

0143

**BOX:**

411

**FOLDER:**

3802

**DESCRIPTION:**

Spero, Christo

**DATE:**

09/15/90



3802

0144

**BOX:**

411

**FOLDER:**

3802

**DESCRIPTION:**

DeCarella, Salava

**DATE:**

09/15/90



3802

0145

**BOX:**

411

**FOLDER:**

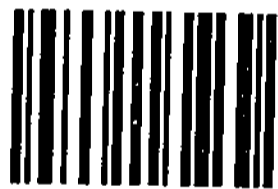
3802

**DESCRIPTION:**

Danigi, John

**DATE:**

09/15/90



3802

Witnesses:

Thomas J. Clarke 27<sup>th</sup> Dist

Counsel,

Filed

Pleads,

#137 Pendency  
15 day of Sept. 1890  
Richmond 16/90

THE PEOPLE

vs.

Christo Spers  
Salava De Carella  
and John Donigi

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

JOHN R. FELLOWS,

add days District Attorney.

B. Webb S. 15/90

A True Bill.

Foreman.  
Submitted

Part I.

Feb 26. It is the case against  
of De Carella Rosin and  
from all the evidence brought out  
on the trial. I am convinced

that no conviction of  
Spers can be secured.

I therefore make no  
opposition to the motion  
of counsel for the discharge  
or deft under section  
§ 66 Code C.P.

H. M. O'Connell  
S. B. D.

The Telegram.  
Salazar de Casola

Officer Moffat, 27<sup>th</sup> Precinct, Iron  
 Sayo. On Sunday the 17<sup>th</sup> Aug.  
 the ~~off~~ Reserve Section in the  
 Station House was sent out  
 to arrest the person who  
 assaulted officer Clark -  
 I left the station about 10  
 at night. I ~~found the defendant~~  
~~Carella~~ I heard some loud  
 talk in the premises. one  
 door from the S. W. cor 1<sup>st</sup> W  
 & 110<sup>th</sup> Street in 110<sup>th</sup> Street - the  
~~united~~ place was securely fastened.  
 I waited ~~until~~ until the bolt  
 of the door was withdrawn  
 within and put my right stick  
 between the open door and  
 pushed the door in with my  
 shoulder. I glanced around  
 the crowd <sup>of my arrest</sup> within the room  
 and saw Carella leaning with  
 both hands on the pool table -  
 talking to a man opposite - my  
 attention was attracted by a streak  
 of fresh blood that was then  
 dripping down ~~the~~ his left  
 cheek from his head - I took  
 him out on the street - Each of  
 the ~~affiant~~ <sup>there</sup> said he was not the

man they were looking for?  
 I took him to the Station  
 House. He told me he had  
 nothing to do with the stabbing  
 of the Officer, that he had  
 been assaulted in the evening  
 & had the man arrested  
 & went to the Station House.

Q. by Counselor Kury -

How did you reach this place  
 from the Station House?

I went up in a first class car  
 How did you go to the door  
 of this place -

By chance.

Had you roamed around before  
 getting there -

No, I went there & hearing the  
 voices inside. I stood at the  
 door listening -

~~Did you hear them?~~

How long did you hear the voices  
 before entering?

A few minutes - not more than five.  
 Where did you get off the car?

at 109<sup>th</sup> Street & 1<sup>st</sup> av, and walked  
 to 110<sup>th</sup> St. I didn't speak to  
 any one on the way - I went  
 purposely directly to 110<sup>th</sup> Street.

It took me about 2 minutes  
to walk from 108. St. to  
110<sup>th</sup> Street - I ret'd with the  
defendant to the station house  
by the 1<sup>st</sup> W. Car - I caught  
a car without delay on the  
way up - and changed at the  
depot at ~~110<sup>th</sup>~~ 112<sup>th</sup> Street - no time  
wasted in changing cars -

The defendant's eye was discolored.  
I did not notice if he had  
an abrasion on his neck.

I don't remember a wound on  
his nose; the blood was

90 the Court

~~was~~ running down his  
cheek and dripping on his  
shirt - and some had been  
rubbed or smeared toward  
his ear - the blood was not  
running freely when we got  
to the station house - as

soon as I delivered him in  
charge to the sergeant at the desk  
I left the house.

Defendant's name

Because he has black curly hair  
I thought he fitted the descrip-  
tion of one of the persons who it  
was said ~~was~~ arrested

10 the Court

Officer Clark.  
Sergeant Hoey & Officer Clark

Give me the description of  
 the man who was wanted  
 his name ~~was~~ <sup>was</sup> something like Donnelly.  
 By Amos Knoff:

A special clerk was not at the  
 Station House when I set out with  
 the defendant. He told ~~me~~  
 the yesterday I was wanted  
 here this a.m.

It was officer George Dennerline  
 who is on post there - who said  
 it was not Donnelly he knew  
 him.

I did not look at my watch or  
 the clock when I got to the Station  
 House. I think it was about 1/2  
 past 10.

