

0209

BOX:

199

FOLDER:

1994

DESCRIPTION:

Daggett, Rady

DATE:

12/23/85



1994

0210

No 227

Counsel,

*B. B. B.*

Filed

1885

23 day of Dec

Pleds

*W. G. G. M.*

THE PEOPLE

vs.

*R*

*Robert D. D.*

Assault in the Second Degree.  
(Resisting Arrest.)  
(Section 218, Penal Code.)

RANDOLPH B. MARTINE,

1st Deputy District Attorney.

*W. G. G. M.*

A True Bill.

*W. G. G. M.*

Foreman.

*Jan 20 1885*  
*Jan 22 1885*  
*G. J. B.*

Witnesses:

0211

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

District Police Court.

*Rhody Daggett* 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. *Rhody Daggett*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *New York all my life*

Question. What is your business or profession?

Answer. *Agent*

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 demand a trial in the Court of General Sessions*  
*Rhody Daggett*

Taken before me this

*27*

day of *November* 188*7*

*John J. McManis* Police Justice.

02 12

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 \_\_\_\_\_

Shady Huggitt  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Seven 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 27 1881 John J. Brown 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.



02 13

\$1000 bail for Ex  
2 P.M. 28 Nov 1885

Police Court-- 1370 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Edward F. Brett  
vs. Preet,

1 Rhody Duggitt

2  
3  
4

Offence Assault

Dated Nov. 27 1885

Edward F. Brett Magistrate

Brett Officer.

2 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 700 to answer G.S.

Chm

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

02 14

Police Court—1st District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

of the 4<sup>th</sup> Precinct Police Edward F. Brett  
Street, aged 28 years,  
occupation Police officer. being duly sworn, deposes and says, that  
on the 26 day of November 1885 at the City of New York,  
in the County of New York,

he was violently ASSAULTED and BEATEN by Rhody Daggett (nowhere)  
that deponent arrested said defendant, on a charge  
of Larceny, from the person of an unknown person  
and when in deponent's custody he struck  
at deponent.

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 the above assault, &c, and be dealt with according to law.

Sworn to before me, this 27  
day of November 1885 } Edward F. Brett

John J. [Signature] Police Justice

0215

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Rodney Daggett*

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

*Rodney Daggett*

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

The said *Rodney Daggett*,

late of the City of New York, in the County of New York aforesaid, on the  
*twenty-sixth* day of *November*, — in the year  
of our Lord one thousand eight hundred and eighty *five*, at the City and County  
aforesaid, with force and arms feloniously made an assault in and upon one

*Edward E. Brett*

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  
*apprehension* of the said *Rodney Daggett*  
*for a felony*.

and the said *Rodney Daggett*,

him, the said *Edward E. Brett*,

then and there feloniously did beat, strike, wound and otherwise illtreat, with intent  
then and there and thereby to prevent and resist the lawful *apprehension*  
of *himself*, — 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.

02 16

BOX:

199

FOLDER:

1994

DESCRIPTION:

Dalton, George F.

DATE:

12/17/85



1994

0217

No 164  
12 W  
2016

Witnesses:

E. S. Wilson

E. G. Dore

Counsel,

Filed 17 day of Dec 1885

Pleads (Magistrate 21)

THE PEOPLE

vs.

B

George F. Dalton

MISDEMEANOR.

RANDOLPH B. MARTINE,

District Attorney,

City of New York.

A TRUE BILL.

Henry F. Smith

11th St. N.Y.C.

Foreman.

1st St. N.Y.C.

1st St. N.Y.C.

1st St. N.Y.C.

1st St. N.Y.C.

1st St. N.Y.C.

0218

E. G. LOVE, PH. D.,  
Analytical and Consulting Chemist,  
122 BOWERY,

New York, Sept 29<sup>th</sup> 1885

# CERTIFICATE OF ANALYSIS.

## SAMPLE OF BUTTER.

Marked, No. 66. 70 South 5<sup>th</sup> Ave.  
Received from B. F. Van Valkenburgh per E. S. Wilson  
on Sept. 17<sup>th</sup> 1885.

### THE SAMPLE CONTAINS:

WATER, - - - - -	7.872%
ANIMAL AND BUTTER FAT, -	88.57%
CURD, - - - - -	0.82%
SALT, - - - - -	3.24%

### ANALYSIS OF THE FAT:

INSOLUBLE FATTY ACIDS, -	45.30%
SOLUBLE " " -	0.23%
SPECIFIC GRAVITY OF THE FAT AT 100° F., - - -	0.911

This sample is composed mainly of animal fat, and was not produced from unadulterated milk, or cream from the same. It was not produced from milk or cream alone. It contains coloring matter, whereby it is made to resemble butter, the product of the dairy; and it is in imitation and semblance of butter, produced from pure unadulterated milk or cream from the same.

Respectfully yours,

E. G. Love Ph. D.

Mr. B. F. Van Valkenburgh

State of New York  
City of New York  
County of New York } ss.

On the twenty-ninth day of September in the year  
one thousand eight hundred and eighty-five  
E. G. Love to me known, and known to me to be the individual  
described in, and who executed the foregoing instrument, and  
acknowledged that he executed the same.

Joe E. Nichols  
Notary Public  
(N.Y.) N.Y.C.



0219

STATE OF NEW YORK,  
County of New York

ss. :

Edmund S. Wilson being duly sworn, deposes and says :  
That he resides in the 133 Irving Street, the City of Brooklyn in the County of  
Kings and State of New York, and is 35 years of age,  
and is an Expert appointed by JOSIAH K. BROWN, New York State Dairy Commissioner ;  
That on the 10th day of September, 1885, in the  
Plot occupied by him, No. 70 South 5th Avenue street, in the City  
of New York in the County of New York

and State of New York, one George F. Dalton, against the  
form and statutes in such cases made and provided, and in violation thereof, and against the peace of the  
people of the State of New York, had in his possession, with intent to sell the same for Butter made from unadul-  
terated Milk or Cream, a number of pounds of a substance, product, manufacture and compound, which was not  
Butter made from unadulterated Milk or Cream, but had been made by manufacturing, mixing and compounding with  
and adding to a small quantity and proportion of natural Milk, Cream or Butter a large quantity and proportion of  
animal fats or animal or vegetable oils, and was a manufactured oleaginous substance not produced from Milk or  
Cream ; that it had been and was colored with some coloring matter whereby the same was made to resemble Butter,  
the product of the Dairy, and was so colored thereby, in semblance of and resembled Butter, and did resemble Butter  
the product of the Dairy ; that the said Dalton did suffer and permit one of his agents and  
servants namely Archibald Speare to offer for sale (in his presence) -  
and indeed, in said Plot offered said substance, product, manufacture and compound for sale as and for

Butter made from unadulterated Milk or Cream at such time and place, with intent to sell the same as and for Butter  
made from unadulterated Milk or Cream, and did sell some considerable portion thereof, to wit, 1 pound  
as and for Butter, the product of the Dairy, and represented the same to be Butter at such time  
and place ; that the said substance, product and compound was not natural Butter produced from pure unadulterated  
Milk, or Cream of the same, and was not Butter the product of the Dairy, and was not made exclusively from Milk or  
Cream, or both ; that it contained some substance for the purpose and with the effect of imparting thereto a color  
resembling that of yellow Butter, and was in imitation and semblance of natural Butter produced from  
pure unadulterated Milk or Cream of the same, and was colored by some substance to resemble yellow  
Butter, and was in semblance of natural Butter ; that the same was a substance known as Oleomargarine ; that it had  
been made, manufactured and rendered after April thirtieth, 1885, out of some animal fat, or animal  
or vegetable oils not produced from unadulterated Milk, or Cream of the same, in imitation and semblance  
of natural Butter, produced from pure unadulterated Milk, or Cream of the same, by mixing, compounding with  
and adding to a small quantity of Milk, Cream or Butter a large quantity and proportion of some animal fats or animal  
or vegetable oils not produced from Milk or Cream, with design and intent to render, make and produce an article,  
substance and human food in imitation and semblance of natural Butter. That the same was not manufactured, or in  
process of manufacture on April thirtieth, 1885, but has been rendered, manufactured, compounded and mixed since  
April thirtieth, 1885, as deponent is informed and believes

~~That the tubs in which the same was contained did not have the words "Oleomargarine Butter"~~  
~~upon the top or side thereof, and such words were not burned in or painted thereon with permanent~~  
~~black paint, in a straight line not less than one half inch in length, where deponent could see such brand ;~~  
~~that no printed label, bearing the words "Oleomargarine Butter," was delivered therewith to the purchaser thereof.~~

Deponent further says that on said 15th day of September  
1885, he went to the said Plot of said  
Dalton in said City and County, and told said Speare  
that he wanted to buy some Butter ; that said Speare  
~~showed deponent a number of pounds of the said Oleomargarine hereinbefore mentioned,~~ offered the same to depo-  
nent for sale, and sold the same to deponent ; that he so sold to deponent 1 pound  
thereof, and deponent then paid to him therefor the agreed price thereof, amounting to the sum of \$ 0.20 ;  
that, as deponent believes and charges, the said Speare at the time  
of so offering and selling the same, well knew that it was Oleomargarine, and had been manufactured and colored as  
hereinbefore stated ; that he did not tell deponent at any time that the said Oleomargarine so sold to deponent was not  
Butter, the product of the Dairy ; that deponent saw the ~~tubs in which the said Oleomargarine was contained,~~ and no  
printed label bearing the words " Oleomargarine Butter," was delivered by said Speare  
to deponent with the Oleomargarine sold to him: that on



III Court of New York  
County of \_\_\_\_\_

THE PEOPLE, &c.,  
vs.  
George Foxhall

Affidavit: E. J. Wilson  
of Washington

Witnesses J. C. DuBois  
Residence Washington  
E. G. Love  
Residence 22 Brewery

Residence \_\_\_\_\_

0220

0221

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

2 District Police Court.

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

Question. What is your name?

Answer.

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.  
I demand a trial by  
jury*  
*George Dalton*

Taken before me this

day of

1888

Police Justice.

0222

Sec. 151.

Police Court 2<sup>d</sup> District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by Edmund J. Wilson

of No. 153 N. Bowker Street, that on the 15<sup>th</sup> day of September  
1885 at the City of New York, in the County of New York,

George F. Walter had then and  
there and in possession with intent  
to sell the same for Barton, and  
with having sold for Barton, a certain  
substance known as Colomargarine  
in violation of Chapter 215 of the  
Laws of 1882 of the State of New York.

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant, and bring him  
forthwith before me, at the 2<sup>d</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 27<sup>th</sup> day of October 1885  
Solomon S. ...  
POLICE JUSTICE.

0223

70 South  
Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Edmund S. Wilson  
vs

George F. Dalton

Warrant-General.

Dated October 27 1887

Smith Magistrate.

Campbell Officer.

The Defendant George F. Dalton

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

Ray  
Bathman (Am. Justice) Officer.

Dated 188

This Warrant may be executed on Sunday or at  
night.

Police Justice.

REMARKS.

Time of Arrest, Oct 28 1887

Native of No

Age, 20

Sex,

Complexion,

Color, White

Profession, Business

Married, Yes

Single,

Read, Yes

Write, Yes

George F. Dalton

0224

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

*James* *Solomon*  
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 Oct 2 188 *Solomon* Police Justice.

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

Dated Oct 2 188 *Solomon* 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.

0225

Police Court

District

THE PEOPLE, &c,  
ON THE COMPLAINT OF

vs.

George F. Walton

2

3

4

Dated

October 28

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

300 to answer

Bailed

BAILED

No. 1, by

Edmund Losey

Residence

344 West 4th Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street

No. 4, by

Residence

Street.



0226

COUNTY OF NEW YORK, SS.

In the Name of the People of the State of New York, To any Sheriff, Constable,  
Marshal or Policeman in this State, GREETING:

An indictment having been found on the 17 day of Decr  
188 7, in the Court of General Sessions of the Peace, of the County of  
New York, charging George F. Dalton

with the crime of Misdemeanor

**You are therefore Commanded** forthwith to arrest the above named defendant  
and bring him before that Court to answer the indictment; or  
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the  
City Prison of the City of New York, or if he require it, that you take him before any Magistrate  
in that County, or in the County in which you arrest him, that he may give bail to answer the  
indictment.

City of New York, the 20 day of Apr 188 7.

By order of the Court,

[Signature]  
Clerk of Court.



0227

N. Y. General Sessions of the Peace

THE PEOPLE  
OF THE STATE OF NEW YORK,

against

*George F. Dalton*

Bench Warrant for Misdemeanor.

Issued

*April 20* 1887

Bail

*Eduw Loney*  
*344 W 41/2<sup>nd</sup> St*

☒ The defendant is to be admitted to be bail  
in the sum of .....dollars.

See

*B. J. Van Volkenburg*  
*350 Washington St.*  
*ADP*

0228

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*George S. Dalton*

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

*- George S. Dalton -*

(Chap. 458, Laws of 1885, § 3.) of a Misdemeanor, committed as follows:

The said *George S. Dalton*.

late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *September*, in the year of our Lord one thousand eight hundred and eighty-*five*, at the City and County aforesaid, *one pound* of a certain oleaginous substance and compound, not made nor produced from milk or cream (a more particular description of which said substance and compound, and of the ingredients and matters of which the same was made and produced, is to the Grand Jury aforesaid unknown, and cannot now be given), unlawfully did sell, and cause and procure to be sold to one *Edmund S. Wilson*, for butter, the product of the dairy; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SECOND COUNT: (Chap. 246, Laws of 1882, § 1.)

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

*- George S. Dalton -*

of a Misdemeanor, committed as follows:

The said *George S. Dalton*.

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold, at retail, to one *Edmund S. Wilson*, *one pound* of a certain substance, not butter, commonly called oleomargarine, and did then and there falsely represent the same to the said *Edmund S. Wilson*,

to be butter; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

0229

THIRD COUNT: (Section 430, Penal Code.)

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

*— Fitzgerald S. Dalton —*

of a Misdemeanor, committed as follows:

The said *Fitzgerald S. Dalton.*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell, and cause and procure to be sold, to one

*Edmund S. Wilson,* as an article of food *one pound* of a certain substance in imitation of a certain article of food, to wit: butter, without disclosing such imitation by a suitable and plainly visible mark or brand; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

FOURTH COUNT: (Chap. 238, Laws of 1882, § 3.)

