before for any crime and never stole anything in my life, I never took any lady's pocket-book at Simpson & Crawford's, I work in Straitton & Storms for two years and six months, stripping tobacco for the manufacture of cigars, I was not working the day of my arrest, I was laid off on Saturday night on account of the holidays till after New Years; if I had not got into this trouble I would have gone to work the Monday after New Years. On the day of my arrest I left my house at half past one in the afternoon and went to the piano teacher Mrs. Streaffer in 3rd Street, she lives 73 3rd Street between First and Second Avenues, I

0101

1

went there to take a lesson and was in the house until about three o'clock and from there I went up to buy the goods, I had fifty dollars in my pocket to pay the rest on a piano, my uncle sent me two hundred dollars for a piano as a present, he lives in Dover City, Ill., I got fifty dollars from my mother to pay the rest of the bill on the piano at Wheelock's on 14th Street, the piano had been in my home about six weeks, I took a Third Avenue car and went up to 30th Street and went to Simpson & Crawford's, I went into O'Neill's first and I could not suit myself there, my mother gave me two dollars and I had a couple of cents of my own, I was to buy a pair of mitts to go to a ball on the 23th of December and I bought them in O'Neill's and paid \$1.20, I went to Simpson & Crawford's to buy a pair of kid gloves and a silk handkerchief for the ball, I paid either .69 or .79 for the gloves and I bought a silk handkerchief for the handkerchief counter, and at the glove counter the lady Mrs. Weaver was first standing by me and then she walked over and I stood in the same place; even the sales lady says she seen her pocket-book lying on the counter; the lady said she missed her pocket-book, if I wanted to I could have walked out of the store; she said to the sales lady, somebody stole my pocket-book; just that minute I picked it up, I would have given it up only I was afraid she would accuse me of stealing it, I knew she would say I stole it from her; she told me that her satchel was closed and told the detective that too. At the time she made the complaint to the saleslady I had the pocket-book in my muff but at that time I did not know who it belonged to, I did not say anything, I

0102

kept quiet; at the time I picked it up I did not know who it belonged to, the lady was a perfect stranger to me; this was three or four days before Christmas on Wednesday and the store was crowded. I was arrested and taken down stairs first and from there to the Station House, they searched me and found a pocket-book in my muff. I put the pocket-book in my muff, I wanted to hide it because I did not want the lady to think I stole it from her.

Cross Examined. I understand the nature of an oath, that I am to tell the truth, the whole truth and nothing but the truth, I know I would be punished in the next world for telling lies. I picked the pocket-book up but did not intend to keep it, I was going to give it to one of the floormanagers when the lady said to the sales-lady that somebody stole her pocket-book, I had a pocket-book belonging to my mother and one belonging to my father, these pocket-books were in my satchel which I got for a Christmas present but not this year, I had a long one of my own and Mrs. Weaver's and Mrs. Lyon's, I picked up Mrs. Lyon's pocket-book at the handkerchief counter, it was so crowded I did not know who it belonged to, I had also a small pocket-book, I did not carry that satchel for about six months, it was hanging on the door, my mother takes care of two children, my father's pocket-book was on the table and one of the little children must have stuffed it in the satchel. I did not admit to the detective that I stole Mrs. Weaver's pocket-book and did not tell him that I had stolen the other pocket-books at Macy's and Hearn's. I did not go to Macy's and Hearn's that afternoon.

0103

Veronica Sadlo sworn. I am the step-mother of the defendant, she is employed as a tobacco stripper, she has never been arrested before and never stole anything, I gave her fifty dollars on this day to make a payment on a piano.

Moses Hoffman sworn. I keep a butcher shop in East 10th Street and know the girl and her parents about seven years, the family dealt with me and I saw this girl pretty near every day, she works in the cigar business and was always honest.

Philip Nexheimer sworn. I keep a shoe store at 69 Avenue A and know the defendant for ten or eleven years, her parents are respectable, honest people, I never heard anything against the girl's honesty and know she works in tobacco.

Gabriel Cooperal sworn. I am a saloon keeper and know the father of this girl, I don't know anything about her character.

William Sadlo sworn. I am the father of the defendant, and am a marble cutter, she is a tobacco stripper and has never been arrested before.

John Kirsinger recalled. When I searched the defendant I asked her where she got all the rest of the pocket-books and she told me that she stole them on 14th Street and Sixth Avenue in Macy's, Hearn's and in Simpson & Crawford's. I says to her, how did you do that,

0104

1

did you ever do this before? She said, one week ago I was in Macy's and saw a woman do it successfully and that is how I come to do it, I asked her whether she had ever been arrested before, I said you must have had experience. She said, no, I saw a woman do it in Macy's a week ago and caused her to be put out of the place; she told me in direct language that she had stolen those other pocket-books from Macy's and Hearn's. I took her down to Macy's the following morning to inquire if any pocket-books were gone and they told me there was four gone. Only two pocket-books were identified, there was about fifty people made inquiries and they were sent down to the central office.

The Jury rendered a verdict of guilty of petty larceny.

2
was still in present
Macy's

100
100
100

0105

Testimony in the case
of
Annie Miller

Filed Jan. 1887.

0106

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Annie Miller

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

Annie Miller

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

The said *Annie Miller*,

late of the City of New York, in the County of New York aforesaid, on the
~~Twenty second~~ day of *December*, in the year of our Lord
one thousand eight hundred and eighty-~~nine~~, at the City and County aforesaid, in the

~~day~~ time of the same day, with force and arms, *one purse*

of the value of one dollar, the

sum of five dollars and seventy

six cents in money, lawful

money of the United States and

of the value of five dollars and

seventy six cents, and ten pieces of

paper of the value of one cent each,

of the goods, chattels, and personal property of one *Augusta Weaver*,

on the person of the said *Augusta Weaver*, then and there being

found, from the person of the said *Augusta Weaver*, 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.

Handwritten signature of District Attorney

District Attorney.

0107

BOX:

246

FOLDER:

2387

DESCRIPTION:

Miller, Annie

DATE:

01/11/87



2387

0108

Witnesses:

Antaw Beer

.....
.....
.....

Counsel,

Filed *11* day of *Jan* 188*7*

Pleads *Not guilty*

THE PEOPLE

vs.

Amie Miller

11 Jan 1887

Grand Larceny in the
(MONEY)
(Sec. 538 and 539, Penal Code.)
degree.

Lucas Vandy

RANDOLPH B. MARTINE,

District Attorney.

Dr Guy 18/87
Heads PR

A True Bill.

Lee Enghel m.

to Comm. Luc. m.
Chadwick, Hobbs

Foreman.

Paul V. Guy, 1887

0109

3rd

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss.

of No.

