

0264

BOX:

510

FOLDER:

4648

DESCRIPTION:

Rock, Joseph

DATE:

01/05/93



4648

Witnesses:

Ernest Rose

deaf for  
Ladri Ryan  
222 W. 13<sup>th</sup> St.  
deaf for appra

the  
first Auctioneer  
Rue Care

(123)

Counsel,

Filed

Pleads,

day of May 1893

THE PEOPLE

vs.

Joseph Rock

Grand Larceny,  
(From the Person,  
Second Degree,  
[Sections 528, 537  
Penal Code.]

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

J. Cathin  
Foreman.  
May 5/93  
J. J. J. J. J.  
J. J. J. J. J.  
May 6/93



0266

Police Court—

District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 422 West 27 Street, aged 41 years,  
occupation laborer

deposes and says, that on the 23d day of December 1892 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 day time, the following property, viz:

Good and  
lawful money of the United States  
of the value of eight dollars  
\$8-

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

Joseph Rock (now here)  
Deponent had the said money in his hand, and the defendant snatched said money and ran away with it, and deponent has not seen defendant since that time until this day when deponent met defendant in the street and caused hi arrest

Gustaf, Th, Rose

Sworn to before me, this

1892

Police Justice

0267

Sec. 198-200.

District Police Court.

City and County of New York, ss.:  
*Joseph Rock* 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 a 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 Rock*

Question. How old are you?

Answer.

*21 years*

Question. Where were you born?

Answer.

*N. Y.*

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

Answer.

*222 West 13 - 2 weeks*

Question. What is your business or profession?

Answer.

*Oysterman*

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*

*Joseph Rock*

Taken before me this

day of

1898

at

Police Justice.

0268

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 Rock*  
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, *Dec 2* 189 *A. White* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

0265

Police Court--- 280 District. 9

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Gustav T. Ross  
22 W 2nd St  
Joseph Rick

2  
3  
4

Offense. Larceny  
from person

Dated, Dec 28 189

White Magistrate.  
Thomas O'Neil Officer.

28 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 1000 to answer

Ex Lues 29/93  
3p 4.30

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.



**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Joseph Rock*

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

*Joseph Rock*  
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said

*Joseph Rock,*

late of the City of New York, in the County of New York aforesaid, on the *23rd* day of *December* in the year of our Lord one thousand eight hundred and ninety-*two*, in the *day*-time of the said day, at the City and County aforesaid, with force and arms,

*the sum of eight dollars  
in money, lawful money  
of the United States of America  
and of the value of eight  
dollars*

of the goods, chattels and personal property of one

on the person of the said

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.

*Gustav J. Rose*  
*Gustav J. Rose*  
*Gustav J. Rose*  
*De Lancey Nicoll,*  
*District Attorney*



0271

**BOX:**

510

**FOLDER:**

4648

**DESCRIPTION:**

Rosenberg, Morris

**DATE:**

01/23/93



4648

0272

BOX:

510

FOLDER:

4648

DESCRIPTION:

Rosenberg, Samuel

DATE:

01/23/93



4648

0273

BOX:

510

FOLDER:

4648

DESCRIPTION:

Young, George H.

DATE:

01/23/93



4648

Witnesses:

Counsel,

Filed

day of

1893

Pleads, I

August 26

THE PEOPLE

vs.

Norris Rosenberg

Daniel Rosenberg

George H. Young

DE LANCEY NICOLL,

District Attorney.

1893

A TRUE BILL.

J. Catlin

Notary Public

F. J. 3/93

March 11/93

Notary Public

Robbery, (Sections 224 and 225, Penal Code.) Degree.



POOR QUALITY  
ORIGINAL

0275

Satisfaction of Mortgage.

W. Reid Gould, Law Blank Publisher and Stationer,  
8 Nassau Street, cor. of Beekman, and 120 Broadway, N. Y.

STATE OF NEW YORK,

County of Kings } SS.

City of Brooklyn.  
Do hereby Certify, That a certain Indenture of Mortgage, bearing date the Twenty fifth day of July one thousand eight hundred and twenty one made and executed by Henry Edman and Maria his wife to me to secure the payment of the sum of Three thousand five hundred Dollars and interest.

and recorded in the Office of the Register of the County of Kings in Book 2134 of Mortgages, page 307 on the 25th day of July in the year one thousand eight hundred and twenty one

And I do hereby consent that the same be discharged of Record.

Dated the 18 day of August 1881  
In presence of

Luise Edman

State of New York } SS.

County of Kings }

County of Kings }

On the 18th day of August in the year 1881 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.



POOR QUALITY  
ORIGINAL

0276

TORN PAGE

Satisfaction of Mortgage.

W. Reid Gould, & Blank Publisher and St.  
139 Nassau Street, Beckman, and 120 Broome

STATE OF NEW YORK,

County of

SS.

Do hereby

date the  
hundred and

ty,

That a certain

19<sup>th</sup> day of

made and executed by

of the City of Brooklyn

of the County of Kings

one thousand eight

hundred and

and executed by

of the County of Kings

one thousand eight

hundred and

and executed by

of the County of Kings

one thousand eight

hundred and

and executed by

of the County of Kings

one thousand eight

hundred and

and executed by

of the County of Kings

one thousand eight

hundred and

and executed by

of the County of Kings

and recorded in the Office of the Register of the  
County of Kings in Liber 107 of Mortgages, page 67 on  
the 15<sup>th</sup> day of 1892 in the year one thousand eight  
hundred and ninety

o'clock in the

And I do hereby consent that the same be discharged of Record.

Dated the 17<sup>th</sup> day of December 1892

In presence of

State of New York

County of Kings

On the 20<sup>th</sup> day of December 1892

one thousand eight hundred

and ninety

to me known, and

executed the foregoing instrument, and

that he is the same.

be the individual described in, and who

acknowledged

that he is the same.

acknowledged

that he is the same.

acknowledged

POOR QUALITY  
ORIGINAL

0277

Sottmann

Reppel  
124  
No 21

0278

MORTGAGE.—INT., INS., TAX, ASSES. & WARRANTY CLAUSES. No. 393.  
N. Y. Statute of 1890.W. Reel Gould, Law Blank Publisher and Stationer,  
139 Nassau Street, cor. of Beekman, and 120 Broadway, N. Y.

**This Indenture**, made the Nineteenth day  
of December in the year eighteen hundred and ninety two  
Between  
Memor Lottman and Mina Lottman his wife  
of the City of Brooklyn, County of Kings and State of  
New York parties of the first part and Moritz Lautman  
of the same place party of the second part;

Whereas the said Memor Lottman is justly indebted  
to the said party of the second part, in the sum of Three thousand  
dollars, lawful money of the United States, secured  
to be paid by his certain bond or obligation bearing even date herewith, conditioned  
for the payment of the said sum of Three thousand  
dollars, on the Nineteenth day of December  
eighteen hundred and ninety seven and the interest thereon, to be computed  
from the date thereof at the rate of six per centum per annum, and to  
be paid semi-annually with the privilege of the parties of the first part  
paying to the party of the second part, the sum of Two hundred fifty  
dollars semi-annually, after the first year.

It being thereby Expressly Agreed that the whole of the said principal sum shall become  
due after default in the payment of interest, taxes or assessments, as hereinafter provided.

Now this Indenture Witnesseth, That the said party of the first part, for the better  
securing the payment of the said sum of money mentioned in the condition of the said bond  
or obligation, with interest thereon, and also for and in consideration of one dollar, paid by the  
said party of the second part, the receipt whereof is hereby acknowledged, doth hereby grant and  
release unto the said party of the second part, and to his heirs - and assigns forever,

That certain lot piece or parcel of land with the  
improvements thereon erected, situate lying and being  
in the City of Brooklyn, County of Kings, and State of New  
York, and known on a Map of property belonging to Jerome  
J. Johnson and Nicholas Mychhoff, and filed in Kings  
County Register's office as lot number 27, bounded and



described as follows, namely. Beginning at a point on the Southern side of Flushing Avenue, distant Sixty five (65) feet Easterly from the Southeasterly corner of Flushing Avenue and Nostrand Avenue, running thence Southerly and parallel with Nostrand Avenue one hundred (100) feet, thence Easterly and parallel with Flushing Avenue thirty five (35) feet, thence Northerly and again parallel with Nostrand Avenue one hundred (100) feet to the Southern side of Flushing Avenue, & thence Westerly along said Southern side of Flushing Avenue thirty five (35) feet to the point or place of beginning.

X Being the same premises conveyed to Simon Lottman, by Louise Erdman, by deed bearing date the 25<sup>th</sup> day of July 1891, and recorded in the office of the Register of Kings County in Liber 2060 of conveyances page 492 on August 1<sup>st</sup> 1891.

Together with the appurtenances and all the estate and rights of the part so of the first part in, and to said premises.

To Have and to Hold the above granted premises unto the said part y of the second part, his heirs - or assigns forever.

0280

Provided Always, that if Memor Lottman the said part 7 of the first part, his heirs, executors or administrators, shall pay unto the said part 7 of the second part, his executors, administrators or assigns, the said sum of money mentioned in the condition of the said bond or obligation and the interest thereon, at the time and in the manner mentioned in the said condition, that then these presents and the estate hereby granted shall cease, determine, and be void.

And the said Memor Lottman part 7 of the first part, covenants with the part 7 of the second part as follows:

First.—That Memor Lottman the part 7 of the first part will pay the indebtedness as hereinbefore provided, and if default be made in the payment of any part thereof, the part 7 of the second part shall have power to sell the premises therein described, according to law.

Second.—That Memor Lottman the part 7 of the first part will keep the buildings on the said premises insured against loss by fire, for the benefit of the mortgagee.

Third.—And it is hereby expressly agreed, that the whole of said principal sum shall become due, at the option of the said part 7 of the second part, after default in the payment of interest for thirty days, or after default in the payment of any tax or assessment ninety days after notice and demand.

And that the said part 7 of the first part will execute any further necessary assurance of the title to the mortgaged premises, and will forever warrant said title.

In Witness Whereof, the said parties of the first part, hath hereunto set their hands and seals the day and year first above written.

In Presence of

S. Rosen  
Attorney

Memor Lottman  
+ Mina Lottman



State of New York  
of Brooklyn ss  
County of Kings

On the 20th day of December in the year eighteen hundred and ninety two

before me personally came  
Memor Lottman, & Mina Lottman his  
wife, to me

known, and known to me to be the individuals described in, and who executed the foregoing instrument and severally acknowledged that they executed the same.

Notary Public

Ar. filed in Kings Co.

Notary Public  
M. J. [unclear]



0201

12  
 Leon Lotman  
 and  
 Nina Lotman

Miss Lobman

his wife

OT

10  
H. J. Lantman

Wort

Dated, December 19<sup>th</sup> 1892

Amount, \$..... Due

*Disc.*

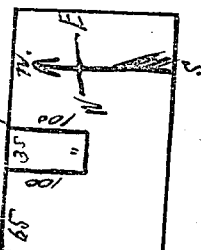
int. payable semi-annually

Flushing Avenue

Postcard Ave.

## SECTION

## BLOCK



0282

Police Court-- 3<sup>d</sup> District.CITY AND COUNTY } ss  
OF NEW YORK,

Herman Lathman  
 of No 528 Flushing av B'klyn<sup>St</sup>, Aged 30 Years  
 Occupation ~~Seaman~~ ~~provisioner~~ being duly sworn, deposes and says, that on the  
 21 day of December 1892 at the 7<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 money of  
 the amount and of the

Sum of Forty Eight DOLLARS,  
 the property of deponent

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

Morris Rosenberg, and Samuel Rosenberg  
 (now present) and George H Young and  
 arrested deponent says that  
 said Rosenbergs caught hold  
 of him and threw him down  
 and while down said Young  
 took the aforesaid money from

day of

Subscribed before me and

189

Police Justice.

0203

the inside pocket of the <sup>coat</sup> ~~coat~~  
then and there ran by  
him and said defendants  
all ran away

Brought before me *James G. [unclear]*  
the 24 day of Dec 1892

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 1892  
Police Justice.  
I have admitted the above named  
to bail to answer by the undertaking hereunto annexed.  
Dated 1892  
Police Justice.  
There being no sufficient cause to believe the within named  
guilty of the offense therein mentioned, I order he to be discharged.  
Dated 1892  
Police Justice.

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
1.	vs.
2.	
3.	
4.	
Dated	1892
Magistrate.	
Officer.	
Clerk.	
Witnesses,	
No.	Sworn.
No.	Sworn.
No.	Sworn.
No.	Sworn.
\$ to answer General Sessions.	

0284

Sec. 198-200.

CITY AND COUNTY OF NEW YORK } ss:

3 District Police Court.

*Mrs. Rosenberg*

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 sees 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.

*Mrs. Rosenberg*

Question. How old are you?

Answer.

*38 years*

Question. Where were you born?

Answer

*Russia*

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

Answer.

*60 Gouverneur St & 3 Nov*

Question. What is your business or profession?

Answer.

*Painter*

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*  
*Mrs. Rosenberg*  
*Much*

Taken before me this 1st day of 1938  
*[Signature]*  
Police Justice



0285

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*Samuel Rosenberg*

Taken before me this  
day of 1939

Police Justice



0286

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

*Alfredants*  
*Morris Rosenberg & Samuel Rosenberg*

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 24* 189*2* *J. H. Hoff* Police Justice.

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

Dated, *Dec 24* 189*2* *J. H. Hoff* Police Justice.

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

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

028

Bail fixed at  
\$2000 RB.M.

BAILED

No. 1, by Chas Sundel  
Residence 30 Leetlow Street.

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

No. 3, by Frank J. Porges  
Residence 23 Bivins Street.

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

(232) ordered  
Police Court,

1614  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Samuel H. H. H.  
Samuel H. H. H.  
Samuel H. H. H.  
George H. H. H.  
George H. H. H.

Offense. Offense

Dated Nov 24 1892

Magistrate  
Magistrate

Witnesses Witnesses

No. 29 Street.

Street

No. 2517 Street.

Call Office

No. Herman Wolf Street.

\$ 500 to answer Comm. H. H.

Do 3 warrant would  
Bureau

City and County of New York ss: George H. Young  
 residing at No. 603 East 9<sup>th</sup> Street in  
 said City being duly sworn says, that  
 he is a Notary Public, & also engaged in the  
 Real Estate Business, that in the forepart  
 of December 1892 deponent had a desk  
 room in the sign painting establishment  
 of Samuel & Moritz Rosenberg, situated  
 at No. 23 Canal Street corner of Division  
 Street in this City, & while there was  
 introduced to Herman Lottner of  
 No. 528 Flushing Avenue Brooklyn by  
 said Samuel Rosenberg, who stated  
 that said Lottner had some business  
 for deponent to transact viz: drawing legal  
 papers, said Lottner then stated to  
 deponent that he was the owner of a  
 plot of ground on Flushing Avenue  
 near West End Avenue, the dimensions  
 being 35 x 100, upon which there were  
 3 Mortgages, the first Mortgage being  
 for \$3000, the 2<sup>nd</sup> for \$2000 & the 3<sup>rd</sup>  
 \$3500, held by Mrs. Lina Edmund, and  
 under foreclosure, that if property was  
 sold that then he wouldn't realize  
 a penny therefrom, that he had a man  
 by the name of Joseph Hartman  
 who would buy the property & could then  
 realize some \$1000 over the Mortgages.



& requested deponent to draw a deed,  
 & asked deponent whether he was a  
 Notary for Kings County, which depo-  
 nent answered in the affirmative.

That deponent then went to Brooklyn  
 & searched the records, to obtain the  
 description of the property, & then draw  
 the deed. That some 2 days sub-  
 sequent said Lottner called for said  
 deed & requested deponent to accompany  
 him to Mr Hartman & when said  
 deed was to be delivered, not to say  
 anything in regard to the foreclosure suit  
 or else said Hartman would  
 back out, which deponent de-  
 clined to do, said Lottner then reques-  
 ted deponent to leave the matter rest  
 for a few days & he would call again,  
 & pay deponent for his trouble. That about  
 a week subsequent said Lottner again  
 called upon deponent, & informed him that  
 Hartman concluded not to take the  
 property, & that he had arranged with  
 a cousin of his, named Monty Lantman,  
 to advance him \$3000, & he would then  
 pay off the \$3500 Mortgage under foreclosure.  
 said Lottner then requested deponent to  
 draw a Mortgage and Bond, which was done.