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

*— Fitzgerald S. Dalton —*

of a Misdemeanor, committed as follows:

The said *Fitzgerald S. Dalton.*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, a certain parcel containing *one pound* of a certain article and substance in semblance of butter, not the legitimate product of the dairy, and not made exclusively of milk or cream, but into which divers oils and fats not produced from milk or cream, entered as component parts (a more particular description of which said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), the same being then and there an article and substance required by law, in case of retail sales in parcels, to be sold from a tub, firkin, box or package, distinctly and durably stamped, branded or marked upon the top and side with the words "Oleomargarine Butter" only, where it could be plainly seen, in Roman letters, burned in or painted thereon with permanent black paint in a straight line, and not less than one-half inch in length, and wherewith the seller was then and there required by law, to deliver to the purchaser, a printed label, bearing the plainly printed words "Oleomargarine Butter" only, in Roman letters not less than one-half inch in length, in a straight line, unlawfully did then and there sell and cause and procure to be sold at retail to one *Edmund S. Wilson,*

from a certain *tub and box* which was not then and there stamped, branded or marked as aforesaid, and did then and there unlawfully omit to deliver therewith to the said *Edmund S. Wilson,* a label of the kind and description aforesaid, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

0230

FIFTH COUNT : (Chap. 215, Laws 1882, § 2.)

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

*Fitzgerald S. Dalton* -

of a Misdemeanor, committed as follows :

The said *Fitzgerald S. Dalton*.

late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold to one

*Edmund S. Wilson, one pound*

of a certain article and substance in semblance of natural butter, and known as oleomargarine or imitation butter, the same not being the legitimate product of the dairy, and not being made exclusively from milk or cream, or both, with salt or rennet, or both, with or without coloring matter or sage, but into which divers oils, and animal and other fats, not produced from milk or cream, had been introduced (a more particular description of which said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SIXTH COUNT : (Chap. 458, Laws of 1885, § 2.)

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

*Fitzgerald S. Dalton* -

of a Misdemeanor, committed as follows :

The said *Fitzgerald S. Dalton*.

late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold to one

*Edmund S. Wilson, one pound*

of a certain article, substance and compound in imitation and semblance of, and designed to take the place of natural butter produced from pure, unadulterated milk, or cream of the same the said article, substance and compound, so sold as aforesaid, being rendered and manufactured out of divers animal fats and oils not produced from unadulterated milk, or cream from the same, the said article, substance and compound not being manufactured or in process of manufacture on the <sup>30th</sup> ~~thirtieth~~ day of April, in the year of our Lord one thousand eight hundred and eighty-five (a more particular description of which said article, substance and compound, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

**RANDOLPH B. MARTINE,**

**District Attorney.**

0231

BOX:

199

FOLDER:

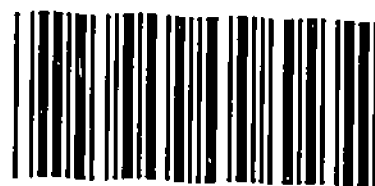
1994

DESCRIPTION:

Daly, Jeremiah

DATE:

12/23/85



1994

Witnesses:

David Crockett

Officer Edward Shelby

The defendant and  
witnesses informed the  
defendant's employment. At the  
responded to the summons  
to appear before the Court.  
The complainant came  
he found it is reported  
with a present in 1880  
I think recommend that  
the date this sum be away  
divided from the witnesses  
per capita G. L. B.  
A. D. A.

Mr 227  
Counsel,  
Filed 23 day of Dec 1880  
Pleds. *Aggrieved by Jury 4/18*

Grand Larceny  
[Sections 628, 68 1 Penal Code]

THE PEOPLE

vs.

B

Jeremiah Baly

RANDOLPH B. MARTINE,

District Attorney.

*Per 144. 26906  
Tail docked*

A True Bill

*Benjamin J. Dwyer*

Foreman.

0232



0233

Police Court— District.

Affidavit—Larceny.

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

of No. 24 King Street, aged 40 years,  
occupation Shoemaker being duly sworn  
deposes and says, that on the 6 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:

One double cased gold watch,  
gold chain to which was attached  
a Sovereign in all of the  
value of One Hundred Dollars  
\$100 <sup>00</sup>/<sub>100</sub>

the property of

Deponent

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

Jeremiah Daly (now here)  
from the fact that <sup>in the said state</sup> deponent was  
drinking in the store at the corner  
of James Street and Madison in  
the company of Defendants and  
others. Deponent was asked  
by defendant to let him defendant  
have his (deponent's) watch. Deponent  
at first refused to part with said  
property, but fearing that he would  
receive bodily harm gave to defendant  
the said property. Defendant suddenly  
disappeared, and was seen about  
ten minutes afterwards on the street  
in the front of said store. Deponent

Subscribed and sworn to before me this  
1888 day

Police Justice



0234

asked said Defendant to give  
him back his property. Defendant  
having refused Defendants charges  
said Defendant with taking  
stealing and carrying away  
said property.

Sworn to before me

this 17<sup>th</sup> day of December 1885 Daniel Coughlan

*[Signature]*

Justice

Dated 1885 Police Justice.

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

Dated 1885 Police Justice.

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

Dated 1885 Police Justice.

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

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

Police Court, District.

THE PEOPLE, &c.,  
on the complaint of

Offence—LARCENY.

vs.

1  
2  
3  
4

Dated

1885

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street.

No.

Street.

No.

Street.

Sessions.

to answer

\$

0235

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

District Police Court.

*Jeremiah Daly* 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 I demand an examination*

*Jeremiah T. Daly*  
*Mary*

Taken before me this

day of

188

Police Justice.

0236

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 \_\_\_\_\_

Reformed  
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 17 188 P. A. Keuff Police Justice.

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

Dated Dec 20 188 P. A. Keuff 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.

0237

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

*Daniel Coughlin*  
*21 King*

*Jeremiah Duff*

2

3

4

Dated

*December 17*

188

Magistrate

Officer

Precinct

Witnesses

No.

Street

No.

Street

No.

Street

to answer

*For Ex. 20th Dec 9/88*

*13*

0238

SUBPENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace,

The People of the State of New York

To Daniel Doughlin

of No. 21 King 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 Sessions Building, 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

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, 188

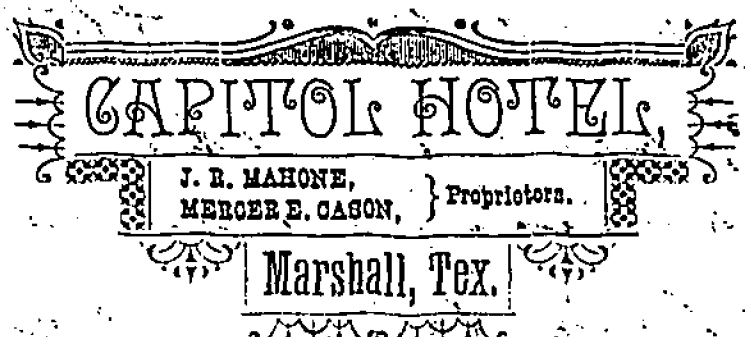
RANDOLPH B. MARTINE, *District Attorney*.

PART 2

THE COURT ROOM IS IN THE REAR STORY AND FRONTING TOWARD THE  
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]

0239



P. S. - Lost your card, and forgot your initials, J.B.  
Marshall, Texas, Jan 24th 1886

Mr. - Corran - Dear Sir:

According to promise,  
I write to let you know  
that I am down here among  
the cow-boys and mustangs,  
trying to sell them dry goods, &  
find them not as bad as  
the "Dime Novels" represent them  
to be, but found New Orleans  
worse than New York ever  
was in my time.

I hope you have postponed  
(the case of Jeremiah Daly,  
indicted for the larceny of my  
watch and chain on Dec 6,  
As I told you, business will  
possibly detain me in the  
South till June, and, as I



0240

am anxious that those thieves who walk New York in the garb of honest workmen shall be shown up in their true colors, I hope you have drawn the District Attorneys attention to the case, and that he will postpone the case.

The weather here is very pleasant. Had a three-mile walk in the country to-day, without an overcoat, my suit being of medium weight. Yet the natives say they have not had such cold weather in 20 years. I presume there are lots of sleighs on the road out of New York. Still, old New York for me, no matter how cold it is.

Should you feel disposed to drop me a line, you can write me "Marshall, Texas."

Hoping you will excuse me for trespassing on your time, believe me to be  
Yours respectfully, B. J. Caughlan.



0241

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Jeremiah Dady*

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

*Jeremiah Dady*

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

The said *Jeremiah Dady*

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

*one watch of the value of*  
*seventy five dollars, one chain*  
*of the value of twenty dollars,*  
*and one gold coin of the United*  
*Kingdom of Great Britain and*  
*Ireland, of the kind called*  
*sovereigns of the value of*  
*five dollars, —*

of the goods, chattels and personal property of one *Daniel Rauhman*,

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. Martin,*  
*District Attorney.*

0242

BOX:

199

FOLDER:

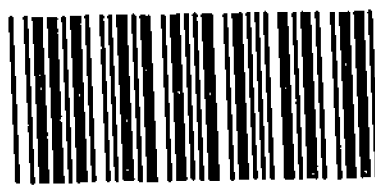
1994

DESCRIPTION:

Davis, Edward

DATE:

12/24/85



1994

0243

BOX:

199

FOLDER:

1994

DESCRIPTION:

Demarest, John H.

DATE:

12/24/85



1994

0244

BOX:

199

FOLDER:

1994

DESCRIPTION:

Leavitt, Louis

DATE:

12/24/85



1994

Witnesses:

Wm. O'Connor

Officer J. J. Changlat

I have carefully examined the case of deft. Sawitt upon this indictment, & conferred with the witnesses. There is no case against him, & I consequently recommend the dismissal of the indictment as to him. The complainant's statement will be found herewith.

Dec 17/90. A.D. Barker  
Deputy Dist Atty.

motion granted  
R.E.C.  
24

No 136.  
Sent and H. J. T. O'Connor  
4 William Street, London W.C. 1  
Dec 16

Counsel,  
Filed 24 day of Dec 1885  
Pleads Not Guilty Jan 4/86

THE PEOPLE  
vs.  
Edward Davis  
John H. Demarest  
alias Henry McDermott  
(alias) B  
and Louis Sawitt  
Grand Larceny in the  
(MONEY)  
(Sec. 528 and 529, Penal Code.)

RANDOLPH B. MARTINE,  
District Attorney.  
Bail by not forfeited

A True Bill.  
Part III  
December 17/90.  
J. J. Barker  
Jury Foreman  
Dec 12, 1886

Feb 23 9:30  
Feb 24 9:30

0245

0246

Morris O'Connor being duly sworn  
deposes and says.

That he was by Mr O'Brien;

Q. where does he reside?

A. 42 Park Street

Q. what is your age?

A. 31 years.

Q. what is your business?

A. Bartender

Q. Do you understand the playing of  
Cribbage?

A. Yes sir

Q. In this game in which you lost  
the 100 dollars who was the  
person that played against  
you?

A. The 3 of them played against me

Q. who dealt the cards?

A. Mr. Hemmick.

Q. what turned up trumps?

A. Hearts

Q. Did you ever bring up?

A. Yes sir

Q. That was before any mention



0247

2

was made of betting money?

Answer: they bet 10 dollars between themselves before.

Q If you ordered the hand up before the bet was engaged?

Answer: there was no money up between him and I then.

Q Who ordered the betting of one hundred dollars on the hand?

A Mr. Deenore.

Q Did he want to bet you any more?

Answer: 1000 dollars.

Q You refused?

Answer:

Q Had you afterwards bet one hundred dollars?

A Yes sir I did not Deenore. Looked at my hand and he said he would take one <sup>half</sup> of it.

Q Did you know whether or not at the time you made the bet or before, or at any time that you were playing the game before you lost that money whether

0248

3

There was any cheating in the giving  
out of the hands on which you  
bet yes or no?

By the Court.

Q Do you think you had a good  
hand at the time?

A Certainly I thought I had a good hand  
at the time.

Mr. Clerk.

Q Have you ever now whether there  
was any cheating in the giving out  
of your hand or any of the other  
hands?

Answer.

Q Tell me where the cheating was?  
Objected to.

Question withdrawn.

Q Is it because you were beaten  
that you thought you were cheated?  
Answer.

Q Why was it?

A Because those people simply make  
a living at the business I am  
not their first victim because

0249

I found out from people who were  
there at the time that they were  
overruled.

Q Who overruled you?

A The 3 of them.

Q Have you ever heard that Lavitt was  
a sevinidder in your life?

A Yes sir.

Q When?

A I cannot give you the exact time  
the date or the name of the person  
who told me.

Q I wish you to give me the name  
of any person that you ever heard  
say that Lavitt was a sevinidder  
or where that person lives?

A I cannot do it.

Q Do you know Lavitt?

A I never saw the man before in  
my life to my knowledge.

Q How long are you living there?

A About 2 years.

Q You judge simply because these 2  
men had lost the man

0250

25

Leavitt being there <sup>and you saw</sup>  
that they are murderers?

A The reason I know that they were  
murdered is because some friends  
of mine that were in the store  
at the time heard some people  
<sup>and one who was going on</sup> but they  
were afraid of being shot.

Q/ And told you they were afraid of  
being shot?

A Yes Judge.

Q/ But judge tell you that Leavitt was  
a murderer?

A Yes Sir.

Sworn to before me

This 12<sup>th</sup> Day of December 1885

Police Justice

0251

6

Louis Lovett the defendant  
being duly sworn deposes and says  
I reside at 6 Baxter Street New York  
22 years of age and am in the  
clothing business at 13 Baxter Street  
I remember the night of the  
game of cards with Mrs. Connor  
the way I arrived to be there was  
this I remember came into my  
place of business while I was  
away and I thought an overcoat of  
Mrs. Levy for a friend of mine  
for \$500 dollars and he came in with  
a friend of mine that keeps an  
Oyster Saloon in West Street and  
he took the overcoat and he said  
he would be responsible for it  
and when I came in my man  
told me about it and I went to  
Jones place and I found out who  
the man was that got the coat  
and a couple of nights after words  
I was around the corner playing  
pool and I saw Deane sitting

0252

7

at the table Mr Stedman had wanted  
 my \$20 dollars for my coat and  
 he said come with me Mr Devill  
 give it to you for we went into Hunter  
 O'Connor's place Mr Stedman had a couple  
 of drinks I never saw the man  
 before, we had a few drinks and  
 he asked me to play a game of  
 Euchre Mr Devill said I have no time  
 for he says play one game Mr Devill  
 showed me that tomorrow is Saturday  
 and it is my busy day, I didn't  
 have anything to do about suggesting  
 anything about betting, Mr  
 Stedman paid me my 20 dollars  
 that night  
 Given to before me  
 this 12th day of December 1885

John Justice



0253

8

David Gerrard a detective  
of the City Police being duly  
promised says.