923-3

Mustar Beer

3rd Avenue 38 years old. Clerk

being duly sworn, deposes and says, that on the

9th

day of

June

1886

at the

City of New York,

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

of deponent

And from his person in the night time

the following property, viz :

A pocket book containing
About Seventeen dollars
Careful Money

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

Amie Miller now here

That deponent met the defendant
in East 14th Street on the night in
question about 11 O'clock P.M. And
Went with her to a Saloon in 3rd Avenue
That while in a back room of the
Saloon the defendant put her arms
around deponent And after leaving
there deponent discovered the loss of his
property — That the defendant now admits
in Court that she did so take the pocketbook
from an inside pocket of deponents coat &
deponent believes the same to be like as no person other
than the defendant took from him from the time he saw
the money till he missed the same

Sworn before me this

11th day of June 1886

Police Justice,

0110

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY
OF NEW YORK, ss

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

Question What is your name?

Answer

Question How old are you?

Answer

Question. Where were you born?

Answer.

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

Answer.

Question What is your business or profession?

Answer

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

Answer.

*I have nothing to say
beyond that I took the pocket
book*

Annie Miller.

Taken before me this

day of

188

Police Justice.

0111

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 _____

Annie Miller

~~guilty~~ thereof, I order that ~~She~~ be held to answer the same and ~~She~~ 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 ~~She~~ give such bail.

Dated *June 11th* 188 *6*

W. A. [Signature] Police Justice.

I have admitted the above-named _____

to bail to answer by the undertaking hereto annexed.

Dated _____ 188

Police Justice.

There being no sufficient cause to believe the within named _____

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

Dated _____ 188

Police Justice.

0112

BAILED,

No. 1, by William H. Brandt

Residence 418 East 6th Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Gustav Beer
923 Ave.
Annie Miller

1 _____
2 _____
3 _____
4 _____

Dated June 11th 1888

W. Beer Magistrate
Michael Bissert Officer.

14th Precinct.

Witnesses Gust. Beer can be found
at Reinhardt Bros. Clothing
No. Ave. B. & 7 St. Street.

No. _____ Street,

No. _____ Street

\$ 1000 to answer Yes

0113

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Annie Miller

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

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

The said *Annie Miller*,

late of the *First* Ward of the City of New York, in the County of New York, aforesaid, on the *fourth* day of *June*, in the year of our Lord one thousand eight hundred and eighty-*six*, at the Ward, City and County aforesaid, with force and arms, in the *night* time of the same day, *one*

\$17-1 promissory note 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; *one* promissory note 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; *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 five dollars, and of the value of five dollars *each*; *one* promissory note 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*; *seventeen* 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*; *one* promissory note 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; *one* promissory note 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; *three* 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*; *seventeen* divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *seventeen*

dollars, and one pocket watch of the value of seventeen dollars.

of the proper moneys, goods, chattels, and personal property of one *Figulus Beer*, on the person of the said *Figulus Beer*, then and there being found, from the person of the said *Figulus Beer*, 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.

RANDOLPH B. MARTINE,
District Attorney.

0414

BOX:

246

FOLDER:

2387

DESCRIPTION:

Miller, Bessie

DATE:

01/28/87



2387

Witnesses:

Emil H. George

For the reasons stated
in the annexed re-
port of Deputy Prob-
atly Barker & re com-
mend that without delay
be discharged upon
her own recognizance
June 6, 1887
Randolph B. Martine
District Attorney

\$324

Counsel,

Filed

day of

1887

Pleads,

McIntosh 3

THE PEOPLE

vs.

Bessie Miller

Spencer

Rail & Drayage

KEEPING A HOUSE OF ILL FAME, ETC.

(Sections 322 and 385, Penal Code.)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Chas. B. Folsch

Foreman

Mar. 28/87

0115

0116

PART III.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

Mr. One

Knows him

SUBPENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To *Benjamin Zoder*
of No. *218 Second* Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the County Court House, in the Park of the said City, on the *28th* day of *March* instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf against

James Miller

in a case of Felony, whereof *he* stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH. Recorder of our said City, at the City Hall in our said City, the first Monday of *March*, in the year of our Lord 1887.

RANDOLPH B. MARTINE, *District Attorney*

0117

GLUED PAGE

TORN PAGE

Court of General Sessions.

THE PEOPLE

vs.

ie Miller

County of New York, ss.:

Chas. J. Lyons

being duly

poses and says: I reside at No.

656 - 2 Ave

Street, in the City of New York. I am a subpoena server in the office of the District Attorney of the City and County of New York. On the

I called at No. 28-2 Street & also 28-2 Avenue

the alleged residence of Benjamin Loder the complainant herein, to serve him with the annexed subpoena, and was informed by the several tenants of the houses that the said Loder is not known to either of them. I also inquired of the housekeeper, but she does not know any one by the name of Benjamin Loder.

I also made diligent search and inquiry in the neighborhood but could not find any one who knows the said Benjamin Loder or his present whereabouts.

Sworn to before me, this 26 day

of March, 1887

Andolph L. Schaff

COMMISSIONER OF DEEDS,
N. Y. CITY & COUNTY.

Chas. J. Lyons
Subpoena Server.

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

Bessie Miller

Offense:

RANDOLPH B. MARTINE,
District Attorney.

Affidavit of

Chas. J. Lyons

Subpoena Server.

Failure to Find Witness.

0118

0119

Dear Sir!

I shall be in New York
on June the 6, and will
be glad, when the case is
going on. Hoping you will
find the other witnesses,
Benjamin Loomer, he is at
Masters & Springers White
Sale, Hat & Cap Store, on
Worster St near Haverhill.

I remain

your truly

Witness

Emil Herman George
against B. Miller.

0120

District Attorney's Office.

Part 3 - April 26

PEOPLE

vs.

Bessie Miller

Complainant is in
Hartford Conn. & will
return in one month
he has promised to
find the other witnesses.

Apr. 21/87

May 26/87 P12
AAT
discharge
Serve Complainant &
see me on May 27th
May 24/87 OK RHP

0121

PART III.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To Emil Loderof No. 542 5th Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the County Court House, in the Park of the said City, on the 26 day of April instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf against

Bessie Miller
in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of April, in the year of our Lord 1887.

RANDOLPH B. MARTINE, *District Attorney.***PART III.**

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To Emil H. Georgeof No. 542 5th Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the County Court House, in the Park of the said City, on the 26 day of April instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf against

Bessie Miller
in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of Apr, in the year of our Lord 1887.

RANDOLPH B. MARTINE, *District Attorney.*

You to Hartford, Conn for the Court

SUBPENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To Emil Herman Georgeof No. 542 - 5th Street,Barker

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building in the Park of the said City, on the 27 day of May instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Bessie Miller
in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall, in our said City, the first Monday of May, in the year of our Lord 1887.