That on the 17<sup>th</sup> of December 1892, said  
 Lottner called upon deponent at No. 23  
 Canal St. & made an appointment to  
 meet him on the 19<sup>th</sup> inst at 8 o'clock  
 A.M. in the corner of Siegel & Egan St  
 Brooklyn being a saloon kept by Mr  
~~Levenson~~ that about 8<sup>30</sup> A.M. on said  
 day, said Lottner made his appearance  
 & then requested deponent to accompany him  
 to 35 Meserole St. which is the home  
 of Mrs Louis Erdman for the purpose  
 of making arrangements to pay off  
 his Mortgage, that deponent did  
 then call upon Mrs Erdman & said  
 Lottner informed her that he would  
 meet her home the following day  
 at 8 o'clock A.M. & have with him  
 Mr Lantman who was to advance the  
 money to pay off the Mortgage, that  
 deponent then left & said Lottner  
 requested deponent to bring with him  
 Mr Samuel Rosenberg, that on  
 the 20<sup>th</sup> December 1892 at 8 o'clock A.M.  
 deponent & Mr Rosenberg met Lottner  
 & Lantman by appointment in a saloon  
 on Meserole St near Union Avenue,  
 & then proceeded to the house of Mrs Erdman  
 & Mr Lottner acted as spokesman, who  
 asked Mrs Erdman to accompany him to

her Lawyer M. L. Towns of 377 Fulton  
 St. Brooklyn, for the purpose of paying off  
 the Mortgage. That defendant, Rosen-  
 berg, Lottner, Lautman & Mrs Edmund  
 Allen, left the house & after travelling  
 about 200 feet, Mr Lottner stated to  
 defendant that he does not intend  
 to go to Lawyer Towns office, as he  
 would exact the costs in the Foreclo-  
 sure proceedings which he didn't in-  
 tend to pay, said Lottner then  
 told Mrs Edmund, that before going  
 to her Lawyer, he would like her  
 to accompany him to his home 528  
 Flushing Avenue, as he would like  
 to see his wife. Defendant then  
 with the 4 others called at the home  
 of Lottner & remained there about  
 1/2 hour, & while there was entertained  
 with Segars Whisky & Port Wine, and  
 while there Mr Lautman the cousin  
 placed on the table a number of  
 \$1 Dollar Bills & a five dollar Bill  
 amounting in all to \$30. & addressing  
 Mrs Edmund, saying here is your  
 money, the balance I have in cer-  
 tified checks in my pocket, this is  
 to pay off your Mortgage, shortly

was paid. said Lottner then asked  
 Depunt whether he still had the  
 satisfaction piece, & Depunt then  
 exhibited the same to him.

Depunt then stated that under  
 no circumstances could he acknowledge  
 the same, as Depunt would be likely  
 to go to Prison & Depunt then informed  
 said Lottner that he called yesterday  
 you Mr. Edmund, said Lottner  
 on hearing this, then acted like  
 a wild man, & says now I am  
 gone, you will now send me to Prison,  
 said Lottner then snatched the  
 satisfaction piece from Depunt's hands  
 & tore it in several pieces, & put it  
 in his mouth, then Depunt & said  
 Samuel Rosenberg by force opened said  
 Lottner's mouth & he dropped same  
 on the floor. said Lottner then  
 acted like a wild man, & took his  
 clenched fist & broke some 10 panes  
 of glass in the window & made an  
 outcry saying, now I am gone,  
 you will now send me to Prison.  
 Depunt further says that what is  
 herein before stated is all what transpired

she was not at home, & then found the husband of Mrs Erdman, deponent then exhibited the satisfaction piece to him who stated that the signatures to said satisfaction piece, was his wife's handwriting but whether she received any money, he didn't know as she didn't return since she left the house this morning.

On the following morning the 21<sup>st</sup> December at 8<sup>30</sup> A.M. deponent made an appointment with said Rosenberg to meet him at his place of business 23 Canal St N.Y. for the purpose of going to Brooklyn & seeing Mrs Erdman, & he said 21<sup>st</sup> December deponent met said Rosenberg at 8<sup>30</sup> A.M. & shortly after Mr Guttner & Mr Lantman called & then & there both confessed to deponent, that the signatures to said satisfaction piece, was Mrs Erdman's handwriting, & he obtained it from her some months ago that if deponent & Mr Rosenberg would sign their names to said satisfaction piece, and record the same, that he would pay deponent & said Rosenberg well for their trouble as there was nothing to fear, as by Guttner, Lantman & Mrs Guttner & the 3 tenants who were present would all swear that the money



& on arriving there found Mr Lautman  
 & Mrs Lottner but not Mrs Erdman.  
 said Lottner then stated that she  
 would be back in a few minutes  
 & exhibited to deponent the satisfaction  
 piece for the purpose of filling same out,  
 which deponent did while deponent was  
 waiting. deponent then filled out the  
 Mortgage from Henry Lottner & wife to  
 Mrs Lautman & her said Lottner.  
 & she acknowledged same, which Bond  
 & Mortgage is now in the possession of deponent.  
 after waiting about 1 hour, & Mrs  
 Erdman not making any appearance  
 deponent then stated that he couldn't  
 wait any longer, said Lottner & Lautman  
 then urged deponent to acknowledge said satis-  
 faction piece as everything was all right.  
 & requested Rosenberg to sign his name  
 as a Witness, which deponent & said  
 Rosenberg refused to do. deponent &  
 said Rosenberg then left with said  
 satisfaction piece, & for two blocks  
 said Lautman & Lottner followed de-  
 ponent through the streets & begged de-  
 ponent to return said satisfaction piece,  
 that deponent & said Rosenberg then  
 proceeded to the home of Mrs Erdman, but

after said Lottman called in 3 of his  
 tenants, & introduced them to Mrs  
 Erdman, saying this is Mrs Erdman  
 who holds a Mortgage upon my  
 property, & Mr Lottman is giving  
 to pay her off. do you see the  
 money on the table said Lottner  
 then gave each of the tenants a  
 glass of Whisky, after the tenants  
 left, deponent asked said Lottner  
 not to lose any more time, as it  
 was getting late & proceed to Judge  
 Jones Office. he then stated that  
 he must see his lawyer first. he  
 then left, & after remaining away 10  
 minutes returned saying that his lawyer  
 had no time to attend to it, till  
 the 24<sup>th</sup> inst at 11. a.m.

Deponent & said Rosenberg then left, & Mrs  
 Erdman Mr Lottman & Lottman & wife  
 remained, while deponent & said Rosenberg were  
 on their way to New York, & on entering  
 the Ferry. Lottner hailed deponent, saying  
 that he has paid Mrs Erdman her \$3500  
 & she signed the satisfaction piece, &  
 she was now at his house waiting for  
 deponent to acknowledge satisfaction piece.  
 That deponent, Rosenberg & Lottner then  
 proceeded back to Flushing Avenue

Depoant further says, that on said 21<sup>st</sup>  
 December & about 11 A.M. Depoant & said  
 Rosenberg then proceeded to 35 Meserole  
 St Brooklyn & then found Mrs Edmund  
 who stated to Depoant that the signature  
 to said satisfaction piece was in her  
 handwriting & that she never re-  
 ceived a penny for said latter  
 & also stated that some 10 or 11  
 months ago she remembers Mr. Luther  
 & says was calling upon her, saying  
 that tenants of his, were in arrears  
 for rent, & he couldn't recover the  
 money, until she signed this paper,  
 as she holding a Mortgage on the  
 property, it was absolutely necessary.  
 Depoant further says, that since this  
 occurrence, he looked for a Mr Goodman  
 who is a law clerk in the office of A. St  
 Sarsobus on East Broadway & Jefferson St.  
 that some 3 months ago, said Luther  
 called upon him, & offered him \$500  
 if he would sign his name as Notary  
 to a satisfaction piece.

Depoant further says, that he is 37 yrs  
 of age & born in this City & was never  
 charged with a crime or arrested in his  
 life time, that up to 1<sup>st</sup> of Jan<sup>y</sup> 1900, he was

an Agent of the Society for the Prevention of  
 Cruelty to Children when he was  
 employed about 11 years, & previous  
 to that was a Clerk in the office  
 of Stillwell & Swain Attorneys &  
 Counselors at Law for 10 years, doing  
 business at No. 11 Chambers St. in this  
 City. Applicant further says that  
 when he heard that there was a  
 Warrant out for his arrest he  
 surrounded himself with his Bondsmen  
 & fled in evasion.

Applicant further says that Mrs Erdman  
 & Mr Erdman, will testify at any  
 time when wanted.

Subscribed and sworn to before me  
 this 16<sup>th</sup> day of January

1892

James M. [unclear]  
 Commissioner  
 of the [unclear]

*[Signature]*



County of General Sessions

John Taylor  
Jury  
of the Court  
of the Court

against  
George H. Young  
my clerk &c

Affidavit of Defendant

John Robinson  
Att. for Def.  
W. S. Church Jr.

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Morris Rosenberg and  
Samuel Rosenberg and  
George M. Young*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Morris Rosenberg, Samuel Rosenberg  
and George M. Young*  
of the CRIME OF ROBBERY in the *first* degree, committed as follows:

The said *Morris Rosenberg, Samuel Rosenberg  
and George M. Young*, all —  
late of the City of New York, in the County of New York aforesaid, on the *21st*  
day of *December*, in the year of our Lord one thousand eight hundred and  
ninety-*two*, in the ~~time of the said day~~ at the City and County aforesaid,  
with force and arms, in and upon one *Herman Goltman*,  
in the peace of the said People then and there being, feloniously did make an assault; and

*The sum of ninety eight dollars in  
money, lawful money of the United  
States of America, and of the value  
of ninety eight dollars.*

of the goods, chattels and personal property of the said *Herman Goltman*,  
from the person of the said *Herman Goltman*, against the will  
and by violence to the person of the said *Herman Goltman*. —  
then and there violently and feloniously did rob, steal, take and carry away, the said  
*Morris Rosenberg, Samuel Rosenberg and  
George M. Young* and each of them, being  
then and there aided by an accomplice actually  
present, to wit: each by the other: —

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

*Edward McCall  
District Attorney*

0300

BOX:

510

FOLDER:

4648

DESCRIPTION:

Roullier, Raoul

DATE:

01/24/93



4648

0301

BOX:

510

FOLDER:

4648

DESCRIPTION:

Roullier, Raoul Jr.

DATE:

01/24/93



4648



0302

BOX:

510

FOLDER:

4648

DESCRIPTION:

Martignoy, Adeide

DATE:

01/24/93



4648

0303

BOX:

510

FOLDER:

4648

DESCRIPTION:

Bouchard, Amaury

DATE:

01/24/93



4648

POOR QUALITY  
ORIGINAL

0304

Witnesses:

Officer M. Carty  
Officer Smith  
Officer Fisher

Counsel,

Filed *24* day of *May* 189*3*

Pleads. *Not guilty* *26*

THE PEOPLE

vs.

*46*  
*Frank*  
*Roullier, Sr.*  
*16 years (1877-1893)*  
*Roullier, Jr.*  
*13 years*  
*Adelaide Martignony*  
and  
*Amaury Bouchard*

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*J. Cathin*  
Foreman.

Part 3. February 1/93-

No 1 & 2 *tried & convicted*  
*with recon. to mercy of Court*  
*No 3 & 4 tried & acquitted*  
*200 1892 Fine \$20 7/93*  
*Feb 2/93 pd.*



0305

Officer M<sup>r</sup> Barty  
Officer Quinlan  
Officer Fisher

Filed 24 day of May 1893  
 Pleads, Not guilty n 6

716

Rafael Roullier, Sr.  
16 boxes (2 cases)  
Rogot Roullier, Jr.  
(3 cases)  
Edouard Martignaux  
and  
Amaury Bouchard

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

**A TRUE BILL.**

J. Carter  
Foreman.

Part 3 - February 1962  
No 1 & 2 tried to connect ~~the~~  
with recon. to mercy of Comd  
~~No 3~~ No 3 & 4 tried to recruit  
Go 1 & 2 Fine 12/1/62  
Feb 1962 pd.



0306

Police Court, 3 District.

City and County } ss.  
of New York,of No. 14 "Precinct" Street, aged years,  
occupation Police officer being duly sworn, deposes and says,that on the 5<sup>th</sup> day of January 1893 at the City of New  
York, in the County of New York, Raoul Routher Sr.

now here did, with intent to use  
against another carried, con-  
cealed and possessed a weapon  
of the kind commonly known  
as a dirk dagger or dangerous  
knife in violation of Section  
418 of the Penal Code.

The defendant was in an  
altercation and had dagger  
in his hand with intent to use  
it against deponent

Sworn to before me  
this 6<sup>th</sup> January 1893

*[Signature]*  
Police Justice

*[Signature]* James J. McCarthy

0307

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

*de leudant*

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

..... Hundred Dollars. and be committed to the Warden and Keeper of

the City Prison of the City of New York, until he give such bail.

Dated, *July 6* 189 *3*

..... Police Justice.

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

Dated, ..... 189 .....

..... Police Justice.

There being no sufficient cause to believe the within named .....

..... guilty of the offense within mentioned, I order h to be discharged.

Dated, ..... 189 .....

..... Police Justice.

0308

James J. M.

Police Court,

3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James J. McCarthy  
vs.  
Rene Roulet

42  
Concealed weapon

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, Jan 6 1893

Hogan Magistrate.

McCarthy Officer.

14-1 Precinct.

Witnesses .....

No. .... Street.

No. .... Street.

No. .... Street.

% ..... to answer .....

Antman

0309

Police Court— 3 District.

1931

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

of No. 14<sup>th</sup> Avenue Street, aged 27 years,  
 occupation Police officer being duly sworn,  
 deposes and says, that on the 5<sup>th</sup> day of January 1893 at the City of New  
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Raoul  
Roulier (now here) who pointed  
 and aimed a deadly weapon at  
 deponent, to wit: a revolving pistol  
 and pulled the trigger thereof

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

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

Sworn to before me, this 6<sup>th</sup> day  
 of January 1893,

James J. McCarthy  
 Police Justice:



03 10

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  
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 6 1895

Police Justice.

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

Dated, 189

Police Justice.

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

Dated, 189

Police Justice.

031

Jan 6 - 2 P.M.

Police Court,

3

43

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James J. McCarthy  
vs.  
Raoul Routher

Offense, Fel. Assault

BAILED.

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

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

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

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

Dated, Jan 6 1893

Hogan  
McCarthy  
Magistrate.  
Officer.  
Precinct.

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

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

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

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

asst. clerk

0312

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK }

3 District Police Court.

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

Question. What is your name?

Answer.

*Aleide Matignory*

Question. How old are you?

Answer.

*42 years*

Question. Where were you born?

Answer.

*France*

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

Answer.

*272 Fulton St Bklyn. One year*

Question. What is your business or profession?

Answer.

*Restaurant*

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*  
*Matignory*

Taken before Justice  
day of *July*  
189*3*

Police Justice.



0313

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named defendants  
Raul Roullier & Raul Roullier or and I dead Martignon and  
 guilty thereof, I order that they be held to answer the same, and they be admitted to bail in the sum of  
five Hundred Dollars, each and be committed to the Warden and Keeper of  
 the City Prison of the City of New York, until they give such bail.  
 Dated, June 6<sup>th</sup> 1893 [Signature] Police Justice.

I have ~~have~~ admitted the above-named Raul Roullier or Raul Roullier I and  
I dead Martignon  
 to bail to answer by the undertaking hereto annexed.  
 Dated, June 11<sup>th</sup> 1893 [Signature] 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, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.



031

No. 3 Paroled  
until Jan 7. 1893  
11 A.M. D.H.

Jan 7th 2 P.M.

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

by Deport  
Certificate with  
City Chamberlain Street.

Certificate with  
City Chamberlain Street.

Emile Verboeven  
75 N. Houston Street.

Police Court,

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James M. McCarthy  
Raoul Roullier  
Raoul Roullier  
Adele Martignol  
Amery Bouchard

Dated

Magistrate

Officer

Witnesses

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

Wm. Smith

14th Precinct

Mag. J. Jones

14th Precinct

John O'Connor

No. 93 3rd Avenue

subway passage 141 E 35th St

300 to answer A.S.

Nos 1, 2 and 3. Bail

No 4 Com

43

1893

Magistrate

Officer

Precinct

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street

Street



0316

Sec. 198-200.

CITY AND COUNTY OF NEW YORK.

District Police Court.

Roual Roullier Sr

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.