Leavitt told me that  
Remond gave him \$20 dollars  
at the corner after he left  
the place out of the hundred dollars  
I don't know what for.  
Gerrard told me  
the 12th day of December 1885

Other Justices

Mr. Oliver Jerome for the discharge  
of Leavitt

By the Court

Wm. L. Dwyer.

0254

Police Court— District.

Affidavit—Larceny.

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

Morris O Connor -

of No. 152 Leonard Street, aged 37 years,  
occupation Bar Keeper being duly sworndeposes and says, that on the 27<sup>th</sup> day of November 1885 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the night time, the following property viz:One hundred dollars lawfull money  
of the United States.

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 Edward Davis, John H. Demarest,

† Louis Bennett, (now here) under the following  
circumstances. That on the night of the 27<sup>th</sup> of November  
1885. the said defendants visited this deponent's  
store & invited him to make one of their party in  
playing a game of Euchre, for the drinks, to which this  
deponent agreed. That during the progress of the said  
game, the said John H. Demarest, dealt a false  
& fraudulent hand of cards to deponent - and offered  
to bet this deponent one hundred dollars that he  
would Euchre, this deponent, deponent declined to  
bet any money. when the said Davis reached across  
the bar, took deponent's cards and told deponent that  
if he would bet said John H. Demarest, he would  
go halves in the bet, at the same time telling  
deponent that it was impossible for him to

Subscribed before me this 1 day

1885

Police Justice

0255

lose. That defendant believing the statement of the said Davis, to be true, he lent One hundred dollars with the said Demarest upon the said hand of cards, and lost the same. Whereupon the said Edward Davis, John H. Demarest & Louis Levitt left the said Saloon in Company. The said Davis refusing to pay one half of said one hundred dollars as he had promised to do. Wherefore defendant charges that the said Edward Davis, John H. Demarest & Louis Levitt did unlawfully & feloniously & confederate together, to rob & cheat this defendant of the said sum of One hundred dollars, and that they did obtain that sum from this defendant by the false & fraudulent means above described.

Sworn to before me

this 12<sup>th</sup> day December 1884

Marriage Commissioner  
D. J. Coffey

Police Justice

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

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

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

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
vs.	
1	2
3	4
Offence—LARCENY.	
Dated	188
Magistrate.	
Officer.	
Clerk.	
Witness,	
No.	Street,
No.	Street,
No.	Street,
No.	Sessions.
to answer	

0256

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, { ss

100 District Police Court.

Louis Leavitt being duly examined before the under-  
signed, according to law, on the annexed charge: and being informed that it is h <sup>is</sup> 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 <sup>is</sup> waiver cannot be used  
against him on the trial.

Question. What is your name?

Answer. Louis Leavitt

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York

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

Answer. 3 Baseter Street Up about 4 Months

Question. What is your business or profession?

Answer. Keeper of a Clothing Store

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  
Louis Leavitt

Taken before me this

day of

Police Justice.

0257

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK

*Irish* District Police Court.

*John H. Remarrest* 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 H. Remarrest*

Question. How old are you?

Answer.

*43 years*

Question. Where were you born?

Answer.

*United States*

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

Answer.

*109 East 107<sup>th</sup> Street, And two months*

Question. What is your business or profession?

Answer.

*Goldbeater*

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

Answer.

*I am not guilty*

*John H Remarrest*

Taken before me this

day of

*December*

1885

*at*

*Police Justice.*



0258

Sec. 198—200.

CITY AND COUNTY  
OF NEW YORK,

100 District Police Court.

Edward Davis 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. Edward Davis

Question. How old are you?

Answer. 32 years

Question. Where were you born?

Answer. New York City

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

Answer. 496 Pearl Street and about 8 months

Question. What is your business or profession?

Answer. Legal business

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

Edward Davis

Taken before me this  
day of February 1905

Police Justice.



0259

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 *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 *December 12* 188 *5* \_\_\_\_\_ *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.*

0260

Bail for Louis Leavitt  
& Edward Davis re-  
duced to \$1000 each  
by Mr Justice Donohue  
on writ of Habeas Corpus  
Dec 15. 1885

BAILED,

No. 1, by *Elijah Bell* *J. J. Donohue*  
Residence *118 Leonard* Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by *Israel Ben*  
Residence *82 Canal* Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

6-22-1886  
11/21/1886  
1-2-1887

Police Court-- *1st 404* District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Morris Hemenway*

*42nd Park St*

*Edward Davis*

*John H. Hemenway*

*Louis Leavitt*

4 \_\_\_\_\_

Offence

Dated *December 12* 188 *5*

*Duffy* Magistrate  
*Crystal E. Girou* Officer.  
*6* Precinct.

Witnesses *W. Judge*

No. *87 Bixler St* Street.

*Complainant*

No. *101519* Street,

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

\$ *3000* to answer *G.S.*

*Com*

0261

Police Court— District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

Charles Baker

of No. 29 Steuyresant Street, aged 36 years,  
 occupation Cigar Manufacturer being duly sworn  
 deposes and says, that on the 7th day of July 1885 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:

Two thousand Cigars

valued at Ninety Five  
Dollars

\$ 95-00

the property of

Baker and DuBois  
and in the care and custody 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 Henry M. Dermott (now here) <sup>alias John J. Remondet</sup>

and another (not yet arrested) who were  
 acting in concert from the fact that  
 on the said date said M. Dermott  
 came to Deponent's store at 160

Pearl Street and representing him-  
 self as being the proprietor of a  
 saloon which was about to be opened  
 at 154 Broadway Street, ordered from  
 Deponent said Cigars. Deponent  
 believing said M. Dermott to be  
 the owner of said <sup>saloon</sup> sent said cigars  
 to said saloon, M. Dermott not  
 being present in said saloon the  
 goods were received and received by

Subscribed before me this 18th day of July 1885

Police Justice

0262

the other man yet yet arrested who was acting in the capacity of Bartender in said saloon. (Receipt annexed) known as J. W. Perry. Dependent is informed by Annie R. Aldrovandi of 154 ~~Franklin~~ <sup>Franklin</sup> Street that defendant never owned said saloon but Annie R. Aldrovandi being the owner of the building in which said saloon was situated. Wherefore Dependent charges said defendant with larceny stealing and carrying away said property he having conferred with said unknown man to receive said goods and appropriate the same to his own use.

Given to before me this 13<sup>th</sup> day of December 1881. } Chas. H. Baker

Dated 1881. Police Justice. There being no sufficient cause to believe the within named guilty of the offense within mentioned, I order he to be discharged.

Dated 1881. Police Justice. I have admitted the above named to bail to answer by the undertaking hereto annexed.

Dated 1881. Police Justice. It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
vs.	
1	2
3	4
Offense—LARCENY.	
Dated	1881
Magistrate.	
Officer.	
Clerk.	
Witnesses,	
No.	Street,
No.	Street,
No.	Street,
No.	Sessions.
to answer	

0263

CITY AND COUNTY }  
OF NEW YORK, } ss.

Annie R. Aldrovandi

aged 35 years, occupation Housekeeper of No.

154 Franklin Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Charles Butler

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

Sworn to before me, this 13th day of December 1888

A. R. Aldrovandi

P. J. Duffy  
Police Justice



0264

Sec. 198—200

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Henry M<sup>c</sup> Dermott* 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 *in*; that the statement is designed to  
enable h *in* if h 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 *is* waiver cannot be used  
against h *in* on the trial.

Question. What is your name?

Answer.

*Henry M<sup>c</sup> Dermott*

Question. How old are you?

Answer.

*43 years*

Question. Where were you born?

Answer.

*United States*

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

Answer.

*109 Cedar 107<sup>th</sup> Street, I. N. Y.*

Question. What is your business or profession?

Answer.

*Gala beater*

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*  
*Henry M<sup>c</sup> Dermott*

Taken before me this

*13th*

Justice



0265

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 \_\_\_\_\_

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

Dated *Dec 13<sup>th</sup>* 188 *J. H. Duffy* 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.

0266

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court

1403  
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles Baker  
29 Stumpson St

1 Henry M. Bennett

2 alias

3 John H. Demore

4

Dated December 13 188 ✓

Duffy Magistrate

McGuire Magistrate

Precinct.

Witnesses Thomas Stokes

No. 106 Canal Street.

Annie R. Aldrovandi

No. 154 Franklin Street.

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

\$ 1000 to answer Gen. Sec

\_\_\_\_\_

0267

*Miss* DISTRICT POLICE COURT.

THE PEOPLE,  
IN COMPLAINT OF

*Morris O'Connor*  
*agst.*  
*Edward Davis*  
*John H. H. H. H.*  
*Louis Bennett*

Examination had *December 12* 188

Before *P. G. Luffy* Police Justice.

I, *David C. Seltman* Stenographer of the *1st* District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of *David Bennett*

*Louis Bennett Morris O'Connor*

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

Dated *December 12* 188

*P. G. Luffy*  
Police Justice.

*David C. Seltman*  
Stenographer.

0268

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

against

*Denny McDermott*

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

*Denny McDermott*  
of the CRIME OF *Receiv* LARCENY in the second degree,  
committed as follows:

The said *Denny McDermott*,

late of the City of New York, in the County of New York aforesaid, on the *nineteenth*  
day of *July*, in the year of our Lord one thousand eight hundred and  
eighty-*five*, at the City and County aforesaid, with force and arms, with intent to  
deprive and defraud *Charles Barker & William*

*E. DuBois*,

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

*Charles Barker and William E. DuBois*,

That *the said Denny McDermott*  
*was then the proprietor of a certain*  
*liquor saloon about to be opened*  
*at number 154 Franklin Street in*  
*said City, and that he then*  
*derived in good faith to purchase*  
*a quantity of cigars from the*  
*said Charles Barker and William*  
*E. DuBois, for his use in his*  
*said business;*

0269

By color and by aid of which said false and fraudulent pretenses and representations, the said *Denny Mc Dermott*, —  
did then and there feloniously obtain from the possession of the said *Charles*

*Baker and William E. DuBois*,  
Two thousand cigars of the  
value of five cents each.

of the ~~proper money~~, goods, chattels and personal property of the said *Charles*  
*Baker and William E. DuBois*.  
*DuBois*. — , with intent to deprive and defraud the said  
*Charles Baker and William E. DuBois*  
of the same, and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said *Denny McDermott*  
was not then the proprietor of  
any liquor saloon then about  
to be opened at number 154  
Franklin Street in said City,  
and did not then desire in  
good faith to purchase the said  
cigars from the said *Charles*  
*Baker and William E. DuBois*,  
for his use in said business.

0270

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said Henry Mc Dermott to the said Charles Baker and William E. DuBois, was and were then and there in all respects utterly false and untrue, as he the said

Henry Mc Dermott,  
at the time of making the same then and there well knew.

And so the Grand Jury aforesaid do say: That the said

Henry Mc Dermott,  
the day and year first aforesaid, at the City and County aforesaid, in the manner and form aforesaid, and by the means aforesaid, with force and arms, the said ~~proper moneys~~ goods, chattels and personal property of the said Charles Baker and William E. DuBois,  
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.

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



0271

PACKAGE RECEIPT.	
New York,	July 7 1885
Received from Baker & Dubois	
for Mayor McDermott - 154 Franklin St.	
in good order the following packages:	
2 tt Cigars	
Wm. McDermott	
P.M.	
J. LEACH, Printer and Stationer, 25 Nassau St., N. Y.	

TORN PAGE

0272

District Attorney's Office  
City & County of  
New York

Dec 16th 1885

Dear Sir

In the case of People vs Edward  
Davis et al for Grand Larceny, the  
Jury desire the attendance of William  
Judge said to live at Baxter St. before  
action shall be taken in the premises

Respectfully

Edward Weston

Morris Gleason Complainant

0273

State of New York  
City and County of New York.

Court of General Sessions  
The People

<sup>vs</sup>  
Louis Leavitt et al  
City and County of New York.

Maurice F.  
A Coroner of the above City  
County and State of New  
York, being duly sworn  
deposes, and says, that  
on or about the middle of  
the month of December 1885  
he caused the arrest of  
the above named defendant  
and two others, namely  
one Davis, & Bernart alias  
McBarnett, charging them  
with Grand Larceny.  
Leavitt is now disbarred  
and has been for the last  
five years, to exonerate  
the above named defendant  
Leavitt from any complicity  
in said Larceny & Dependent  
has known said Leavitt

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for the five years last past and  
knows him to be a man of  
good character. It is true  
Leavitt was one of three men  
I was playing cards with.  
The stakes began and drinks  
But the way I was robbed  
out of my money was as  
follows Lemare or Mc-  
Lernott, dealt the cards  
I received a good hand -  
and he claimed to have  
a good one, I said I  
would play a lone hand  
against him. He said  
He would play a lone  
hand against me. The  
cards were stacked by Mc  
Lernott against me, and by  
that means he obtained my  
money - As soon as he  
got my money and went  
out, I was informed by  
a looker on that he was  
a card cheat and sharper  
I then had them arrested  
Mc Lernott was sent to  
State Prison for fifteen years  
on another charge, Davis  
jumped his bail, while  
Leavitt has remained.

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steadily, at his employment  
ever since, I do not  
believe that Leavitt knew  
that Mc Dermott was  
trying to rob me -  
and pray that the dicta-  
ment against Leavitt  
made he dis missed or  
discharged

Maurice J. Connor

Subscribed and sworn to before me  
the 16th day of December 1896  
Thomas Spencer Notary Public  
Kings County certificate filed in New York

0276

County of  
James Madison

The People

v.  
James Beatty

Applicant of  
M. H. O'Connor  
Complainant

J. P. L. Oliver  
Deputy Atty.



0277

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Edward Davis,*  
*John W. Demarest,*  
*Samuel Seavitt.*

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

*Edward Davis, John W. Demarest & Samuel Seavitt*  
of the crime of GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said *Edward Davis, John W. Demarest*  
*and Samuel Seavitt, each*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the  
*Twenty-seventh* day of *November*, in the year of our Lord one thousand  
eight hundred and eighty-*five*, at the Ward, City and County aforesaid, with force and arms,  
*\$100-* in the *night* time of the same day, *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 twenty dollars, and of the value  
of twenty dollars *each*; *five* promissory notes for the payment of money, being  
then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the  
denomination of ten dollars, and of the value of ten dollars *each*; *ten* promissory  
notes for the payment of money, being then and there due and unsatisfied (and of the kind known as  
United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars  
*each*; *ten* promissory notes for the payment of money, being then and  
there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomina-  
tion of two dollars, and of the value of two dollars *each*; *ten* promissory notes for  
the payment of money, being then and there due and unsatisfied (and of the kind known as United  
States Treasury Notes), of the denomination of one dollar, and of the value of one dollar *each*;  
*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 twenty dollars *each*; *five*  
promissory notes for the payment of money (and of the kind known as bank notes), being then and  
there due and unsatisfied, of the value of ten dollars *each*; *ten* promissory notes for  
the payment of money (and of the kind known as bank notes), being then and there due and unsatis-  
fied, of the value of five dollars *each*; *and* divers coins, of a number, kind and  
denomination to the Grand Jury aforesaid unknown, of the value of *ten dollars.*

of the proper moneys, goods, chattels, and personal property of one \_\_\_\_\_  
~~on the person of the said~~ *Maurice D. Demarest*, then and there being  
found, ~~from the person of the said~~ \_\_\_\_\_ then and there  
feloniously did steal, take and carry away, against the form of the Statute in such case made and  
provided, and against the peace of the People of the State of New York, and their dignity.