RANDOLPH B. MARTINE, *District Attorney.*

clerk Schauf, Mail subpoena for June 6th

PART I.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

0122

Sec. 323, Penal Code.

CITY AND COUNTY OF NEW YORK. { ss.

3 District Police Court.

of No. 542 51st Street, in said City, being duly sworn says
that at the premises known as Number 126 West 51st Street,
in the City and County of New York, on the 22 day of December 1886 and on divers
other days and times, between that day and the day of making this complaint

Bessie Miller
did unlawfully keep and maintain and yet continue to keep and maintain a disorderly
house and did then, and on the said other days and times, there unlawfully procure
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil
name and fame there to be and remain drinking, dancing, ~~fighting~~ disturbing the peace, whoring and misbehaving
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and
there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said Bessie Miller
and all vile, disorderly and improper persons found upon the premises, occupied by said
Bessie Miller
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 23
day of Dec 1886.

Emil Herman George
Johnston Police Justice.

0123

W *4*
Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Emil Herman Gorge
vs.

Bessie Miller

AFFIDAVIT—Keeping Disorderly House, &c.

Dated *Dec 23* 188 *8*

Sted Justice.

Officer.

Precinct.

WITNESSES :

0124

Sec. 192.

3 District Police Court

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.
OF NEW YORK,

An information having been laid before Henry Ford a Police Justice
of the City of New York, charging Bessie Miller Defendant with
the offence of Keeping a Disorderly House

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

We, Bessie Miller Defendant of No. 231
West 45th Street; by occupation a Housekeeper
and Henry Rabe of No. 119 West 18th
Street, by occupation a Gentleman, Surety, hereby jointly and severally undertake that
the above named Bessie Miller Defendant
shall personally appear before the said Justice, at the 3 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Five
Hundred Dollars.

Taken and acknowledged before me, this

day of December 1888

Henry Ford POLICE JUSTICE.

0125

CITY AND COUNTY } ss.
OF NEW YORK, }

James M. Hake
Police Justice.

Sworn to before me, this
1888

the within named Bail and Surety being duly sworn, says, that he is a resident and
holder within the said County and State, and is worth *ten* Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and
liabilities, and that his property consists of *House and Lot No*

119 West 10th Street and worth
ten thousand dollars above all
legal liabilities thereon
James M. Hake

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Undertaking to appear
during the Examination.

Taken the day of 188

Justice.

0126

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

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

Question. What is your name?

Answer. *Pessie Miller*

Question. How old are you?

Answer. *45 years*

Question. Where were you born?

Answer. *South Carolina*

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

Answer. *No 231 West 40th St New York*

Question. What is your business or profession?

Answer. *Housekeeper*

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

Answer.

*I am not guilty and
I demand a trial by jury*

*her
Pessie Miller
mark*

Taken before me this

day of

1888

Police Justice.

0127

Sec. 151.

Police Court 3 District.

CITY AND COUNTY OF NEW YORK, { ss. *In the name of the People of the State of New York; To the Sheriff of the County of New York, or 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 Edward Herman Gungor of No. 542 Fifth Street, that on the 23 day of Dec 1888, at the City of New York, in the County of New York, Bessie Miller did keep and maintain at the premises known as Number 176 West 31st Street, in said City, a Disorderly House and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, dancing, ~~fighting~~ disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

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 body of the said

Bessie Miller and all vile, disorderly and improper persons found upon the premises occupied by said Bessie Miller and forthwith bring them before me, at the 3 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 23 day of December 1888

J. Morrisford POLICE JUSTICE.

0128

Police Court—30 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Emil
Hermann Gange
vs.
Bessie Miller

WARRANT—Keeping Disorderly House, &c.

Dated December 23, 1886

J. J. Ford Magistrate.
J. J. Cahill Officer.
3rd Precinct.

The Defendant

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

Officer.

Dated _____ 188

This Warrant may be executed on Sunday or
at night.

J. J. Hennrich Police Justice.

December 25/86 Bessie Lee
19 yrs.

Bessie Miller

45 yrs.

Black

Widow

231 W. 4 St

14th St

WARDEN and KEEPER of the City Prison of the City of New York.

having been brought before me under this Warrant, is committed for examination to the

13:
U.S.
Prison.

126 W. 31.

Laura Lee

22

U.S.

Prison.

126 W. 31

Chas. Lawrence

24 years

U.S.

Prison.

1444 Myrtle St

Prison.

The within named

Police Justice.

188

0129

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

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

Dated

Dec 26 1886

J. Thompson Police Justice.

I have admitted the above-named

Bessie Miller
to bail to answer by the undertaking hereto annexed.

Dated

Dec. 29 1886

J. Thompson 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.

1500 bail for E
Rec 29th 2, 30th 2m

RAILED.

No. 1 by

Henry Rabe

Residence

119 West 10th

No. 2 $\frac{1}{2}$

Exhibits

AT. 2. 100

1

NY- 1 325

2. *Impact*

Police Court.

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

ON THE COMPLAINT OF

Emil Herman George

142 15th St
Bessie Miller

2

2

4

Dated _____

Dec 28

188

Magistrate

Officer

Precinct

Witnesses

2. No

No

6

500 to answer G.S.

bailed

0131

COURT OF GENERAL SESSIONS.

-----X
The People :
vs. : House of Ill Fame
Bessie Miller :
-----X

Hon. Randolph B. Martine,
District Attorney.

Sir :

The above entitled indictment charges the defendant with keeping a disorderly house at the premises 126 West 31st street. She was arrested upon the 26th December ult., and indictment was found on the 28th of January ult..

I find upon investigation that one Ceaser Miller, who, I am informed, is the husband of this defendant, was, upon said 13th day of January, indicted for the same offense, in regard to the same premises. Upon April 4th ult. he pleaded guilty in Part Three of the General Sessions, and was fined One hundred dollars by the Recorder.

I annex hereto an affidavit of the Captain of the police precinct in which said premises are situated, to the effect that the defendant herein has vacated the premises in question, and now resides at No. 529 Sixth Avenue, where, to the best of his information and belief, she leads an honest and respectable life.

0132

THE PEOPLE OF THE STATE OF
NEW YORK,

against

Cassie Miller

Report

RANDOLPH B. MARTINE,
DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,
NEW YORK CITY.

0133

CORRECTION

0134

COURT OF GENERAL SESSIONS.

-----X
The People :
vs. : House of Ill Fame
Bessie Miller :
-----X

Hon. Randolph B. Martine,
District Attorney.

Sir :

The above entitled indictment charges the defendant with keeping a disorderly house at the premises 126 West 31st street. She was arrested upon the 26th December ult. and indictment was found on the 28th of January ult..