I did not notice if the Sargent  
 made the entry of the arrest ~~and~~  
 he told me to go up and  
 get Maher to come at once

to the Station House; I found  
 Maher at 104<sup>th</sup> & 1<sup>st</sup> av. I did  
 not return to the Station House  
 with him; he did not accompany  
 the defendant & myself to the  
 Station House.

I was before me  
 the 30<sup>th</sup> day of August 1890  
 at New York  
 John J. Jones

Hugh Moffett

W. H. Knox counsel for Corrallo moves  
for the discharge of the prisoner, on  
the grounds.

1<sup>st</sup> There is no identification of the prisoner  
in this that the testimony on that point  
for the People is indefinite uncertain  
and contradicted

2<sup>d</sup> The preponderance and weight of evidence  
is in favor of defendant and the same  
is unimpeached and uncontradicted  
and conclusively establishes an Alibi.

3 The benefit of the doubt if  
any should be given  
to the prisoner.

Motion denied by the Court.

Wm. H. Knox

Wm. H. Knox

Time he left

Russiano's House; his by Spanola

325 E 140 <sup>wife</sup>  
<sup>mother</sup>  
<sup>sister-in-law</sup>  
 Vmami Dalia  
 name " "  
 6 "  
 Pass Dalia "

2123

Dalia's - no add-

of the women

Mr Dalia - no add

of the women

Russiano's

accompanying

Mr Russiano

Mr Fiero

COURT OF GENERAL SESSIONS.

-----X  
THE PEOPLE &C.,

agst.

CHRISTOPHER SPERO.  
-----X

X  
X  
X  
X  
X  
X  
X  
X  
X

ASSAULT.

Sir:

PLEASE TAKE NOTICE that I will move in Part  
One of the Court of General Sessions on Wednesday Feb-  
ruary 25th 1891 at 11 o'clock or as soon as Counsel can  
be heard for the discharge of the above named defendant  
under Sec. (866) of the Code of Criminal Procedure.

Purdy & Mc Laughlin,  
Counsel for Deft.

To

De Lancey Nicoll Esq.,  
District Attorney,  
N. Y. City.

0154

County of New York.

The People, etc.

Plaintiff

against

Charles Spoor.

Defendant

Noted of Motion.

(copy)

PURDY & McLAUGHLIN,

Attorneys for

No. 280 BROADWAY, New York City

Due and timely service of copy of the within hereby admitted this day of February 1891 Attorney.

To



Feb 16 1891  
The witness  
has called

Sworn to before me this day of 1891

Sworn, says that he resides at No. \_\_\_\_\_ Street, in the City of New York; that he is \_\_\_\_\_ years of age; that on the \_\_\_\_\_ day of \_\_\_\_\_, at Number \_\_\_\_\_ New York, he served the within \_\_\_\_\_ on \_\_\_\_\_ the \_\_\_\_\_ by leaving a copy thereof with \_\_\_\_\_ being duly

STATE OF NEW YORK,  
STATE AND COUNTY OF NEW YORK,  
ss. :

Police Court— District.

City and County } ss.:  
of New York,

of No. 27 Precinct Police Street, aged 28 years,  
occupation Police Officer being duly sworn  
deposes and says, that on the 17<sup>th</sup> day of August 1890 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Charles Sporo  
(now known) and a number of others acting  
in concert). The said Sporo having  
seized violent hold of deponent  
by the collar of the coat then  
and there worn on deponent's person  
deponent being in uniform  
and in discharge of his duty  
deponent receiving injuries from  
which he was confined in the  
Presbyterian Hospital for the period  
of twelve hours

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

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

Sworn to before me, this 20<sup>th</sup> day }  
of August 1890 } Thomas J. Clarke  
Ed. J. O'Connell  
Police Justice.

0156

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

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

28.

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

### *Offence—Felonious Assault & Battery*

*Dated* ..... 188

**Magistrate**

Officer:

Glerk.

**Witnesses,** .....

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

No. .... Street,

No. .... Street,

*to answer General Sessions:*

0157

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Christo Spers*

Question. How old are you?

Answer. *60 Years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *21 23. 1<sup>st</sup> Avenue 4 Years*

Question. What is your business or profession?

Answer. *Grocery*

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

Answer. *I am not guilty I know  
nothing about it I was in bed  
at the time the affair occurred*

*Christo X Spers*  
mark

Taken before me this  
day of *July* 189*6*

*20*

*Self*  
Police Justice.

0158

10-10-11  
Aug. 22  
4, 26. 10-11

BAILED,  
No. 1, by Alfreda Decardi  
Residence 333 E 108 Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

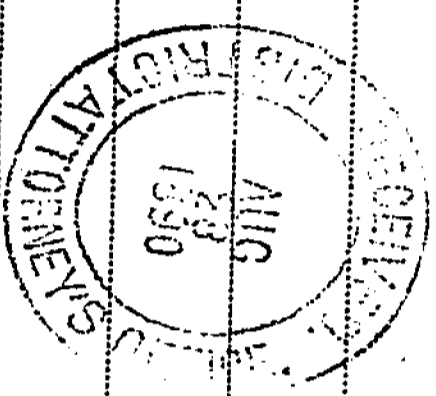
121  
Police Court---  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Martha H. H. H.  
Charles H. H.  
George H. H.  
John H. H.  
Offense Assault  
Felony

Dated, Aug 20 1890

Wm. H. H. Magistrate.  
Wm. H. H. Officer.