RANDOLPH B. MARTINE,  
District Attorney.

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BOX:

199

FOLDER:

1994

DESCRIPTION:

Delphin, Joseph Jr.

DATE:

12/15/85



1994

Witnesses:

J. W. J. Person

Officer Richard King

No 115

Counsel, \_\_\_\_\_  
Filed 15 Dec 1885

Pleads \_\_\_\_\_

THE PEOPLE  
vs.  
Joseph Delphin, Jr.  
alias  
James Jackson  
(2 cases)

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

RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.

True Bill  
Dec 23/85

Foreman.

Wm. J. Gully - dg.  
S. I. Thompson & Co. " " 11  
Clay #8

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NELSON G. GREEN,  
COUNSELOR AT LAW,  
15 CORTLANDT ST.,

NEW YORK, Oct 31<sup>st</sup> 1888.

Hon Henry A. Silverthorne

Dear Sir: The application for the  
pardon of Joseph Delplini Jr. has been  
filed and is waiting for the Governor  
to appoint a day for hearing

As you requested I again call your  
attention to the case, which you will  
remember was a plea of guilty of  
grand larceny in the second degree  
for the purloining of watches belonging  
to the E. Howard Watch & Clock Co.

A speedy pardon will enable him  
to save some of his property  
which has been in litigation and  
in my care for eleven years.

I suppose application will be  
made to you by the Executive  
and I earnestly bespeak your  
kindest consideration for my  
client. Very Truly  
Nelson G. Green

0281

Boston, Dec. 31/85

Mr. J. Delphue

Cell 1058, Tombs Prison,

New York City

I have your note dated at the Tombs Prison, and I feel sorry that you have committed acts which causes you to be put in such a place -

While you were at <sup>work</sup> for me and under me for some fifteen years, I always found you industrious, capable and honest, and when I heard that you had been guilty of theft, I could hardly believe it, and when I found it was true, I said, it could not have been done for your own advantage but for the benefit of some one else - I do not know so much thing, I can write as to your good conduct for so many years, will lessen the term of your sentence, though I hope it may, but I feel pretty sure that whenever you come back to the outer world, your experience will insure your future honesty -

Truly Yours,

E. Howard,

Late Pres. of The E. Howard Watch & Clock Co

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To the Hon. Henry G. Gildersleeve  
Judge of Court of General Sessions, &c.,

Sir:

Understanding that Joseph Delphin Jr.  
has pleaded guilty to two indictments found in your Court  
against him and that he is awaiting the sentence of the  
Court thereon -

The undersigned respectfully represent to  
your Honor that they have known him for several years past,  
and that he has hitherto borne a good character and has  
been a citizen of good repute in the community.

That we cannot account for his commission of the acts  
complained on any other theory than that he has been tem-  
porarily suffering from some mental disturbance affecting  
his normal condition.

We urgently recommend to your Honor the infliction of  
as light a punishment as the law will permit.

We are informed that aside from pleading guilty, thus  
saving the community from expense he stands ready in the  
future - as he has done in the past - to give to the proper  
authorities full information of all his acts in the prem-  
ises.

We are very respectfully your  
most obedient servants.

*Edward A. Smith & Nassau St  
Dr. N. E. Morris 66-E-11th St N.Y. City*



0283

Rufus Chancellor Springfield Mass.  
J. Standish Bradford M.D. 41 West 34<sup>th</sup> St  
Newin R. First 295 Canal St  
Ingersoll 9 Maiden Lane  
Wm E. Knox 150 Broadway  
Nelson G. Berry 7 Nassau St  
J. Standish M.D. 545 N. 42<sup>nd</sup> St.  
H. Emerton 7 Nassau St  
Frank G. Larkin 7 Nassau St  
Edgar Reed 104 John St  
Chas. J. Hamilton, Roughneck, N.Y.  
Fredk. G. Martin 106 Sacre St, Belgium  
Saml. P. Oliver Morristown  
Wm. W. Foster 76 Greene St

COURT GENERAL SESSIONS, &c.

THE PEOPLE

against

JOSEPH DELPHIN, Jr.

P E T I T I O N.

NELSON G. GREEN

Att'y for Def't

7 Nassau St.

New York, N.Y.

Counsel

HENRY E. KNOX, Esq.

WILLIAM F. HOWE, Esq.

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0285

TO HIS EXCELLENCY DAVID D. HILL, GOVERNOR OF THE STATE OF NEW YORK.

Sir:- Being informed that an application is to be made to your Excellency for the pardon of our old friend and comrade (Company F 39 Mass Vols.) Joseph Delphin, Jr. who we are grieved to find serving a sentence of penal servitude in the State Prison at Sing Sing in the State of New York.

WE HIS COMRADES IN ARMS, respectfully show that Joseph Delphin, Jr., enlisted at Taunton in the Commonwealth of Massachusetts in Company F 39 Mass Vols in the month of August, 1862 and served faithfully as a Union Soldier throughout the remaining years of the War, when he received his honorable discharge.

We have one and all found him to be a brave soldier a true friend and an honest upright man and a good citizen and we solemnly declare one and all that we consider him incapable of committing or countenancing any criminal or dishonorable act or acts unless his mind had been weakened or artificially impaired.

WE RESPECTFULLY REQUEST that your Excellency extend executive clemency, tempering justice with mercy, and grant pardon and restoration to citizenship and the rights of franchise to our comrade Joseph Delphin, Jr. verily believing that the ends of justice have been attained and that by this act of mercy the State and Union will regain

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an honorable citizen who in all other respects has been and we sincerely believe will be an honor to his State and Country as we have formerly known him both as citizen and soldier and at the seat of War where evil tendencies will appear in the midst of the temptations of camp-life if a man be depraved by nature.

We would one and all take the simply word of our said comrade as to his part in this unfortunate affair and believe it to be the truth as we have always found him to be a man of honor.

Respectfully,

Eben A. Hall, late Sergt. Com. F. 39th Mass. Vols.

P. O. Address, Greenfield, Mass.

Chas. H. Porter, late Capt. 39th Mass Vol. Inftry.

P.O. Address 27 State St. Boston, Mass

Edward King, late private Co. F. 39th Mass. Vols.

Taunton, Mass.

Daniel Hall " " " " " "

John D. Reed, late Capt. 39th Mass Vols.

Grocer, Taunton.

Francis S. Babbitt, late private Co. F. 39 Mass Vols.

Manufacturer of Machinery, Taunton.

Louis Hervey, late private 39th Mass Vols., Taunton.

Edward Whitters, late private Co. F. 39th Mass Vols.

P. O. Address Wier St. Taunton, Mass.

Harness Manfr.

Roland P. Woodward, Late Private 39 Mass. Vols.

Po. Ad. Taunton, Mass.

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J. J. Cooper, late Capt. Comdg. Co. E. 39th Mass. Vols.  
Taunton, Mass.

Orville A. Barker, late Adjutant and 1st Lieut. 39th  
Mass. Vols.

Charles L. Peirson, late Colonel 39th Mass Vols.

Address 44 Kilby St., Boston.

Jophanus H. Whitney, late Color Bearer of 39th Mass Vols.

Present Address, J. H. Whitney,

Mass. Dist Police, Boston, Mass.

Commonwealth of Massachusetts,

Secretary's Department,

Boston.

October 13, 1888.

I certify that Eben A. Hall of Greenfield was a member of the Executive Council of this Commonwealth during the years 1883 & 1884; that for the year 1883 he was a member of the Council Committees on Railroads and the Housac Tunnel, Military Affairs, Warrants and Accounts, and for the year 1884 of the Committees on Railroads and the Housac Tunnel, Finance, Prisons and Military Affairs. I further certify that Francis S. Babbitt of Taunton and

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Charles H. Porter of Quincy were members of the House of Representatives of the Commonwealth during the year 1882 and that Mr. Porter was a member of the Committees on Military Affairs and Insurance, and Mr. Babbitt, a member of the Committee on Street Railways. All of which appears of record in this office.

In testimony of which I have hereunto affixed the Seal of the Commonwealth.

(SEAL)

Henry B. Peirce,

Secretary of the Commonwealth.

Office of the  
Gazette and Courier.

E. A. Hall, Publisher.

Greenfield, Mass., Oct. 13, 1888.

To His Excellency  
David B. Hill, Governor,  
Albany, N. Y.

This is to certify that I was intimately acquainted with Joseph Delphin during the three years of his honorable service in the army. He was a member of Co. F 39th Regt. Mass. Vols. enlisting in August, 1862, from the City of Taunton. As a soldier he had the confidence of the officers of the command, and was frequently detailed for special duty at regimental, brigade and division headquarters. He was honest, generous and courteous in his



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conduct, and had the esteem and good will of his fellow-soldiers. He was honorably discharged with an enviable record for faithful service.

My acquaintance and intimacy was continued for several years after the war. Delphin occupied positions of trust and responsibility in this State, and I never heard any words reflecting upon his character, and his reputation for honesty and integrity was never brought in question. From my knowledge of him I believe should the clemency of a pardon be granted him he will strive to retrieve the good name he has lost, and that he will be an honest, law-abiding citizen.

Respectfully,

Eben A. Hall,

formerly Sergeant Co. F. 30th  
Mass. Vols.

Boston, 9 October, 1888.

To His Excellency,

David B. Hill,

Governor of State of New York.

Sir:

Allow me to call to your attention some facts in regard to the military history of Joseph Delphin who is confined at Sing Sing and whose term of imprisonment is

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about to expire. He enlisted in August, 1862, at Taunton, Mass and the company in which he enlisted became known as Co. F. 39th Mass. Vol. Infy. He served nearly three years being mustered out June 6, 1865, by reason of the close of the war. He was a good soldier, neat, orderly and attracted the attention of his superiors by his good behavior and attention to the duties of a soldier.

He received an order to report to Genl. S. W. Crawford who was in command of the 3rd Div. 5th Corp and served as an extra duty man at those Hd.Qrs. to the acceptance of his superiors.

His misfortune resulted in no loss to his employers. The property being all returned to them.

I know him in the years after the close of the war when he was in Boston.

I always thought him an upright man and had a great deal of respect for him.

I know his military record from the fact that I served in the same regiment.

I hope that he may be able to retain citizenship through your clemency which in this case I firmly believe would not be misplaced.

I am,

Your Excellency's Most Obedt. Servt.,

To  
Hon. David B. Hill,  
Gov. of State of New York.

Chas. H. Porter.

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Edward King, Prest.      No. 947      Wm. G. Davenport, Cashr.

THE MACHINISTS' NATIONAL BANK,

Taunton, Mass., Oct. 10, 1888.

To His Excellency David B. Hill, Governor of the State of  
New York.

Sir:

We have signed a petition to your Excellency  
to pardon Joseph Delphin, now serving out a sentence in  
the Sing Sing Prison.

We desire, if possible, to make more emphatic our  
wish that this man may be restored to the rights of citizen  
ship. His sentence has nearly expired and it would seem  
that the public weal would not be sacrificed if executive  
clemency should be granted.

Moreover if, as is alleged by his counsel, and as  
we have no reason to doubt, the man was more sinned against  
than sinning, it would be an additional reason why humanity  
should be allowed full control in the mind of your Excel -  
lency.

We are, respectfully,

Your obt. servants,

Edward King, President of The Machinists'

Nat. Bank of Taunton

Francis S. Babbitt,

County Commissioner of Bristol Co.,  
Mass.

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Taunton, Oct. 9<sup>th</sup>, 1838.

To his Excellency

David B. Hill,

Governor of State of New York.

Sir:

Having just heard of the case of Joseph Dolphin who is serving in Sing Sing a term of imprisonment, which has nearly expired, I have felt a strong desire that through your clemency he may be returned to citizenship. I knew Dolphin when he enlisted in Co. F of the 39th Mass. Vols; he was a member of the Co. of which I was an officer and during his whole term of service nothing could be said against his character as a soldier, and a man. And I sincerely believe that if you could see your way clearly, and return him to citizenship you would never have reason to regret it, and will confer a great blessing on one who will be grateful to you for life.

I am your Excellency,

Your Obedt. Servant,

John D. Reed.

To

Hon. David B. Hill,

Gov. of State of New York.

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COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE DEPARTMENT.

Boston, October 12, 1888.

To His Excellency,  
David B. Hill, Governor,  
Albany, N. Y.

Sir:

I gladly bear testimony to the good standing in the community in which he resides of Hon. Eben A. Hall of Greenfield in this Commonwealth. He was a member of the Executive Council of this State during the years 1883 and 1884, and in that body I served with him on several important committees, among them being those on Finance, Railroad Affairs, and Prisons. He is an honorable man, whose word upon any subject is the careful expression of an opinion that has been formed after careful examination.

I also know Mr. Charles H. Porter of Quincy, who has the respect not only of his fellow-townsmen, but also of many others. He has served the Commonwealth as a member of its Legislature. His probity is unquestioned.

I am yours very respectfully,

Oliver Ames,

Governor of Massachusetts.

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Letter Head of The E. Howard Watch & Clock Co.

Boston, October 13th, 1883.

Nelson G. Green, Esq.,

Counsel for Mr. Jas. Delphin, Jr.

Dear Sir:

In reply to your request in behalf of Mr. Delphin we would say that we have no ill feeling against him, and on the contrary would gladly co-operate with you and others for a remission of the balance of his term of imprisonment, that he may retain his franchise as a citizen, in the hope and belief that his punishment has fully atoned for the misdemeanor to the public and the injury to our company. We would also add that most, if not all the proper taken was returned to us.

You are at liberty to deliver this letter to Gov. Hill of N. Y. in your client's behalf if you desire to do so.

