

0209

BOX:

199

FOLDER:

1994

DESCRIPTION:

Daggett, Rady

DATE:

12/23/85



1994

0210

No 227

Counsel,

*B. B. [Signature]*

Filed 23 day of Dec

1885

Pleads

*Not guilty*

THE PEOPLE

vs.

*R*

*Robert [Signature]*

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

RANDOLPH B. MARTINE,

1st Deputy Dist. Attorney.

*Not requested*

A True Bill

*Henry J. [Signature]*

Foreman.

*Jan 20 1885*  
*Jan 27 1885*

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 Weyatt*

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

Dated July 27 1881 *John J. ...* 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.

0213

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

Police Court 1 District 1370

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Edward F. Brett  
of Precinct,

1 Chas. Duggitt  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence Assault

BAILED,

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

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

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

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

Dated Nov. 27 1885

Edward F. Brett Magistrate

Brett Officer.

1 Precinct.

Witnesses \_\_\_\_\_

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

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

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

\$ 700 to answer G.S.

Chas

0214

Police Court— 1st District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

of the 4th 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 Daggott (nowhen)  
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

[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 Daggitt*

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

*Rodney Daggitt*

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

The said *Rodney Daggitt*,

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

*Edward B. Corbett*

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 Daggitt*  
*for a felony.*

and the said *Rodney Daggitt*,

him, the said *Edward B. Corbett*,

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  
17 W  
1885

Counsel,  
Filed 17 day of Dec 1885  
Pleads *Magulph 21*

MISDEMEANOR.

THE PEOPLE  
vs. **B**  
George F. Dalton

RANDOLPH B. MARTINE,  
District Attorney,  
City of New York.  
A TRUE BILL.

*Henry F. Smith*  
1885  
Foreman  
\$100 + Pen down  
\$100

Witnesses:  
*E. S. Nizam*  
*E. G. Dore*

0218

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

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

1448

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, - 88.571%  
CURD, - - - - - 0.823%  
SALT, - - - - - 3.244%

ANALYSIS OF THE FAT:

INSOLUBLE FATTY ACIDS, - 45.30%  
SOLUBLE " " - 0.23%  
SPECIFIC GRAVITY OF THE FAT  
AT 100° F., - - - 0.9111

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 } ss.  
County of New York

On the twenty ninth day of September in the year  
one thousand eight hundred and eighty five  
E. G. Love before me personally came  
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.

Notary Public  
(121) 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, in 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  
Store 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 Store 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 Store 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

~~deponent with the Oleomargarine sold to him: that on~~

0220

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

THE PEOPLE, &c.,

vs. George A. Fallon

Affidavit: E. J. Nelson  
300 Washington St.

Witnesses A. C. DuBois  
Residence 300 Washington St.  
E. G. Lavelle  
Residence 122 Brewery

Residence \_\_\_\_\_

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. *George Dalton*

Question. How old are you?

Answer. *30 Years of age*

Question. Where were you born?

Answer. *New York State*

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

Answer. *40 1/2 Street (9 months)*

Question. What is your business or profession?

Answer. *Grocer*

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  
G. Dalton*

Taken before me this

*John J. ...*  
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 S. 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.

George F. Dalton  
The Defendant

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

Ray  
Madden (am. Kull) 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, piece

Married, No

Single,

Read, No

Write, No

to Henry S. C.

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 [unclear]*  
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 27 1887 *Solomon [unclear]* Police Justice.

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

Dated Oct 27 1887 *Solomon [unclear]* 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 \_\_\_\_\_ 1887 \_\_\_\_\_ Police Justice.

0225

Police Court - Q 1179 District

THE PEOPLE, &c,  
ON THE COMPLAINT OF

vs.  
George F. Walton

Office Tr. Court

2  
3  
4  
Date October 28 188

Smith Magistrate.  
Campbell Officer.  
Precinct.

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

No. 300 S. S. Street.  
\$ \_\_\_\_\_ to answer

Bailed

BAILED  
No. 1, by Edmund Losey  
Residence 344 West 4th St. Street.

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

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

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

0226

70. S. S. Ave

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 1887, 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 Comanded 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 1887.

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* 188*7*

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. F. 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

*— 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, 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

*— 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, 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

0232

Witnesses:

Samuel Creighton

Officer Edward Shelby

The defendant is  
a witness informed the  
defendant's employment. At the  
responded to my summons  
to appear before the Court.  
The explanation came  
he found it is reported  
with a present in 1880  
I always recommend that  
the date this sum is away  
divided from their respective  
Pr. Ex. r. G. I. B.  
A. D. A.

No 227

Counsel,

Filed 23 day of Dec 1880

Pleds

Not guilty - January 4/81

THE PEOPLE

vs.

B

Jeremiah Baly

Grand Larceny in 1st degree  
[Sections 628, 68 1 Penn Code]

RANDOLPH B. MARTINE,

District Attorney.

Pr. Ex. r. 26906  
A. D. A.

A TRUE BILL

Benjamin J. Dwyer

Foreman.

Local Jurors  
G. I. B.  
A. D. A.

0233

Police Court— District.

Affidavit—Larceny.

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

of No. 21 King Street, aged 40 years,  
occupation Shoemaker being duly sworn

deposes and says, that on the 6 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 daytime, 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

Subscribed and sworn to before me this 18th day of December 1887

Police Justice

Jeremiah Daly (now here)  
from the fact that <sup>in the said store</sup> deponent was drinking in the store at the corner of James Street and Madison in the company of defendant and others. Deponent was asked by defendant to let him deponent 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

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 } Daniel Coughlan  
1885 }

*[Signature]*

Dece Justice

Dated 1885 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 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,

\$ to answer

Sessions.