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



No. 1000 Street E. 108  
to answer Aug 20

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

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

Dated, Aug 20 1890 Wm. H. H. Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

0159

Sec. 192.

5 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Maurice J. Pared a Police Justice  
of the City of New York, charging Salara De Carrella Defendant with  
the offence of Assault

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, Salara De Carrella Defendant of No. 2135  
1st Avenue Street; by occupation a Mason  
and Antonio Petrucci of No. 2135 1st Avenue  
Street, by occupation a Sign Store Surety, hereby jointly and severally undertake that  
the above named Salara De Carrella Defendant  
shall personally appear before the said Justice, at the 5 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 ten  
Hundred Dollars,

Taken and acknowledged before me, this 19  
day of August 1890.

James E. [Signature] POLICE JUSTICE.

Salara De Carrella  
Antonio Petrucci

0160

CITY AND COUNTY } ss.  
OF NEW YORK,

Sworn to before me, this  
day of August 1889

Justice.

*Antonio Petrucci*

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 *Twenty* 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 *Stock & fixtures of*

*liquor store situated 2125*  
*First Avenue in the City of New*  
*York of the value of Five thousand*  
*dollars free and clear.*

*Antonio Petrucci*

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Undertaking to appear  
during the Examination.

vs.

Taken the day of 188

Justice.

0 11  
This is to certify that <sup>August 18th '90.</sup> ~~Thos~~ <sup>Clark</sup> was received  
into the Presbyterian Hospital last night and  
was treated for injured wounds. one  
two inches long behind left ear, one  
six inches over left shoulder. His  
wounds are not dangerous.

Dr. H. L. Shufy,  
House Surgeon.

0162

Police Court—5—District.

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

Patrick Maher  
of No. 2217-1<sup>st</sup> Avenue Street, aged 26 years,  
occupation Driver being duly sworn

deposes and says, that on the 17 day of August 1890 at the City of New  
York, in the County of New York, one Thomas J. Clarke

was violently and feloniously ASSAULTED and BEATEN by Salvatore Scarsella  
— Now thence that the said Thomas J. Clarke  
is an officer of the 27<sup>th</sup> Precinct Police  
that deponent saw the said Thomas J.  
Clarke lying on the ground and while  
the said Clarke was down the said  
defendant struck said Clarke on the  
head with some heavy substance which  
he threw from his hand that  
said Thomas J. Clarke is unable to appear  
in court from the result of said injuries  
and deponent verily believes that said Thomas  
J. Clarke was so violently and  
feloniously assaulted and beaten

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

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

Sworn to before me, this 18<sup>th</sup> day }  
of August 1890 }

Andrew W. [Signature] Police Justice.

Patrick Maher

0153

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

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

28.

### *Offence—Felonious Assault & Battery*

*Dated* ..... 188

***Magistrate.***

Officer.

**Clerk.**

**Witnesses:**

No. .... Street.

No. .... Street,

No. .... Street.

.....to answer General Sessions.

0164

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, } ss.

Salvatore Canella 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.

Salvatore Canella

Question. How old are you?

Answer.

36 years -

Question. Where were you born?

Answer.

Italy

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

Answer.

2127-1<sup>st</sup> Ave, 3 years -

Question. What is your business or profession?

Answer.

Stone-Mason

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  
I had a fight with John  
Spagnola, the God father of my  
child, Sunday Aug 17, about 6 P.M.  
I was struck on the head by him  
with a club - the wound bled and  
continued to bleed until I was  
arrested. I was at Roseberry's  
house about 72<sup>nd</sup> St 8. That  
evening, and came away between  
10<sup>15</sup> & 10<sup>20</sup> I did not leave  
between those times - I did not  
strike officer Clark at all - I was  
not in the crowd that beat officer  
Clark - ~~did not~~ the Watchman  
Maker did not strike me on the head  
with a club.

Salvatore Canella  
Perk

day of

189

Taken before me this

Police Justice.

.....*Police Justice.*

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Ricardo Spera, Salava De Carrello & John Domingo*

The Grand Jury of the City and County of New York, by this indictment, accuse *Ricardo Spera, Salava De Carrello & John Domingo* of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Ricardo, Salava and John*, all —

late of the City of New York, in the County of New York aforesaid, on the ~~seventeenth~~ day of ~~August~~, — in the year of our Lord one thousand eight hundred and ~~ninety~~, with force and arms, at the City and County aforesaid, in and upon the body of one *Thomas G. Clarke* — in the Peace of the said People then and there being, feloniously did make an assault and ~~him~~ the said *Thomas G. Clarke*, with a certain ~~knife~~ and also with a certain ~~shoe-last~~.

which the said *Ricardo, Salava and John* — in ~~their~~ right hands then and there had and held, the same being ~~a~~ deadly and dangerous weapons then and there wilfully and feloniously did strike, beat, cut, stab and wound, ~~the same being such means and force as were likely to produce the death of the said Thomas~~, with intent ~~him~~ the said *Thomas*, thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said *Ricardo Spera, Salava De Carrello & John Domingo* of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Ricardo, Salava and John*, all —