Roual Roullier Sr

Question. How old are you?

Answer.

46 years.

Question. Where were you born?

Answer.

France

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

Answer.

99 Christopher St

Question. What is your business or profession?

Answer.

Farmer

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

Answer.

I am not guilty  
R. Roullier

Taken before me this

day of

1893

Police Justice.

0317

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY } ss:  
OF NEW YORK,

*Raoul Roullier*

signed according to law, on the annexed charge, and being informed that it is *his* right to make a statement in relation to the charge against *him*; that the statement is designed to enable *him* if he sees 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.

*Raoul Roullier*

Question. How old are you?

Answer.

*16 1/2 years*

Question. Where were you born?

Answer.

*France*

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

Answer.

*Christopher St. 1 year 4 days*

Question. What is your business or profession?

Answer.

*Commercial traveler*

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*

*Raoul Roullier*

*[Signature]*

Taken before me this

*6th*

day of *January*

189*3*

Police Justice.



0318

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

*Amory Bouchard* 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 sees 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. *Amory Bouchard*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *France*

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

Answer. *Have no residence here*

Question. What is your business or profession?

Answer. *Home Buyer*

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 of the offence*  
*Amory Bouchard*

Taken before me this

*day of July*

1893

Police Justice.

0319

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

POLICE COURT—

3 DISTRICT.

of No.

14<sup>th</sup> Precinct

Street, being duly sworn, deposes and

says that on the

5<sup>th</sup>

day of

January

1893

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

Rosal Roadieff

(now here) did, with intent to use against another carried, concealed and possessed a weapon of the kind commonly known as a dark, dagger or dangerous knife in violation of section 410 of the Penal Code.

The defendant was in an altercation and had said dagger in his hand with intent to use it against another

Sworn to before me

this 6<sup>th</sup> January, 1893

James J. McCarthy

Police Justice

0320

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK.

3 District Police Court.

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

Question. What is your name?

Answer. *Raoul Roullier*

Question. How old are you?

Answer. *16 1/2*

Question. Where were you born?

Answer. *France*

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

Answer. *Christopher St. 1 year*

Question. What is your business or profession?

Answer. *Commercial Traveller*

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*

*R. Roullier*  
*[Signature]*

Taken before me this  
day of *the 4th*  
188*9*

Police Justice.

0321

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

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, June 6 1893

..... Police Justice.

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

Dated, ..... 189 .....

..... Police Justice.

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

Dated, ..... 189 .....

..... Police Justice.



0321

Jan 6 - 2 1894.

42

Police Court, 3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James McCarty  
vs.  
Raul Conliffe

offense, carrying  
dangerous weapon

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, Jan 6 1894

J. H. O'Farrell Magistrate.

McCarty Officer.

147 Precinct

Witnesses

No Street.

No Street.

No Street.

\$ to answer

G. W. [Signature]

0323

THE PEOPLE,

COURT OF GENERAL SESSIONS, PART 111.

vs.

BEFORE JUDGE FITZGERALD.

RAOUL ROULLIER, Sr.,  
RAOUL ROULLIER, Jr.,  
ADEIDE MARTIGNOY, and  
AMANARY BOUCHARD.

Tuesday, January 31st, 1893.

Indictment for ASSAULT, in the SECOND DEGREE.

A Jury was empannelled and sworn.

JULIUS A. GOLLE, sworn and examined, testified:

Where do you live? I live No. 502 East 89th street. What is your occupation? I am floor manager in George Thies's saloon, 14th street between Third and Fourth avenues. For how long a period have you been so employed? Four months. Were you so employed on the 5th of January, 1893? Yes. At one time you were connected with the police force, were you not? Yes. For how long a period? Twenty years. You were retired? Yes, on the 30th of September last. Do you recollect where you were on the 5th of January last? Yes, I was in the hall of the saloon, on the floor. At what time, about? I judge about ten o'clock. Did you see the defendants that night in the saloon? Yes. When you saw them first what were they doing? They were coming in on the floor, through the door from 14th street. Where did they go? They sat down at the table near the 13th street entrance. Was any one else at the table? There was no one else at the table. Did you see what they did after that? As soon as they all sat down they got talking very loud and I saw they were intoxicated; I walked over to them, and told them that they could have no drinks in the place. Did you say anything more? They got talking and said, "Oh, yes, we will

have drink." I says, "No;" and told them that if they did not keep still they would have to go out. Then this young man with the brown coat (Roullier, Jr.) got out of the chair and took a hold of me and said he wouldn't go out. I took a hold of him and shoved him out through the door into the 13th street bar-room. Afterwards the old man on his left (Roullier, Sr.) got up, and I took a hold of him and shoved him out of the same door. Immediately after the other two men got up behind him, and between the bartender and the 13th street saloon, and he and myself pitched them out of the 13th street door, on the street. Who is the bartender? A man by the name of Clark, he is not here now. What did you do then? I closed the door and stayed there for several minutes, keeping the door closed. They came up with their feet, trying to break the door. They were banging and kicking at the door? Yes. Were you still standing there? I stayed there until the policeman came, McCarthy I believe his name is, and I told him that I ejected the people from the place, that they were disorderly in there. I says, "You take care of them." The policeman went out. Did he go out of the door that he put these men out of? Yes, he went out in the street. After that I don't know what happened, I stayed there a few minutes longer, and finally I left the door; I saw the crowd was dispersed and returned to the floor. You went back in the saloon? Yes. Then you saw nothing more of them that night? No. When did you next see them, and where were they? Here.

CROSS EXAMINATION:

How long were you on the police force, do you say? Twenty years and two days. You were floor manager for Thies's

0325

restaurant, is it? Theatrical performances, and everything of that kind; there is no theatrical performance at present. You haven't got any license? Yes, they have a license. How long have you been connected with Thies's? Four months. You are what is known as the "bouncer," aren't you? No., not as I know of. That is the name that they give you, isn't it? I am called the manager of the floor. The floor where they dance, or what do they do? No dancing, it is only tables where people go in and sit down and drink, anybody that comes in, if they behave themselves; it is a very large place. These four gentlemen, you say, came in together and sat at the table, and were talking loud? Yes. Did they order any drinks? They did, I saw the waiter talk to them. Do you know what the waiter said to them? I suppose he asked them if they wanted a drink. Was the waiter German, Irish or French? German. These are all Frenchman, are they not? I believe so. You saw the waiter talking to them, and then what is the next thing you saw? I told them that they could not have any drink, I knew very well by the waiter standing there and talking that they were asking for drinks. You have a license to sell drinks? Yes, they have a license, but not to drunken people. I told them that they could not have any drink, because they were intoxicated. I spoke in English to them. What did they say back to you? "Oh, yes, we will have drink." Who said that, which one of these four, "We will have drinks?" I couldn't say which one, they all talked -- one spoke broken English, I think the young man was the spokesman. I said, "If you cannot behave yourselves you will have to go out." And then this young man got up and took hold of me, and when I got hold of him I shoved him out of the door. Did anybody touch you while you were



throwing this man out? The old gentleman came up behind me, of course I had to take hold of him and put him out, I was not going to wait until I got struck. Did anybody try to strike you? I didn't let them. You wouldn't let them? No, if I could help it. You put the whole four out, did you? Not alone, until I got assistance from the bartender, Frank Clark. There was no one struck inside of the place, I don't know who was struck outside, the policeman was there. Nobody struck you? No. Nobody struck the assistant "Bouncer"? No, there is no assistant "bouncer." Had they done anything, these four Frenchman, to interfere with the ordinary conduct of Thies's? Yes, they were very loud and boisterous and making a noise; they were even sparring with one another in the place. Isn't it a fact that this old father was endeavoring to subdue his son from being a little too loud in talking? I don't know. Didn't they drink in there at all? No. You fired them out on the street, did you, the whole four? Yes. They didn't resist you in any way? Yes, they resisted, it took force to push them out. Did you know by their language that they were Frenchman? Yes; they didn't talk to me in French, I am a German. They didn't speak German, did they? No. Didn't they jabber and talk in French that you couldn't understand? That is right. I didn't call Officer McCarthy, but as far as I understand he was notified, he was on post in 14th street. I saw him after I had those people out, he came to the door, I told him to drive them away, that before that I had ejected these people out of the place, I told him to clear them away from the door. I never saw Officer McCarthy in Thies's before.

SALVATORE LAMADRID, sworn and examined, testified:

What is your business? I get some money from my folks every week to live, sometime I work as an hotel runner. What were you doing on the night of the 5th of January last? I was in Thies's, seeing a game of pool that was playing there. Where do you live? I live No. 350 13th streets. While you were down in the pool room did you hear anything? I heard a noise up stairs, chairs moving around overhead, I went up the stair and I saw a crowd away down 13th street, inside of the building. Look at these four defendants; did you see those four gentlemen there? Yes, outside in the street. Where were you standing when you first saw them in the street? I was inside, looking out of the window, a big glass window. Do you know Mr. Colle who has just left the witness-stand? No.. What were these men doing, if anything, when you saw them? I saw them outside trying to get in Mr. Thies's door; they came and tried to push the door inside; then Officer McCarthy came, and I followed him on the street. When I went on the street I saw the young fellow ((Roullier, Jr.)) with a pistol in his hand. He had it pointed to Policeman McCarthy, McCarthy was on the side-walk and this gentleman was in the street. He pulled the trigger, I heard the trigger snap. Did you see then what Roullier did with the revolver? He threw it away, and, as soon as he threw it away, I went up and took the pistol and put it in my pocket. After that I saw McCarthy on the ground, on the snow, and another fellow kicking him. It was snowing at the time. I couldn't identify the man who was kicking him. There was a man kicking the officer while he was down on the ground? Yes. How many men were around at that time? There was two men, one on the ground and one kicking him. Are those two

men here now? I can't tell, I think that young fellow was one of them, the one who had the pistol. Then what did you see further, anything more? I seen the policeman was whistling, and another policeman came up. I said, "Officer, I got the gun belonging to this young fellow," and I gave it to one of the officers. Did you see Officer McCarthy get up off the ground? Yes, I did. What became of the party then, did you see? They all went off to the station house, and I went around to the station house. Did you see these defendants in the station house? Yes, I saw the four down there, they were talking French down there, I didn't go to court the next day.

CROSS EXAMINATION:

I understand two or three words in French. How long have you been in America? I have been here about eleven years. I receive money from my aunt, on the other side, I am an hotel runner sometimes. You are what they call a 14th street "pimp," ain't you? No, I am not. Did you understand what I said to you when I asked you whether you were a 14th street "pimp?" Yes. You know what a 14th street "pimp" is?" I think a man going around that way, I am different. How long have you been in the habit of going into Thies's, how many times have you been in there in the last ten years? Maybe three or four times, or a couple of times. Don't you go there every night? No, I don't. Where do you live? I live No. 350 East 13th street. How long have you lived there? I have been living there seven years, alone by myself, I have a furnished room there; I have worked in the Hotel Phenix, I was runner for that the whole Summer, it is at 211 West 14th street; I have worked for the London House, four or five months, as an hotel runner, going down to the steamer

and bringing Spanish people to the hotel. I never played billiards at Thies's, I was looking at the game; I get ten per cent commission as an hotel runner. Mrs. Hoffin is the proprietor of the London House, and Mr. Ferra of the Hotel Phenix. I was in school at the Flushing Institute about a year and a half, I was in Fort Washington College about seven months. I never go to Thies's in the day time. I don't know the witness Golle. I don't know that he is the floor manager there; I don't know Mr. Thies himself. You don't know any of those ladies that go there either, do you? No. Give the name of any man in New York who can give you any reputation, who can speak as to your reputation or character, that knows anything about you? Mr. Acosta, a commission merchant at 140 Pearl street; he lives in 48 West 47th street. I didn't see the policeman have any club. How many times have you been arrested? Never in my life. Were you ever in the Police Court before in this case? I was called one time. Who served you with a subpoena, a policeman? No, I got it up at the house, I don't know who left it. You did not appear against these gentlemen in the police Court? No. What are you working at to earn an honest living? I don't do anything, at the present time. You haven't done anything for a good many years? Oh, yes; when I get something to do. Did you ever earn a dollar in your life? Yes, a great many.

JAMES McCARTHY, sworn and examined, testified:

You are connected with the police force of this city? Yes, and have been on the force nearly four years, I am now attached to the 14th precinct. You recollect the evening of the 5th of January last? Yes; my post was on 14th street, on the south side, from Second to Fourth avenue. I went on duty at six o'clock, and left off at twelve. About ten



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o'clock I was on the block between Third and Fourth avenue. A man came up to me and had a conversation with me, and as the result of that conversation I went to the billiard parlor of Thies's, and from the billiard parlor I went out on the 13th street entrance. There were quite a number of people on both sides of the street, I did not see anything inside, I passed right through and went on the side-walk. Did you see Golle when you were inside? I passed him at the door. Did you have any conversation with him? No, he may have said something, I did not pay any attention to him, I went out on the side-walk and saw quite a number of citizens. Did you see these men, the defendants? Yes, they were in the middle of the street, four of them. They were standing apart, probably from four to eight or ten feet. As soon as I got there I looked around and I saw people standing on the side-walk, I did not exactly what was the matter until some one had mentioned, "That man has a gun." I asked them which one, and a man pointed to the one nearest to Third avenue, I went up to him, Roullier, Jr., was the young man, I got within three or four feet, near enough that when his arm was stretched and the revolver pointed at me it came within an inch of my breast; the revolver now shown me is the one. He had that in his hand? By his side, until I approached him, and when I came up to him he lifted it and pointed it directly at my breast, and the trigger snapped; I heard the snap of the trigger. I immediately grabbed him as well as I could, keeping his both hands to his sides, and catching him outside his arms and threw him to the ground, and I just had released my hold on him his father (I afterwards found out it was his father) ran over to me. At that time I was standing, I had thrown the son down and I was standing on a

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half turn to look where the rest were, and as I did the father of this young man he was the first to jump on me. What do you mean by jump on you? He came running along as fast as he could in the heavy snow, and made a spring at me and caught me. Did he catch you? Yes, he did. Where did he catch you? He caught me round the body, I should judge around the shoulders or arms, one of my arms was around his head. Around Roullier, Sr.'s head? Yes; and the other two jumped on me and we all four fell together. The young man had been on the ground previous to that. These other two got hold of you? After he came on to me they jumped, and their weight carried me to the ground; the father then caught me by the testicles. He caught you by the private parts, and did he keep hold? Yes, held it very tight and caused great pain. We struggled around with the others, and I saw the young man put his hand in his pocket and took something out that shined, I don't know whether it was an open knife or a revolver, I caught the hand the best I could, and held it to the ground; he took a knife out of either his inside vest pocket or his coat pocket, and held it in his hand, I saw something shining, I guess it was this knife now shown me. As he had it in his hand, taking it out, I saw the glitter of it, I caught his wrist and held it down. You were still on the ground? Yes; I felt it, and when I got a good look at it, I saw it was this knife. In the meantime the father still retained his hold on my testicles, and made two or three snaps at my face with his mouth, in attempting to bite me, and I kept pulling back; and in the struggle first he was on top and probably I was on top after, but we rolled around quite considerable with the other two remaining on top all the time, but my hold was on the son and the old

man, and the struggle was principally between the old man and I, as the son seemed to be kind of stunned from the fall or throw I gave him. With that I heard some one say, "Look out for a knife, look out for a pistol," and the crowd kept a respectable distance. When Officer Smith came up my back was down and my hat was off, and I heard them halloo, "Look out; there are policeman." I suppose it was a warning to him not to do anything for fear he might hit me. When I heard that I thought that there were some policemen coming, I looked up, and I saw Officer Smith standing over us; he could see by my buttons then that I was a policeman. You were in uniform, as you are now? Yes. Where was your club? In my pocket all the time, just as it is now. You never took it out? Not until I got on my feet, and I had to use it to release the hold of the man on my testicles. When I got up he was on his knees, and he still held me while I was standing. Can you recollect what you saw these two others do? I could see them on me once in a while, I looked around, I was getting punched and kicked; to tell exactly who done it, between the whole lot of them I couldn't. My arm was injured very severely, I had to report sick, I didn't work for eleven days, I haven't got the full use of it yet. When Officer Smith arrived you were able to get up? The two that were on me jumped off and ran before I heard the people say, "Look out, there are policemen there;" I felt them get off me. Whether they hit me or not, I can't tell; and when Smith came up I let go of the old and the young man's hand, and I said to Smith, "Catch that fellow," and I heard on to the old man. I got up to a standing position, and he got up on his knees, still holding my testicles. I then put my hand in the back pocket and drew the billy, and hit his hands

probably half a dozen times before he released his hold on my testicles. You had to hit him hard, did you? Yes, as hard as I could. What became of you then, did you fall over? No, we walked to the station house, Officer Fisher came up and he had the other two when I saw him, and we walked to the corner, probably a block or so, and Roundsman Sweeny came along and took hold of one of them from Fisher, and he walked over to me and asked me did they hit me to kill me, he had heard so. What did you go over there for? To see what the trouble was.