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. *Jeremiah Daly*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *30 Madison Street, - 9 years*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty I demand an examination*

*Jeremiah T. Daly*  
*Mary*

Taken before me this

day of

1880

*[Signature]*

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 \_\_\_\_\_

Reford  
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 [Signature] Police Justice.

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

Dated Dec 20 188 [Signature] 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

Police Court

1435 District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Daniel Coughlin*  
21 King

*Jeremiah Duff*

2

3

4

*James L. Conroy*  
Offense

BAILED,

No. 1, by

Residence

*Jon Byrne*  
*15 Mackay Street.*

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

*December 17* 188*8*

Magistrate

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

to answer

*Joseph E. 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 Danieloughlin

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

Jeremiah Daly  
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.

*Handwritten:* 207. Part 2  
THE COURT ROOM IS IN THE REAR STORY AND FRONTING TOWARD  
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, <sup>P. S.</sup>  
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-Attorney's 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, W. 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-*five*, 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 Poughlan,*

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.*

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

0245

Witnesses:

Wm. O'Connor

Officer J. J. Campbell

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  
Dist. Atty.

motion granted  
R.E.C.  
24

No 136.  
Seal and H. J. T. O'Connor  
William Phelps of Douglas Co  
Dec 16  
Counsel,  
Filed 24 day of Dec 1888  
Pleads Not Guilty Jan 4/89

THE PEOPLE  
vs.  
Edward Davis  
John H. Demarest  
alias Henry McDermott  
Charles B. ...  
Louis Sawitt

Grand Larceny in the  
(MONEY)  
(Sec. 598 and 599, Penal Code.)

RANDOLPH B. MARTINE,  
District Attorney.  
Bail of \$1000 forfeited

A True Bill.  
Part III  
Dec 17/90.  
J. J. Foreman.  
Foreman.  
Feb 23/91  
9:50

0246

Morris Connor being duly sworn  
deposes and says.

That he was examined by Mr. O'Brien?

Q. Where do you reside?

A. 212 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. Stewart.

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 and the bet was engaged?

Answer there was no money up between him and J. then.

Q What was the betting of one hundred dollars on the hand?

A For the moment.

Q Did he want to bet you any more?

Answer 1000 dollars.

Q If you refused?

Answer

Q Did you afterwards bet one hundred dollars?

A Yes sir I did not. Answered. I asked 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

Q. How was any cheating in the giving out of the bonds or which you bet you or not?

A. 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.

Q. Now?

A. Now I would even now whether there was any cheating in the giving out of your hand or any of the other hands?

Q. Yes sir.

Q. Tell me where the cheating was?

A. Objected to.

Q. Production withdrawn.

Q. Do it because you were beaten that you thought you were cheated?

A. Yes sir.

Q. Why was it?

A. Because those people simply make a living at the business law 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 Lovitt was  
a swindler in your life?

A Yes sir.

Q When?

A I cannot give you the exact time  
or 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 Lovitt was a swindler  
or make that person's name?

A I cannot do it.

Q Do you know Lovitt?

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

Q How long are you living there?

A 2 years about.

Q You judge simply because these 2  
men had lost. And this man

0250

45

Leavitt being there and you saw  
that they are murderers?

A. The reason I know that they were  
swindled is because some friends  
of mine that were in the store  
at the time saw some papers  
and saw what was going on and they  
were afraid of being shot.

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

A. Yes Judge.

Q. And you tell me that Leavitt was  
a murderer?

A. Yes.

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 and am  
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 am sure to be there was  
this defendant came into my  
place of business, while I was  
away and I bought an overcoat of  
New Levy for a friend of mine  
for \$500 dollars and he came in with  
a friend of mine that keeps an  
Oyster Saloon in North 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 defendant sitting

0252

7

at the table and I told him I wanted  
my \$20 dollars for my coat and  
he said come with me and I will  
give it to you. So we went into Martin  
O'Connor's place and we 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 and I said I have no time  
and he says play one game. And I said  
I cannot not as tomorrow is Saturday  
and it is my busy day, I didn't  
have anything to do about suggesting  
anything about betting, and  
O'Connor 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 Precinct being duly  
sworn says.

Lewis 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.

Sworn to before me  
the 17th day of December 1885

Attest

Wm. H. J. Moore for the discharge  
of Lewis

By the Court  
Morton Davies.

0254

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

Affidavit—Larceny.

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

Morris O Connor

of No. 152 Leonard Street, aged 37 years,  
occupation Bar Keeper being duly sworn

deposes 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,

and 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 deponents 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 deponents 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 \_\_\_\_\_ day of \_\_\_\_\_ 1885  
Police Justice

0255

lose. That deponent 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 game. 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 deponent charges that the said Edward Davis, John H. Demarest & Louis Levitt did unlawfully & feloniously & confederate together, to rob & cheat this deponent of the said sum of One hundred dollars, and that they did obtain that sum from this deponent by the false & fraudulent means above described.

Sworn to before me

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

Magistrate, Common  
P. 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.  
Dated 1884  
Police Justice

I have admitted the above named to bail to answer by the undertaking hereto annexed.  
Dated 1884  
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 1884  
Police Justice

Police Court, District, Offence—LARCENY.

THE PEOPLE, &c., on the complaint of

1. 2. 3. 4.