Respectfully Yours,

The E. Howard Watch & Clock Co.,

Chas. J. Hayden, Treasurer.

Suffolk, S.S.

The within named Chas. J. Hayden is personally known to me, his signature appended is genuine; he has been the Treasurer of the Howard Clock Company since Dec. 1881.

Henry B. Peirce,  
Secretary of the Commonwealth.  
Boston, Oct. 13, 1883.



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TO HIS EXCELLENCY DAVID B. HILL  
GOVERNOR OF THE STATE OF NEW YORK.

Sir:

WE, the undersigned, employes of the E. Howard Watch and Clock Company of Boston in the Commonwealth of Massachusetts, knowing that our fellow workman, Joseph Delphin, Jr. is serving a term of penal servitude in the State Prison at Sing Sing in the State of New York, and learning that an application is made to your Excellency for his pardon and restoration to citizenship and the franchise, respectfully show to your Excellency the following facts, namely:

THAT the said Joseph Delphin, Jr., worked with us a long series of years as an adjuster of watches, in which capacity he attained an unusually high degree of proficiency and skill.

THAT we always found him to be a hard working honest and trustworthy man and good citizen, reliable and sober, having to our knowledge no bad habits.

THAT we still believe him to be honest and trustworthy, and that he will be a good citizen and an honor to his State and country if your Excellency extend to him the executive clemency prayed.

WE THEREFORE PRAY that your Excellency will grant his pardon and restore him forthwith to freedom and the

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rights of citizenship and the franchise.

Respectfully,

W. B. Learned, Supt. of Watch Dept.  
Rodney S. Lakin, Clerk in Office.  
Albert Horton, Adjuster  
H. N. Allen "  
John Hadden, Foreman Flat Steel Dept.  
W. E. Norton, " Plate "  
W. H. Bradford " Spring "  
William Howarth " Engraving "  
Charles A. Ward " Springing "  
Edw. H. Grant " "  
A. B. Winslow " Screw and wheel  
Herman E. Fay Pinion Dept.  
Charles A. Chase, Jeweling "  
Abel S. Cook, " "  
Albert S. McIntosh Escapement Dept.  
Leonidas Murray " Master Mechanic Dept.  
Alfred Barton " Gilding Dept.  
Wm. Walden " Pallet "  
Josiah Moorhouse " Dial "  
O. R. Dickey " Balance "  
L. B. Raullett " Pinion Finishing Dept.  
E. F. Emory " Stem Winding Dept.  
T. Henry Sloan " Finishing "  
W. B. Hammond, " Inspect's "  
J. R. Howard " Motion Dept.  
H. A. Schmitt " Jewel Making Dept.  
D. D. Jaques  
C. H. Hoffman  
M. A. Taylor  
John Sheffield  
Lewis H. Hadden  
Caleb D. Durham  
James A. Mosher  
Arthur S. Wise  
John Friend  
Thomas B. Griffin  
Levi T. Hill.

0297

13

Office of Gross & Bequelin,

Watches,

No. 21 Maiden Lane.

And 46 Rue Beopold Robert, Chaux de Fonds, Suisse.

New York, Oct. 15, 1868.

To Hon. David B. Hill,

Governor.

Dear Sir:

We write you in the interest of Joseph Dolphin, Jr. now a prisoner at Sing Sing. We have known this man for many years and esteemed him very highly up to the time he committed the act for which he is now suffering. At one time, several years ago, had he seen fit, he could have made us lose several (\$500) hundred dollars, but he showed no disposition to act other than a straightforward business man. We believe that every one with whom he formerly did business would be glad to see him liberated. The movement now being made, to seek at your hands his pardon meets with our hearty approval, and you can feel that it will be a notable Christian act on your part should you grant the favor we ask for this unfortunate man.

Very truly yours,

Gross & Bequelin.

0298

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph Delphin  
the younger  
otherwise called  
James Jackson

The Grand Jury of the City and County of New York, by this indictment, accuse  
Joseph Delphin the younger  
otherwise called James Jackson  
of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed  
as follows :

The said Joseph Delphin the younger  
otherwise called James Jackson,  
late of the First Ward of the City of New York, in the County of New York aforesaid  
on the 25th day of November, in the year of our Lord  
one thousand eight hundred and eighty-five, at the Ward, City and County  
aforesaid, with force and arms,

one watch of the value of one

hundred and fifty dollars,

of the goods, chattels and personal property of one John R. McLean,

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.

David R. Martin,  
District Attorney

0299

SECOND COUNT—

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

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

The said

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,

of the goods, chattels and personal property of one

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

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

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

**RANDOLPH B. MARTINE,**

**District Attorney.**

0300

Witnesses:

Wm G. Benson  
Sept Richard King

No 114

Counsel, \_\_\_\_\_  
Filed 15 day of Dec. 1885  
Pleads \_\_\_\_\_

THE PEOPLE  
vs.  
Joseph Delphin Jr  
alias  
James Jackson  
(alias)  
Grand Larceny 2<sup>d</sup> degree  
[Sections 528, 53 & Penal Code.]

RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.

Wm G. Benson  
Dec 23/85 Foreman.  
Heads Jury 1 &  
Verdict on indictment  
indictment & conviction



0301

not give serious consideration to the matter then, but in observing him, casually, did perceive that he was not quite "level headed" and was inclined to be "cranky" in his opinions.

I am greatly surprised and pained to hear of the charges against him in your Court, to which he has, I understand, pleaded guilty, and is awaiting sentence, and as I do not believe that he is naturally criminal in his disposition, or would in a normal state of mind, under any ordinary temptation be led into the commission of a theft. I am disposed to believe that special causes, or experiences has so disordered his mental soundness as to have rendered him, in a degree, irresponsible for his late criminal behavior.

At any rate, I beg to solicit your  
 honor to give to the <sup>poor</sup> previous record of  
 the unfortunate man, for industry, sobriety  
 and citizenship, the fullest and most  
 generous consideration compatible with  
 your obligation to justice.

Very Respectfully.

Springfield, Miss.

January 3, 1856

L. MacFarland. M.D.

0302

To Hon. Henry G. Eldredge,  
Judge of Court of General Sessions, N.Y.

Sir:

Before his removal to the City of  
N.Y. I was for many years well ac-  
quainted with Joseph Delphin Jr. both  
when he resided at Boston and in this  
City. And I gladly Certify that I never  
saw, heard or knew anything detrimental  
to his Character as a man or Citizen.

He impressed me as a person of im-  
pulsive and generous disposition and ~~was~~<sup>as too</sup>  
improvident and careless in the use of  
his earnings.

Some five years ago I recollect his  
Wife called at my Office and represented  
to me that she thought he <sup>was</sup> becoming insane,  
— that he seemed "out of his head" at times,  
and detailed to me a number of acts he  
had then recently performed that led her  
to believe that he was not responsible  
for his behavior and desired me to give  
proper attention to his Condition. I dis-

0303

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Richard King*  
aged \_\_\_\_\_ years, occupation *Collector Surg* ~~of No.~~

\_\_\_\_\_, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Samuel W. Pearson*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this *22* } *Richard King*  
day of *Oct* 188*7* }

*Samuel W. Pearson*  
Police Justice.

0304

*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*  
*fifty* \_\_\_\_\_ *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. 19* \_\_\_\_\_ *188*

*Solomon D. 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.*

\_\_\_\_\_

0306

VI

STATE OF NEW YORK.  
Executive Chamber,  
ALBANY.

Sir:

October 30, 1888.

Application for Executive clemency having been made on behalf  
of .Joseph Delphin, alias <sup>James Jackson,</sup> ^ who was convicted of Grand Larceny 2nd  
degree in the county of New York,--- and sentenced January 11, 1886  
to imprisonment in the Sing Sing Prison----- for the term of  
four years and six 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,

*William H. Rice*  
Private Secretary.

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



0307

charged  
for 14<sup>th</sup> 7888  
J. R. S.

0308

Re = The People vs }  
Delphin } larceny.



New York Jan 8<sup>th</sup> 1885

My Dear Mr Sullivan

Learning that the Counsel for Mr Delphin are circulating papers purporting to be letters from our Company speaking in favor of his past character and endeavoring to induce parties on the street to sign letters endorsing him, I think it our duty to see such commendatory papers that may be presented to the Court in mitigation of his sentence that our Company may be placed right in the matter and not have it appear that we are trying to shield him from just punishment. I will be at the Court House Monday morning about 10 o'clock and would like to meet you there at that time so that we may anticipate the motions of Delphin's Counsel before going into Court.

Yours Truly  
J W J Pierson

0309

Police Court— 2 District.

Affidavit—Larceny.

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

James W. J. Person  
of No. 29 Maiden Lane Street, aged 56 years,  
occupation Merchant being duly sworn

deposes and says, that on the 5th day of November 1884 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 gold watch of the value of one  
hundred and fifty dollars

the property of John R. McLean 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 James Jackson (now free)

That deponent is informed by Richard  
King a detective Sergeant—that he  
found a ticket representing pledged  
property in the possession of said  
defendant which deponent identifies  
as his property as aforesaid

Deponent further says that said  
defendant acknowledged said officer  
that he took stole and carried  
away said property and thereafter  
pledged the same

James W. J. Person

Sworn to before me, this 22nd day of November 1884

Samuel W. Keith  
Police Justice.

0310

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY  
OF NEW YORK, { ss

*Joseph Delphin, Jr.* 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.

*Joseph Delphin, Jr.*

Question. How old are you?

Answer.

*42 years of age*

Question. Where were you born?

Answer.

*United States*

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

Answer.

*51 East 20 St. Some months*

Question. What is your business or profession?

Answer.

*Watchmaker*

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  
desire further examination  
here.*

*Joseph Delphin, Jr.*

Taken before me this

*18*  
*Police Justice.*

0311

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

2 District Police Court.

*Joseph Delphin, Jr.* 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

*Joseph Delphin Jr.*

Question How old are you?

Answer

*42 years of age*

Question Where were you born?

Answer

*United States*

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

Answer

*31 East 20th St. Some months*

Question What is your business or profession?

Answer

*Watchmaker*

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 want further examination here.*

*Joseph Delphin Jr.*

Taken before me this

*May 11 1888*  
District Justice.



0312

Police Court—2<sup>d</sup> District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

of No. 29 Maiden Lane James W. J. Pearson Street, aged 56 years,  
occupation Merchant being duly sworn

deposes and says, that on the 19<sup>th</sup> day of October 1885 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:

Fifty-three gold watches, in all  
of the value of five thousand  
dollars

the property of The E. Howard Watch and Clock  
Company, and in care and charge  
of deponent as Agent of said  
Company 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 Joseph Delphine, senior,

now here, who gives the name  
of James Jackson, from the  
fact that said deponent was then  
in the employment of said Company  
and had access to said property.

That on said 19<sup>th</sup> day of October last  
said deponent delivered up to  
deponent fifty three warrants  
which represented said stolen  
property. That deponent has seen  
and identified, at the same place,  
all of the watches, with the ex-

Subscribed and sworn to before me this 19<sup>th</sup> day of October 1885.

Police Justice.



0313

Captain of a very few, represented  
by the main tickets so surrendered  
by said defendant to deponent, and  
deponents being identical said  
watches as the stolen ones afore  
said.

Sworn to before me this 20th day of  
May 1888

Edouard B. Smith

Police Justice

Dated 1888 Police Justice.

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

There being no sufficient cause to believe the within named

Dated 1888 Police Justice.

I have admitted the above named

Dated 1888 Police Justice.

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

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

Office—LARCENY.

THE PEOPLE, vs.,

on the complaint of

vs.

1.

2.

3.

4.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street.

No. Street.

No. Street.

\$ to answer Sessions.

03 14

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 \_\_\_\_\_

*Joseph Deephin, German*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *fifty* 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. 19* 188

*Solomon B. Smith* Police Justice.

I have admitted the above-named \_\_\_\_\_

to bail to answer by the undertaking hereto annexed.

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

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

There being no sufficient cause to believe the within named \_\_\_\_\_

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

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

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

03 15

Police Court-- 2 <sup>1393</sup> District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*James W. J. Pearson*  
*79 Maiden Lane*  
*Joseph Delphin Jr.*  
*impleaded*  
*James Jackson*

Office *Stacy*

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Dated *Dec. 14* 188 *5*

*Smith* Magistrate

*King* Officer.

*C. C.* Precinct.

Witnesses *Richard King*

No. *Central Office* Street.

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

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

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

*1500* to answer *Yes*

*bow*

03 16

*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* ..... 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 h to be discharged.*

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

0317

The Justice presiding at the,  
2nd District Police Court, will  
please hear and determine the  
within case in my absence  
Dec 8/85

Sam'l J. Reilly  
John Justice

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court-- 2 District.

THE PEOPLE, &c,

ON THE COMPLAINT OF

James W. Person  
vs.

1 James Jackson

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

Offence Grand Larceny

Dated October 22 1885

D. O. Reilly Magistrate.

Richard King Officer.

C. O. \_\_\_\_\_

Witnesses Richard King

Detective Seng/-

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

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

\$ / to answer \_\_\_\_\_

\$5000 Nov 24 2 PM

Dec 10 2 PM

Dec 8 2 PM

0318

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Joseph Delphin  
the younger*

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

*Joseph Delphin the younger*

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

The said *Joseph Delphin the younger,*

late of the First Ward of the City of New York, in the County of New York aforesaid  
on the *thirteenth* day of *October*, in the year of our Lord  
one thousand eight hundred and eighty-*three*, at the Ward, City and County  
aforesaid, with force and arms,

*fifty three watches of the  
value of one hundred  
dollars each,*

of the goods, chattels and personal property of one *James W.*

*J. Wilson,* —

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 Martin,*  
*District Attorney.*



03 19

BOX:

199

FOLDER:

1994

DESCRIPTION:

Deperet, Gaston

DATE:

12/02/85



1994

Witnesses:

*Max L. Limerick*  
*W. J. Limerick*

Counsel,

Filed *2* day of *Dec* 188*5*

Pleads *Not guilty (3)*

THE PEOPLE

vs.

*R*

*Exxon and*

*3 cases*

Grand Larceny *2nd* degree  
[Sections 528, 531, Penal Code].

RANDOLPH B. MARTINE,

*District Attorney.*

A True Bill.

*J. Carter Jr.*

*Foreman.*

*Delivered on authorship -*  
*Ind. - Dec 4 - 80*

0320

0321

Police Court—

First District.

Affidavit—Larceny.