I find upon investigation that one Casser Miller, who, I am informed, is the husband of this defendant, was, upon said 13th day of January, indicted for the same offense, in regard to the same premises. Upon April 4th ult. he pleaded guilty in Part Three of the General Sessions, and was fined One hundred dollars by the Recorder.

I annex hereto an affidavit of the Captain of the police precinct in which said premises are situated, to the effect that the defendant herein has vacated the premises in question, and now resides at No. 529 Sixth Avenue, where, to the best of his information and belief, she leads an honest and respectable life.

0135

It appears to me from these facts that the offense charged has been sufficiently punished, and that the circumstances justify a discharge of the defendant herein upon her own recognizance.

June 6/17. Yours Respectfully,
A. D. Barker

0136

THE PEOPLE OF THE STATE OF
NEW YORK,

against

Bessie Miller

Respond

RANDOLPH B. MARTINE,
DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,
NEW YORK CITY.

The People }
 vs. }
 Bessie Miller }

City and County of New York fs:-

Alexander S. Williams
 being duly sworn says:- That
 he is a Captain of Police in
 command of the 19th Precinct.

That the premises No. 126 W.
 31 Street are situate within the
 19th Precinct and were formerly
 occupied by Bessie Miller the
 defendant herein.

Deponent is informed and
 verily believes that the said
 Bessie Miller now resides at
 No. 529 Sixth Avenue and
 leads an honest and respectable
 life to the best of Deponents
 information and belief.

Deponent further says that
 the premises No. 126 W. 31 Street have
 been vacated by the said Bessie Miller
 and are now occupied by other
 parties.

Sworn to before me } Alex S. Williams
 this 6 day of June 1887 }
 Rudolph L. Schaaf

COMMISSIONER OF DEEDS,
 N. Y. CITY & COUNTY.

0138

The People

vs.
Bessie Miller

Affidavit of
Joseph Williams
19 Precinct

0139

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Bessie Miller

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

- Bessie Miller -

(Section 332,
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL FAME, committed as follows:

The said *Bessie Miller,*

late of the *20th* Ward of the City of New York, in the County of New York aforesaid, on the *Twenty-second* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*six*, and on divers other days and times as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, ~~a certain common bawdy house and house of ill fame~~, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

- Bessie Miller -

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of, and against good morals and good manners, 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

- Bessie Miller -

(Section 385,
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said *Bessie Miller,*

late of the Ward, City and County aforesaid, afterwards, to wit: on the *Twenty-second* day of *December*, in the year of our Lord one thousand eight hundred

and eighty- ~~six~~, — and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill governed house, and in ~~the~~ said house, for ~~her~~ own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.—

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

— *Bessie Miller* —

(Section 322,
Penal Code.)

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said *Bessie Miller*.

late of the Ward, City and County aforesaid, afterwards, to wit: on the *twentysecond* day of ~~December~~, in the year of our Lord one thousand eight hundred and eighty-~~six~~ and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for ~~her~~ own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women, in ~~her~~ said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully, did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, 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.

RANDOLPH B. MARTINE,
District Attorney.

0141

BOX:

246

FOLDER:

2387

DESCRIPTION:

Miller, Caesar

DATE:

01/13/87



2387

0142

Witness
Quintus

#137
Counsel,
Filed *13* day of *January* 188*7*
Pleads, *Not Guilty.*

THE PEOPLE
vs.
B
Caesar Miller
KEEPING A HOUSE OF ILL FAME, ETC.
(Sections 322 and 385, Penal Code.)

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

Chas. D. Richards
Park III April 4/87
Pleads *Guilty*
Foreman

Mar 27/87
fine \$100. *Ed*

0143

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

2 District Police Court.

Cleaver Miller 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. Cleaver Miller

Question. How old are you?

Answer. 45 years old

Question. Where were you born?

Answer. Virginia

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

Answer. 126 W 31 St 2h 2 years

Question. What is your business or profession?

Answer. Keep a boarding house

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

Answer.

I am not guilty and I demand a trial by jury

D. C. Miller

Taken before me this

day of

1886

John W. Murphy

Police Justice.

0144

Sec. 151.

Police Court— 2 District.

CITY AND COUNTY }
OF NEW YORK, } ss *In the name of the People of the State of New York; To the Sheriff of the County of New York, or 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 Mary J. R. Taber of No. the 29th Church Street that on the 19 day of October 1886 at the City of New York, in the County of New York, Mrs. Miller did keep and maintain at the premises known as Number 128 West 31st Street, in said City, a Disorderly House and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, ~~dancing, fighting~~, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

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 body of the said

Mrs Miller and all vile, disorderly and improper persons found upon the premises occupied by said Mrs Miller and forthwith bring them 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 20 day of Oct 1886

J. H. M. P. POLICE JUSTICE.

0145

Police Court—2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary J. R. Gabor
vs.

Mr. Miller

WARRANT—Keeping Disorderly House, &c.

Dated Oct 20 1888

Ford Magistrate

Jack K. Arch Officer.

29 Precinct.

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

Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at
night.

J. Kinnally Police Justice.

Dated _____ 188

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.

The within named

0146

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

_____ *Alfred Lamb* _____
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 *Oct 22* 188 *6* _____ *J. Henry Ford* Police Justice.

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

Dated *Oct 22* 188 *6* _____ *J. Henry Ford* 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.

0147

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

H. J. R. Labor
no. 5 Precinct
1 Ceaser Miller
2
3
4

Offence Keeping a
Disorderly House

Dated

Oct 22

188

6

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

to answer

500
Gentles
Bailed

0148

Sec. 322, Penal Code.

2 District Police Court.

CITY AND COUNTY OF NEW YORK { ss.

I, Nancy J. R. Taber
of No. the 29th Precinct Street, in said City, being duly sworn says
that at the premises known as Number 126 West 31st Street,
in the City and County of New York, on the 19 day of October 1886, and on divers
other days and times, between that day and the day of making this complaint

Mr. Ceaser Miller
did unlawfully keep and maintain and yet continue to keep and maintain a Disorderly
House and did then, and on the said other days and times, there unlawfully procure
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil
name and fame there to be and remain drinking, ~~dancing~~, ~~fighting~~, disturbing the peace, whoring and misbehaving
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and
there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said Mr. Ceaser Miller
and all vile, disorderly and improper persons found upon the premises, occupied by said
Mr. Ceaser Miller
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 20
day of Oct 1886 Nancy J. R. Taber
J. H. H. H. H. H. Police Justice.

0149

Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Harry J. P. Taber
vs.

Mr. Miller

AFFIDAVIT—Keeping Disorderly House, &c.

Dated *Oct 20* 188 *6*

Lord Justice.

Jack. Rice Officer.