Dated 1884

Magistrate.

Officer.

Clerk.

Witness, Street, No.

Street, No.

Street, No.

to answer Sessions.

0256

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

100 District Police Court.

Louis Leavitt 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. 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 12th day of April 1888  
[Signature]  
Police Justice.

0257

Sec. 198-200.

*French* District Police Court.

CITY AND COUNTY OF NEW YORK ss

*John H. Remond* 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. Remond*

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 Remond*

Taken before me this 12 day of September 1885  
*[Signature]*  
Police Justice.

0258

Sec. 198-200.

CITY AND COUNTY OF NEW YORK

District Police Court.

*Edward Davis* 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. *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* 1927

*Police Justice*

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* *PLG. Conroy* Police Justice.

I have admitted the above-named \_\_\_\_\_  
to bail to answer by the undertaking herelo 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 hours heartth  
& Edward Davis re-  
duced to \$1000 each  
by Mr Justice Donohue  
on writ of Habeas Corpus  
Dec 15. 1885

BAILED,  
No. 1, by *E. 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.

6-2-1885  
12-1-1885

Police Court *1st 404* District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Morris Hemenway*  
*42nd Park St*  
*Edward Haves*  
*John H. Hemenway*  
*Louis Leavitt*

*Wm. H. Hemenway*  
Offence

Dated *December 12* 188 *5*

*Duffy* Magistrate  
*Crystal St* Officer.  
*6* Precinct.

Witnesses *W. Judge*  
No. *87 Biltmore St* Street.

Complainant  
No. *1215 1/2* Street.

No. \_\_\_\_\_ Street,  
\$ *2000* to answer *G.S.*

*Com*

0261

Police Court— District.

Affidavit—Larceny.

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

Charles Baker

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

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<sup>c</sup> 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<sup>c</sup> 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<sup>c</sup> Dermott to be  
the owner of said <sup>saloon</sup> said Cigars  
to said saloon, M<sup>c</sup> Dermott with  
being present in said saloon the  
goods were received and received by

Subscribed before me this  
7th day of July 1888

Police Justice

0262

the other man not 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 owned said saloon & Annie R. Aldrovandi being the lessor of the building in which said saloon was situated.

Wherefore Dependent charges said defendant with larceny stealing and carrying away said property he having conspired with said unknown man to receive said goods and appropriate the same to his own use

Sum to before me this 13<sup>th</sup> day of December 1885 }  
Chas. Baker  
Police Justice

Dated 1885 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 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

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, Offense—LARCENY.

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

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

Dated 1885 Magistrate.

Officer \_\_\_\_\_

Clerk \_\_\_\_\_

Witnesses, \_\_\_\_\_

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

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

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

to answer Sessions.

0263

CITY AND COUNTY }  
OF NEW YORK, } ss.

Annie R. Adrovandi

aged 55 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 19th  
day of December 1887 } A. R. Adrovandi

[Signature]  
Police Justice.

0264

Sec. 198-200

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Henry M<sup>o</sup> Bernott* being duly examined before the undersigned, 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 h<sup>im</sup>; that the statement is designed to enable h<sup>im</sup> if h<sup>e</sup> see fit to answer the charge and explain the facts alleged against h<sup>im</sup> that he is at liberty to waive making a statement, and that h<sup>is</sup> waiver cannot be used against h<sup>im</sup> on the trial.

Question. What is your name?

Answer. *Henry M<sup>o</sup> Bernott*

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. *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*  
*Henry M<sup>o</sup> Bernott*

Taken before me this

*13th*

*John J. [Signature]*  
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 \_\_\_\_\_

*Refordant*

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 \_\_\_\_\_ *[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.

0266

1403

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles Baker  
29 Stuyvesant St  
Henry M. Bennett  
alias  
John H. Bennett

Grand Jury  
Officer

BAILED,

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

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

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

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

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

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

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

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

Dated December 13 188 ✓

Duffy Magistrate  
McGuire Magistrate-Officer.  
Precinct.

Witnesses Thomas Strotes

No. 106 Canal Street.

Annie R. Aldrovandi

No. 154 Franklin Street.

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

\$ 1000 to answer

\_\_\_\_\_

0267

11th DISTRICT POLICE COURT.

THE PEOPLE,  
IN COMPLAINT OF

Morris O'Connor  
agat.  
Edward Davis  
John H. Hemen  
Louis Bennett

Examination had December 12 1885

Before P. G. Cluffy Police Justice.

I, David C. Seltman Stenographer of the 11th 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 Perrow Louis Bennett Morris O'Connor as taken by me on the above examination before said Justice.

Dated December 12 1885.

P. G. Cluffy  
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

*Henry McDermott*

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

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

The said *Henry McDermott*,

late of the City of New York, in the County of New York aforesaid, on the *seventh*  
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 Baker & William*  
*R. 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 Baker and William R. DuBois*,

That *the* *the* *said* *Henry 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*  
*desired in good faith to purchase*  
*a quantity of cigars from the*  
*said Charles Baker and William*  
*R. DuBois, for his use in his*  
*said business;*

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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~~ moneys, goods, chattels and personal property of the said Charles Baker and William E. 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 Mc Dermott 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.

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And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said *Henry McDemott* 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 McDemott*,  
at the time of making the same then and there well knew.

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

*Henry McDemott*,  
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 money~~, 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.

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PACKAGE RECEIPT.