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

of No. 66 Wooster Street, aged 26 years,  
occupation Kid glove Manufacturer being duly sworn  
deposes and says, that on the 17 day of Nov 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 night time, the following property viz :

One hundred and thirty  
pairs of Kid gloves value  
at One hundred dollars  
\$100.00

the property of

Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Gaston D. Toret (now here)  
from the fact that deponent having  
missed said property was informed  
by Anthony M. Gilligan an  
officer of the 8th Precinct that  
the Gilligan found a portion of  
said property in possession  
of Defendant deponent  
having identified said property  
charges said Defendant with  
taking, stealing, and carrying  
away said property

Mac Blumenthal

Sworn to before me, this 17 day of Nov 1888

John J. Moore Police Justice.

0322

CITY AND COUNTY  
OF NEW YORK, } ss.

aged

39

years, occupation

*Anthony M. Gilligan*  
*Police Officer* of No. *8th Precinct*

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

*Max Blumenau*

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

Sworn to before me, this

27th

day of

188

*Anthony M. Gilligan*  
*John J. Hornum*  
Police Justice.

0323

Sec. 198—200.

*PR* District Police Court.

CITY AND COUNTY  
OF NEW YORK, *SS*

*Gaston De Peret* 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 *Gaston De Peret*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *France*

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

Answer. *Tomb Since Monday 23<sup>rd</sup>*

Question What is your business or profession?

Answer. *Dyer*

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*  
*Gaston de Peret*

Taken before me this

day of *Nov* 188*5*

*John J. McNamee*  
Police Justice.

0324

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 *Seven* 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 *Nov 7* 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.



0325

Police Court

1321  
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Mar. 1888*  
*66. Wooder*  
*Gaston Dr. Tenn*

*Grand Juror*

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

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

Dated *Nov 29th* 188 *v.*

*Gorman* Magistrate  
*Gilligan* Officer.  
*888* Precinct.

Witnesses *Call the officer*  
No. \_\_\_\_\_ Street.

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

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

\$ *700* to answer *93*

*Call*

0326

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*Augustus de Peret*

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

*— Augustus de Peret —*

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

The said *Augustus de Peret,*

late of the First Ward of the City of New York, in the County of New York aforesaid  
on the ~~seventeenth~~ day of ~~November~~, in the year of our Lord  
one thousand eight hundred and eighty-*three*, at the Ward. City and County  
aforesaid, with force and arms,

*one hundred and thirty pairs*

*of gloves of the value of*

*eighty cents each pair,*

of the goods, chattels and personal property of one *Max Blumenau,*

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. Martin,*

*District Attorney.*

0327

BOX:

199

FOLDER:

1994

DESCRIPTION:

Diehl, Edmund c.

DATE:

12/04/85



1994

0328

BOX:

199

FOLDER:

1994

DESCRIPTION:

Peacock, Edward

DATE:

12/04/85



1994

Witnesses:

*E. J. Carey*  
*E. J. Conklin*  
*J. H. Hutchins*  
*J. H. Mayster*

From an examination of all the facts herein and after interviewing the only witnesses in the case I am of the opinion that no foundation can be obtained against the defendant Peasock. He has been a honest life since the charge and is now in respectable and steady employment and as the complainant states to me that he greatly desires that the complaint should be dismissed against him and begs that he be discharged I recommend that the indictment as to the defendant Peasock be dismissed. Dated May 25<sup>th</sup> 1892.  
J. H. Hutchins, S. Dist. Ct. Albany, N. Y.

I concur in above recommendation.  
*E. J. Carey*  
Jury

3527/1 *Carroll*

Counsel, *(See)*  
Filed 4 day 6<sup>th</sup> 1888  
Pleads *not guilty*

THE PEOPLE  
vs.  
*Edward C. Didd*  
and  
*Edward Peasock*  
*forfeited bond*

Grand Larceny 2<sup>nd</sup> degree  
[Sections 528, 53 Penal Code]

RANDOLPH B. MARTINE,  
*May 26, 1892* District Attorney.  
*for Peasock & Didd*  
*Indictment dismissed*  
A True Bill.  
to Ky. 2

*J. C. Carter Jr.*  
*Off. J. M.*  
Foreman.

Forfeited.  
Part III June 29/98

0330

City & County of New York 358

Walter M. Muth aged 25 years  
residing at 130 East 8th Street being  
duly sworn says, I am one of  
the defendants - I received the  
goods from the prisoner Wile.  
Who paid me 25 cents to carry  
the same to the Shoe Store No  
8 Baxter Street.

I did not know that the  
property was stolen.

I know the defendant Wile  
is employed in the House of Benjamin  
H. Carey & Company, and I  
thought the goods were sold  
by that firm.

I had no suspicion that  
the goods was stolen, if I  
had I would not have carried  
the same.

Walter M. Muth

Sworn to before me this  
27th day of November 1887

*[Signature]*  
Recorder



0331

City & County of New York

Benjamin H. Carry being further examined says, that since the making of the complaint deponent ascertained that the defendant Walter M. Smith is an honest man, and deponent believes that his <sup>Smith's</sup> statement made under oath is true.

Deponent believes that said Smith has no knowledge that the property carried by him was stolen, and that he is not guilty of the crime. charged. Deponent prays that said Smith may be discharged.

Sworn to before me this 24<sup>th</sup> day of October 1885  
John H. Corrigan  
Police Justice

0332

Police Court—<sup>1<sup>st</sup></sup> District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

of No. 34 Spruce Street, aged 50 years,  
 occupation Merchant being duly sworn  
 deposes and says, that on the 24 day of November 1885 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:

Four boxes of French Calveskin  
of the value of Eighty dollars

the property of deponent and Mahlon Mumford, and  
Eugene H. Cushman his partners

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 Walter M. Muntz and Edward A. Beach  
all (nowhere) from the fact that  
deponent is informed by John F.  
Mitchell of the 6<sup>th</sup> Precinct Police  
that in the evening of the said 24<sup>th</sup>  
day of November 1885 he saw  
said Muntz enter the Shoe Store W.  
Baxter Street with a portion of  
the aforesaid property in his  
possession that he said officer  
followed said Muntz in to said  
store and when he Muntz saw said  
officer he ran away that said  
officer pursued said Muntz and

Sworn to before me, this

188

Police Justice



0334

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Shamus J. Crystal*  
aged 31 years, occupation Police officer of No. the 6<sup>th</sup> Precinct Police  
Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Benjamin H. Cary*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 25  
day of November 1888 *Shamus J. Crystal*

*John J. Horner*  
Police Justice.

0335

CITY AND COUNTY {  
OF NEW YORK, } ss.

aged *29* years, occupation *Police officer* of No. *the 6th Precinct* *Police* Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of *Burgess H. Cary* and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this *25*  
day of *November* 188*8* *John F. Mitchell*

*John F. Mitchell*  
Police Justice.



0336

Sec. 198—200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, } ss

*Walter M. Muth*

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. *Walter M Muth*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *Brooklyn*

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

Answer. *130 St Marks Place 12 years*

Question. What is your business or profession?

Answer. *Printer*

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 demand an acquittal*  
*Walter M Muth*

Taken before me this

day of *March* 1885

Police Justice.



0337

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, { ss

District Police Court.

*Edmund C. Dick* 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.

*Edmund C. Dick*

Question. How old are you?

Answer.

*27 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*1353 2<sup>nd</sup> Avenue since last April*

Question. What is your business or profession?

Answer.

*Clerk & Porter*

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

Answer.

*I am not guilty*  
*Edmund C. Dick*

Taken before me this

day of *July* 1883

*John J. Conner*

Police Justice.

0338

Sec. 198-200.

CITY AND COUNTY { ss  
OF NEW YORK,

District Police Court.

*Edmund Pucner* being duly examined before the undersigned, 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.

*Edmund Pucner*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*137 Sullivan Street, 22 years*

Question. What is your business or profession?

Answer.

*Porter*

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

Answer.

*I am not guilty*

*Leacock*

Taken before me this

day of

*November*  
188*8*

*John J. Conner*  
Police Justice.

0339

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

Edmund C. Riehl and Edward A. Peacock  
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 Nov 25 1885 John J. Horner Police Justice.

I have admitted the above-named Edmund C. Riehl & Edward A. Peacock to bail to answer by the undertaking hereto annexed.

Dated Nov 28 1885 John J. Horner Police Justice.

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

Dated Nov 27 1885 John J. Horner Police Justice.

0340

9

1330

Police Court-- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Benjamin H. Curry  
340 Spruce St

~~Matthew J. Smith~~

1 Edmund C. Bick

3 Edward H. Packer

4

Dated Nov 25 1885

John W. Magistrate

Crystal & Mitchell Officer.

6 Precinct.

Witnesses said officer.

No. Street.

Eugene R. Chas. Mearns

No. 134 Spruce Street.

No. 2 & 3 Street.

\$ 1000 to answer

No. 1. W. H. Chas. Mearns

2 & 3 Bick

BAILED,

No. 1, by

Residence Street.

No. 2, by Luigi Mearns

Residence 58 Mulberry Street.

No. 3, by Louis Mearns July 18/88.

Residence 136 Sullivan Street.

No. 4, by

Residence Street.

0341

*Mulford, Cary & Conklin,*  
LEATHER  
*34 & 36 Spruce Street*  
*N. Y. Post 2586.* *New York,* May 18th, 1892.

Hon. Delancy Nichols,  
District Attorney, City.

Dear Sir:

The bearer, Edward A. Peacock, with another was indicted several years ago for robbing our store, and believing that he was the least guilty man of the two, and that he has been living honestly and working hard to support his family for several years past, we greatly desire that the complaint should be dismissed and that he should be discharged. There is no doubt that he has suffered much mental agony on account of his past misconduct and that he will never commit another crime. We, therefore, beg that you will let him go a free man.

Very respectfully,

*Mulford, Cary & Conklin*

0342

Part 2

W. Witnesses  
Issued in this Case

See Back of Book



0343

The People  
vs  
Jones & Peacock }

It is consented that the  
motion in this case be adjourned to  
March 15th 11 am

W. J. March 10/1887

J. H. McCuthey  
att. for Peacock

0344

Prop.

7-

John, Rev. Mr.

Lulu

Dec. 4/85

CHARLES H. VAN BRUNT,

0345

1409

**COURT OF GENERAL SESSIONS**

CLERK'S OFFICE,

New York, ..... 189

PEOPLE

vs.

*Edward Hecht*

*Edward Peacock*

*And Geo. 185*

*to Judge Linn*

*May 19/92*

0346

WILLIAM KING HALL,  
COUNSELLOR-AT-LAW,  
140 NASSAU STREET,  
Morse Building, Room 41.

New York, March 5<sup>th</sup> 1887

Hon Randolph B. Martine  
Esq

The People  
vs  
Jones & Peacock }

Our motion to  
remit forfeited recognizance herein is return-  
able at 11 A.M. on Monday. Will you kindly  
adjourn the same to some later day in  
the week and oblige

Yours very truly  
Wm King Hall

Counsel for Deft Peacock

~~Attest~~

0347

People  
✓  
J. + H. + K.

0348

MULFORD, GARY & CONKLIN,  
34 SPRUCE STREET,  
NEW YORK.

To

Hon. Delancy Nichols,  
District Attorney,  
City.

*Letter from Conklin*



0349

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Edmund R. Dield*  
and  
*Edward Peacoda*

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

*Edmund R. Dield and Edward Peacoda*  
of the CRIME OF GRAND LARCENY IN THE ~~second~~ DEGREE, committed  
as follows :

The said *Edmund R. Dield and*  
*Edward Peacoda*, each —

late of the First Ward of the City of New York, in the County of New York aforesaid  
on the ~~twenty fourth~~ day of ~~November~~, in the year of our Lord  
one thousand eight hundred and eighty- ~~five~~, at the Ward, City and County  
aforesaid, with force and arms,

*Knowingly feloniously stole &*  
*the value of three dollars and*  
*thirty five cents each.*

of the goods, chattels and personal property of one *Benjamin*

*St. Perry* —

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. Martin*  
District Attorney

0350

BOX:

199

FOLDER:

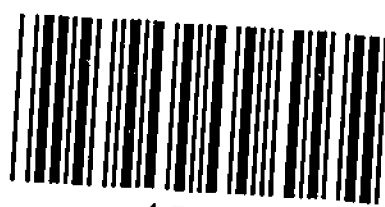
1994

DESCRIPTION:

Dinehart, George

DATE:

12/24/85



1994

Witnesses:

Caroline Prentiss

No 241

Clerk

Counsel,

Filed 24 day of Dec 1885

Pleaded guilty

THE PEOPLE

vs.

Wm. W. W.

George S. S.

George S. S.

Grand Larceny 2nd degree [Sections 528, 538 Penal Code]

RANDOLPH B. MARTINE,

District Attorney.

In the City

pleaded PL.

A True Bill.

Wm. W. W.

Foreman.

Pen: one year.

0351

0352

*Frank Breunig's*

\* Grove Hill Hotel and Park \*

HÜPFEL'S BREWERY,

161st STREET AND THIRD AVE.,

NEW YORK.

0353

Police Court—5 District.

Affidavit—Larceny.

City and County } ss.:  
of New York }

of No. 3 Anne St. Caroline Brummig Street, aged 53 years,

occupation Housekeeper being duly sworn

deposes and says, that on the 17 day of December 1887 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 Cloth Coats together of the  
Value of Fifty dollars -

the property of Reinhold Schwartz and in  
deponent's care and charge

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 Georg. Runkhark (nowhere)

from the fact that deponent

caught the said Runkhark in

said premises with said

property in his possession. The

said Runkhark having no right

therein

Caroline Brummig

Sworn to before me, this 17 day  
of December 1887

M. J. White Police Justice.

0354

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss

*George Kinehark* 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 have had the property in  
my possession*

*George Kinehark*  
*Mark*

Taken before me this

day of *December* 188

*Police Justice.*

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

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 \_\_\_\_\_  
*George - Klinehart*  
 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.

committed, and that there is sufficient cause to believe the within named George - Kirschbach 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.

And ~~with~~ <sup>for</sup> ~~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.

City of New York, until he give such bail.

Dated Dec 17 1887 W. J. P. J. Police Justice.

Harold

*Police Justice.*

*I have admitted the above-named* \_\_\_\_\_

*to bail to answer by the undertaking hereto annexed.*

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

*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.*

*Police Justice.*



0356

Police Court

1439 District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Caroline Bruning*  
*3<sup>rd</sup> Ave., 161<sup>st</sup> St.*  
*Long Beach*

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

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

Dated *Dec 17<sup>th</sup>* 188

*W. E. Clark* Magistrate  
*Sherman Clark* Officer.

*33-* Precinct.