CROSS EXAMINATION:

When I was on the side-walk some one said, "That one has a gun," and he pointed to the one nearest Third avenue, which was the young man. These four men were standing in the middle of the street, in a defiant, manner, in a line. Then you went over, and these four men were standing there apparently ready to meet anybody that came against them? It looked that way. It was a dark night? No, you could see them plainly enough, it was snowing and made everything white, it was about half-past ten or a quarter to eleven, I got to the station house a quarter to eleven. You went up to this young man, and the moment you came up to him he pointed a pistol? Yes. You seized him by the neck and threw him down? No, I seized him around the body and kept his arms as close to the body as I could, so he couldn't raise them. I threw him down, and the father came and jumped on me. Then the other two joined in a general skirmish, did they? Yes. You say that this father grabbed you by the testicles? Yes. Did you have to strike him on the wrist three or four times? On the back of the hand. How many times did you strike him with the club before he would let you go? Probably six.



Who was it split his skull open that night? I suppose the others that came to my rescue. Do you know that his head was all cut open? Yes. Who did it? Those who came to my rescue. The other two policemen? No, Officer Smith. Did officer Smith hit him over the head? Yes, when he came up. Had he still hold of your testicles at the same time? Yes. You were striking him on the hand, six times you say? Probably six. To make him let go of your testicles, and Officer Smith was hitting him on the head? No, he was only hit once on the head. It was with the night-stick? No, we don't carry a night-stick. Who split this man's head open? I don't know. You know it was cut? Yes, he had a cut, I saw it. How long have you been on that post? Since the middle of October. You know Thies's pretty well? Yes; I have seen the witness Golle, I think I passed him that night at the door, I might have asked him what was the matter, but could not swear positively. He says that he told you he put these men out of the house? He told me that after, but when I was going out past him I came out as quick as I could. When did you next see this revolver, after seeing it in the hands of Roullier, Jr.? It was handed to me by a citizen, and I put it in my pocket and I went to the station house, and I handed it to the Captain, he was at the desk at the time, and he took the barrel out and opened it and looked at it. He said it was not loaded, that was the first time I knew there was nothing in it. Look at these (Showing four knives). Did you search the defendants? Yes. Did you find those knives? Yes, in the coat pockets, two were found in the father's pocket, and this knife (pointing to one of the knives) was found in the pocket of the defendant, Martignoy; they were taken from them in the station house.

JOHN PAPPAJIA, sworn and examined, testified:

Where do you live? No. 141 East 13th street. Were you at home on the night of the 5th of January? Yes. What time of night were you in your house? I was home about eight o'clock. What is your business? Flower business, I am a florist, I have got a stand at 14th street, and I have got a store in Harlem. My brother came in the store and asked me how is business, and as soon as I told him about the business I heard a noise outside; as soon as I got outside I saw the policeman on the ground and two fellows on top of him, I seen the young fellow and the old man on top of the policeman; the old man held the policeman here (pointing to the privates) and the other hand was right there (pointing to his body) --the other fellow was on top of the policeman. My brother came outside and he said, "Look out for a policeman;" he threw the pistol down, and somebody else picked it up from the side-walk. As soon as the policeman got up he whistled, and then a policeman from Fourth avenue and one from Third avenue came up. Did you see what the other defendants did, did they do anything? No; I saw all four men there, the other two were hulloing, I don't know what kind of language they talked. The young man was on top of the policeman, was he, with the pistol in his hand? I didn't see the pistol, he didn't have it that time; I pulled this man away from the policeman and then I tried to pull the other one away from the policeman; this man took a pistol out, I didn't see from where he took it, but my brother went out to him and he said, in Greek, "Look out, he has got a pistol." Then I turned around and I threw the pistol away, and somebody picked it up.

ANTONY PAPPAJIA, sworn, and examined, testified:

Where do you live? 141 13th street. What is your business? Selling flowers; the last witness is my brother. Do you recollect the night of the 5th of January and what happened? I didn't see the whole affair, I only saw part of it. I came from my work about ten o'clock in the evening home, and went into my room, and when I was in my room for about twenty-five minutes I heard a noise outside in the street, and I and my brother went into the street, my brother went first and I followed; and I saw this young man and the older one, they were down with the policeman on the ground, and my brother went up to separate them, and then my brother pulled away the young man from the policeman, and when this young man got on his feet I saw that he had a pistol. Then I called out to my brother, "Take care, he has a pistol." Then the young man threw the pistol away, and a young man in the street picked it up; then another policeman came, and I went into my room and did not see any more. What did you see this old gentleman do? I didn't see him do anything, I saw him lying with the policeman on the ground.

CROSS EXAMINATION:

All three were on the ground, were they, these two and the policeman? Yes. Did you see these other two defendants there? I don't recollect having seen those two. Are you sure that your brother pulled this young man off the policeman? Yes, I am sure; I never was in a court before, and tell the truth, this is the man. After your brother pulled this young man off the policeman it was then he threw away the pistol, was it? Yes. You didn't see him point the pistol at anybody? I didn't see him point it at any one, I saw him with the pistol and called to my brother; then he threw

it away. I have been in this country three years and a half. I am a Greek. Did you see the officer have a club in his hand? The one that was lying on the ground did not have anything in his hand.

WILLIAM SMITH, sworn and examined, testified:

I am connected with the police force in this city, in the 14th precinct, for nine years; I recollect the night of the 5th of January, my post was on Third avenue from Ninth to Fourteenth streets. Do you recollect, about ten o'clock that night, anything happening to you, or did you see anything? Yes; a citizen informed me that there was a policeman getting assaulted up in 14th street; I went up there, and when I got there, I saw Officer McCarthy on his back, lying on the street, and the old gentleman on top of him, and his son was very near alongside of him, lying in the street; the old gentleman had hold of McCarthy, he was on top of him and McCarthy was lying still. McCarthy said to me, "Catch this other man, he has got a pistol or he had a pistol." I caught him, he was the young man. I whistled and Officer Fisher came. During that time McCarthy got on his feet. McCarthy pointed out the other two defendants to Fisher, and he arrested them. Did you see what those men were doing at that time? No; I saw the old man holding McCarthy. Did McCarthy say anything to him? Not that I remember; I took the young man to the station house.

CROSS EXAMINATION:

This all took very quick time, it was not half a minute? Oh, no, longer than that. McCarthy and the old gentleman got up off the ground? Yes. Who was hitting the old gentleman over the head? I was. Then McCarthy pointed out the two



other men, they were some distance from him, five feet or so; the officers took them into custody. Who was it that hit this gentleman over the head (pointing to one of the defendants)? I don't know. The young man tried to get away, he appeared to be drunk, it was snowing at the time. I tried to get the old man away from Officer McCarthy, I grabbed him by the neck. The old man was pushing McCarthy away from him? No, it appeared he had hold of him. To make him let go, McCarthy and you smashed him over the head with your clubs? Yes. Right on the top of the head? I don't know, I hit him on the top of the head. It was a pretty savage blow, he was covered with blood? The young man was covered with blood before I got there. You didn't hit the young man at all, did you? No. Don't you know that McCarthy had clubbed the young man nearly to death before the old father interfered at all? I don't know anything at all about it. Who clubbed Martignoy? I didn't see him. They were all pretty well clubbed? No. When they appeared in the Police Court, even after being washed, weren't they cut and clubbed? No, the only one was the old man. Wasn't the young man covered with blood? Yes, on the side of his face. When you got there he was lying down beside his father, covered with blood? Yes. How was this man holding McCarthy when you came up? McCarthy was lying on his back, and the old man had one hand like that, and the other one like that (showing). Do you say that you saw that officer being held by the elderly man by the testicles? Yes. Do you say that? No, not as I saw by the testicles, I couldn't see that, but one hand was up like and the other one was down. You don't know where he had hold of him? No. He had one arm around his neck? Yes, apparently. Apparently around his waist---

state where it was? Lower. You didn't see any testicles of any kind there? No. Did the officer say to you that he was held by the testicles? No. The officer never said anything to you about it? Not at that time, no. Did you see McCarthy club this old gentleman at all? No.

MAXIMILIAN J. FISHER, sworn and examined, testified: I have been connected with the police force of this city for eleven years, and am now attached to the 14th precinct. On the 5th of January my post was 13th street from Fourth to First avenue; about ten o'clock I was at Fourth avenue and 13th street; while I was standing there, talking to three firemen connected with No. 3 Truck, a young man came running along and told me to hurry down the street; I went down, and saw Officers Smith and McCarthy, they both had hold of a prisoner apiece. Officer McCarthy turned around to me, and said, "Take that man," Martignoy; I grabbed hold of him by the arm, and we started for the station house. What was McCarthy doing when you first saw him? McCarthy was standing up in the gutter, with one of the prisoners, I think it was the old gentleman. Officer Smith had hold of young Roullier. I walked with the other two men as far as Third avenue and 11th street, and I met a Roundsman and turned over one of the prisoners to him. I had no trouble with these two prisoners; one gentleman was talking to me in broken English, but I couldn't understand him; they went along peaceably.

DISTRICT ATTORNEY: That is the case for the People.

The Case for The Defence.

LEON REYNAULT, sworn and examined, testified:

What is your business? I am manager for Alfred Montebello & Co., champagne importers. How long have you lived in the city of New York? Since 1881, steady. I am a Frenchman. Where is your place of business? No. 127 Broad street. Do you know these four gentlemen? I know the two gentlemen, the Roulliers, since they came here; they were recommended to me from Comte de Laplace, Paris, he wrote me a little before January that they were coming, and recommended them to me. I would have met them, but in the meantime an agent from that society in Paris had come here and made an arrangement with a gentleman to meet them. That gentleman did not go there, and, of course, I did not go there myself, it takes a long time, they came on the Wiedam. Do you know what they came here to do? The letters stated that they were going to Dallas, Texas, for the purpose of engaging in farming; and the first thing I heard from them was on Saturday, when Mr. Martignoy came to my office, in the morning, with both eyes black and a big scar on his head, and brother me a letter from the Count in Paris that had been given him by Mr. Roullier. I do not know the Count personally, but I know the Baron Roquet, through whom I got into connection with the Count. Have you examined their papers, they have credentials? They have all their papers, they have been signed by the French Consul here; Mr. Roullier, Sr., is a discharged soldier, and his son is only sixteen years of age; and he has besides papers from the house where he has worked formerly in France. Mr. Martignoy had been paroled by Judge Hogan, and came to see me and informed me of the trouble they had got into. I went there right away, it was Saturday, I own

no real estate, and so I couldn't furnish any bail, but they told me that they had a letter of credit for six thousand francs on Morton, Bliss & Co., they could go on their own bail, it was fixed at five hundred dollars. So next Monday I got there, I saw Mr. Roullier for the first time in Essex Court, with his head all bandaged up, and he handed to me this letter of credit. I went with it to Morton Bliss & Co., and explained to them the trouble, and they told me the only way we could get at that money was for this gentleman to make a draft on Paris and get that money for them. You deposited the money with the Chamberlain? Yes. Our poor friend (the old gentleman) is still in the Tombs? Yes. You could not give bail because you do not own real estate? No, that is the reason. So far as you have investigated their character seems to be good? Yes.

ADEIDE MARTIGNOY, being duly sworn, testified:

You are a Frenchman, but you have been to America before this time? Yes. What is your business? I am just now an agent for a firm in Paris, but I do business here. When did you meet these other three Frenchmen? I met them on board the steamer Wiedam, and came over to America with them. I met these gentlemen and they told me they were going to Dallas, Texas, to go farming; they told me they wanted to buy some arms in New York, a pistol, a gun, etc. I showed them my pistol; I said, "That is an old pistol, it is no good, and if you wish a pistol like this it will be very easy to get it in New York." Then they took the pistol; we were going to buy one the next morning. Was there any cartridges or anything in it? No, it had cartridges before, it had been loaded before, it was in that position for two years. Who



did you give it to on the ship? To the father, to get one like it. They were going to take both to Texas, and a shooting gun and different boots they wanted down in that country. I met Mr. Bouchard on the ship; he told me he was going to Canada, to buy horses. How long had you this pistol? Two years. You cannot fire it off? No, it has not been fired; it was in my house, my wife bought it from a gentleman, I never fired it. We landed in New York at 11 o'clock in the morning, we were at sea about a fortnight, we arrived on Saturday. These gentlemen asked me on board to go with them to Mr. Bliss's, and different places, and buy things they wanted, before I got home, because I was going to Brooklyn, to my own place. I said, "All right; I will stay with you at the hotel one day." We walked around the city, we went to Mr. Bliss's and we could not get the money, it was too late. We went back to the hotel and after dinner they asked me to go around with them. We went to 8th street first, a kind of lager beer and musical hall. Then we stayed there about five or ten minutes; they did not like the place, and they asked me to go somewhere else. I said, "In 14th street there is places of amusement, and we will go and see." We went around by 4th avenue to 14th street, and we met there a policeman who arrested me. We met him there at that corner and he said, "Don't be so noisy," to the young man who was talking with the father. Then I told them to be quiet; so we walked on to Thies's and went into the place. We sat down at a table and asked for some beer, but the father and the son was still talking together, the father tried to get the son not to be so noisy. That man, who said he has got charge of the floor, took Mr. Roullier, the old man, first, and then I walked after him and tried to explain, but the people were

rushing against us, I don't know how many waiters or bar-keepers, but there were a great many, who knocked us through the passage to the street. When we came to the street we got knocked further on the stairs; they continued to jerk us and knocked both of us, and then they rushed back to Thies's, the people who put us out, and knocked us down. I said, to them that it was a shame to treat poor people as they did. Two or three came out again. There was a little battle begun with those who came out; they wanted to give us more. Then after that I remember when the policeman was on top of my friend, Mr. Roullier, and knocking him beastly with his club, the old man, and the son said, "You want to kill my father?" in French. I did not see the son with the policeman because I was blocked up by I don't know how many people, he had one policeman with him that time. How many did you come out of the battle, how many wounds did you have? I had one very severe one, because it was deep, we could not stop the blood until the doctor came to the station house and sewed it with a needle, and he sewed the head of Mr. Roullier, the old man. He had one wound on the chin, and one on the forehead. When they were arrested, and when I seen the policeman, I said, "Keep quiet and we will go to the station house, and we will explain to the officer there, I suppose it will be nothing." But on the way the young fellow was still screaming. I told him, "Don't hurt that young man, he is quiet." I was in front, and when I came to the station house I tried to explain to the officer, but they would not let me speak. Judge Hogan paroled you? Yes; I have got testimony as to good character. You have never been convicted or arrested, have you? No, never, this is the first time.