New York, July 7 1885

Received from Baker & Dubois  
for Mayor W. D. Vermot - 154 Franklin St.  
in good order the following packages:

2 tt cigars

W. D. Vermot  
MAY 7 1885

J. LEACH, Printer and Stationer, 57 Nassau St., N. Y.

TORN PAGE

0272

District Attorney's Office  
City & County of  
New York

Nov 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 in 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.  
Comor 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, Benjamin alias  
McBarnett, charging them  
with Grand Larceny.  
Leavitt is now desirous  
and has been for the last  
five years, to exonerate  
the above named defendant  
Leavitt from any complicity  
in said larceny & Leavitt  
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 cigars 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  
McLernott 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 Mr. Deermott was  
trying to rob me -  
and pray that the dict-  
ment against Leavitt  
made be dismissed or  
discharged

Maurice J. Connor

Given to refer me  
the 16<sup>th</sup> day of December 1896  
Thomas Spencer Notary Public  
Hempstead County certified. Filed in New York

0276

County of  
Franklin  
The People

v.  
Thomas Beatty

Attendant of  
M. F. O'Connor  
Complainant

H. L. Oliver  
Depto. 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 D. Demarest,*  
*Louis Seibert*

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

*Edward Davis, John D. Demarest & Louis Seibert*  
of the crime of GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said *Edward Davis, John D. Demarest*  
*and Louis Seibert, 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. Romer*, 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

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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.

Wm. Howard Foreman. S. J. Thompson & Co. 11 Clay St.

Witnesses: J. M. J. Person, Alfred Richard King

0280

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

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

Hon Henry A. Silderslune

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 purring 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 cause you to be put in such a place -

While you were at <sup>work</sup> you 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,

Care Trust. 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 64 Nassau St  
Dr. N. E. Morris 66-E-11th St N.Y. City*

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Rufus Chancellor Springfield Mass.  
J. Standish Bradford M.D. 41 West 34<sup>th</sup> St  
Newin R. First 295 Canal St  
Inigo Wood 9 Maiden Lane  
Ann E. Hunt 150 Broadway  
Nelson G. Green 7 Nassau St  
J. Standish M.D. 45 W. 42<sup>nd</sup> St.  
H. Emmet 7 Nassau St  
Frank G. Larkin 7 Nassau St  
Edgar Reed 104 Spring St  
Chas. J. Hamilton, Roughneck, vic  
Fredk. G. Martin, 66 Sacre St, Bklyn.  
Saml. P. Oliver, Morrisania  
Wm. W. Foster 76 Green 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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TO HIS EXCELLENCY DAVID B. 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 Common -  
wealth 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 citi -  
zen 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 be -  
lieving 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, 1868.

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. Inftry. 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, 1868.

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>t</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. M. Hoffman  
M. A. Taylor  
John Sheffield  
Lewis H. Hadden  
Caleb D. Dunham  
James A. Mosher  
Arthur S. Wise  
John Friend  
Thomas B. Griffin  
Levi T. Hill.

0297

13

Office of Cross & 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,

Cross & 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 James 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.

Richard P. Martinie,  
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

No 114

Witnesses:  
Wm J. Benson  
Sept Richard King

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

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

RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.

Wm J. DePhipps  
Foreman.  
Dea. DePhipps  
Dea. DePhipps  
Dea. DePhipps  
Dea. DePhipps

Dea. DePhipps  
Dea. DePhipps



0302

To Hon. Henry G. Gilderhusen,  
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 Proctor 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 came "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  
my attention to his condition. I dis-

0303

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Richard King*  
aged \_\_\_\_\_ years, occupation *Police Surgeon* of No. \_\_\_\_\_

Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *James W. J. 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 C. Beckett*  
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 \_\_\_\_\_

*Joseph Keuphin, Jr.*  
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. 17* 188 *Solomon* 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.

0305

Police Court 2 District 1390

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Jenns W. Person*  
*29 Maiden Lane*  
*Joseph Keppin Jr.*

Office *Grand*  
*Duncan*

BAILED,

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

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

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

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

Dated *December 10* 188 *5*

*Smith* Magistrate  
*King* Officer.  
*C. O.* Precinct.

Witnesses *Richard King*  
No. *Central office* Street.

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

No. *5000* to answer *H. S.* Street.

*bow*

0306

VI

STATE OF NEW YORK.  
Executive Chamber,  
ALBANY.

Sir:

October 30, 1888.

Application for Executive clemency having been made on behalf of **James Jackson,** alias **Joseph Delphin,** 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 J. Rice*  
Private Secretary.

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

0307

charged  
Nov. 14<sup>th</sup> 1888  
J. R. S.

0308

Re = The People vs }  
          v.              } 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 enjoined 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

*[Signature]*

Sworn to before me, this 22 day of 1884

*[Signature]* 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, Junior*

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 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

*Joseph Delphin, Jr*  
18  
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 20<sup>th</sup> 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

*John J. ...*  
District Justice.

0312

Police Court— 2<sup>d</sup> District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

of No. 29 Maiden Lane Street, aged 56 years,  
James W. J. Pierson  
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 good 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 Ferris, a New York, 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 represent said stolen property. That deponent has seen and identified, at the same place, all of the watches, with the

Subscribed to before me & filed  
1885

Police Justice

FILED

Capturing a very few, represented  
by the main tickets so surrendered  
by said dependent to dependent, and  
dependents Jerry & Antijus said  
watches as the stolen ones above  
said.

Sworn to before me this 20th day of  
1889  
Soldier Street

Police Justice

Dated 1889 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 1889 Police Justice

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 1889 Police Justice

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

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

Police Court, District

THE PEOPLE, &c.,  
on the complaint of

vs.