29 Precinct.

WITNESSES:

0150

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Raesar Miller

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

Raesar Miller —

(Section 322,
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL FAME, committed as follows :

The said *Raesar Miller*.

late of the *20th* Ward of the City of New York, in the County of New York aforesaid, on the *nineteenth* day of *October*, in the year of our Lord one thousand eight hundred and eighty-*nine* and on divers other days and times as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill fame, unlawfully and wickedly did keep and maintain ; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain ; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

Raesar Miller, —

on the days and times aforesaid, there did commit whoredom and fornication ; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated ; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of, and against good morals and good manners, 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

Raesar Miller —

(Section 385,
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows :

The said *Raesar Miller*.

late of the Ward, City and County aforesaid, afterwards, to wit : on the *nineteenth* day of *October*, in the year of our Lord one thousand eight hundred

0151

and eighty-~~two~~, — and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill governed house, and in ~~this~~ said house, for ~~this~~ own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.—

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

Raean Miller —

(Section 322, Pennl Code,) of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said *Raean Miller*,

late of the Ward, City and County aforesaid, afterwards, to wit: on the ~~nineteenth~~ day of ~~October~~, in the year of our Lord one thousand eight hundred and eighty-~~six~~, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for ~~this~~ own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women, in ~~this~~ said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully, did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, 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.

RANDOLPH B. MARTINE,
District Attorney.

0152

BOX:

246

FOLDER:

2387

DESCRIPTION:

Miller, Charles

DATE:

01/06/87



2387

Witnesses:

Michael F. Mooney
P. J. Mooney
Mark H. Haggan

Benjamin
J. H. Hoff
299 Broadway

Counsel,
Filed, *C. day of May* 188*7*
Pleads, *Chargelly - with plea*
Chargelly - with plea

THE PEOPLE

35. / vs.

R
Charles Miller

Grand Larceny *1st* degree
[Sections 528, 530, 534 Penal Code]

RANDOLPH B. MARTINE,

Mr day 12/13 District Attorney.

Young & Co. Ld.
per one year
A True Bill.

Chas. D. Vidale

Foreman.

day 12/13
1887

0153

0154

Police Court—

District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No. 456 Seventh Avenue Street, aged 32 years,
 occupation Butcher being duly sworn

deposes and says, that on the 27th day of December 1888 at the City of New
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession
 of deponent, in the day time, the following property viz:

Three ladies Dresses, one suit of Clothing,
 One pair of Pantalons in the pocket of which
 was twenty dollars, and certified check on
 the 5th Avenue Bank for the sum of fifteen
 hundred dollars, all of said property being
 of the value of fifteen hundred and fifty dollars.
\$1550.⁰⁰/₁₀₀

the property of Catherine Mooney deponent's mother and
 Peter W. Mooney deponent's brother said property
 being in the care 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 Charles Miller (now here) from the fact
 that deponent caught and detected said defendant
 in his mother's apartments situated at said
 number and street in said city and at the time
 he deponent saw him defendant drop from his
 hands ~~the money~~ the pair of Pantalons containing
 the twenty dollars described aforesaid on to a Chair
 in said room, deponent further says that the
 other property described was in said room, the
 certified check being in the Bureau drawer,
 and that the defendant had no business in said
 apartments and he therefor charges him
 defendant with attempting to steal said property
 from said premises and asks that he be held to
 answer and dealt with according to law.

Michael H. Mooney

Sworn to before me, this
28th day of
December 1888
John J. Thayer
 Justice.

0155

Sec. 198-200.

4th District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

Charles Miller

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

Question. What is your name?

Answer. Charles Miller

Question. How old are you?

Answer. 45 years

Question. Where were you born?

Answer, Germany

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

Answer. Not home

Question. What is your business or profession?

Answer, Laborer

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

Answer. I am not guilty. The man died
not a loose agent although I had
the pants in my hand
Charles Miller

Taken before me this

29th

189

John J. McLaughlin
Police Justice.

0156

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 _____

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

Dated December 28th 1886 Alon B. Smith Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0157

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court 4th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael J. Mooney
736 7th Ave
Charles Miller

2 _____
3 _____
4 _____

Dated December 28th 1886

Soer Smith Magistrate.

Mark H. Hargan Officer.

22d Precinct.

Witnesses Catherine Mooney

No. 736 7th Ave Street.

Peter J. Mooney

No. 736 7th Ave Street.

No. _____ Street.

\$1000 to answer J.S.

Com

Office of the District Attorney
(Fidelity)

0158

District Attorney's Office.

PEOPLE

vs.

Charles Miller

GL

In Jan 10/27
Pg 2

You need not sub -

Joena Catherine

Mooney

ADP

0159

District Attorney's Office.

Part 2

PEOPLE

vs.

Charles Miller

*Subpoena served
by mail
for trial
July 12/87*

Counsel notified

0160

DIRECTIONS.

The Grand Jury Rooms are in the third story of the large brown stone building in Chambers Street, near the New Court-house in the Park.
When you arrive at the witness-room, hand this Subpoena to the officer or clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.

The People of the State of New York, *Deck*

To *Catharine Nooney*

of No. *736 - 7 Ave* Street,

WE COMMAND YOU, That, all business and excuses ceasing, you appear in your proper person, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the Park, in the City of New York, on the *5* day of *JANUARY* instant, at the hour of 10½ in the forenoon of the same day, to testify the truth and to give evidence before the GRAND JURY, touching a certain complaint then and there pending against

GREETING:

Chas Miller

And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, HON. FREDERICK SMYTH, Recorder, at the City Hall in our said City, the first Monday of *JANUARY*, in the year of our Lord 188*7*

RANDOLPH B. MARTINE, District Attorney.

0161

Dr. E. C. Harwood
44 West 49th Street,

At Home: { 8 to 10 A. M.
12 to 2 P. M.
5 to 7 P. M.

New York January 8th 1887

To Hon. Edward Dwyer

Recorder, City of New York

This is to certify that Catherine
Mooney of 736-7th is naturally
a feeble woman, about the age
of 70 - at the present time she
is suffering from an attack
of Rheumatism which renders
her unable to leave her home
Given this day & date over
my hand

E. C. Harwood M.D.
Family Physician

0162

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Rhander Miller

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

Rhander Miller of the crime of attempting to commit

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

The said *Rhander Miller,*

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

Three dresses of the value of ten dollars each, and one instrument and writing, to wit: an order for the payment of money of the kind called bank-checks, for the payment of and of the value of fifteen hundred dollars, of the goods, chattels and personal property of one Catherine Mooney, and one coat of the value of twenty dollars, one vest of the value of five dollars, two pairs of trousers of the value of ten dollars each pair, the sum of twenty dollars in money, of the value of twenty dollars, and one instrument and writing, to wit: an order for the payment of money, of the kind called bank-checks, for the payment of and of the value of fifteen hundred dollars, — of the goods, chattels and personal property of one Peter W. Mooney.

attempt to
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.