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Thomas G. Clarke*, — in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and ~~him~~ the said *Thomas*, — the said with a certain ~~knife~~ and also with a certain ~~shoe-last~~.

which the said *Ricardo, Salava and John* —

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

0 167

THIRD COUNT—

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

*Armando Spera, Salava Delacella & John Dainig*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Armando, Salava and John*, all —

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

*Thomas J. Sharkey*, in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *kill* the said *Thomas*, —

with a certain *knife and also with a certain short*, —

which *they* the said *Armando, Salava and John* in *their* right hand, then and there had and held, in and upon the *head and body* of *him* the said *Thomas*, —

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *Thomas*, —

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

JOHN R. FELLOWS,

~~District Attorney.~~

0168

~~South~~ COUNTY:-

AND THE GRAND JURY AFORESAID, by this indictment further

accuse the said *Alvin Karpis, Salva*

*De Larella and John Doney* —

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows.

The said *Alvin Karpis, Salva and John*, all —

late of the City of New York, in the County of New York, aforesaid, on the *seventeenth*  
day of *August*, in the year of our Lord one thousand eight hundred and  
*ninety*, at the City and County aforesaid, with force and arms, feloniously made  
an assault in and upon one *Thomas J. Clarke*, —

then and there being, a *patrolman* of the Municipal Police of the City of  
New York, and as such *patrolman* being then and there engaged in the lawful  
*arrest* of *the said John*, for  
*an assault*; —

and the said *Alvin Karpis, Salva and John*, —  
him, the said *Thomas*, —

then and there feloniously did beat, strike, wound and otherwise ill-treat, with intent  
then and there and thereby to prevent and resist the lawful *arrest*  
of *the said John* — 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.

JOHN R. FELLOWS,

District Attorney.

0169

**BOX:**

411

**FOLDER:**

3802

**DESCRIPTION:**

Straub, Bertha

**DATE:**

09/03/90



3802

0170

Witnesses:

J. M. D. of  
E. A. Treat

Frederick Weber  
maker of note

Cashier of Murray  
Hill - who was the  
cashier on August  
16<sup>th</sup> 90

Charlie Straub  
payee of note

#13 M. S. Schless  
Mt. Vernon Bank  
Building

Counsel, J. D. Schless  
Filed 3 day of Sept. 1890  
Pleads, Not guilty

THE PEOPLE

20  
1718. Dec - 1890  
housekeeper

I

Bertha Straub

Grand LARCENY, 2<sup>nd</sup> degree  
(False Pretenses).  
[Section 628, and 531, Penal Code].

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

Wm. S. Kaymo  
Sept 10, Sept 8/90 Foreman.  
Pleads Petition  
Sept 17/90 J. J.

0171

Police Court—

8<sup>th</sup> District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 1590 - 3<sup>rd</sup> Avenue John Mendoff  
occupation Confectioner Street, aged 48 years,  
being duly sworn

deposes and says, that on the 17<sup>th</sup> day of August 1890 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

Good and Lawful Money of  
the United States of the Amount  
and value of Thirty five dollars

the property of

Deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Bertha Straub (now here)

from the fact that the defendant came  
to deponent's place of business no 1590  
3<sup>rd</sup> Avenue and asked deponent to  
cash the annexed check made payable  
to Charlie Straub defendant's husband for thirty five  
dollars on the Murray Hill Bank signed  
by Fred Weber defendant. Stated that  
her husband came home to late last night  
to get the check cashed deponent believing  
said statement gave the defendant the  
above described amount of money the face  
value of said check deponent subsequently  
deposited the said annexed check in the  
East River National Bank deponent subsequently

Sworn to before me, this

18<sup>th</sup> day of

Police Justice

Received a notice from the Cashier of the  
East River Bank requested to account  
in the Murray Hill Bank &  
Deposits performed by Edward  
of Brook Park Keeper in the Murray Hill  
Bank that Fred Webber the maker of  
said annexed check has no account  
in said Bank

Wherefore defendant charges the said  
defendant presenting said check to  
defendant with intent to defraud by  
color or aid of said fraudulent check  
in violation of Section 529 of the  
Penal Code of the State of New York

Sworn to before me

22 day of Aug 1890

*William A. Smith*

Police Justice

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 25 years, occupation Book Keeper of No. 563 Walton Ave  
Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of John Wundorf  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 22

day of Aug 1898

Edward H. Frost  
Wiggin  
Police Justice.

0174

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

*Bertha Straub* 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 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.

*Bertha Straub*

Question. How old are you?

Answer.

*20 years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*171st 2nd Ave 5 weeks*

Question. What is your business or profession?

Answer.

*Married woman*

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*

*Bertha Straub*

Taken before me this  
day of

189

Police Justice.