Witnesses *Frank Bruning*

No. *3<sup>rd</sup> Ave. + 161<sup>st</sup> St.* Street.

*David Officers*

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

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

\$ *1000* to answer *G.S.*

*Clare*

0357

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

George Dimmock.

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

George Dimmock.

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

The said George Dimmock,

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

three coats of the value of twenty dollars each,

of the goods, chattels and personal property of one Randolph Schmitt

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 Schmitt,  
District Attorney

0358

BOX:

199

FOLDER:

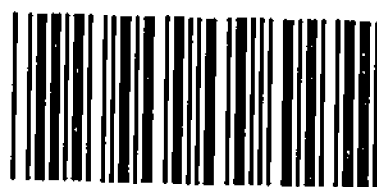
1994

DESCRIPTION:

Donnelly, Andrew

DATE:

12/10/85



1994

0359

Witnesses:

*[Signature]*

I swear in the  
recommendations of  
Mr. [Name]

*[Signature]*  
Deputy [Name]

I have examined  
the complainant very  
thoroughly & fail to  
find anything therein  
that will support  
the indictment. There  
is an absolute absence  
of intent which  
is of the essence of  
the crime charged. This  
indictment therefore should  
be dismissed  
Dated [Date] Dec. 22, 1885

*[Signature]*  
District Attorney

No 69

Counsel, *[Signature]*  
Filed, 10 day of Dec 1885  
Pleads, *[Signature]*

THE PEOPLE  
vs.  
*[Signature]*  
[Sections 528 and 581, Penal Code]  
(False pretenses)  
LARCENY, 2nd degree

RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.

*[Signature]*

P. 2 Dec. 22, 1885 Foreman  
Discharged on his verbal  
recognizance.

0360

*N.Y. General Sessions*

-----  
The People &c.

Agst.

Andrew Donnelly  
-----

City and County of New York SS:

John Barron being duly sworn deposes and says;  
I reside at No.260 East Houston Street, rear house, in the city  
of New York. I am the complainant in the case of the people  
against Andrew Donnelly, indicted for Grand Larceny, second  
degree, to wit: the felonious taking and carrying away from my  
possession, in the day time, certain property, to wit: Two beds  
and bedding, four tables, crockery, glass ware; silver consisting  
of spoons, knives, forks &c. carpets and other property of the  
value of \$500.

On the 27th day of November 1885 I was <sup>in the</sup> employed as a  
caterer ~~of~~ Elizabeth P. Godfrey residing at No.200 West 53rd,  
Street, in this City, under the following agreement, to wit:

I was to occupy with my wife the front and back basements  
of said premises; to furnish the said Mrs. Godfrey and her two  
children with meals, in lieu of rent; and for every boarder in  
the house to whom I furnished meals was to be paid at the  
rate of four dollars per week, table board. On the day last  
aforesaid a man whom I afterwards learned was Andrew Donnelly  
~~and who is the defendant herein~~  
came <sup>to the house aforesaid</sup> ~~in there~~ about twenty minutes past three in the afternoon  
while I was preparing dinner. He said "Mr. Barron I have a  
dispossess warrant in my pocket from Judge Monnell's Court, 57th,  
Street; I want you out of these premises right away". I said  
"to him-I understand Mrs. Godfrey said I should stay until  
Monday the 29th, . He said he was a marshal from the Court, and



0361

came on no fool's errand; he says you are only a squatter here; you pay no rent, you can be put out any moment - My wife was present at that time. He says then if you give me two dollars I will let you stay until Monday. I asked him then if he had a badge, and he said that is all right; I am a marshal from the Court; that is all I want, I will leave you in until Monday for two dollars. I looked at my wife and I says better stay for two dollars - I will go over to O'Brien's and borrow two dollars. He says I will go with you. That aroused my suspicion ~~and~~ I thought no marshal would sell himself for two dollars. So I told him then I thought he was no marshal at all. I went then to Broadway and 53rd Street to Mr. Heath, for advice. I ~~went back~~ <sup>returned</sup> to my house and met the said Donnelly coming out of ~~my house~~ <sup>it</sup> with chairs. I told him that he had better put them back- he told me to go to hell; that he was a marshal and knew what he was doing. This was in the hall-way. When all the stuff had been put on the street by said Donnelly, who was assisted by three or four men, I asked him for his address, he then said to me - I am marshal James Smith of No. 217 East 16th street, from Civil Justice Monell's Court, 57th, street, Yorkville; my wife stood along side of ~~me~~ <sup>him</sup> at this time and I immediately took a memorandum book from my pocket and <sup>said Donnelly</sup> in his presence and in the presence of my wife made a memorandum of his name and address. <sup>said</sup>

I did not see said Donnelly or Smith, or any of the men with him appropriate or carry away any of my said goods; I am pretty sure these men took nothing belonging to me <sup>away</sup> with them. Sworn to before me this

day of December 1885.

N.Y. General Sessions  
The People vs

- N -

Andrew Donnelly

Affidavit

Joseph D. Hartne  
District Attorney

0362



0363

District Attorney's Office.

*Part Two*

PEOPLE

vs.

*Dec. 16*

*Calendar*

0364

Police Court

District.

Affidavit—Larceny.

City and County } ss.:  
of New York,of No. 216 East Houston Street, aged 50 years,  
occupation Cookdeposes and says, that on the 27 day of November 1885 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:

Two beds and bedding - four tables;  
rockery, glass ware, silver ware  
consisting of, spoons, knives, forks &c  
carpet and other property collectively  
of the value of five hundred 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 Andrew Donnelly now here  
 in the manner following - to wit that  
 on the day in question he came to premises  
207 West 53 Street where deponent  
 then lived and stated and represented  
 to deponent that he the defendant  
 was a Marshal and was sent by  
 Justice Monell on a disposses of hands  
 to take the aforesaid property from  
 said premises, that deponent upon  
 such statement made by the defendant offered  
 no opposition to him, and he the said  
Donnelly did then and there unlawfully take  
 steal and carry away from said  
 premises in deponent's presence the property

0365

Above described as deponent  
now charges that the base of  
such charge is, that the statement  
made by said Donnelly was false  
and untrue, in this, that he is not  
nor was he then a Marshal of this  
City - That he was not sent by Justice  
Monell or by his order to levy and  
take said property, but that the  
said Donnelly did knowingly and  
feloniously with intent to deprive the  
true owner thereof to take and  
steal said property in the manner  
above set forth

John Barron

Sworn to before me this  
5<sup>th</sup> day of Decr 1885  
Harry Morris Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be committed 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 1885  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1885  
There being no sufficient cause to believe the within named  
guilty of the offence mentioned, I order he to be discharged.  
Dated 1885  
Police Justice

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

vs.

Offence—LARCENY.

1  
2  
3  
4

Dated

188

at

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$

to answer

Sessions.

0366

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss

District Police Court.

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

Question. What is your name?

Answer.

*Andrew Donnelly*

Question. How old are you?

Answer.

*42 Years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*1088 First Avenue*

Question. What is your business or profession?

Answer.

*Labrer*

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*  
*Andrew Donnelly*

Taken before me this

day of December 1883

Police Justice.

0367

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

*Thomas Donnelly*

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 *December 5* 188*5* *Henry Henry* Police Justice.

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

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

There being no sufficient cause to believe the within named \_\_\_\_\_

\_\_\_\_\_ guilty of the offence within mentioned, I order h to be discharged.

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



0368

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

*John Carroll*  
*200 - East Houston*  
*Alfred Donnelly*  
*137*  
*Offense*

Dated *December 3* 188 *5*  
*Murray* Magistrate.  
*Looker* Officer.  
*Court* Precinct.

Witnesses  
No. *Joseph Morrell* Street.  
*57 1/2 St Court (Civil)*  
No. \_\_\_\_\_ Street,  
\_\_\_\_\_  
No. \_\_\_\_\_ Street.  
§ *1000* to answer *General* Sessions.

*By Dec 5<sup>th</sup>*  
*(Cm) 2/2 P.M.*



0369

Court of General Sessions  
The People on complaint  
of John Barron  
against  
Andrew Donnelly

City and County of New York: ss  
Elizabeth P. Godfrey being duly  
sworn deposes and says.

I am a widow and keep a  
boarding house at No 200 West 53<sup>d</sup> Street  
in this city.

In or about the month of September  
of the present year, I advertised for a  
caterer and cook. and in pursuance  
thereof John Barron above named  
called upon me personally. and we  
then and there made the following  
agreement.

I agreed to furnish him  
with apartments in my house and  
also furnish him with gas, he to  
receive four Dollars per week for  
each boarder in my house. he to  
supply myself and family with meals.  
It was agreed between us that he  
could continue living there. as long  
as he gave satisfaction

0370

I also paid him in advance for each boarders meals every week shortly after he moved into my house he began to drink intoxicating liquors was frequently intoxicated and when I remonstrated with him he abused me

On November 25<sup>th</sup> 1885 I notified him that he had not given satisfaction. had assaulted my servants and used vile and filthy language. and that he had ~~beaten my children~~ <sup>threatened my children</sup> and his services were no longer required. and that he must take his things out in 24 hours, he said he would not go and that I would have to go first

On November 27<sup>th</sup> 1885 Barrow was again in a beastly state of intoxication he abused my servants and myself. I then went to the 57<sup>th</sup> Street Police Court. and made a statement to the presiding Judge of the above facts. the Justice advised me to go to the civil court. which I did I spoke to several gentlemen about it. I have since learned that they

0371

are city marshals Goode and Goldstein I told them I wished to institute proceedings to evict Barron. after consultation, they stated that as Barron was a servant and not a Tenant Dispossess proceedings could not be maintained. I was then advised to treat him (Barron) as any other servant put him out with his things if he refused to go, I then inquired for some person to do it and was referred to Andrew Donnelly. whom I then hired Donnelly consulted the marshals and then called at my house early in the afternoon.

The next I saw of Donnelly was when he came up with Barron and requested me to give Barron a little more time, which I refused. fearing out of revenge he might do me bodily harm or set fire to the place and I then ordered Donnelly to eject him.

Donnelly and other men with him then carried Barrons furniture out carefully and placed it on the sidewalk. Barron and his wife

0372

being present until every thing was carried out. when Donnelly and his men were going away I heard Donnelly say to Barron. my name is Andrew Donnelly you can find me at 57<sup>th</sup> Street Court at any time, they then left and did not have any of Barrons property in their possession - nor did I see either of them come back.

Sworn to before me this

19<sup>th</sup> day of December 1885

} Mr. Eliz. P. Hodgref.

John E. Kelly  
Notary Public  
N.Y. Co.

0373

Court of General Sessions

The People  
against  
Andrew Donnelly

City and County of New York: ss  
Michael Goode of ne 155  
East 57<sup>th</sup> Street in this city and  
have acted and duly qualified  
as one of the Marshals of this  
city since May 1880  
and am at present performing  
the duties of the office -

I know Mrs Godfrey  
saw her the first time at the  
Court House in East 57<sup>th</sup> Street  
she consulted me with reference to  
Instituting proceedings to Dispossess  
her caterer. after consultation with  
Mr Elias G Levy an Attorney and  
Counsellor at Law, I informed  
her that such proceedings could  
not be maintained.

That she must treat him  
(Barrow) as she would any servant  
she then employed Donnelly

I have known Donnelly

0374

the past 5 years, and know his reputation in the vicinity where he lives. it is that of a sober honest industrious and truthful man.

I have on frequent occasions placed him in charge of valuable property on writs of Attachment Executions and he has Dispossessed parties for me on Warrants. upon neither of said occasions has a complaint ever been made against him.

Sworn to before me this

19<sup>th</sup> day of December, 1885

Samuel Ekstein

Corn. officers  
my int.

Michael Good



0375

Court of General Sessions  
The People  
agst  
Andrew Donnelly  
City and County of New York, S.S.  
Mark E. McEvoy  
of No 120 East 111<sup>th</sup> Street in  
said city being duly sworn says,  
I am one of the persons who  
assisted Andrew Donnelly  
above named to carry out the  
Furniture of John Barrow on  
November 27<sup>th</sup> 1885.

During the  
time I was present I did not  
hear Donnelly claim he was  
a Marshal or had a Dispossess  
during a part of the time a  
Police Officer was present  
and saw us at work, when we  
left I heard Donnelly say to  
Barrow "remember my name is  
Andrew Donnelly you can  
find me at 57<sup>th</sup> Street Court.  
Donnelly nor either of  
us took any article from the

0376

sidewalk we left all the furnit-  
-ure in custody of Barron and  
his wife when we left. Barron  
was intoxicated.

Sworn to before me this. (Edw. M. May)  
19<sup>th</sup> day of December 1885

Horris W. Asch  
Commr of Deeds  
N.Y. Co

0377

Court of General Sessions

The People  
against  
Andrew Donnelly

City and County of New York: ss  
Patrick Cronin of No 429  
East 57<sup>th</sup> Street being duly sworn  
says, I am one of the persons  
who assisted Andrew Donnelly  
above named to carry out the  
furniture of John Barrow, on  
November 27<sup>th</sup> 1885.

During the time  
I was present I did not hear  
Donnelly claim he was a Marshal  
or had a Dispossess, during a  
part of the time a Police Officer  
was present and saw us at  
work, when we left I heard  
Donnelly say to Barrow, "remember  
my name is Andrew Donnelly you  
can find me at 57<sup>th</sup> Street Court

Donnelly nor either of us  
took any article from the sidewalk  
we left all the furniture in  
custody of Barrow and his wife

0378

when we left. Barrow was very  
~~intimidated~~ abusive

Sworn to before me this }  
10<sup>th</sup> day of December 1885 } Patrick <sup>this</sup> Cronin  
Morris Stase } mark  
Comm of Deeds  
M.J.B.

Constable General  
Sessions

The People of Com-  
plaint of John  
Barrow

- 18 -

Andrew Donnelly  
Applicant  
part of Dept.

Larg bein Dist.  
Larg bein  
Attys of the Dept.  
No. 28, Broadway  
New York

0379

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

against

Andrew Donnelly

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

of the CRIME OF

Grand LARCENY in the second degree,

committed as follows:

The said

Andrew Donnelly,

late of the City of New York, in the County of New York aforesaid, on the Twenty second day of November, in the year of our Lord one thousand eight hundred and eighty-seven, at the City and County aforesaid, with force and arms, with intent to deprive and defraud one John Brown,

of the ~~proper money~~ goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to the said John Brown,

That he the said Andrew Donnelly was then a Ritzy Marshal of said Ritzy and had been sent by one Andrew Monell Esquire one of the Justices of the said Ritzy, by virtue of a warrant return, then and there to seize and take possession of the said goods, chattels and personal property, as such Marshal.