Randolph B. Smith

District Attorney.

0163

BOX:

246

FOLDER:

2387

DESCRIPTION:

Miller, Frederick

DATE:

01/24/87



2387

0164

BOX:

246

FOLDER:

2387

DESCRIPTION:

Schultz, Frederick

DATE:

01/24/87



2387

0165

BOX:

246

FOLDER:

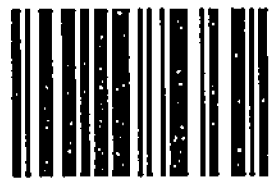
2387

DESCRIPTION:

Eichelman, Charles F.

DATE:

01/24/87



2387

0166

BOX:

246

FOLDER:

2387

DESCRIPTION:

Weischster, Charles

DATE:

01/24/87



2387

Witnesses:

J. J. Delaney
Christopher Delaney

Counsel,
Filed
Pleads
24 day of May 1887
J. J. Delaney
W. J. Delaney

THE PEOPLE
vs.
Robbery, first degree.
[Sections 224 and 225, Penal Code.]
Frederick J. Miller
Frederick Schultz
Charles J. Eichman
Charles Weichster
A. D.

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

Charles S. Dorsch
May 25/87 Foreman.
No. 1.

Pleaded guilty
S. P. 8 years
Nov. 2, 1894
Spent 60 days in jail
34

0168

Police Court— 1st District.

CITY AND COUNTY } ss
OF NEW YORK,

Joseph, Jelehy
of No. 15 Washington Street, Aged 25 Years
Occupation Laborer being duly sworn, deposes and says, that on the
13th day of January, 1884, at the 1st 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:

Good & lawful money of the United
States consisting of silver and nickel
coins of divers denominations and
values and being in all together of
the value of
Twelve and 00/100 Dollars

of the value of _____ DOLLARS,
the property of Dependent
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

Frederick Miller, Frederick Schuch,
Charles F. Eichelmann and Charles H. Eichelmann
(who were acting in concert with each other
(now here), for the reason, that on
the night of the aforesaid day, deponent
was sleeping in a bed in a room
in the aforesaid premises and had his
coat vest and pants on, and had said property
in the pocket of said pants
he then had on, when about the hour
of 1:30 o'clock am on the morning of
the night aforesaid said defendants
entered said room by opening the
door of said room and entering the same
he saw the said defendants entering said
room by force and light in the hallway reflecting
in said room the deponent and

day of

Deponent to before me this

188

Police Justice

0169

when said Wilson took hold of deponent by the throat and beat him and at the same time stuffing a handkerchief in deponent's mouth preventing deponent from hollering, while said other 3 defendants took hold of him about the body and legs and then deponent down and then took said property from his pants and ran away.

Deponent therefore charges said defendants with having feloniously taken stolen and carried away the aforesaid property against his will and consent. Deponent fully identifies said defendants as the persons he saw in said room and the persons who robbed him and who were acting in concert with each other.

Given to before me this 14th day of January 1888
J. P. Deff

Dated 1888
guilty of the offence within mentioned, I order him to be discharged.
Police Justice.

There being no sufficient cause to believe the within named
1888
Police Justice.

I have admitted the above named
1888
Police Justice.

Dated 1888
of the City of New York, until he give such bail.
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
committed, and that there is sufficient cause to believe the within named
appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

Offence—ROBBERY.

vs.

1
2
3
4

Dated

1888

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0170

Sec. 198-200

CITY AND COUNTY
OF NEW YORK. } ss.

15 District Police Court.

Fredrick Miller 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. *Fredrick Miller*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *15 Washington St 2 weeks*

Question. What is your business or profession?

Answer. *Butcher*

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*

Fredrick J. Miller

Taken before me this

day of

17

Police Justice.

0171

Sec. 198-200

152 District Police Court.

CITY AND COUNTY OF NEW YORK. } ss.

Fredrick Schults 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. *Fredrick Schults*

Question. How old are you?

Answer. *37 years*

Question. Where were you born?

Answer, *Germany*

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

Answer. *15 Washington St one week*

Question. What is your business or profession?

Answer, *Laborer*

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

Answer. *I am not guilty*
Freig. Guilty

Taken before me this

day of

188

Police Justice.

0172

Sec. 198-200

CITY AND COUNTY
OF NEW YORK } ss.

15th District Police Court.

Charles F. Eickellman 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.

Charles F. Eickellman

Question. How old are you?

Answer.

59 years

Question. Where were you born?

Answer,

Germany

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

Answer.

15 Washington St New York

Question. What is your business or profession?

Answer,

Machinist

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

Answer.

I am not guilty

Charles F. Eickellman

Taken before me this

day of

188

Police Justice.

0173

Sec. 198-200

CITY AND COUNTY
OF NEW YORK. } ss.

152 District Police Court.

Charles Weischter 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 see fit to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial,

Question. What is your name?

Answer. *Charles Weischter*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Switzerland*

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

Answer. *15 Washington St New York*

Question. What is your business or profession?

Answer. *Farmer*

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

Answer. *I am not guilty*
Charles Weischter

Taken before me this

14

day of

September 1888

Police Justice.

0174

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 _____

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

Dated *January 14* 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0175

69
Police Court per District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph J. Kelly
Frederick Miller
Frederick Schult
Charles A. Eickbush
Charles Weisbach

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *January 14* 188*7*

L. L. Luffy Magistrate.

Barry Officer.
124 Precinct.

Witnesses *Barry* in the
No. *124* Street.

No. _____ Street.

No. *124* Street.
\$ *100* to answer *90*

COM

0176

CITY AND COUNTY
OF NEW YORK, } ss.

POLICE COURT, 1st DISTRICT.

of No. 34 Police Precinct Street, aged 41 years,
occupation Police officer being duly sworn deposes and says,
that on the 13^d day of January 1887

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

Frederick Milder Frederick Schulz
Charles F. Eckelman and Charles

Wickster (now dead) on a charge of
Robbery preferred as complainant
of Joseph Deleby that deponent says
said Deleby is an important and ma-
terial witness against said defendants
and deponent has good and sufficient
reasons to believe that said Deleby will
not appear at the trial, at the Court of General
Sessions and asks that he be committed to the
House of detention

Christopher Brady

Sworn to before me, this

14th day

of January 1887

Police Justice

0177

Police Court, _____ District.

THE PEOPLE, & c.,

ON THE COMPLAINT OF

Christopher Brady

vs.

Joseph J. Lecky

AFFIDAVIT.

Dated

January 14 188*7*

Hubby Magistrate.

Officer.

Witness,

Disposition,

House of

Detention

0178

The People
vs.