0175

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

*John Thuncliff*  
*1594 3rd*  
*130th Street*

Offense

*Larceny Fel*

Dated, *Aug 22* 189

*James Brown* Magistrate

*George Brown* Officer

*27* Precinct

Witnesses

No. 1, by

*Edward H. Street*

No. 2, by

*563 Madison Ave*

No. 3, by

*500 98th*

No. 4, by

*to answer*

No. 5, by

*com*

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

*Defendant*

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

Dated, *Aug* 189 *James Brown* Police Justice.

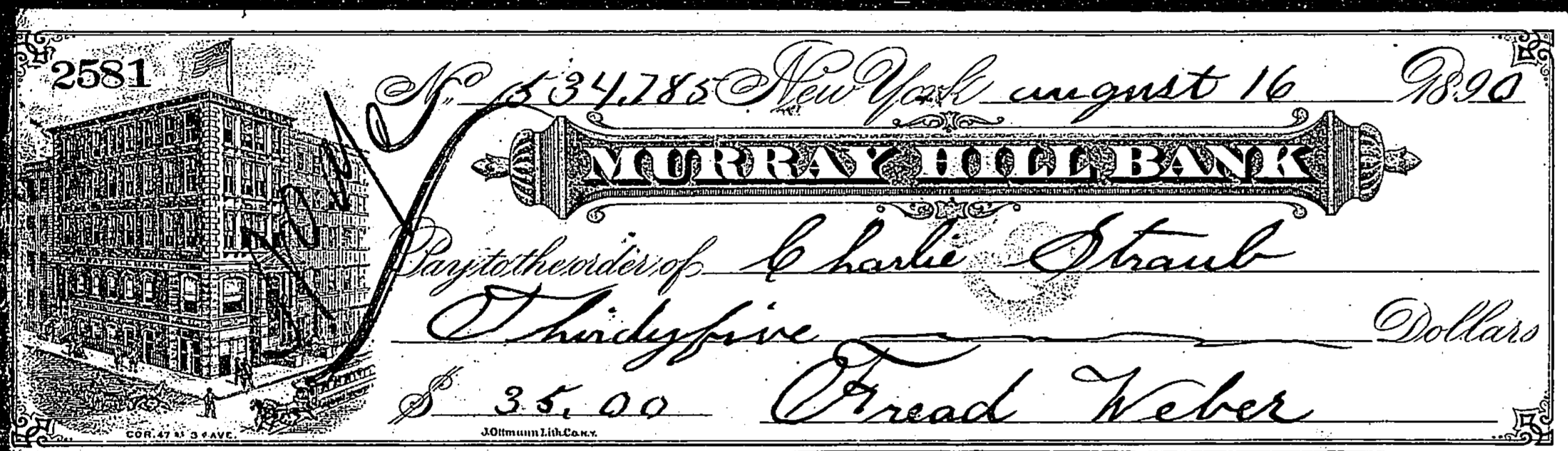
I have admitted the above-named to bail to answer by the undertaking hereto annexed.

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

0176



0177

charlie straub

*[Signature]*

1718-2nd Ave

0178

No 199 —

0179

SS

3/10/08

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 5 DISTRICT.

John Munderoff  
of No. 1590-8<sup>th</sup> Ave Street, aged \_\_\_\_\_ years,  
occupation Confectioner being duly sworn deposes and says,  
that on the 17<sup>th</sup> day of August 1890  
at the City of New York, in the County of New York, Bertha Strank  
(now here) who came to deponent place of  
business and asked deponent to  
cash a check on the Murray Hill Bank  
of the City of New York for the sum of  
Thirty five dollars. Deponent charges  
said defendant with passing said  
fraudulent check on deponent with intent to defraud  
deponent of said amount of money  
wherefore deponent prays that said  
defendant may be held for examination  
in order to enable deponent to procure sufficient evidence  
John Munderoff

Sworn to before me, this

1890 day

Police Justice.

018

Police Court, 3<sup>rd</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Munderoff  
vs.  
Bertha Strank

AFFIDAVIT.

Lancaster

\$ 500 for E.  
\$ 250 for Q. & A.  
Aug 22

20 yrs 17/8-2 and for New York

Dated Aug 22 1890

Powell Magistrate.

Doran Officer.

Witness, 27

Disposition, \_\_\_\_\_

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
AGAINST

*Bertha Shand*

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

*Bertha Shand*

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

The said *Bertha Shand*,

late of the City of New York, in the County of New York aforesaid, on the *seventeenth*  
day of *August* in the year of our Lord one thousand eight hundred and  
eighty *nine* at the City and County aforesaid, with force and arms, with intent to  
deprive and defraud *one John Munday*

of the proper moneys, goods chattels and personal property hereinafter mentioned, and of  
the use and benefit thereof, and to appropriate the same to *her own* use, did then and  
there feloniously, fraudulently and falsely pretend and represent to *the said*

*John Munday*

That a certain paper writing in the words  
and figures following, to wit:

"No 534785 New York August 16 1890

Twenty Five Dollars

Pay to the order of *Charles Shand*

*Twenty five* Dollars

\$35.00 *Frederick W. Weller*

and upon the back whereof there was then and  
there written a certain endorsement as follows,

to wit: "Bertha Skrand", which said paper writing she the said Bertha Skrand then and there produced and delivered to the said John Mundorff, was then and there a good and valid order for the payment of money, and of the value of thirty five dollars.