## CROSS EXAMINATION:

How long have you lived in this country? I came here from London, for the first time, in 1881. I remained here until 1885, and during those four years I was employed at the Brunswick Hotel, as cashier and book-keeper, and then by a gentleman down town as a clerk and salesman. I have been employed different places, and I got married and started a business of my own. I had a private boarding house in Bay Ridge for two years. From 1881 to 1885 I lived in New York city. I knew what the duties of a policeman were. I went to Paris in 1885, and from there to London, I stopped in Europe only six months, and arrived here in 1886. I stayed here until last May, and then started to Paris, with my wife. We landed on the 5th of January. I met the other defendants for the first time on the steamer. They behaved themselves well on the trip over. The vessel arrived here on the 5th of January, about five o'clock in the morning. My intention was to go to Brooklyn, to Fulton street, I sold my place and the man who bought it did not pay me, I have got two bills against him which were renewed. Where is your wife? My wife died last September, in Paris, that is why I am here now, I would not be here if my poor wife did not die. When we landed we went to an hotel in Christopher street, the Hotel de France, I knew the owner there; I believed they would be comfortable, but the owner sold the place, and when we arrived there we found a stranger. I asked them if they would like to stay and they said yes, and our names were entered on the books of the hotel; we had breakfast and then went down town; and after dinner, about one or two o'clock, we started down to see Mr. Reno, and Mr. Morton, of Morton, Bliss, and different places where they wanted to go. Did

you have anything to drink? Yes, we had two or three drinks, certainly, of claret wine and beer. It was about four o'clock when we left Mr. Bliss's, he said it was too late to get the check cashed, and then we went back to the hotel. We had dinner about six o'clock. Then you had wines at the dinner? Yes, generally Frenchmen do have wine at dinner. After dinner we went to a lager beer and music place in 8th street. You were showing them the sites of New York? Yes, they asked me to see the town. You were not going to engage in business with them? No, I was going to leave them the next morning. Who paid for the liquors and the dinner and all that, and the drinks? I paid and Mr. Roullier paid, we generally paid by turns. How long did you stay in the place in 8th street? Not more than half an hour; I had been in there many times before, it is a lager beer and concert place, there was two or three lady singers and a piano and some musicians -- they came on the stage. We drank only two glasses of beer there. I wanted to take them to Mr. Blanc's, in 13th street, it is a place like the first one, where you can hear songs and have a glass of beer. We did not go there, but instead of going there we went to Thies's, in 14th street. You had considerable drink, you men, hadn't you, at that time? Not more than I usually drink myself, perhaps three or four glasses of beer and wine; at the cafe we took a glass of cognac. Had you ever seen these knives before? Yes, I saw them on board the ship; they showed them to me, and told me that they bought them in Paris. What were they going to do with them? Cut wood or rope or anything they wanted to do in the country, I suppose. Had you ever seen knives like those before that? No. When we went into Thies's we sat down and asked the waiter to give



us drinks. That other man (the witness Golle) came and took Mr. Roullier out. We did not get any drinks. How long were you in there before you were put out? Not five minutes. Did Mr. Golle say that you couldn't have any drinks? No, nobody there told us we could not have any drinks. You heard Mr. Golle testify on the stand? Yes, I did. That he came up to you, that you wanted drinks and he said you could not have drinks? No, that is not the place of the manager of the floor to say that; it is the waiter's place, and the waiter said we could not get any drinks. Did Golle say why the party would have to leave the place? No, he told Mr. Roullier, the father, to go out; then I saw he was a little rough with him when he was near the door, he pushed him out with two or three waiters; he did not want to go out. I wanted to explain to the people who took the man out that we would be quiet; he wouldn't let me explain, and he pushed me out. You never had been pushed out of any saloon before? No, never; I did not know why they were being put out, I knew it was a shame to put out people that was not more noisy than the people that was at the next table, they were making more noise next to us. When you got out in the street what did you do? We tried to defend ourselves against the crowd. Didn't you go back to the door of the saloon? Yes, I did; I do not remember being at the door, but I remember to have been talking to the people, and saying that it was a shame to knock people as they did, I asked for my hat, I could not get it back. Didn't you feel that you had been insulted? Yes, I felt very much insulted, I said so. I wanted to get my silk hat back, it remained there, I could not get it, I suppose one of the fellows has got it in his possession. The door was closed after you went out? Yes.

Your party rushed up against the door? No; we stood in the street to tell the people it was a shame to treat us that way, the first day I was in the country. You were talking and raising your hands in an excited manner? Yes, anybody would be excited, being knocked like that. I had been hit with the fist by three or four people who pushed us out, both my eyes were black. That mark over the nose you have you did not get at that time? No, not at that time. I was not hit in the saloon, but knocked down in the alley coming out, I could not say who knocked me down, three or four people, I think Golle knocked me down. The light was not very bright in the alleyway, Mr. Roullier was knocked down first I think by the floor manager. I did not see the revolver in the street, I did not see the officer when he came out, I saw him when he was on top of Mr. Roullier, the father. I did not see the officer throw Roullier, Jr., down, I saw Roullier, Sr., down, I did not see him throw him down, I saw him on top and the man was bleeding, his face was full of blood. I did not see the officer strike Roullier, Sr., I did not see anything in the officers hands; I was more than six feet from there, with another officer. I heard Roullier, Jr., say, "Don't kill my father," in French. Did you hear the father say, "Don't kill my son?" No. What were you doing all this time while this was going on on the ground? I was held by a policeman; I was very angry. You heard the officer testify, and another witness also, that they saw Roullier, Jr., point this revolver at the officer? Yes, I heard that. Did you see that? No, I could not see because I was occupied with something else; there was six or eight fellows on me.

RAOUL ROULLIER, SENIOR, sworn and examined, testified:  
I was born at St. Maixcent, Deuse Series, in France; I am married and have two children, this boy here is the oldest, and the other boy is in France with my wife. What is your business? Comercial traveller. For what purpose did you come to America? To buy land and start a farm in Texas. I served in the French army for three years. We left Boulonge and arrived in New York. That day we were happy, having had a good voyage, and we had a good dinner, and we were a little jolly. Then we got into Thies's, and we probably talked a little loudly, and we gesticulated a little bit with our hands. Whilst we were talking, one of the waiters, not understanding our language, came and took me by my arm and told me to leave the place. We got up and my son followed ~~me~~ and whilst <sup>we</sup> were yestled and beaten, before leaving Thies's. When we got to the door the door was opened, and I was pushed outside; there was two steps, and, not seeing them, I fell down on the ground; I got up and I protested against such a brutal way of pushing people outside the place. At that moment four people rushed out, and jumped on me; I received a blow which dazzled me. After this first blow I was covered with blood, and received several other blows, but I can't say who from. I fell down, I was on my legs again, and somebody held me up, and whilst we were going away I received a blow on my hand, I was all full of blood, and covered with blood. Did you see the police officer and the other officers who went on the stand? I can't say, because my eyes were covered with blood. I only knew that I was in the hands of police officers and I was on my legs again, and I was taken away. I was half dazed and half killed. Have you marks of the blow upon your head now? Yes; I

have a mark on my chin also. Tell him that the police officer swore yesterday that he seized him by the testicles, and that the policeman struck him six times on the wrist before he let him go; ask him if that is true? It is impossible, because I am pressed on the ground, on the snow; it is not so. If he had given me six blows on my hand I would have a mark, there is only one mark, I received that blow whilst we were on the way to the station house. Did you resist the police in any way? Never, not in the least, I was half killed. Have you got your ticket for Texas? Yes. Your plan was to buy land, and send back for your wife? Yes. Have you got any credentials with you? Yes, those are the certificates, and also the places where I have worked (producing them). Tell us about these pistols and knives, explain why you had them? We bought the revolver on board the ship; and, as it is an American make, our intention was to buy another one, and also some guns. The knives were all bought in France, we thought we would find them useful when we got down there to cut trees and other things. We had them on our persons, we bought them about a quarter of an hour before we left the country, when we arrived here we had not the slightest idea and paid no attention that those knives were on our person. Were you ever convicted of crime? Never.

CROSS EXAMINATION:

What were you and your friends quarreling about in the saloon? They thought it was a quarrel, but we had no quarrel at all, we were only talking and laughing loudly, I was just telling him to quit himself; there were plenty of people round about us in the saloon. Nobody hit me while I was in the saloon, I was yaken by my arm and pushed and jostled out-



side and beaten, and then when I got to the door they threw me out and I fell down, I commenced to protest, saying that it is not right to use people and treat them in such a way, that had done no harm. I was not trying to get back into the saloon. It is a glass door, and I could see the waiters behind it, laughing. I did not see Police Officer McCarthy come out of the door; I did not see a revolver in my son's hand, because I had four or five persons showering blows on me and I was down on the ground. When did you first see the police officer, the man with blue coat and brass buttons? We had arrived just that morning and I did not know the costume, the uniform. Were you not very angry when you were outside of the door? Certainly I was angry at being thrown out, and I had done no harm.

RAOUL ROULLIER, JUNIOR, sworn and examined, testified: I am sixteen years old, and came from France with my father. Tell what you know about this occurrence? Whilst we were in the saloon my father and I were talking in a loud voice, and gesticulating with our hands; then the waiter came and caught hold of my father and pushed him to the door, and threw him out, and then my father fell; I went out also; then I saw four or five persons on my father, beating him. Then I said, "Do you want to kill my father?" And to frighten them I drew out the revolver, knowing perfectly well that it was not loaded, trying to get them dispersed. I did not recognize any police officers, as I did not know the uniform. I drew the revolver and at that moment I fell down, and somebody afterwards picked me up. This is all I can say. Were you struck anywhere? I cannot say that I received any blows, but I had a fracture or a blow here (pointing to the

head), but I think I received it when I fell; I can't say how I fell; I don't remember if it was snowing hard.

CROSS EXAMINATION:

Did you have this in your hand (showing revolver)? Yes, I had it in my pocket, and then I took it out to protect my father. What did you do with it when you took it out of your pocket? I just took it out and pointed it to frighten the people. Did you point it at police officer McCarthy? I did not see any police officers, and I did not know their uniform. You saw a man with a blue coat and brass buttons, didn't you? I did not. What uniform do the police officers in Paris have? They have got a cape and a double breasted blue coat, with silver buttons, and a sword. You knew that you had done wrong in this saloon, didn't you? I did not believe that I had done any harm in the saloon, we were only talking and laughing. You knew you had been put out of there? It was my father that was put out of the saloon, and I followed my father. I not angry when I saw four or five persons assaulting my father, on the side-walk. My father, after falling, got up, and was protesting at being put out, and then he was attacked by those people. How long was it after he was put out, or after he went out, of the saloon that you drew the revolver upon the men? I can't say, probably five minutes or less. Had your father been struck before you pulled the revolver? Yes. The police officer says that your father was standing by your side when you pulled the revolver upon him? My father was on the ground. When I saw my father on the ground and the people giving him blows it was then that I pulled out the revolver to protect him. At any time did you stand in the middle of the street with your father and your two friends? I remember seeing my

my father in the middle of the street, I know I was near him, but I cannot say if the other two defendants were there; he was lying on the ground when I took out the revolver.

AMANARY BOUCHARD, sworn and examined, testified:

I am a broker in horses; my family lives in Aix Province, but I have been living for the last two years in Paris. I was never in America before. I met Mr. Roullier, Sr. and Jr, on board the ship. I am going to Montreal. Tell about this trouble up at Thies's, what you know about it? We were sitting down at the table and were talking rather loudly; then it was that a waiter came and took hold of Mr. Roullier, Sr., and pushed him outside. His son, seeing such a thing going on, followed his father. Mr. Martignoy, who was the only one of the four that could speak English, wanted to go out to explain himself what was the cause of the father leaving the place. When I arrived at the door I saw Mr. Roullier Sr., and Mr. Martignoy pushed out. They were jolted on the steps that led to the side-walk. At this moment I did not see Mr. Roullier, Jr., I tried to explain things, but I did not know the English language, I could not do it, it was not easy for me to do it. At this moment I received a kick on my side; after receiving this kick, in turning I saw Mr. Roullier, Jr., throwing away the pistol. Then I saw Mr. Roullier, Jr., falling down. To the best of my recollection, when Mr. Roullier was on the ground his feet went towards the wall, and his head was just lying on the curb. At that moment his hat was not on his head, I saw a hat that was in the middle of the street, and I picked it up and put it on the head of Mr. Roullier, Jr.; at that moment I was taken hold of by my arm, I cannot say if it was a policeman in

0353

civilian's clothes, he had no uniform on; he was a citizen. Then I saw a police officer arresting Mr. Roullier, Jr., At that moment I heard a whistle and another officer came and took hold of me by the arm and they took us to the station house. I only received one kick, but I could not see the person that kicked me; I did not strike anybody myself.

The Jury rendered a verdict of GUILTY of ASSAULT in the THIRD DEGREE, with a RECOMMENDATION to the MERCY of the COURT, against RAOUL ROULLIER, SENIOR and JUNIOR; and a verdict of NOT GUILTY as to the other defendants.



0354

The People  
Rural People Sr.  
" " Jr.  
Abide Martigny &  
Armeny Bonchard

filed Jan. 1943

8 115

0355

473

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Raoul Roullier the younger*

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

*Raoul Roullier the younger*

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

The said

*Raoul Roullier the younger*

late of the City of New York, in the County of New York aforesaid, on the *first* day of *January* in the year of our Lord one thousand eight hundred and ninety-*two*, with force and arms, at the City and County aforesaid, in and upon the body of one *James J. Mc Carthy* in the peace of the said People then and there being, feloniously did make an assault and to, at and against the said *James J. Mc Carthy* a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *Raoul Roullier the younger* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge with intent *to kill* the said *James J. Mc Carthy* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

## SECOND COUNT—

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

*Raoul Roullier the younger*

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

The said

*Raoul Roullier the younger*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *James J. Mc Carthy* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against the said *James J. Mc Carthy*

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said

*Raoul Roullier the younger*

in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, 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.

DE LANCEY NICOLL,

District Attorney.

Witnesses:

Officer Mc Carthy

Officer Smith

Officer Fisher

Counsel,

Filed day of May 1893

Pleads, May 26

THE PEOPLE

vs.

R

Reuben R. R. R.

( 3 Cords )

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. C. Catlin

Foreman.

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

Raoul Roullin the Elder

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

of a FELONY, committed as follows:

The said Raoul Roullin the Elder  
late of the City of New York, in the County of New York aforesaid, on the first  
day of January — in the year of our Lord one thousand eight hundred and  
ninety-three, at the City and County aforesaid, with force and arms, feloniously did furtively  
carry, concealed on his person, a certain ~~instrument and weapon of the kind commonly known as~~  
dirk dagger and dangerous knife with intent then and there  
feloniously to use the same against some person or persons to the Grand Jury aforesaid unknown,  
against the form of the statute in such case made and provided, and against the peace of the People  
of the State of New York and their dignity.

SECOND COUNT—

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

Raoul Roullin the Elder  
of a FELONY, committed as follows:

The said Raoul Roullin the Elder  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at  
the City and County aforesaid, with force and arms, feloniously did possess a certain ~~instrument and~~  
~~weapon of the kind commonly known as~~ dirk, dagger and dangerous knife  
by him then and there concealed, and furtively carried on his person, with intent then and there  
feloniously to use the same against some person or persons to the Grand Jury aforesaid unknown,  
against the form of the statute in such case made and provided, and against the peace of the People  
of the State of New York and their dignity.

DE LANCEY NICOLL,  
District Attorney.



Witnesses:

Officer M. C. Carty

Officer Smith

Officer Fisher

Counsel

Filed,

day of

1893

Pleads,

THE PEOPLE

vs.

P

Raoul Roullier, Jr.

(2 cases)

CONCEALED WEAPON.

(Section 410, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. Cathin

Foreman.

0359

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Raoul Roullier the Younger*

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

*Raoul Roullier the Younger*

of a FELONY, committed as follows:

The said

*Raoul Roullier the Younger*

late of the City of New York, in the County of New York aforesaid, on the *fifth* day of *January* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with force and arms, feloniously did furtively carry, concealed on his person, a certain ~~instrument and weapon of the kind commonly known as~~ *dirk, dagger and dangerous knife* with intent then and there feloniously to use the same against some person or persons to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

*Raoul Roullier the Younger*

of a FELONY, committed as follows:

The said

*Raoul Roullier the Younger*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, feloniously did possess a certain ~~instrument and weapon of the kind commonly known as~~ *dirk, dagger and dangerous knife* by him then and there concealed, and furtively carried on his person, with intent then and there feloniously to use the same against some person or persons to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,  
District Attorney.

0360

Witnesses:

Officer M. Cady  
Officer Smith  
Officer Fisher

Counsel,

Filed,

day of

1893

Pleads,

THE PEOPLE

vs.

T

Raul Roultier  
(3 cases)

CONCEALED WEAPON.  
(Section 410, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. Catlin

Foreman.

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

THE PEOPLE OF THE STATE OF NEW YORK

*against*  
Raoul Roullier the elder, Raoul  
Roullier the younger, Adeide Martignoy  
and Amoury Bouchard.

The Grand Jury of the City and County of New York, by this indictment accuse  
Raoul Roullier the elder, Raoul Roullier, the  
younger, Adeide Martignoy and Amoury Bouchard  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Raoul Roullier the elder, Raoul Roullier  
the younger, Adeide Martignoy and Amoury Bouchard, all

late of the City of New York, in the County of New York aforesaid, on the *fifth*  
day of *January* in the year of our Lord one thousand eight hundred and  
ninety-*three*, at the City and County aforesaid, with force and arms, feloniously made an  
assault in and upon one

*James J. Mc Carthy*

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 them, the said Raoul  
Roullier the elder, Raoul Roullier, the younger,  
Adeide Martignoy and Amoury Bouchard

and the said *Raoul Roullier the elder, Raoul Roullier the*  
*younger, Adeide Martignoy and Amoury Bouchard*  
him, the said *James J. Mc Carthy*

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 *themselves* 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.