Court of General Sessions, Part I.
Frederick F. Miller Before Judge Cowing.

January 25, 1887.

Jointly indicted with Frederick Schultz, Charles F.

Eicheleman and Charles Weischter, for robbery in the first degree.

Joseph Jelehy sworn and examined. I work in a mine at Alfons, Pennsylvania, I was in the city of New York about the middle of January, a man showed me a lodging place at 15 Washington Street and I went there at seven o'clock, I paid fifteen cents and got a lodging; it must have been about half past eight when I went to bed, I was asleep some time and was awakened by men, they held me and before taking my money put out a light. Miller blew out the light and stuffed the handkerchief into my mouth and the others held me by the arm and took the money, Miller's hand was clutched on my throat, they took \$12.50 out of my pants pocket.

Cross Examined. I do not know how many men came in the room but when I went into the room there was one already in bed, I do not know how many beds were in the room but right near me were two, the beds are side by side, not one on top of the other, there was a lamp in the room, I was woke up by the men when they seized me and told me to give them the money, all at once four were around me, the whole thing did not last a minute, it was done very quickly. They left me and then came again the second time, it was not a quarter of an hour after and then they stuffed the handkerchief into my mouth, they took the

0179

\$12.50 on the first visit, they did not put the handkerchief in my mouth then, when they came back the second time they lit the lamp, they said, give me a dollar, I was sitting on my bed crying and said, I have none, then they seized me and hit me on the head and put the handkerchief into my mouth, I don't know how long they remained in the room the second time, maybe six or seven minutes, I went out of the house afterward on the sidewalk, I was bleeding at my mouth and the policeman came up and asked me what I was doing, the policemen found these defendants after that, the policeman went to arrest the man who was sleeping near me, I said, he did not do anything to me, these defendants were found in the other rooms. I never saw them before they came into my room.

Redirect Examination. When they first took the money they seized me and pushed me back on the bed and put the light out, I cannot tell in particular what Miller did. It was the second time when they searched me for money that Miller took me by the throat and put the handkerchief in my mouth. It was not a minute that I saw their faces before the light was put out. I saw them before I went to bed, I was sitting in another room with them. I was not drunk at the time, I knew everything. I recognized the man who put the handkerchief in my mouth when I went before the Judge, I put my mark to a paper there, I did not swear before the Magistrate that the money was taken from me at the time the handkerchief was put in my mouth, they all held me when Miller stuffed the handkerchief into my mouth, the others were holding me by the arms and legs.

0180

Christopher Brady sworn. I am an officer of the 2nd precinct and arrested these four men about a quarter to two on the complaint of the complainant, the morning of January 15, he was standing outside on the sidewalk crying and his mouth was cut and bleeding, I walked down through Washington Street and met Officer Ryan at the corner of Morris and Washington Streets; as we got down in front of 15 Washington Street we saw the old man crying. Ryan was ~~not~~ in uniform but I was not, the complainant got hold of the officer and steered us into the entry and fetched us in to the rear building, first floor; when I went in there was man by the name of Johnnie lying in bed on the cot, I asked the complainant was that the man that done it and he told me no. By his signs I made search for the prisoners the best I could, I arrested Schultz on the third floor of the house 15 Washington St. on my way going down stairs with him I met Miller coming in the house and fetched him down stairs in a room on the first floor, Officer Ryan was watching the old man, the complainant and the moment I fetched Miller in he made a grab at him, I went up stairs and fetched the landlord of the house down to open the adjoining room where this old man was sleeping, he opened the door and I saw the prisoner Weischter lying in bed naked and only the bed clothing over him, the otherman Eicheleman was lying right close by him, he had a shirt on, I fetched them out along with the other two and the old man pointed at them all and identified them. Eicheleman and Weischter said they had nothing to do with it, that they went to bed early and were locked up in the room. Miller and Schultz also said ^hey had

0181

nothing to do with the robbery; I accused they of robbing this old man, he made signs of showing his handkerchief into his mouth.

The Case for the Defence.

Charles Weischter sworn. I work as a farmer, I staid for two weeks at 15 Washington Street, I did not go into the room where the old man slept in company with the other men, I never saw the old man before, I went to bed between nine and ten o'clock and did not leave my bed till I was arrested, I did not rob the old man or help to do it, I was not asleep when the officer came in, I think it was about half past one or two o'clock, the bed was not very clean and that was the reason I had no clothing on me, I heard a noise of the old man running around hollering, I could not understand anything, I heard it was a drunken man. I farmed in Jersey about five miles from Patterson and worked for Mr Lawson at Dover Plains N.Y.. Eicheleman was in bed where the old man was halloeing and he came and spoke to me and asked what was the matter out there; all I could understand the old man to say was, boss no good, I never saw Miller before the two weeks I boarded there.

I did not know the oldman was being robbed, I saw the old man go out of the room, my door was about two or three inches open. This is a cheap lodging house where you get lodging at fifteen cents a night.

Oscar Karlina sworn. I keep an employment office at 28 Grenwid Street, I know the defendant Weischter a couple of years, I hiredhim out to three or four

places and he was well recommended.

Charles F. Eicheleman sworn. I heard the story of this old man being robbed in that place, I was not one of the parties who went into the room and took hold of him when money was taken from him, I went to bed between nine and ten o'clock, I went the same time as the witness Weischter. After I was asleep a good while I heard a noise and the door was opened and the Missus of the house spoke to the complainant and to a man in the adjoining room, she said, I don't like to take the old man in, but it is raining outside; she told the man who was in the room to blow out the light after the old man went to bed; after a while the light was blown out; the old man made so much noise afterward that I thought he was intoxicated. The door was opened again and I saw the light in the room, Miller and Schultz had the lamp, I could see his face, I thought they were going in to make that man keep still so that the men could sleep, after a while the light was blown out and my door was closed. I don't know anything of the old man having any money, I did not see anybody rob the oldman, I have never been in trouble in my life before I worked in Rhode Island, I am a machinist and made tools for stone cutters, Mr Oberlander for whom I worked is in Court.

Conrad Oberlander sworn. I am a diamond setter at 63 Nassau Street, I know Eicheleman fifteen years, I would trust him with everything in my shop, he worked for me. He is one of the best engineers I ever came across, he had charge of the first Brennan Steamer that ever crossed the ocean.