1  
2  
3  
4

Offence—LARCENY.

Dated 1889

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 Ceephin, 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. ...* 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 1393 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James W. Pearson  
79 Maiden Lane

Joseph Delphin Jr.  
impleaded

James Jackson

Offence *Stealing*

BAILED,

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

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

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

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

Dated Dec. 14 1885

*Smith* Magistrate

*King* Officer.

*C. C.* Precinct.

Witnesses *Richard King*

No. *Central Office* 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 he to be discharged.*

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

0317

The Justice presiding at the,  
2<sup>nd</sup> District Police Court, will  
please hear and determine the  
within case in my absence  
Dec 5/85

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 Sergt. \_\_\_\_\_

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

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

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

\$ 5000 Nov 24 2 PM  
Dec 10 10 PM  
Rec'd J. P. M.

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 Delmonico  
the defendant*

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

*Joseph Delmonico the defendant*

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

The said *Joseph Delmonico the defendant,*

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

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

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

*Johnson,*

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.*

0319

BOX:

199

FOLDER:

1994

DESCRIPTION:

Deperet, Gaston

DATE:

12/02/85



1994

0320

326

Counsel, *[Signature]*  
Filed *2* day of *Dec* 188*5*  
Pleads *Not guilty (3)*

THE PEOPLE  
vs. *R*  
*Exton and Sand*  
*3 cases*  
Grand Larceny *2nd* degree  
[Sections 528, 531, Penal Code].

RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.

*J. Carter Jr.*  
*Foreman.*  
*Declined on authority,*  
*Ind. Dec 4-80*

Witnesses:  
*Max Ammenan*  
*J. G. Grogan*

0321

Police Court

5th District.

Affidavit—Larceny.

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

Max Blumenthal

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

\$150.00  
100

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 De Tere (now here)

from the fact that deponent having missed said property was informed by Anthony M. Gilligan an officer of the 8th Precinct that he Gilligan found a portion of said property in possession of deponent deponent having identified said property charges said deponent with taking, stealing, and carrying away said property

Max Blumenthal

Sworn to before me, this 17th day of Nov 1888

John J. McLaughlin  
Police Justice.

0322

CITY AND COUNTY  
OF NEW YORK, } ss.

aged 39 years, occupation Police Officer of No. 8<sup>th</sup> Precinct Street, being duly sworn deposes and

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

Sworn to before me, this 27<sup>th</sup> day of Nov 1888 by Anthony M. Gilligan

John J. Hornum  
Police Justice.

0323

Sec. 198-200.

*RA*  
District Police Court.

CITY AND COUNTY  
OF NEW YORK, *SS*

*Gaston De Peret* 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 h<sup>im</sup>; that the statement is designed to  
enable h<sup>im</sup> if he see fit to answer the charge and explain the facts alleged against h<sup>im</sup>  
that he is at liberty to waive making a statement, and that h<sup>is</sup> waiver cannot be used  
against h<sup>im</sup> 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's 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*8*

*John J. ...*  
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*

*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

188

*John J. ...* 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. 2nd 1888*  
*66. Woodley*  
*Gaston Dr. Tenn*

*Grand Jurors*

BAILED,

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

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

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

Dated *Nov 2nd* 188 *v.*

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

*Gorman* Magistrate  
*Gilligan* Officer.  
Precinct.

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

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

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

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

\$ *700* to answer *Q.S.*

*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

*Agoston de Peret*

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

*Agoston de Peret*

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

The said *Agoston 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-~~seven~~, at the Ward, City and County aforesaid, with force and arms,

*one hundred and thirty-nine*  
*dozens of the value of*  
*eighty cents each pair,*

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

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.*

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

0329

35271 Colahan

Witnesses:  
J. J. Casey  
E. P. O'Connell  
J. H. Hutchins  
J. P. Graydon

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 had an honest life, until the charge and is now in respectable and steady employment and as the complainant states to me that he greatly desires that the complaint be dismissed against him and less that he be discharged I recommend that the indictment as to the defendant Peasock be dismissed. Dated May 25<sup>th</sup> 1892.  
Jacob Washburn, S. Dist. Dist. Ct.  
I concur in above recommended course.  
J. J. Casey, Foreman.

Counsel, *Colahan*  
Filed 4 day 6<sup>th</sup> 1888  
Pleads *both Not Guilty*

THE PEOPLE  
vs.  
*Edward S. Peasock*  
and  
*B*  
*Edward Peasock*  
*forfeited bond*

Grand Larceny 2<sup>nd</sup> degree [Sections 528, 58 Penal Code]

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

*J. Colahan Jr.*  
Foreman.  
*J. P. Graydon*  
70<sup>th</sup> Street  
Part III June 27/98

0330

City & County of New York  
353

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 Wisc.  
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 Wisc  
is employed in the name 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. ...  
Police Justice

0332

Police Court— 1<sup>st</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:

Two boxes of French Calveskin  
of the value of Eighty dollars

the property of deponent and Mahlon Mulford, 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 R. Bishop and Edward A. Peacock all (name here) 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 of W. D. 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 1885  
Police Justice

0333

Caught him in a 3rd Avenue Car on  
Chatham Street. That when arrested  
he told said officer that he received  
said property from the defendant  
Wick who is in the employ of defendant  
as a Porter. Defendant is further informed  
by Thomas J. Crystal of the 6th Precinct  
Police that he arrested said Wick  
who acknowledged to him in the presence  
of witnesses that he is guilty of the  
charge of Larceny and that the  
defendant Raczko received a portion  
of the money realized from the sale  
of their property stolen and that  
said Wirth acted as their carrier.  
All said information deponent believes  
to be true and therefore charges that  
said defendant did act in concert  
with each other in taking & stealing and  
carrying away said property.