DE LANCEY NICOLL,  
District Attorney.



0362

BOX:

510

FOLDER:

4648

DESCRIPTION:

Rushmore, Isaac

DATE:

01/16/93



4648

Witnesses:

Isador Sackowitz  
Henry Nisling

Counsel,

Filed,

Pleads,

day of

1893

THE PEOPLE

Isaac Fishmore  
Grand Juror  
District Court  
County of Essex  
City of New York

[Section 528, and 534, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. Cathin  
Feb 2 - Jan 24 93 Foreman.  
Reads Guilty.  
Elmira, Cal.  
R.B.M.

The people of New York  
 vs.  
 Isaac Rushmore.

To the Honorable Frederick Smyth,  
 Recorder.

Your petitioners being informed that the prisoner in this case has pleaded or will plead guilty to the offences charged in the indictment, beg to petition that the Court will use its discretion in the selection of the place in which he shall be imprisoned, and that he be sent to the Reformatory at Elmira, and not to State Prison.

The grounds upon which this clemency is asked are briefly as follows:-

The prisoner comes from a good family, none of whom to the knowledge or belief of your petitioners have ever before been convicted of a crime - this family consisting of a widowed mother and two brothers; the mother ~~and~~ and for a long time past having been, an invalid; the father also having

been are involved for two or three years before his death and just prior to the coming of age of the prisoner. He was therefore at a very critical period of his life, left without that parental care so necessary for his well being and hence he became an easy prey to vicious habits which have led to his early downfall.

Until this lamentable affair the prisoner's two brothers have had bright prospects before them. One is now at Swarthmore College and the other is about to engage in business at Plainfield New Jersey. If their brother is sent to State's prison a horrid gloom will be cast over their otherwise bright futures, which can never be effaced.

The prisoner himself received a good education at a N. J. High School and has sufficient income to support himself without resorting to criminal means to increase such income.

Your petitioners therefore are of the opinion that if the prisoner can be confined in the Reformatory rather than the State's prison - where he will be much less likely to meet and



be compelled to associate with hardened criminals, there will be a much greater likelihood of his becoming a worthy citizen, at the expiration of his term of service, and they humbly pray that your Honor will grant their request.  
 Dated this twelfth day of January A.D. 1872

Edward Rushmore M. D.  
 Plainfield N. J. an uncle of the  
 Prisoner.  
 Wm Gardner, Cashier of  
 First National Bank Plfd

J. S. Remyon Cashier of the  
 First National Bank of Plainfield  
 N. J.

TORN PAGE

0367

John A. Stewart, } Executors  
Wm. Allen Butler } Trustees  
Colgate, N.Y.

Office of  
Estate of John B. Trovers  
36 Wall Street

Calcutt, Durbin,  
Office Managers.

Delancey McColl Esq.  
District Attorney  
New York.

New York, July 14<sup>th</sup> 1873

Dear Sir.— I beg to hand you herewith, two petitions, for presentation to the Court in order to assist the relations of Isaac Rushmore in their desire that he should be sentenced to the Reformatory at Elmira, and not to State's Prison.

I trust they will prove sufficient, but they can be multiplied indefinitely if necessary.

This case is a peculiarly sad one to the members of our family. — The boy had an attack of sunstroke

— always had a "quiver streak" — particularly a blunting of the moral faculties. While we feel there is nothing to be done — we also feel that the boy is not morally responsible for his actions —

We appreciate and thank you very much for your kindness —

Yours very respectfully  
Calcutt Durbin

POOR QUALITY  
ORIGINAL

0368

-----x  
IN THE CASE OF THE PEOPLE

OF NEW YORK.

-vs.-

ISAAC RUSHMORE.  
-----x

TO THE HONORABLE

FREDERICK SMYTH, RECORDER.

Your petitioners being informed that Isaac Rushmore (or Frederick J. Rushmore) the prisoner in this case, has or will plead guilty to the indictment- beg to petition that the Court will use its discretion in the selection of the place in which he shall be imprisoned and that he be sentenced to the Elmira Reformatory and not to States Prison.

The grounds upon which this clemency is asked are briefly as follows:

His family connections are of a high character.- His father J. Howard Rushmore was a son of Stephen Rushmore of Westbury, Long Island, a prominent member of the Society of Friends and closely connected with many of the well known families of Long Island and New York.

His father lingered for years with consumption and at the time when a father's control was most needed he was left to the influence of his associates, which proved to be harmful.

His mother a widow and a confined invalid is prostrated by the knowledge of his wrong doing which has been carefully kept from her until now.

His brothers- one about to graduate from a course of Civil Engineering at Swarthmore College and one studying for a mercantile course are boys of the highest character, respected and loved by all their friends, with bright prospects of successful careers.

Your petitioners who have known him from his childhood and are familiar with the peculiar weaknesses of his character believe, that to place him where good influences would surround him and his moral nature strengthened- would better serve the ends of justice and eventually make a good citizen than to condemn him as a Criminal forever. He is well educated and has the life income from about \$13,000 left in trust for him by his grandparents- has had good salaried positions at his command and crime was induced not by necessity but apparently for easy gratification or at the instigation of evil associates.

*Osbert Barker 36 Wall St. N.Y.  
Uncle of Isaac Rushmore.*

*Erastus A. Barker 571 Broadway N.Y.  
Uncle of I. Rushmore*

*David S. Barker 105 Franklin St N.Y.  
Uncle of Isaac Rushmore*

*Julia A. Barker  
Grandmother of Isaac Rushmore*



0370

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

Affidavit—Larceny.

City and County }  
of New York, } ss:of No. 290 Grand Street, aged 58 years,  
occupation Jewelerdeposes and says, that on the 7<sup>th</sup> day of January 1893 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:A diamond ring, a locket and  
and Twenty six <sup>25</sup>/<sub>100</sub> dollars lawful  
money of the United StatesAll of the value of Seventy five  
dollars

the property of deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloni-  
ously taken, stolen and carried away by Isaac Rushmore(now here) for the reasons that on  
said day the defendant came to  
deponent and purchased said ring  
and locket and presented in  
payment therefor the annexed check  
purporting to be drawn by Edward  
Rushmore to the order of Isaac Rushmore  
the defendant upon the City National Bank  
of Philadelphia New Jersey for the sum  
of Seventy five dollars. That said check  
bears an endorsement purporting to be  
that of Henry Minessling with whom  
deponent is acquainted. Defendant stated  
that said check was good and that

deponent relying upon the genuineness of the check, gave the defendant said property and the money as the change. Deponent has since seen Henry Ninesling who stated to deponent that the name was affixed without authority and deponent is informed by George Smith (now here) a police officer that he arrested the defendant who acknowledged to him that he wrote the check and did so with the intent to defraud.

Wherefore deponent charges defendant with obtaining said property by color and aid of said fraudulent representation and said false token and writing.

Sworn to before me } Isidor Lewkowicz  
this 10<sup>th</sup> day of Jan. 1893 }  
C. W. M. }  
Police Justice }

0372

CITY AND COUNTY }  
OF NEW YORK, } ss.

1021

aged 37 years, occupation Police officer of No. 11  
Precinct Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Adose Lewkowicz  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 10 day of January 1893 } George Smith  
[Signature] Police Justice.



0373

Sec. 198-200.

CITY AND COUNTY, } ss.  
OF NEW YORK,

3

District Police Court.

*Isaac Rushmore* 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. *Isaac Rushmore*

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. *Plainfield*

Question. What is your business or profession?

Answer. *Clerk*

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 can have nothing to say at present*

*Isaac Rushmore*

Taken before me this

*10<sup>th</sup>*

day of *January* 188*8*

Police Justice.



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

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

Dated July 10 1893 E. J. Shaw Police Justice.

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

Dated, ..... 189 ..... Police Justice.

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

Dated, ..... 189 ..... Police Justice.

0375

Police Court,

47 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Isidore Furkowitz*  
*290 Grand*  
*Isaac Rushmore*

2  
3  
4

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated *January 10* 189 *3*

*Hogan* Magistrate.

*Geo Smith* Officer.

*11* Precinct.

Witnesses

No. *George Smith* Street.

*11<sup>th</sup> Precinct*

No. *Henry Muesling* Street.

*Case on file in*

No. *5-11* Street.

*to answer*

*Ch*

*Forfeited*  
*amount*

0376

No. 84 Plainfield, N.J. January 5<sup>th</sup> 1898  
**City National Bank**  
Pay to the order of Isaac Rushmore \_\_\_\_\_ Dollars  
Seventy five \_\_\_\_\_  
Edward Rushmore  
\$ 75.00  
Robert A. Bennett, New York.



0377

Isaac Austin  
Henry Kinsling  
J. Leukowicz



0378

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

*Isaac Rudmore*

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

*Isaac Rudmore*

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

The said *Isaac Rudmore*,

late of the City of New York, in the County of New York aforesaid, on the *second* day of *January*, in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with force and arms, with intent to deprive and defraud *one Victor Benjamin*,

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*

*Victor Benjamin*,

That a certain paper money of the order and design following, to wit:

"no. 84

Grandstand of January 5 1893

City National Bank,

Bare to the order of Isaac Rudmore

Seventy Five

\$-75 #

Edward Rudmore "

whence the said Isaac Rudmore then and there produced and delivered to the

said Isadore Somboroff was then and there  
 a good and valid order for the payment  
 of money and of the value of seventy  
 five dollars; that the endorsement "Isaac  
 Rudmore", then appearing upon the back  
 thereof was the endorsement of the payee  
 named therein and intended thereby, and  
 that the endorsement "Harry Wines" then  
 also appearing upon the back thereof, was the  
 endorsement of one Harry Wines with whom  
 the said Isadore Somboroff was then acquainted  
 By color and by aid of which said false and fraudulent pretenses and representations, the said

— Isaac Rudmore —

did then and there feloniously and fraudulently obtain from the possession of the said

Isadore Somboroff, one foreign note  
 of the value of thirty five dollars,  
 one check of the value of thirteen  
 dollars and seventy five cents, and the  
 sum of twenty six dollars and seventy  
 five cents in money, lawful money  
 of the United States of America, and  
 of the value of twenty six dollars  
 and seventy five cents,  
 of the proper moneys, goods, chattels and personal property of the said Isadore  
 Somboroff,  
 with intent to deprive and defraud the said Isadore Somboroff.

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 paper writing which  
 the said Isaac Rudmore was aforesaid  
 then and there produced and delivered to  
 the said Isadore Somboroff, was not then  
 and there a good and valid order for the  
 payment of money, and was not of the value

of seventy-five dollars, but was wholly worthless; and the endorsement "Henry Munday" then appeared upon the back thereof was not the endorsement of the said Henry Munday with whom the said Isaac Lombardy was acquainted, but was a false, fraudulent and forged endorsement.

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said Isaac Rushmore to the said Isidore Lombardy was and were then and there in all respects utterly false and untrue, as he the said

Isaac Rushmore at the time of making the same then and there well knew;

And so the Grand Jury Aforesaid, do say that the said

Isaac Rushmore in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said Isidore Lombardy,

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.

DE LANCEY NICOLL,  
District Attorney.

0381

**BOX:**

510

**FOLDER:**

4648

**DESCRIPTION:**

Ryan, Hannah

**DATE:**

01/05/93



4648



Witnesses:

Sarah Collins

Sarah Martin

Counsel,

Filed 5

Pleads

THE PEOPLE

vs  
HARRY D  
vs  
with

Hannah Ryan

Grand Larceny, Degree.  
[Sections 828, 829, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. Cathin  
Foreman.

Subscribed and sworn to before me  
Jan. 10, 1893  
J. P. M.

0382

0383

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT.....DISTRICT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

of the 3rd Precinct Police, being duly sworn, deposes  
and says that Samuel Collins  
(now here) is a material witness for the people against  
Samuel Ryan charged  
with Grand Larceny. As deponent has  
cause to fear that the said Samuel Collins  
will not appear in court to testify when wanted, deponent prays  
that the said Samuel Collins be  
committed to the House of Detention in default of bail for his  
appearance.

Doniel J. Sullivan

Sworn to before me, this 1st  
day of December 1899

Police Justice.

0384

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT.....DISTRICT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Sworn to before me, this  
day of January 1893

*Wm. J. Sullivan*

Police Justice.

of the *9th* Precinct Police, being duly sworn, deposes  
and says that *Sarah Norton*  
(now here) is a material witness for the people against  
*Samuel Ryan* charged  
with *Grand Larceny*. As deponent has  
cause to fear that the said *Sarah Norton*  
will not appear in court to testify when wanted, deponent prays  
that the said *Sarah Norton* be  
committed to the House of Detention in default of bail for his  
appearance.

*Daniel J. Sullivan*



THE PEOPLE,

COURT OF GENERAL SESSIONS, PART II.

vs.

BEFORE JUDGE MARTINE.

HANNAH RYAN.

Tuesday, January 10, 1893.

Indicted for GRAND LARCENY in the SECOND DEGREE.

A Jury was empanelled and sworn.

HANNAH COLLINS, sworn and examined, testified:

Where do you live? Up in White Plains. What do you do for aliving? I hire out. Do you know this defendant, Hannah Ryan? I never saw her before she stole all I had. What day was that, the 30th of December? Yes. Where did you meet her, in an employment office? Yes, I couldn't tell the name at all; it was beside the Battery. What time of day did you meet her? After dinner, after two o'clock. Did you talk with her at all? I came down in the office; she said, "How do you do?" and I says, "How do you do?" She spoke to me first. After talking with her awhile, where did you go? She told me she was hungry, she did not eat anything all day, I told her I hated to see any person hungry, she asked out, and I went out with her. Did anybody else go with you? Sarah Martin. Where did you go? Into a house in West street, into a saloon. After you got in the saloon what did you do? She asked me if I would give her a glass of beer, and I called for three glasses and I gave a ten dollar bill in change; I had it in my pocket-book. How much money did you have with you at that time? I had eighty-five dollars and ten cents in my pocket-book. I changed a ten dollar bill, and the man gave me the change; I never tasted the beer at all. She, the defendant, got up and made one snap and out she went, and I caught her.



Where was your money at the time? I had it in my hand, all of it in my hand, and one five dollar bill she left me. I had a fifty dollar bill and three twenty's; I was tired, after coming in from the country. When the man gave me the change for the bill, I folded them all up together, and had them in my hand; she made one snap and I caught the pocket-book. She hauled it out with her hand, and had it under her shawl, I held her by the shawl, I couldn't catch her and I went after the officer. How much money did she get? She had all but one five dollar bill. Then what did you do after she ran out? I went after the sergeant, to have her arrested, but I couldn't find her; I got her about half an hour after. Where did you find her? In the intelligence office. I guess he found her. Were you there, did you see him find her in the intelligence office? Yes.

CROSS EXAMINATION:

Where did you say you lived? Up in White Plains. Where did you get this eighty-five dollars? I earned it; I was two years in one place, and I have a paper here for it, which I got when I left my place. The day I lost the money was the day after Christmas, Tuesday. Mr. Borden was the name of the man who paid me, he lives in White Plains. I left there because I got kind of tired of it and I did not feel well, I came to New York and stopped in an hotel Tuesday night, I couldn't tell the name of it, I have not been over here before, I got in on the 42nd street cars and I went down on the elevated train; they charged me a dollar for my bed, I had a room in the neighborhood of the 42nd street depot on Tuesday night; I left the hotel on Wednesday, the 28th, about ten o'clock in the morning, and then took the elevated train down to the Battery. I hadn't been

0387

there for ten years before. I did not have any purpose in going down there then. After I came out of the elevated train, I counted my money and found it correct, and put the pocket-book in my pocket. From the elevated station I went to the intelligence office, and I saw the defendant and Sarah Martin there. I did not know Sarah Martin. I went into the intelligence office alone. I did not make any application for a place when I was in the intelligence office, I invited Sarah Martin and the defendant to come out. Up to that time I had not drank anything that morning. I took my breakfast at the hotel, but had no intoxicating drink. I did not tell the defendant why I left my employment, and never told her where I worked. I did not tell her that my employer kept fifty dollars of my wages back. We were in a little box, with a table in it, in this liquor store. After I gave the bartender the money to change, I laid the pocket-book down on the table; he gave me the change and I took out all the bills and put them all together, and she made one snap and hoisted them off. She took all but five dollars. Did you make any outcry? I did, I called to the bartender, I was telling him she was after taking it, and he told me he couldn't help it. How long after the bartender gave you the money was it she snapped it? Five minutes, she held on to it until she had it all out, I suppose. Was the bartender there when she made this snap? No, he was not; he went away after giving me the money, the change, I suppose. Was Sarah Martin there? She was there, she did not say anything. I hadn't time to say anything to her, I went out to get an officer. Mr. Borden has a farm, and keeps over forty cows, I churned all the winter, it is a dairy business, I worked very hard.

in White Plains. I ran out of the saloon after the defendant, I did not cry out, I wouldn't gain anything by that, I suppose; there were lots of people on the street. How much time was there between the time the defendant took your money and the time you saw her in the intelligence office? It was about half an hour, I think. Where did you find the policeman who arrested her, on the street or in the station house? On the street, and he went direct with me to the intelligence office, and there I found her. I had not taken anything to drink that morning with Sarah Martin, and had not been in any drinking saloon. I did not drink anything in White Plains before I started that morning, which was on the five o'clock train.