And the said John Mundorff —

then and ~~there~~ <sup>there</sup> believing the said false and fraudulent pretenses and representations so made as aforesaid by the said Bertha Skrand —

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said Bertha Skrand, the sum of thirty five dollars in money, lawful money of the United States of America and of the value of thirty five dollars.

of the proper moneys, goods, chattels and personal property of the said

John Mundorff —

And the said Bertha Skrand — did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and personal property, from the possession of the said John Mundorff —

by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said John Mundorff —

of the same, and of the use and benefit thereof, and to appropriate the same to her own use

Whereas, in truth and in fact, the said paper writing which she the said Bertha Skrand as aforesaid then and there produced and delivered to the said John Mundorff was not then and

there a good and valid order for the  
payment of money, and was not of the  
value of fifty five dollars, or of any  
value, but was wholly worthless.

And Whereas, in truth and in fact, the pretenses and representations so made  
as aforesaid by the said Bertie Shaul  
to the said John Munday was and were  
then and there in all respects utterly false and untrue, as she the said  
Bertie Shaul  
at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said  
Bertie Shaul  
in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods,  
chattels and personal property of the said John Munday  
then and there feloniously did STEAL, against the form of the Statute in such case made and  
provided, and against the peace and dignity of the said people.

JOHN R. FELLOWS,

District Attorney.

0185

**BOX:**

411

**FOLDER:**

3802

**DESCRIPTION:**

Stufel, Charles H.

**DATE:**

09/16/90



3802

0186

Witnesses;

*Anna Stumpf*  
*Katie Hublitz*  
*Carrie Stumpf*

#146 A.C.

Counsel,

Filed

day of

1890

Pleads

THE PEOPLE

vs.

*Charles H. Stumpf*

BIGAMY -  
(Section 298, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Wm. Raynes*  
Foreman.

*Plead Guilty*  
*24th 6 Mts*

Police Court, 6<sup>th</sup> District.City and County } ss.  
of New York,

of No. 607 East 142<sup>d</sup> Street, aged 23 years,  
 occupation married, housekeeper being duly sworn, deposes and says,  
 that on the 25<sup>th</sup> day of August 1890, at the City of New  
 York, in the County of New York, Charles H. Stumppel,

deponent's husband, did feloniously marry  
 another. Said Charles H. Stumppel  
 was married to this deponent on or  
 about the 23<sup>d</sup> day of April 1886 at  
 the pastoral residence of a church in  
 27<sup>th</sup> street near 3<sup>d</sup> Avenue by the  
 minister of said church, in the presence  
 of Thomas Dunham and Sarah Dunham  
 his wife who now live at No 105 East  
 130<sup>th</sup> street in this city. Ever since said  
 marriage until about the 25<sup>th</sup> day of July  
 1890 deponent and said Charles H. Stumppel  
 lived together as man and wife and deponent  
 has had two children of whom he is the  
 father. Deponent is informed by Katie  
 Hublitz that on the 25<sup>th</sup> day of August  
 1890 she saw said Charles H. Stumppel  
 married to Carrie Hublitz by Pastor  
 Weis, a clergyman who resides in  
 3<sup>d</sup> Avenue near 162<sup>d</sup> street in the City of New York  
 and that  
 said marriage ceremony was performed  
 at the said residence of said clergyman  
 in the presence of said Carrie and of  
 Joseph Harold, who also informs  
 deponent that he was present and saw  
 said marriage. Said Pastor Weis  
 also informed deponent that he celebrated  
 said marriage, and that said Charles  
 H. Stumppel gave the name of Harry  
 C. Stumppel. Deponent is informed  
 that her said husband has gone  
 away with said Carrie Hublitz  
 and is living with her at Rochester

in this state, defendant being so told by said Katie Hublitz, sister of said Carrie Hublitz. Whereupon defendant prays that said Charles H. Stumpfzel may be arrested and dealt with as the law directs

Sum to before me this  
1st day of September 1890  
Police Justice

Miss Annie Stumpfzel

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

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

Dated 1888 Police Justice

Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

1  
2  
3  
4

Offence,

Dated

1888

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$

to answer

Sessions

CITY AND COUNTY } ss.  
OF NEW YORK, }

aged 18 years, occupation Truman of No.

651 E 105th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Amie Stumpf

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

Sworn to before me, this

day of

1st September 1890 Joseph Harold

Henry Murray

Police Justice.

0190

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 18 years, occupation factory girl of No. 630 East 155 Street, being duly sworn deposes and

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

Sworn to before me, this

day of

1st September 1890 Katie Huberz

[Signature]  
Police Justice.

0191

Sec. 198-200.

*6th*

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*Charles H. Stumpf.*

Question. How old are you?

Answer.

*Twenty-three.*

Question. Where were you born?

Answer.

*New York City.*

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

Answer.

*81 North Avenue, Rochester; Ten days*

Question. What is your business or profession?

Answer.

*Trimmer*

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.*  
*C. H. Stumpf*

Taken before me this

day of

189

Police Justice.