0380

By color and by aid of which said false and fraudulent pretenses and representations, the said Andrew Monnell did then and there feloniously obtain from the possession of the said John Barron, two hundred and fifty dollars of the value of twenty dollars each, a quantity of bedding, crockery and glassware of more accurate description whereof is to the Agent of the said Andrew Monnell of the value of two hundred and fifty dollars, fifty pieces of the value of one dollar each, fifty pieces of the value of one dollar each, fifty pieces of the value of one dollar each, fifty pieces of the value of one dollar each, fifty pieces of the value of one dollar each, of the proper moneys, goods, chattels and personal property of the said John

Barron, with intent to deprive and defraud the said John Barron, of the same, and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said Andrew Monnell was not then a Felix Marshall of said Felix, and had not been sent by the said Andrew Monnell to receive civil justice as aforesaid by virtue of any dispossession warrant then and there to seize and take possession of the said goods, chattels and personal property as such Marshall;



Andrew T. Amely, —  
at the time of making the same then and there well knew.

the day and year first aforesaid, at the City and County aforesaid, in the manner and form aforesaid, and by the means aforesaid, with force and arms, the said proper moneys, goods, chattels and personal property of the said John Garman —

Second Count:

The said Andrew Donnelly, late of the City and County of Nevada, do hereby certify, that on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, two bedsteads of the value of twenty dollars each, a quantity of bedding, crockery and glass ware (a more accurate description whereof is to the Grand Jury aforesaid. unknown) of the value of two hundred and fifty dollars, four tables of the value of ten dollars each, fifty chairs of the value of one dollar each, fifty mirrors of the value of one dollar each, fifty mirrors of the value of one dollar each and fifty yards of carpeting of the value of one dollar each, together with the goods, chattels and personal property of one John Cannon, 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 and dignity of the said People.

Randolph B. Martine,

District Attorney

0382

BOX:

199

FOLDER:

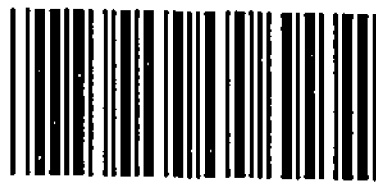
1994

DESCRIPTION:

Barbara, Alexander

DATE:

12/21/85



1994

0383

BOX:

199

FOLDER:

1994

DESCRIPTION:

Donnelly, Michael

DATE:

12/21/85



1994

Witnesses:

John W. Decker

Officer J. J. Chumley

No 191

Counsel,

Filed

day of

1885

Pleas

Not guilty (or)

THE PEOPLE

vs.



Robbery, (MONEY)  
(Secs. 224 and 225 Penal Code.)  
degree.

Michael Donnelly

and

Alexander Barbara

RANDOLPH B. MARTINE,

District Attorney.

vs.

S. P. Six years.

A True Bill.



Foreman.

For trial of Barbara  
day 6th

Not tried & moved Rob in  
S. P. Eight years.

0305

*S. T. Smith,*  
*14 Park Place, N. Y.*

# STENOGRAPHERS' MINUTES.

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

The People  
against  
Alexander Barbara,  
Indicted for robbery in the first degree.

BEFORE

Now Henry A. Gildersleeve,  
And a jury.

Tried - January 6<sup>th</sup> 1886

**Witnesses :**

Direct.

Cross.

Re-Direct. Re-Cross.

0386

I

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

-----	:	
The People	:	
	:	
against	:	
	:	Before
Alexander Barbara	:	
	:	Hon Henry A. Gildersleeve,
Indicted for robbery in the	:	And a Jury.
first degree.	:	
-----	:	

Tried- January 6th, 1886.

Appearances:

Assistant District Attorney, Gunning S. Bedford, for the People.  
Louis Steckler and Frank J. Keller, for the defence.

Nicholas Becker, the complainant, testified as follows: that he resided at Belleville, New Jersey: and that he came to New York, on the 16th of December 1885, in the afternoon. He met Michael Donnelly, jointly indicted with Barbara, in Mott Street, and went into a lager beer saloon, to have a glass of beer with him. Barbara followed them from the saloon. He first noticed Barbara after they had come out of the saloon. He was following them. In front of the house 100 Mott Street, Donnelly took him down from the back, and blinded



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him with a handkerchief. He pulled him down from behind, in the hall-way. He put the handkerchief over his mouth and eyes, and, while he was down, Barbara tore open his vest, and took out twenty dollars. Then they ran away.

In cross-examination, by Mr Steckler, Becker testified that the assault and robbery took place about three o'clock in the afternoon, and the house, 100 Mott Street, was a tenement house. After the handkerchief was thrown over his face, and the robbery was effected, he first saw Barbara when he tore the handkerchief from his face. Barbara was standing five feet from him, and had just dropped on the side-walk a likeness and a telegram that had been in his, Becker's, vest pocket, with the money. He had been drinking two or three glasses of beer, before he met Donnelly, in the Mott Street saloon. After the robbery, and the escape of the prisoners, he next saw them in the Elizabeth Street Police Station, at 12 o'clock at night, where he identified them. He got the hat off of Donnelly's head, during the robbery, and kept possession of it, and took it to the Police Station. In his opinion, there were three men engaged in the robbery, one besides Donnelly and Barbara. He could not describe the appearance of the third man.

Officer Thomas J. Crystal, of the Sixth Precinct, testified that, on the 16th of December he arrested Donnelly

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about 4.10 P.M., and Barbara was brought in to the Station House, at 7.30 P.M., by Officer McManus, of the same precinct. He confronted the prisoners with the complainant, and the complainant identified them as two of the three men who had robbed him. He also asked Donnelly if Barbara was the man who had assisted him in the robbery, and Donnelly said that he was.

In cross-examination, Officer Crystal testified that he took the prisoners from their cells, and confronted them, in the corridor, with the complainant, before he asked any questions of either of the prisoners or the complainant.

The People then rested.

For the defence, Michael Donnelly (Colored) jointly indicted with Barbara, testified that he did not know Barbara, and had only seen him once or twice, sitting in the "Schooner House", in Mott Street, where the complainant, Becker, met Barbara, on the 16th of December. Barbara did not have anything to do with the robbery, nor did he see Barbara on that day. He did not give any information that lead to the arrest of Barbara by Officer Crystal, nor did he say, in the corridor of the Police Station, that Barbara was the man who assaulted him in the hall-way. He did say something to that effect; but it was only after Officer Crystal had threatened

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4

to "fix him". That he did not identify Barbara as the man who helped him in the robbery .

Under cross-examination, Donnelly testified that, three men helped him in the robbery. They were strangers to him. The complainant, Becker, had met him in the "Schooner House" and had asked him to take him to the "Dive" at 100 Mott Street, on the first floor. As they entered the hall-way at 100 Mott Street, four young men, strangers to him, Donnelly, sprang upon Becker. One of them cried out "Yaller", and he, Donnelly, understanding that as a signal that the four young men were "going through", otherwise, were about to rob Becker, and he thought he might as well "go through", or rob him too. He had been around the neighborhood, several nights, with the young men who committed the robbery, but he did not know them by name. He had never been in the Penitentiary or State Prison. He had never been sworn in a court of justice before, and did not know what an oath was.

Alexander Barbara testified that he lived at 26 Mulberry Street, mostly in the liquor store of Antonio Canali, and peddled segars for a living. He had been in the country nine years. He had nothing what ever to do with the robbery, and knew nothing what ever of it until his arrest. He was

0390

5

arrested in the saloon where he had been sitting from half past two in the afternoon. He had been out peddling segars that day, from ten o'clock in the morning, and had succeeded in selling 100 segars. He had seen Donnelly only once before. That was about a week before, in the liquor saloon of Canali. He denied that there had been any identification of him as one of the thieves, in the corridor of the Police Station, either by the complainant or Donnelly. He did not know of any such assurance as the identification in the corridor of the Police Station.

The case was submitted, under the charge of the Court, and the Jury convicted Barbara of robbery in the second degree.

0391

STENOGRAPHERS' TRANSCRIPT.

January

1886

Frank J. Beard  
Official Stenographer,  
Part 2.

0392

FIRST DISTRICT POLICE COURT.  
CITY AND COUNTY  
OF NEW YORK.

Recognizance to Testify.

BE IT REMEMBERED, That on the

17<sup>th</sup> day of December in the year of our Lord 18 85

of No. Nicholas Becker Street, in the City of New York,

and Richard B. Ferris

of No. 48 Wall Street, in the said City,

personally came before the undersigned, one of the Police Justices in and for the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say; the said

Nicholas Becker

the sum of Five Hundred Dollars;

and the said Richard B. Ferris

the sum of Five Hundred Dollars,

separately, of good and lawful money of the State of New York, to be levied and made of their respective goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition following, viz:

The Condition of this Recognizance is such, That if the person, first above recognized, shall personally appear, at the next COURT OF General SESSIONS of the Peace, to be holden in and for the City and County of New York, and then and there *Testify* and give such evidence, in behalf of the people of the State of New York, as he may know, concerning an OFFENCE or MISDEMEANOR, said to have been lately committed in the City of New York aforesaid by

Michael Donnelly & Alexander Barker

And do not Depart thence, without leave of the Court, then this Recognizance to be void, otherwise to remain in full force and virtue.

17 Taken and acknowledged before me, the }  
day and year first above written.

Nicholas Becker  
Rich B. Ferris  
Police Justice



0393

*[Signature]*  
for filing  
before me  
this  
11th  
day of  
Sept  
1891

NEW YORK  
G. Sessions.  
THE PEOPLE, &c.,  
*Richard B. Ferris*  
*Richard B. Ferris*  
vs.  
*Michael Donnelly*  
*Alexander [illegible]*

RECOGNIZANCE TO TESTIFY

CITY AND COUNTY OF NEW YORK, ss.  
the within-named Bail, being duly sworn, says that he is a  
said City, and is worth  
over and above the amount of all his debts and liabilities: and that his property consists of

*Richard B. Ferris*  
~~Holder~~ holder in  
Hundred Dollars,  
Bank  
Stocks and money in the Bank  
of New York in all of the  
value of Two Thousand Dollars

*Rich B Ferris*

*duffy* POLICE JUSTICE.

Filed day of 18

0394

Police Court *First* District.

CITY AND COUNTY }  
OF NEW YORK, } ss

*Nicholas Becker*  
of *Soho Essex County New Jersey* *House of Delegation*  
Occupation *Driver* being duly sworn, deposes and says, that on the  
*16<sup>th</sup>* day of *December* 188*5*, at the *14<sup>th</sup>* Ward of the City of New York,

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

*Good and Lawful Monies of the United  
States consisting of Bank Bills*

of the value of *Twenty* DOLLARS,  
the property of *Nicholas Becker*

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

*Michael Donnelly Alexander Barbara*  
*both now here) and further than not now*  
*arrested from the fact that at about the*  
*hour of three o'clock P.M. on said date*  
*deponent met the defendant Donnelly in*  
*Mulberry Street and had a drink with*  
*said Donnelly and Donnelly and deponent*  
*walked along north street together and*  
*when they arrived in front of premises no*  
*100 West the said defendant Donnelly*  
*pushed the deponent in the back way of*  
*said premises and placed a handkerchief*  
*over deponents mouth and deponent shouted*

*Subscribed and sworn to before me this*

*1885*

*Police Justice*

0395

for help as loudly as deponent could and the said defendant Barbara tore deponent's vest open and forcibly abstracted the aforesaid monies from deponent's inside vest pocket and the said other man not arrested assisted defendant solemnly in holding deponent down on the floor while defendant Barbara did forcibly and feloniously without his consent against his will take steal and carry away from the person of the above described monies deponent positively identifies the said defendants as the persons that said Rob deponent sworn to before me

this 17<sup>th</sup> Day of December 1885

Nikolas Beken

P. J. Duffy  
Police Justice

Dated 1885 Police Justice.

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

There being no sufficient cause to believe the within named

Dated 1885 Police Justice.

I have admitted the above named

Dated 1885 Police Justice.

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

It 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.	
Offence—ROBBERY.	
1	
2	
3	
4	
Dated	1885
Magistrate.	
Officer.	
Clerk.	
Witnesses,	
No.	Street,
No.	Street,
No.	Street,
\$	to answer General Sessions.

0396

Sec. 198-200.

151

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss

*Michael Danieley* 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.

*Michael Danieley*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*New Jersey*

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

Answer.

*165 Division Street 3 months*

Question. What is your business or profession?

Answer.

*Cook*

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*

*This  
Michael Danieley  
mark*

Taken before me this

day of

Police Justice.

0397

Sec. 198-200.

151

District Police Court.

CITY AND COUNTY  
OF NEW YORK, { ss

Alexander Barbara 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. Alexander Barbara

Question. How old are you?

Answer. 25 years

Question. Where were you born?

Answer. Gibraltar

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

Answer. 26 Mulberry Street 3 weeks

Question. What is your business or profession?

Answer. Sell cigars

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

Alexander Barbara

Taken before me this

day of

188

Police Justice.



0398

It appearing to me by the within depositions and statements that the crime <sup>within</sup> mentioned has been committed, and that there is sufficient cause to believe the within named Michael Donnelly

+ Alexander Barkin

guilty thereof, I order that he <sup>ack</sup> be held to answer the same and <sup>ack</sup> 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 Dec 17 188 [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.



0399

Complainant failed by  
Richard B. Lewis  
48 Wall St.

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court

14th  
First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Nicholas Becker  
~~House of Detention~~  
Michael Donnelly  
Alexander Barban

3

4

Offence

Dated Dec 17

188

Magistrate

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

Dec 17  
188

0400

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Michael Donnelly*  
and  
*Alexander Barbara*

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

*Michael Donnelly and Alexander Barbara*  
of the crime of ROBBERY IN THE *First* DEGREE, committed as follows:

The said

*Michael Donnelly and Alexander Barbara, each*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *eighteenth* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*five*, in the *day* time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one *Nicholas Becker*, in the peace of the said People then and there being, feloniously did make an assault, and

*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 *each*; *two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars *each*;

*four* 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*; *ten* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars *each*; *twenty*

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

*each*; *two* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars *each*;

*and four* 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*; *divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of*

of the goods, chattels and personal property of the said *Nicholas Becker*, from the person of the said *Nicholas Becker*, against the will, and by violence to the person of the said *Nicholas Becker*, then and there violently and feloniously did rob, steal, take and carry away, *(each of*

*them the said Michael Donnelly and Alexander Barbara, being then and there aided by an accomplice actually present)*

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.