0183

Henry Varant sworn. I am a laborer and I slept in the same room where the old man slept who accuses the defendants, I am the man whom he said had nothing to do with him, I slept in the bed next to him, it was about ten o'clock that night when the lady of the house came in with a lamp and asked me whether the bed was empty next to me? I said yes and she handed the lamp over to me and told me to let the old fellow go to bed and when he done so to put the lamp out. He did not undress but only took off his big overcoat. After a while he began to make a noise and I asked him what was the matter. He told me he wanted to go outside, I unbolted the door and he went out, after a while he came in again followed by Schultz and Miller. The three were under the influence of liquor, Schultz put the lamp down on the sill of the window and they were fooling around, the old man said, boss no good and so on; they pushed him in the corner and he fell down; after that the lamp was blown out and I said, what noise is in there, go out, I want to sleep, and they disappeared. After a while the old man went out and came in with Officer Brady and another officer and he told them I had nothing to do with it. I got up and assisted the officers in searching for Schultz and Miller, they got up and dressed and the old man pointed out the four that had something to do with him whereas the two men in the back room never left the bed until they were ordered out of bed. I saw none of the men put a handkerchief in the mouth of the old man.

Miller pleaded guilty to robbery in the second degree and the Jury rendered a verdict of not guilty in the case of the other defendants.

Testimony in the
case of
Y^r Frederick F. Miller &
Others

pled Jan. 1887

0185

May 17th 1884

Fred^d Fungler
21 Yrs - No. 44 Allen St
in attempting to shoot
Mr Schwartman
of 24 Greenwich St
missed him and shot
Chas Zell 28 Greenwich
Was tried before
Judge Goldenshoe and
convicted of assault in
3rd degree, sentenced
to 3 months Penitentiary
on June 20th 1884

0186

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK.

against
Frederick F. Miller, Frederick
Schultz, Charles F. Eichelman
and Charles Werschter

The Grand Jury of the City and County of New York, by this indictment,
accuse Frederick F. Miller, Frederick Schultz, Charles
F. Eichelman and Charles Werschter
of the CRIME OF ROBBERY in the first degree, committed as follows:

The said Frederick F. Miller, Frederick Schultz,
Charles F. Eichelman and Charles Werschter, all
late of the First Ward of the City of New York, in the County of New York aforesaid, on the
thirteenth day of January, in the year of our Lord one thousand
eight hundred and eighty-seven, in the night-time of the said day, at the Ward, City
and County aforesaid, with force and arms, in and upon one Joseph Jelehy,
in the peace of the said People, then and there being, feloniously did make an assault, and

divers coins, of a number, kind and
denomination to the Grand Jury
aforesaid unknown, of the value of
twelve dollars and fifty cents,

of the goods, chattels and personal property of the said Joseph Jelehy,
from the person of the said Joseph Jelehy, against the will,
and by violence to the person of the said Joseph Jelehy,
then and there violently and feloniously did rob, steal, take and carry away, each of
them the said Frederick F. Miller, Frederick
Schultz, Charles Eichelman and Charles Werschter,
being then and there aided by an accomplice
actually present, to wit: each by the other)

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

Handwritten signature
District Attorney.

0187

BOX:

246

FOLDER:

2387

DESCRIPTION:

Miller, John

DATE:

01/10/87



2387

Witnesses:

Geo. Carpenter
Amos Brooks

#79

Counsel, _____
Filed, *10* day of *May* 188*8*
Pleads, _____

THE PEOPLE

vs.

John Miller

INJURY TO PROPERTY.

[Sec. 651, Penal Code.]

RANDOLPH B. MARTINE,

District Attorney.

Pleas do you?

A True Bill.

Chas. B. Folsom

Foreman.

0189

Sec. 198-200.

CITY AND COUNTY OF NEW YORK { ss

2 District Police Court.

John Miller 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 Miller*

Question How old are you?

Answer *32 years of age*

Question Where were you born?

Answer *Austria*

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

Answer *229 East 2nd St. 2 weeks*

Question What is your business or profession?

Answer *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 was drunk and did not know what I was doing*
John Miller

Taken before me this

day of

188

John Miller
Police Justice.

0190

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 John Miller *be held to answer the same and he be admitted to bail in the sum of*
Ten *Hundred Dollars,* *and be committed to the Warden and Keeper of*
the City Prison of the City of New York, until he give such bail.

Dated July 2nd 188

Ad. Patterson *Police Justice.*

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

Dated..... 188 *Police Justice.*

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

Dated..... 188 *Police Justice.*

0191

Police Court 2nd District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James Brooks
28 Greenwich Ave
John Miller

2

3

4

Offence Mischief

Michigan

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated January 2nd 1887

Patterson Magistrate.

H. Murray Officer.

9 Precinct.

Witnesses

No. 28 Greenwich Street.

No. _____ Street.

No. H. Campbell Street.

\$ 1000 to answer G. S.

Comm

0192

CITY AND COUNTY
OF NEW YORK, } ss.

POLICE COURT, 2nd DISTRICT.

James Brooks
of No. 28 Greenwich Avenue Street, aged 50 years,
occupation Engineer being duly sworn deposes and says
that on the first day of January 1887
at the City of New York, in the County of New York, deponent saw

John Miller, now here, wilfully
throw a piece of brick through
the plate glass window in 28
Greenwich Avenue, in violation
of Section 654 of the Penal Code
of the State of New York.

That deponent is informed and
believes that said plate glass
is the property of Messrs. O'Reilly,
Kelly and Fogarty, Brewers,
and is of the value of one

Subscribed to before me this

1887

Notary

Police Justice

0193

hundred dollars and that the
injury and damage to the
bank by the unlawful act
of said defendant amounts to
said sum
I swear before me this } C. T. Tamm
2nd day of June 1887

Wm Patterson Police Justice

Police Court, District,

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated

188

Magistrate.

Officer.

Witness,

Disposition,

0194

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Miller

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

John Miller —

of the CRIME OF UNLAWFULLY AND WILFULLY

PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *John Miller*, —

late of the *Ninth* Ward of the City of New York, in the County of New York
aforesaid, on the *first* day of *January*, in the year
of our Lord one thousand eight hundred and eighty-*seven* at the Ward, City and
County aforesaid, with force and arms, *a certain plate* —

of glass windows —

of the value of *one hundred and fifty dollars*,
of the goods, chattels and personal property of one *Joseph O'Reilly*. —
then and there being, then and there feloniously did unlawfully and wilfully *break*
and injure to the amount of
the value of one hundred
dollars, —

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

SECOND COUNT:

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

John Miller —

of the CRIME OF UNLAWFULLY AND WILFULLY

REAL PROPERTY OF ANOTHER, committed as follows:

The said *John Miller*, —

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year

0195

aforesaid, at the Ward, City and County aforesaid, with force and arms, a certain
plate of glass windows of the value
of one hundred and fifty dollars,

of the value of

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

Joseph O. Redding.

there situate, of the real property of the said

Joseph O. Redding.

then and there feloniously did unlawfully and wilfully break and
injure to the amount of the
value of one hundred dollars,

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.

RANDOLPH B. MARTINE,

District Attorney.