0192

GLUED PAGE

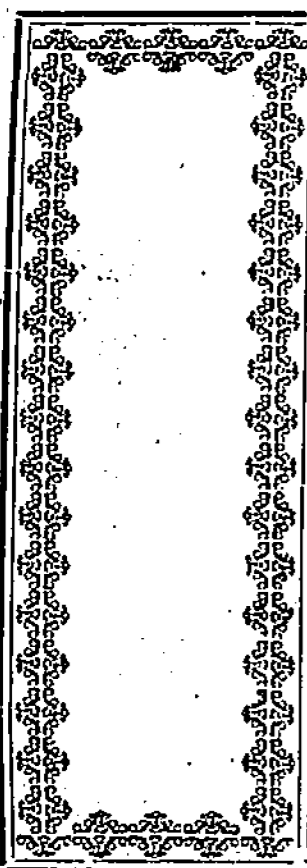
The within named

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

Dated.....188

Police Justice.

Sec. 157.

	State of New York,	} ss:	<i>John Heard</i>
	MONROE COUNTY,		
	City of Rochester,	of <i>the city of Albany County of New York</i>	
	being duly sworn, says that he is acquainted with the hand-writing of	<i>Henry Murray the Police Justice</i>	
	who issued the annexed Warrant; that the signature to the Warrant is in the hand-writing of said	<i>Murray</i>	
Sworn to before me, this	<i>5</i>		<i>John Heard</i>
day of	<i>Sept</i>	<i>1890</i>	
	<i>W. Keeler</i>		Police Justice.

J. F. O'Neill, Printer, over 6 State St.

0193

GLUED PAGE

The within named

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

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

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

*The within warrant may be  
executed in Monroe County.*

*B. Keeler  
Police Justice*

*all of the  
warrant  
is  
to be  
executed  
in  
Monroe County*

0194

Sec. 151.

Police Court 6<sup>th</sup> 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 Annie Stumpf

of No. 25 Street, that on the 25 day of August 1890 at the City of New York, in the County of New York, Charles H. Stumpf,

did, while having a wife living, to wit said complainant, marry another person, viz Carrie Hubert, bigamously and feloniously in violation of Section 265 of the Penal Code of the State of New York.

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 6<sup>th</sup> DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 1st day of September 1890

Henry H. H. H. POLICE JUSTICE.

POLICE COURT 6<sup>th</sup> DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Annie Stumpf

vs.

Charles H. Stumpf

Warrant-General.

Dated September 1st 1890

Henry H. H. H. Magistrate

The Defendant Charles H. Stumpf taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

John A. A. Officer.

Dated September 8<sup>th</sup> 1890

This Warrant may be executed on Sunday or at night.

Henry H. H. H. Police Justice.

REMARKS.

Time of Arrest, September 5<sup>th</sup> 1890

Native of USS

Age, 23

Sex Male

Complexion, Light

Color White

Profession, Journalist

Married Yes

Single, No

Read, Yes

Write, Yes

Heckler W. W.  
William A. A.

0195

Police Court... 6th 1390 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James Stumpfel  
607 East 14th St  
Charles H. Stumpfel

Offence Bigamy

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

Magistrate

Officer

Witnesses

No.

Street

No.

Street

No.

Street

Committed

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

Charles H. Stumpfel

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Thirty - 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 September 1890. Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

0196

Police Court, Sixth District.

Form 26,

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

THE PEOPLE

ON THE COMPLAINT OF

Annie Stumpf  
against  
Charles H. Stumpf

1

2

3

4

OFFENCE

At a hearing held on Monday, the 8th  
day of September, 1890, before Justice Henry Murray  
of No.          Street,

being duly sworn, deposes and says, that

Mrs. Annie Stumpf, complainant  
in this action being duly sworn  
deposes and says:

Examination - By the Court.

Q Are you a married lady?

A Yes sir.

Q To whom are you married?

A Charles H. Stumpf.

Q What do you complain of?

A He ran away with this lady and  
married her.

Q It was you that got the warrant?

A Yes sir.

Q Where did you get him?

A In Rochester.

Hublitz  
 Carrie ~~Stumpf~~, wife of ~~Mr. Stumpf~~,  
 being duly sworn deposes  
 and says.

Ex. By the Court.

Q Is this your husband?

A Yes sir.

Q Where were you married?

A Between one hundred and sixty  
 third and One hundred and  
 sixty-fourth streets and  
 Third Avenue, by Mr. Weiss.

Q Tell me about the marriage?

A I have got nothing to say.

Q When were you married to him?

A On the 25<sup>th</sup> of August

Q How long have you been  
 keeping company with him?

A Nearly a year.

Q How long has he been courting you?

A About a month.

Q Did you know that he was a  
 married man?

A No sir, not until we were near  
 Rochester.

Q Did you know before that that  
 he was a married man?

A No sir. We often went to picnics and his brothers and friends of his saw them and they never told me a word about it

Detective Sergeant. Heard of the Central Office being duly sworn deposes and says:

Examination - By the Court

Q Had you any trouble in identifying him?

A No sir, very little, though he does not look anything like the photograph we had.

We found him a workaholic.

The Rochester detective placed him and brought him out to me.