SARAH MARTIN, sworn and examined, testified:

Where do you live? Falls Village, Connecticut. Were you with Hannah Collins and Hannah Ryan on this 30th of December? Yes; I met Hannah Collins in the office, about two o'clock. This Hannah Collins came down in the office, and Hannah Ryan got up and shook hands with her, and bid her good-morning, and she bid Hannah Ryan good-morning. Hannah Ryan said she was hungry and had nothing to eat, and Mrs. Collins said, "I don't like to see anybody hungry, come on, let us go out and get something to eat." Hannah Ryan took her into a liquor store in Battery place, where there is a lunch counter inside, and had beer and other stuff there; she went into the hallway door and called for beer, Mrs. Collins did, and she gave a bill -- but I don't know what amount the bill was -- to the bar-keeper, and paid for the beer, and the bartender handed back the change. She

sat down and put it in the pocket-book with the rest of the

money; I do not know how much money was there, there were other bills, and Hannah Ryan made one grab and ran out and slammed the door after her. I did not see anything more of it, I went back to the intelligence office, and, on Friday evening, I saw Mrs. Collins. She asked me if I had seen Hannah Ryan, and I told her yes. She asked me would I go with her, and I told her yes. I saw Hannah Ryan snap the money, but I do not know how much it was. Mrs. Collins followed after her when she ran out with the money. Had you ever seen Hannah Ryan before? Yes, I saw her in the intelligence office. After that, have you had any talk with Hannah Ryan about this case? No, I haven't seen her, until I saw her in the Tomba, a week ago last Sunday. Then did you have any talk with her about the case? No. While you have been here in court have you had any talk with her? No, I haven't opened my mouth to her; she called me all the names --- she said she would knock the other eye out of me; she said she had nothing to say with Mrs. Collins, but it was all against me. Hannah Ryan said that yesterday. I said she had better stop and let me alone.

CROSS EXAMINATION:

I came here to New York to see some friends of mine. I am now in the House of Detention, as a witness. I have a couple of friends, in New York, cousins; they generally stop in Washington street, when not away working. Did you see your friends? Yes. Where do they stop in Washington street? Sometimes they stop in No. 5 and 72. A Polish man keeps No. 5, and a number of men and girls. It is an intelligence and eating house too. I was not stopping there. I came from Falls Village on the 29th, a week ago last Wednesday, and stopped up-town, on the Bowery, No. 15, I think;



I paid fifty cents a night for my bed. I never saw Mrs. Collins before that time, but I have seen Hannah Ryan, and spoke to her in the office several times, when I have been in the city. I had not seen her for five months, I was three months in Falls Village. Have you ever been on the Island here? No, only to go up to visit the folks that I know. You know Blackwell's Island? Yes, I have been to visit, but I have never been there. I used to go up and see my mother when she was sick; that's all. When did you make your last visit? It is nearly four years, my mother is dead three years. I never was on the island as a prisoner. After you saw this money taken, as you have described, what did you do? I went back to the office, and stayed there until five o'clock. Did you say anything to anybody about what you had seen? No, never spoke to anybody, they shut up at five minutes to five. Were you in the office when Hannah Ryan was arrested? No, I was not. I did not know anything about it until I met Mrs. Collins. Do you know she was arrested half an hour afterwards, in that office? No. Have you heard it testified to, by Mrs. Collins, that she came there with a policeman half an hour after her money was lost, and found Mrs. Ryan in there, and had her arrested? Yes. Did you see that? No, I did not. I did not know she was arrested until I met Mrs. Collins and she asked me if I would go a witness for her. You say this defendant was not at the intelligence office when you got back? No. How much time was there between the time you say you saw her take that money and the time that you got back to the intelligence office? I think it was about an hour or an hour and a half; there is no clock in the office. How far was the intelligence office from where the

money was taken? I should judge about half a block. Where did you go from the saloon where the money was taken? I went up Washington street. I went to one of the offices in Washington street to see if I could see my husband, and I couldn't see him, and I came back again; he is not here in court. Had you seen your husband that morning before you went to the intelligence office? Yes, I did; he works on a farm; he had not been working with me at Falls Village, I was there alone; I saw my husband last a week ago Friday morning, the 30th. I was with him and had breakfast with him; he does not know anything at all about this. I saw Mrs. Collins walking along Greenwich street that Friday evening, and I spoke to her. From the time you got back to the intelligence office until you left, at five o'clock, did you see Mrs. Collins and this woman Ryan? No. At any time, when Mrs. Ryan was not with you, did you two go out together? No. Had you been drinking anything at all that day? I had only one glass of beer, after my breakfast, in the morning. I had not anything more, for I had not the money to get it; Hannah Ryan was drinking; Mrs. Collins did not have time to drink, she left the glass on the table. My husband's name is George Martin. I heard Mrs. Collins say she came from White Plains, but I did not ask her any questions; she did not say anything about being paid off.

DANIEL J. SULLIVAN, sworn and examined, testified:

You are an officer of the Municipal police, attached to the Second precinct? Yes. Did you arrest the defendant, Hannah Ryan, on the 30th of December, 1892? Yes, in the basement of 10 Battery Place, a labor bureau and intelligence office, about 2:30 in the afternoon. Was the complainant, Hannah

Collins there at the time? Yes. What did you see at the time you arrested the defendant? The complainant charged Hannah Ryan with stealing seventy-nine dollars from her, sitting at a table in a saloon at Battery Place and West street; I made no further investigation, but took them to the station house, and the Captain ordered Hannah Ryan to be searched; the woman that cleans the station house searched her, and only fifty cents was found on her person. The defendant was there when the complainant said that she snatched a parcel of bills from her hand, containing seventy-nine dollars, and at the Tombs Police Court, before Justice Brady, she was held in five hundred dollars bail. He ordered me if I could get any witnesses to get them. Sunday morning Sarah Martin was in the station house, and the Sergeant told me she knew something. I believe she came there as a lodger; she was there Sunday morning, and Sunday morning about eight o'clock, Hannah Collins was with her too; I took both of them to court. She was speaking to Sarah Martin. Sarah Martin said that Hannah Collins and Hannah Ryan were sitting in a saloon at Battery Place and that Hannah Collins called for three glasses of beer and pulled out her money, and that Hannah Ryan snatched the fistful of bills from her and ran into the street. Justice McMahon held her in a thousand dollars bail for examination. That's all I know about it.

CROSS EXAMINATION:

I do not know how Sarah Martin got to the station house. I do not know Sarah Martin. I have been on that post, in Battery Place, for the last four months. I never saw either of them before. This intelligence office is in a basement at 10 Battery Place. I went down there and found the com-

plainant and the defendant, and made the arrest. I found them at half-past two, on Friday, the 30th of December. There was another woman, who hangs around the place; I went in there to make the arrest on information received from this woman, who stated that there was a woman who got robbed; it was not Hannah Collins who told me; the Captain said it was not necessary to hold her, that her testimony was no good; the woman's name was Tucker. She only heard these woman disputing in the labor bureau. I went to the labor bureau with the woman Tucker, and I saw Mrs. Ryan and Mrs. Collins, I was in uniform, Mrs. Collins said that Mrs. Ryan had snatched seventy-nine dollars from her, sitting at a table in the saloon; they were standing up; they were not in conversation with one another, they were probably six or eight feet apart, Mrs. Collins called to me, "That woman robbed me of Seventy-nine dollars. Was there anybody else in the intelligence office at that time that had anything to say about the robbery? There was about a half a dozen of men at the time, and two other women, but none of them seemed to know anything about it; they said it occurred in the street. Did you see Sarah Martin there? No, I did not. Are you prepared to say that she was there? No, she was not there, except she was away someplace that I could not see her. That is the only time I was in there that day. When you arrested Hannah Ryan did she say anything to you? She denied it, she said she did not know anything about it, and said the same thing in the station house, before the Captain, and in the Tombs. Hannah Collins said that the three of them were sitting at a table in a saloon in Battery Place, having three glasses of beer, she pulled out a bill to pay for the drinks, and when getting the change back from



the bartender she had all her money on the table, folding it up and putting it in the pocket-book, and that this woman seized all the money but a five dollar bill and ran into the street with it.

HANNAH RYAN, THE DEFENDANT, sworn and examined, in her own behalf, testified:

I work out for a living and am forty-two years old. I was in the intelligence office the day I was arrested, I was sitting in the office by myself when the complainant and another woman walked in together. I asked her if she would give me a drink, and she said, "Yes, come along;" she brought all of us to the corner of Battery place, and she ordered three glasses of beer, we had one apiece. I came back to the intelligence office again. She changed a ten dollar bill in the liquor store, and got nine dollars change; she treated four men besides me, who were in the liquor store, and spent a dollar there. I saw no more of the money with her; I came back to the intelligence office and sat down there; I saw no more of Hannah Collins until I saw the officer coming down the basement steps, and I got arrested. Did you hear her testify, a moment ago, that you stole her money, snatched it off the table and ran out? I heard her testify to that, but I did not do it. Do you know Sarah Martin? No, I do not, I saw her two or three times in that intelligence office, but never had any conversation with her. I went right back from the saloon to the intelligence office. I did not stop anywhere else. Sarah Martin was not in there, and she did not come in until I was arrested. How much time was there between the time you left the saloon where you had the drink with this woman and the

time you went back to the intelligence office? It was about two or three minutes; it is only half or quarter of a block. Who did you work for last? Mr. Docey, a Custom-House officer, I worked for him in Vesey street, 59 and 61, he keeps a private house, he lives there, and I worked for him four years. I left about two years ago, and after I left him I went to work at different places. Have you ever been convicted of stealing anything? No, never in my life. I have worked in the best situations. Are you a drinking woman? No. I have never been arrested for intoxication, and have never been on the island.

CROSS EXAMINATION:

Why didn't you wait for the other women to go back to the intelligence office with you? They were not inclined to go with me. This Collins woman, and the other woman, were going to get something to eat. Didn't you tell Mrs. Collins you were hungry and you had had nothing to eat, and that you hadn't any money? Yes, I did not tell her I hadn't any money, I said I had no breakfast, I didn't ask her to get my breakfast, I had fifty cents. When was it that they spoke about getting something to eat, before you started? Yes, before we started, and then we went to the saloon and had a glass of beer. Was anything more said about eating or did you say anything about eating? No, I did not say a word at all, I walked along with them and never spoke to them. The woman Martin went out of the saloon first, by herself, and I and Mrs. Collins stayed there, I was as sober as I am now, I do not know what they had drank. The Collins woman told me that Martin and herself had drank before they came down to me, and the Martin woman told me the same, that they were drinking in Mrs. Leslie's, in Washington street.

I hadn't anything to drink. I worked in Welke's, in Little Falls, and left there about a month ago. I am working around, day's work, and I worked at the Exchange in Battery place, I mean the Produce Exchange, scrubbing. A colored man pays the bills; I worked there last Saturday, the week before I was arrested; I did not have steady work. I lived at No. 22 Rector street for about four years, I have no family. I left Mrs. Collins in the saloon and never saw her again until I saw her come down with the policeman. I said I was going away; she said, "All right." I told her I was going down to the intelligence office. The Tucker woman might have been there, but I was not talking with her; some strange woman brought the officer in, I had never seen her before. The officer came over to me and said I was charged with robbery, and he wanted to arrest me; I said, "All right." How long was it after you had left the saloon? I guess it was about half an hour.

The Jury rendered a verdict of GUILTY of GRAND LARCENY, in the SECOND DEGREE.

IN THE MATTER OF THE

STATE OF NEW YORK

IN SENATE

January 1, 1954

REPORT OF THE

COMMISSIONER OF THE

DEPARTMENT OF

LABOR

ON THE

LABOR MARKET

IN THE

STATE OF

NEW YORK

FOR THE

YEAR

1953

BY

THE

COMMISSIONER

OF THE

DEPARTMENT

OF

LABOR

AND

INDUSTRY

AND

MINES

AND

ENERGY

AND

TRANSPORTATION

Testimony in the  
case of  
Hannah Ryan  
with  
filed



0398

Police Court

District.

Affidavit—Larceny.

City and County  
of New York, ss:

*Harmon Collins*  
 of No. *White Plains, 82 Lyndhurst Street*, aged *42* years,  
 occupation *Remester* being duly sworn,  
 deposes and says, that on the *30* day of *December* 189*2* at the City of  
 New York, in the County of New York, was feloniously taken, stolen and carried away  
 from the possession of deponent, in the *day* time, the following property, viz:

*Good and lawful*  
*money of the United States*  
*of the amount and value*  
*of eighty-five dollars*  
*\$85.00*

the property of

*Reapers*

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-  
 ously taken, stolen and carried away by *Harmon Collins*

(now here for the reasons following  
 to wit: on the said date so  
 deponent placed the said  
 money on a table in a saloon  
 in Battery Place this afternoon  
 seized said money and ran  
 away with it.

*Harmon Collins*

Sworn to before me, this

*30* dayof *December* 189*2*at *New York* Police Justice.

0399

Sec. 198-200.

District Police Court.

City and County of New York, ss: -

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

Question. What is your name?

Answer. *Hannah Ryan*

Question. How old are you?

Answer. *52 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *No 52 Rector Street 2 years*

Question. What is your business or profession?

Answer. *Keep house*

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

Answer. *I am not guilty*  
*Hannah Ryan*

Taken before me this *30*  
day of *December* 189*2*

Police Justice.

0400

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

Alfred  
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 189 W. M. Shahan Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.



040

Police Court---

12 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Hannah Collins*  
vs.  
*Hannah Ryan*

*Ward for case*

2 HOUSE OF DETENTION CASE.  
3  
4

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated,

*Dec 30*

1892

Magistrate.

Officer.

Precinct.

Witnesses.

No. *John Martin* Street.

No. *Hannah Collins* Street.

No. *House 102 Collins* Street.

No. Street.

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

*Nov 24, Jan. 1, 1893*



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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Hannah Ryan*

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

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

The said

*Hannah Ryan*

late of the City of New York, in the County of New York aforesaid, on the *30<sup>th</sup>*  
day of *December* in the year of our Lord one thousand eight hundred and  
ninety-*two*, at the City and County aforesaid, with force and arms,

*the sum of eighty-five dollars  
in money, lawful money of the  
United States of America, and  
of the value of eighty-five  
dollars*

of the goods, chattels and personal property of one

*Hannah Collins*

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.

*Wm. Lawrence Nicoll*  
District Attorney

0403

BOX:

510

FOLDER:

4648

DESCRIPTION:

Ryan, James

DATE:

01/16/93



4648

0404

POOR QUALITY  
ORIGINAL

Witnesses

John Smith

Counsel,

Filed

day of

1893

Pleads

THE PEOPLE

vs.

James Ryan

Grand Larceny, First Degree.  
(From the Person.)  
[Sections 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

DE LANCEY NICOLL,  
District Attorney.

Mar 9, 1893. (P.M.)

A TRUE BILL.

J. Cathin

Foreman.

March 10, 1893  
Fried and convicted  
S.L. Degree  
Elmer Ref. 14



0405

POOR QUALITY  
ORIGINAL

Witnesses

John Smith

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

103.3 for  
Bridgeway

James Ryan

Degree

(From the Person.)

Grand Larceny, 1st

[Section 58, 59, 60, 61]

Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Mar 7, 1893

A TRUE BILL.