J. A. King

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 to bail to answer by the undertaking hereto annexed.

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

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. \_\_\_\_\_

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

Offence—LARCENY.

Dated \_\_\_\_\_ 1888 \_\_\_\_\_  
Magistrate.

Officer \_\_\_\_\_  
Clerk \_\_\_\_\_

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

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

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

John J. ...  
Police Justice

0334

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Thomas 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. Casey*

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* *Thomas 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 *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<sup>th</sup>* day of *November* 188*5* *John F. Mitchell*

*John J. ...*  
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 *25* day of *March* 188*5*  
*John J. ...*

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 Dick*

Taken before me this

day of *July* 1883

*John J. Conner*

Police Justice.

0338

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

*Edward Pucner* 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.

*Edward 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.

*Poster*

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. ...*

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. Pascoe

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 500 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 27 1885 John J. Lawrence Police Justice.

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

Dated Nov 28 1885 John J. Lawrence Police Justice.

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

Dated Nov 27 1885 John J. Lawrence Police Justice.

0340

1330

Police Court - 1 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Benjamin W. Curry  
340 Spruce St

- 1 ~~Arthur G. Smith~~
- 2 Edmund C. Bickel
- 3 Edward H. Puerck
- 4

Offence *Prison Sentence*

BAILED,

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

No. 2, by *Ruiz Moya*  
Residence *58 Mulberry* Street.

No. 3, by *Louis Kleiman*  
Residence *136 Sullivan* Street.

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

Dated *Nov 25* 188 *5*

*J. J. Moran* Magistrate  
*Crystal & Mitchell* Officer.  
Precinct. *6*

Witnesses *Said officer.*

No. \_\_\_\_\_ Street.  
*Eugene R. Chanklin*  
No. *134 Spruce* Street.

No. *2 + 3* Street.  
\$ *10.00* to answer *J. J.*  
*No. 1. Discharged*  
*2 + 3 Bailed*

0341

*Mulford, Cary & Conklin,*  
LEATHERER  
*34 & 35 Spruce Street*  
*New York*  
P. O. Box 2586. 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

No. 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 15<sup>th</sup> 11 am

W<sup>y</sup> March 10 1887

J. M. McFarty  
att<sup>y</sup> for Peacock

0344

Prop.

1

---

Prop. 1

---

Julius

Dec. 4/85

CHARLES H. VAN BRUNT,

0345

1409

**COURT OF GENERAL SESSIONS**

CLERK'S OFFICE,

New York, ..... 189

PEOPLE

vs.

*Edward Keeble*

*Edward Peacock*

*and Joseph*

*to Judge Linn*

*May 19 1892*

0346

WILLIAM KING HALL,  
COUNSELLOR-AT-LAW,  
110 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

~~\_\_\_\_\_~~

0347

People  
to  
John + the ...

0348

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

To

Hon. Delancy Nichols,  
District Attorney,  
City.

*Letter from Supplement*

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 P. Field*  
and  
*Edward Pearce*

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

*Edmund P. Field and Edward Pearce*

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

The said *Edmund P. Field and Edward Pearce*, 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,

*stole from the person of*

*the value of three dollars and*

*twenty five cents each.*

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

*W. 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. Matthews,*  
District Attorney

0350

BOX:

199

FOLDER:

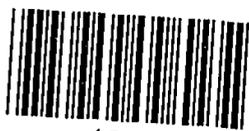
1994

DESCRIPTION:

Dinehart, George

DATE:

12/24/85



1994

0351

No 241

Plecker

Counsel,  
Filed 24 day of Dec 1885  
Pleads to a charge of larceny 4th

Witnesses:  
Caroline Prentiss

THE PEOPLE  
vs.  
D. W. W. vs.  
1534 -  
George Simons

Grand Larceny 2nd degree  
[Sections 528, 530 Penal Code]

RANDOLPH B. MARTINE,  
District Attorney.

In the City  
of Toledo, O.

A True Bill.

Benjamin F. ...

Foreman.

Pen: one year.

0352

*Frank Brunig's*

\* Grove Hill Hotel and Park \*

HÜPFEL'S BREWERY,

161st STREET AND THIRD AVE.,

NEW YORK.

0353

Police Court— District.

Affidavit—Larceny.

City and County } ss.:  
of New York }

of No. 3 Anne St Caroline Pruning 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 Genl. Bernhart (nowhere)  
from the fact that deponent  
caught the said Bernhart in  
said premises with said  
property in his possession. The  
said Bernhart having no right  
therein

Caroline Pruning

Sworn to before me, this 17 day  
of December 1887  
Wm. H. ...  
Police Justice.

0354

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

*George Kinehan*

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. *George Kinehan*

Question. How old are you?

Answer. *19 Years -*

Question. Where were you born?

Answer. *New York*

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

Answer. *113 Street & 3 Avenue 2 months*

Question. What is your business or profession?

Answer. *Labour -*

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 Kinehan*  
*his*  
*Mark*

Taken before me this

day of *December* 1888

*[Signature]*

Police Justice.

0355

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 Reinhardt*  
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<sup>th</sup>* 188 *H. A. Beld* 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.