Q Where did he have this girl, wife No 2.

A In a lodging house on North Street.

Charles H. Stumpfel, defend-  
and herein deposes and  
says.

~~Examination~~ By the Court

Q You are charged with marrying  
both of these girls what  
do you say about that?  
A I have nothing to say.

Ernie Stumpfel, complainant herein  
being recalled deposes and says

Ex. By The Court?

Q How long has your been  
married to him?

A Five years.

Q How many children have you?

A Two children.

Q <sup>were</sup> When you born?

A I think in Brooklyn but  
I am not sure.

Q What's his business?

A Roofing.

Q When did you first hear of his marriage?

A I came home from the country on Monday night and I told my brother that he was going to a party. He was to meet me at the depot. On that evening he was married by Pastor Gersie and the next morning I noticed it in ~~the~~ <sup>a</sup> German newspaper. ~~He left~~

Q Did he leave you destitute?

A Yes sir; not one cent did I have.

Q Was he a good provider when he lived with you?

A Yes sir.

City and County  
of New York } S.S.

Emil W. Fritz of 2855  
Third Avenue, New York City, being  
duly sworn deposes and says,  
That he is a stenographer, that  
the minutes of the case of  
The People on Complaint  
of Annie Stumpfel vs. Charles  
W. Stumpfel where to this affi-  
davit is annexed, were taken  
down by defendant stenographically  
and by him transcribed, and  
that they are a true and correct  
record of the testimony given in  
said case. *Emil W. Fritz*

Sworn to before me  
this 11th day of September, 1890

*Henry H. [Signature]*  
Police Justice

0202

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Charles H. Stumpfel*

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

*Charles H. Stumpfel*

of the CRIME OF BIGAMY, committed as follows.

The said *Charles H. Stumpfel*

late of the City of New York, in the County of New York, aforesaid, on the *23rd*  
day of *April*, in the year of our Lord one thousand eight hundred and  
*eighty six*, at the City and County  
aforesaid,

did marry one *Annie Stumpfel*, and ever  
the said *Annie Stumpfel*, did then and there have for  
*his wife*; and the said *Charles H. Stumpfel*,

afterwards to wit, on the *25th* day of *August*, in the year of  
our Lord one thousand eight hundred and *ninety*, at the City and  
County aforesaid,

did feloniously marry and take as *his wife* one *Carrie Schultz*.  
and to the said *Carrie Schultz*,

was then and there married, the said *Annie Stumpfel*  
being then living and in full life, against the form of the Statute in such case made and  
provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,  
District Attorney.

0203

**BOX:**

411

**FOLDER:**

3802

**DESCRIPTION:**

Sullivan, John

**DATE:**

09/19/90



3802

0204

Witnesses:

Edward Flynn

#166

Counsel,

Filed

day of

Pleads

THE PEOPLE

vs.

John Sullivan

W. P. Sullivan

JOHN R. FELLOWS,

District Attorney.

INJURY TO PROPERTY.

[Section 634, Penal Code.]

A True Bill.

Mr. S. Hayes.  
Foreman.  
Pleads Guilty of a  
Misdemeanor  
19th Nov

0205

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *John Sullivan*

Question. How old are you?

Answer. *34 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *Globe Lodging House 10th Row 24 years*

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 guilty*

*John Sullivan*

Noted before me this

*12th*

*1894*

*Robert J. Sullivan*  
Notary Public

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

0207

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, DISTRICT,

of No. 20 Bowery Street, aged 36 years,  
occupation Leather dealer being duly sworn deposes and says  
that on the 11th day of September 18890  
at the City of New York, in the County of New York.

John Sullivan (now dead) did wilfully  
maliciously throw a stone at  
the plate glass window in deponents  
premises 20 Bowery breaking  
the same, and being of the value of  
One hundred Dollars and being  
deponents property.

Edward Flynn

Sworn to before me, this

11th day of September 1889

John J. Duwicks  
Police Justice.

0208

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 Sullivan*

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

*John Sullivan* —

of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* —

PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *John Sullivan*, —

late of the *Sixth* Ward of the City of New York, in the County of New York  
aforesaid, on the *eleventh* day of *September*, in the year  
of our Lord one thousand eight hundred and *eighty* ~~eighty~~ *ninety*, at the Ward, City and  
County aforesaid, with force and arms, *a certain pane of*

*plate glass,*

of the value of *one hundred dollars,* —

of the goods, chattels and personal property of one *Edward T. Ryan,* —

then and there being, then and there feloniously did unlawfully and wilfully *break*

*and destroy,*

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

## SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*John Sullivan* —  
 of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* —  
 REAL PROPERTY OF ANOTHER, committed as follows:

The said *John Sullivan*, —  
 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, with force and arms, a certain

*pane of plate glass,*

of the value of *one hundred dollars*, —  
 in, and forming part and parcel of the realty of a certain building of one  
*Edward E. Egan*, —  
 there situate, of the real property of the said

*Edward E. Egan*, —  
 then and there feloniously did unlawfully and wilfully *break and destroy*, —

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

**JOHN R. FELLOWS,**

District Attorney.