0356

Police Court

District

1439

THE PEOPLE, &c.,

ON THE COMPLAINT OF

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

*Office of*  
*James M. [unclear]*

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. [unclear]* Magistrate  
*Scherm Clark* Officer.

*33-* Precinct.

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

*David [unclear]*  
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 ~~seventh~~ 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 ~~thirty~~ dollars each,

of the goods, chattels and personal property of one ~~Richard S. Dimmock~~

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 S. Dimmock,  
District Attorney

0358

BOX:

199

FOLDER:

1994

DESCRIPTION:

Donnelly, Andrew

DATE:

12/10/85



1994

0359

No 69

Counsel, *J. Laughlin*  
Filed *10* day of *Dec* 1885  
Pleads *Not Guilty*

[Sections 528 and 581, Penal Code]  
(False pretenses)

THE PEOPLE

vs.

*R*

*Andrew Donnelly*

RANDOLPH B. MARTINE,  
District Attorney.

A TRUE BILL.

*Erny J. Quilty*

*F. J. Dec. 22, 1885* Foreman

Discharged on his verbal  
recognizance.

Witnesses:

*[Signature]*

*I swear in the  
recommendations of  
Mr. [Name]*

*James [Name]  
Beck Det. NY*

*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 24 Dec 1885  
*[Signature]*  
Not a Probable*

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~~ 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~~ <sup>and who is the defendant herein</sup>  
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>his</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>during</sup> at this time and I immediately took a memorandum book from my pocket and in his <sup>said Donnelly</sup> presence and in the presence of my <sup>said</sup> wife made a memorandum of his name and address.

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

vs

Andrew Bonnelly

Affidavit

Joseph D. Sartre  
District Attorney

0362

0363

District Attorney's Office.

*Part Two*

PEOPLE

vs.

*Dec. 16*

*Calendar*

0364

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

Affidavit—Larceny.

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

of No. 216 East Houston Street, aged 50 years,  
occupation Cook

deposes 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;  
Chairs, 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 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

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 1885

Police Justice

0365

Above described Ad Deponeur  
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 leave 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  
Samuel J. Dolan 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.  
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 within mentioned, I order he to be discharged.  
Dated 1885  
Police Justice

Police Court, District, \_\_\_\_\_  
THE PEOPLE, &c.,  
on the complaint of \_\_\_\_\_  
vs.  
1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Dated \_\_\_\_\_ 1885  
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 undersigned, according to law, on the annexed charge and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *Andrew 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* 188*5*

*John W. ...*  
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

*Andrew 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 3* 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 he to be discharged.

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

0368

Police Court 137 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Patton*  
*200 - East Houston*  
*St. Louis*  
*James Donnelly*  
*offense*

BAILED,

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

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

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

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

Dated December 5 188 5  
*Murray* Magistrate.  
*Josker* Officer.  
*Court* Precinct.

Witnesses  
No. Joseph Morrell Street.  
57<sup>th</sup> St Court (Civil)

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

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

§ 1000 to answer General Sessions.

*Due 5<sup>th</sup>*  
*(Cm)* *2/2 P.S.*

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>I treated 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

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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

Ms. Eliz. P. Godfrey.

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 no 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

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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 }

Michael Good  
Samuel Ekstein  
Com. of Deeds  
N.Y.C.

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

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

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

Horris M. Asch  
Commr of Deeds  
N.Y.C.

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

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

Sworn to before me this }  
17<sup>th</sup> day of December 1885 } Patrick Cronin  
Morris Stasel }  
Comm of Deeds }  
M.J.P.

Constable General  
Sessions

The People of the  
County of Barrow

- 18 -

Andrew Donnelly  
Applicant  
vs  
The Comm of Deeds.

Largemouth  
Largemouth  
Attys of the Dept.  
No. 28, Broadway  
New York City

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

Andrew Donnelly 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-seventh day of November, in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with force and arms, with intent to deprive and defraud one John Dawson,

of the property, 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 Dawson,

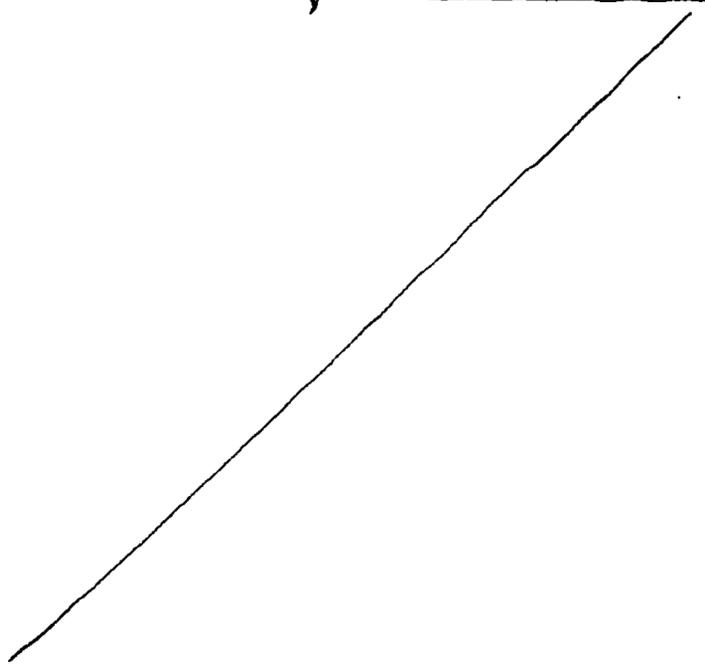
That the said Andrew Donnelly was then a Ritz Marshal of said Ritz and had been sent by one Andrew Monell Esquire one of the Ritz Justices of the said Ritz, by virtue of a distress warrant, then and there to seize and take possession of the said goods, chattels and personal property, as such Marshal.

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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 each, a quantity of bedding, crockery  
and glass ware a more accurate description  
whereof is to be found in the report of the  
sheriff of the county of [unclear] and  
of the value of the same, to wit: 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  
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 Sheriff of the County of [unclear]  
said County, and had not then and there  
the said Andrew Monnell require  
civil justice as aforesaid by virtue  
of any process returned then  
and there to seize and take possession  
of the said goods, chattels  
and personal property as such  
Sheriff;



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And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said Andrew Donnelly to the said John Barron was and were then and there in all respects utterly false and untrue, as he the said

Andrew Donnelly, at the time of making the same then and there well knew.

And so the Grand Jury aforesaid do say: That the said Andrew Donnelly,

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 Barron,

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.

Second Count:

And the Grand Jury aforesaid by this indictment further accuse the said Andrew Donnelly of the crime of Grand Larceny in the second degree, committed as follows:

The said Andrew Donnelly, late of the City and County aforesaid, did, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, two beds of the value of twenty dollars each, a quantity of bedding, crockery and glass ware of more accurate description which 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 yards of the value of one dollar each, fifty yards of the value of one dollar each, fifty yards of the value of one dollar each and fifty yards of red velvet of the value of one dollar each, and personal property of one John Barron, 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

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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

0384

No 191

Counsel,  
Filed 21 day of Dec 1885  
Pleads Not guilty (or)

THE PEOPLE  
W. J. Mackay vs.  
Michael Ronnelly  
and  
Alexander Barbara

RANDOLPH B. MARTINE,  
Pr. No. 465 District Attorney.  
Was Pleads Rob & C.  
S. P. Six years.

A True Bill.  
Henry J. Sullivan  
Foreman.

Jan 6<sup>th</sup> 1886  
In trial of Barbara  
2<sup>nd</sup> day 6<sup>th</sup>  
was tried & convicted Rob &  
S. P. Eight years.

Witnesses:  
Newton Beebe  
Officer T. J. Chynoweth





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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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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

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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.

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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 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 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 B...

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

[Signature]  
POLICE JUSTICE

0393

New York

Sessions.

G. A.

THE PEOPLE, &c.,

RECOGNIZANCE TO TESTIFY

*Nicholas Dyer*

*Richard B. Ferris*

*Michael Donnelly*

*Alexander Colburn*

*duffy* POLICE JUSTICE.

Filed

day of

18

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 in **Hundred Dollars,**

*Stocks and money in the Bank of New York in all of the value of Five Thousand Dollars*

*Rich B Ferris*

*[Handwritten signatures and notes on the left margin]*

0394

Police Court First District.

CITY AND COUNTY }  
OF NEW YORK, } ss

Nicholas Becker  
of Soho Essex County New Jersey <sup>House of Delegation</sup> <sub>Years</sub>  
Occupation Driver being duly sworn, deposes and says, that on the  
16<sup>th</sup> day of December 1885, 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  
108 north the said defendant - Donnelly  
knocked the deponent in the back way of  
said premises and placed a handkerchief  
over deponents mouth and deponent shouted

Severely indignant and angry  
1885  
Police Court

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 deponent somewhat in holding deponent down on the floor while defendant Barbara did forcibly and feloniously without his consent against his will take the said and carry away from the person of the above described monies deponent positively identifies the said defendants as the persons that did Rob deponent.

Osworn to before me  
this 17<sup>th</sup> Day of December 1885  
Nicholas Beken

*[Signature]*  
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  
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 Police Justice.  
I have admitted the above named  
to bail to answer by the undertaking hereunto annexed.  
Dated 1885 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 1885 Police Justice.

Police Court, District, \_\_\_\_\_  
THE PEOPLE, &c.,  
on the complaint of \_\_\_\_\_  
vs.  
1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Offence—ROBBERY.  
Dated \_\_\_\_\_ 1885  
Magistrate.  
Officer.  
Clerk.  
Witnesses, \_\_\_\_\_  
No. \_\_\_\_\_ Street,  
No. \_\_\_\_\_ Street,  
No. \_\_\_\_\_ Street,  
\$ \_\_\_\_\_ to answer General Sessions.

0396

Sec. 198-200.

15th

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question. What is your name?

Answer.

Michael Donnelly

Question. How old are you?

Answer.

29 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 Donnelly  
mark

Taken before me this

day of

*[Signature]*  
1911

Police Justice.

0397

Sec. 198-200.

151

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Alexander Barbara 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. 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 ~~within~~ mentioned has been committed, and that there is sufficient cause to believe the within named Michael Smully

+ Alexander Barbain

guilty thereof, I order that he be held to answer the same and <sup>ad</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 7 188 [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.

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Police Court *14th* District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Nicholas Becker*  
*House of Detention*  
*Michael Donnelly*  
*Alexander Barbant*

*Offence*

3 \_\_\_\_\_  
4 \_\_\_\_\_  
Dated *Dec 17* 188

*Crystal + Gordon* Magistrate  
Officer.  
Precinct.

*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.

Witnesses *Complainant Bailed* Street.

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

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

No. \_\_\_\_\_ Street,  
\$ *2000* to answer *Jan 5*

*[Signature]*

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