J. Cathin

Foreman.

March 10, 1898  
Fried and convicted  
S. L. D. Degree  
Elmer Ref.

14



0406

COURT OF GENERAL SESSIONS OF THE PEACE,

City and County of New York.

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T h e P e o p l e ,

vs.

JAMES RYAN.

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"  
"  
"  
"  
"  
"

Before,

HON. RUFUS B. COWING,

and a Jury.

Tried MARCH 9TH, 1893.

Indicted for GRAND LARCENY, in the FIRST DEGREE.

Indictment filed JANUARY 16TH, 1893.

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APPEARANCES:

ASSISTANT DISTRICT ATTORNEY VERNON M. DAVIS,

For THE PEOPLE.

AMBROSE H. PURDY, ESQUIRE,

For THE DEFENCE.  
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0407

JOHN SMITH, THE COMPLAINANT, being duly sworn, testified that he lived at 210 East 12th street. He was a bartender, and worked at Mortimer Shea's, corner of 13th street and Third avenue. On the 6th of December, 1892, he saw the defendant in John Ryan's saloon, on the north-west corner of 12th street and Third avenue, between three and four o'clock in the morning. He, the complainant, was on his way home, and he went into the saloon to see Mr. Ryan, the owner of the saloon. The defendant and a couple of others were in the saloon when he entered. He did not know the names of the other men. He, the complainant, talked to the bartender and ordered some drinks, and the defendant and his friends joined him in drinking. He, the complainant, then took out his pocket-book, paid for the drinks and returned the pocket-book to his right hand vest pocket. After he returned the pocket-book to his pocket, the defendant took hold of his coat, with both hands, by the lapels of the coat, and commenced pulling him and engaged him in conversation. The defendant turned his back toward the bartender, and he, the complainant, felt the defendant pulling at his vest pocket, where

0408

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the money was. He, the complainant, had \$105.00 in the pocket-book. When he took the pocket-book out to pay for the drinks he saw the money in the pocket-book. The defendant asked him to let him, the defendant, see him home, but he declined, saying that he did not need the defendant's company. The bartender directed the defendant to let him, the complainant, go, and the defendant took his hands off him, the complainant, and went out of the saloon. Immediately after the defendant went out he, the complainant, missed his pocket-book and his money. No one else had touched him, the complainant. The defendant only had a hold of him by the lapels of the coat for a few seconds. After missing the pocket-book he did not look on the floor for it, because he was certain he had returned it to his pocket. He, the complainant, waited in the saloon some time, to see if the proprietor would go to the saloon. He then went to the house of the proprietor of the saloon, Mr. Ryan, and reported the matter to him, and then he went to the police station and reported the matter to the sergeant at the desk. The officers looked for the defendant, but could not find him.



0409

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He, the complainant, saw the defendant, about a week after the occurrence, on Third avenue, between 12th and 13th streets. He, the complainant was in the company of Officer Smith at the time. He asked the defendant how about his money, and the defendant said everything would be made satisfactory if he could get time. The defendant said, "Didn't Carroll explain everything to you?" He, the complainant, said, "Yes, but that is no good; I want to get my money." The officer heard the conversation, and then placed the defendant under arrest. He, the complainant, had no further conversation with the defendant. The defendant's father personally returned \$18.00 to him, the complainant. He, the complainant, had a talk with the defendant's father.

In cross-examination the complainant testified that he closed the doors of the saloon where he worked at one o'clock on the night in question. The proprietor was in the place when he closed up, and there might have been customers there, but he, the complainant, did not remember. He, the complainant, went on duty at one o'clock in the afternoon, and worked until



04 10

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one o'clock at night. He had not drank anything on the day preceding the night in question. He had been a bartender a couple of years. He had known the defendant about nine months. The defendant lived next door to the place where he, the complainant, worked. He, the complainant, looked at the clock in Ryan's saloon when he entered it, and it was a few minutes after three o'clock. One of the men whom he, the complainant, saw in Ryan's saloon was called "Pinkey;" he, the complainant, did not know "Pinkey's" name. "Pinkey" was also called Jimmy Britt. He, the complainant, had known "Pinkey" for about six months, from seeing him around the corner. He, the complainant, did not know that "Pinkey" was known as Jimmy Britt at the time of the larceny; he found out afterwards that "Pinkey" was called Jimmy Britt; that was the reason he swore in his affidavit that the defendant "and an unknown man, not arrested," &c. He, the complainant, did not see any ladies in Ryan's saloon that night. He did not talk or drink with any ladies in there. There was a box in Ryan's saloon. He, the complainant, knew a man of the name of Paddy Smith; he

was the bartender in Ryan's saloon. He, the complainant, was perfectly sober when he went into Ryan's saloon on the night in question. He invited all who were in the saloon to drink with him; he drank a small glass of ale. It was about two hours after he entered Ryan's saloon when the larceny was committed. They were drinking and talking during the two hours. He, the complainant, was not drunk. He paid for the first few drinks which they had out of change which he had in his pants pocket. The defendant did not pay for any of the drinks. The bartender treated sometimes. He, the complainant, did not remember having waltzed around the bar-room with "Pinkey," or any one else. He did not offer "Pinkey" a dollar to sign a song. The defendant did not shake hands with him, the complainant, before leaving the saloon. He, the complainant, did not have any drinks after the defendant left the saloon. The bartender, Paddy Smith, was relieved at five o'clock by another man, of the name of Auringer. Paddy Smith left the saloon before the defendant. He, the complainant, did not remember Paddy Smith going from behind the bar and having any drinks after he was

04 12

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relieved. After leaving the saloon he, the complainant, went home and had his breakfast, and then he went to the house of Ryan, the owner of the saloon. It was not a fact that he went to the proprietor of the saloon and asked the proprietor to make good his loss. He, the complainant, did not tell Judge Duffy, in the Police Court, that he was not sure that the defendant was the man who had taken his money. He met the defendant in Third avenue. He said to the defendant, "What about my money?" The defendant said, "Didn't Carroll speak to you? Everything will be made satisfactory to you." A man named Carroll had had a conversation with him, the complainant, in the saloon where he worked. Carroll had said the the defendant admitted taking the money and spending it, and wanted time to make it good. He, the complainant, told the man Carroll to say to the defendant, if he saw him, that he, the complainant, wanted him, the defendant, to produce the money. Carroll was not present when the larceny was committed. When he, the complainant, met the defendant nad had the conversation with him, Officer Smith was standing close to them. He, the

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complainant, knew a man of the name of Harry Campbell. Campbell had been was Ryan's saloon on the night in question, and remained there about three quarters of an hour. He left the saloon with Campbell, and then then went back and had some more drinks. He and Campbell did not go out on the street twice looking for women.

WILLIAM SMITH, being duly sworn, testified that he was attached to the 14th precinct. He arrested the defendant on the 13th of December, 1892, at Third Avenue, and 13th street. He, the witness, was in the company of the complainant at the time. He, the witness, was standing at the corner of 13th street and Third Avenue; the complainant went up to him and asked him if he had seen the defendant. While they were standing there talking the defendant came along, with another man. He, the witness, said to the complainant, "There is this Ryan that we have been looking for." The complainant walked up to the defendant, and had a conversation with him, about five feet from where he, the witness, stood. The only part of the conversation



04 14

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that he, the witness, heard was when the defendant said, "Well, won't things be satisfactory, as this party told you, and I will meet you to-morrow, may be at three o'clock in the afternoon. He, the witness, then walked up to the defendant and told him that he had orders to take him to the station house. He, the witness, did not hear what the complainant said to the defendant. He arrested the defendant and took him to the station house, and the complainant accompanied them to the station house. On the way to the station house the defendant said, "Everything that is done in this neighborhood I am blamed for it." He, the witness, said to the defendant, "Well, it is strange for you, if you know that you done this, or that you were suspected of doing this, why you didn't show up before this." The defendant, said, well, he didn't know what to do. That was all that was said on the way to the station house. He, the witness, took the defendant before the Captain, who was behind the desk, and explained to the Captain that they had been looking for the defendant. The defendant said, "Yes, I caught hold of both lapels of his coat, and

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wanted him to come home." He, the witness, did not take the defendant to the Court. Officer Meyer took him to Court. He, the witness, searched the defendant in the station house, and found only ten cents in the defendant's pockets. He, the witness, had heard of the larceny three or four days before he arrested the defendant. The defendant lived on Third avenue, on his, the witness's, post. He, the witness, had been told by Officer Meyer that there had been a complaint made against the defendant for larceny, and if he saw the defendant to take him to the station house. He, the witness, had not seen the defendant for a week prior to the arrest. Prior to the larceny he was in the habit of seeing the defendant almost every night. He did not see the defendant on the night of the larceny.

In cross-examination the witness testified that he made no special search for the defendant. The defendant's house was on his post, but he did not go into the house to inquire for the defendant. The defendant stated in the station house that on the night in question the complainant was drunk. The defendant

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did not deny at that time that he took the complainant's money. When they were in the station house the complainant said, "This is the man that stole my money." The defendant said, "I know nothing about it."

EMANUEL MEYER, being duly sworn, testified that he was attached to the 25th precinct. In December, 1892, he was connected with the 14th precinct. On the 6th of December, 1892, the complainant told him, the witness, in the station house, that he had lost his money. At that time the defendant seemed to have been drinking, but he was not drunk. He, the witness, went out to look for the defendant. He went to the defendant's house, and saw a woman there, whom he did not know. That was between 11 and 12 o'clock, in the day time. He did not find the defendant; the defendant was not at home. He, the witness, continued to look for the defendant, but did not find him. The defendant was finally arrested by Officer Smith. He, the witness, had a conversation with the defendant, on the way to the Court, on the morning of the 13th of December. He, the witness, said, "What did you do with that money that you took

from Smith?" The defendant said, "What's the use of him having me arrested, he can't get his money by having me arrested; if he lets me out I can raise fifty dollars for him by next Saturday night, and I will try to raise the balance for him within a week or two afterwards, and pay him." He had the defendant remanded till the next day. On the way to the court the next day he, the witness, had another conversation with the defendant. He said to the defendant, "Why didn't you try to get the money for this man?" The defendant said, "I can't get it while he has locked me up; if he will have me discharged I will get it and pay it to him." He asked the defendant where he had been for the last week, and the defendant said, "Well, I heard you were after me, and I kept away from you."

In cross-examination the witness testified that he only went to the defendant's house upon one occasion. He thought the complainant was under the influence of liquor when the complaint was made, at ten o'clock in the morning, on the 6th of December. He had been a policeman about ten years, and had seen many drunken men; and his best judgment was that the



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complainant was under the influence of liquor.

FREDERICK A. AURINGER, being duly sworn, testified that he lived at 306 East 24th street. He knew the complainant and the defendant. He saw the defendant on the 6th of December, 1892, at 88 Third avenue, in John Ryan's saloon, about half-past five o'clock in the morning. Besides the complainant and the defendant there was present at that time a man called "Pinkey," and two friends of his, the witness's, bartenders. When he, the witness, arrived at that saloon on that morning, about twenty minutes past five, the men were in there. He, the witness, was a bartender in that saloon. The complainant called for a drink, and the complainant asked the defendant and the other men to drink with him. The complainant paid for the drinks. He, the witness, started to clean the back bar, and he turned around and saw the defendant have hold of the complainant's coat. The defendant said to the complainant, "Go on, and come home." The complainant said, "No, I won't go home, I am going to wait awhile." He,

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the witness, said to the defendant, "Let go of his coat and go home, and he will go home afterwards." The defendant let go of the complainant's coat and looked at "Pinkey." "Pinkey" went out of the front door, and the defendant went out of the side door. It was about fifteen minutes after the complainant paid for the drinks that the defendant took hold of the complainant's coat. He, the witness, saw the complainant take the money to pay for the drinks out of his inside vest pocket, from a pocket-book. He saw the complainant put the pocket-book back in his pocket. During the fifteen minutes there was no sky-larking of any kind; the complainant and the defendant and "Pinkey" were talking together. He, the witness, went on with his work, cleaning the back bar. "Pinkey" took hold of the complainant's arm while the defendant had hold of the lapels of his coat. Before the defendant left the saloon he said to "Pinkey," "Come on." About five or ten minutes after the defendant and "Pinkey" left the saloon the complainant said, "Well, I will go home." The complainant went as far as the door, and then returned and said that he missed his money. The

complainant asked how long it would be before the proprietor of the saloon would be down. He, the witness, said, "I don't know, he might be down pretty soon." The complainant then said, "Well, I will go up to his house;" and then the complainant said, "I eill go over and get my breakfast, and I will come back, and, if he is not here, I will go up to his house." The complainant then left the saloon. The complainant had been drinking, but he was not drunk. Neither the defendant nor "Pinkey" was drunk; they had been drinking, but they were not drunk. He, the witness, did not see the defendant after that. The defendant was in the habit of going into that saloon once in a while.

In cross-examination the witness testified that he relieved Paddy Smith, who was behind the bar when he entered the saloon. Paddy Smith was no relation to the complainant. The owner of the saloon, Ryan, was no relation to the defendant. Paddy Smith did not drink with the complainant and the defendant after he was relieved by him, the witness. He, the witness, did not know "Pinkey's" name. He had heard it was O'Brien. He, the witness, was sober at the time.



He was positive that he saw "Pinkey" have a hold of the complainant's arm.

FOR THE DEFENCE, JAMES RYAN, THE DEFENDANT, being duly sworn, testified, in his own behalf, that he was a brick-layer and lived at 103 Third avenue, with his father and mother. He was twenty-six years of age. He had never been convicted of any crime. He had known the bartender Paddy Smith for about a year, and had been friendly with him. "Pinkey's" name was James Britt. He, the defendant, went in Ryan's saloon about fifteen minutes before the complainant. The complainant went into the saloon about two or half-past two o'clock. There was about a dozen men in the saloon when the complainant entered; he, the defendant, did not know half of them. There was a man there by the name of Campbell, "Pinkey," O'Brien, and four or five more. After entering the saloon the complainant invited them to have a drink with him. They drank with the complainant. "Pinkey" then commenced to sing and the complainant said, "Sing out, let us hear you." The complainant said to "Pinkey", "If you will get me that



song, I will give you a dollar for it." They had three or four drinks after that, and "Pinkey" commenced to dance. The complainant said to the bartender and the other people who were there, "That's one thing I can't do, to dance," and the complainant said to "Pinkey," "Will you learn me to dance, 'Pinkey?'" "Pinkey" said he would, and he and the complainant commenced to waltz around the bar-room. They had another drink. The bartender then came from behind the bar and had a couple of drinks, and went away, another bartender taking his place. The complainant went out several times during the evening with Harry Campbell; there were women in the boks, and the complainant was in the box drinking with the women. After the second bartender went on duty they had a couple of drinks. The defendant then looked at the clock and saw it was nearly six o'clock, and he said to the complainant, "I am going home, John; it is nearly six o'clock." He, the defendant, caught the complainant by the lapels of the coat and said, "You have got enough, come home; you won't be able to go to work." The complainant said, "No, I ain't going home." The

bartender then said to him, the defendant, "Let him alone, Jimmy; I will take care of him." He, the defendant, said, "All right," and went out. He lit a cigar on the corner, and then went back to the saloon and said to the complainant, "You ain't coming home?" The complainant said, "No;" he, the defendant, said, "Good morning," and he went home and went to bed. "Pinkey" did not leave the saloon at the time he, the defendant, did. He had not seen "Pinkey" after that night. About three or four days after that he heard that the complainant had made a complaint against him. He, the defendant, had a conversation with a man of the name of Carroll, and Carroll told him that "Pinkey" had taken the defendant's money. He, the defendant, did not run away anywhere; he heard the police were looking for him, and he was walking around the avenue every night. On the night of his arrest he was walking up the avenue. He saw the complainant in company with the officer. When he, the defendant, was about fifty feet past the complainant, the complainant ran after him and said, "How about that money, Jimmy?" He, the defendant, said he did not know anything about

the money, and said, "If you will give me time to see this party, I will try to get it back to you." The officer then walked up and said, "This is no place to talk about this matter, why don't you go to the station house?" He, the defendant, said, "All right, I will go to the station house." Captain Dougherty was in the station house. The Captain said, "Yes, it couldn't be anybody else took the money. The Captain and the complainant were talking in a whisper. The Captain spoke to him, the defendant, and he told the Captain he did not know anything at all about the money. The Captain asked him his name, and he was then locked up. On the way to the Court the next morning, the officer said to him, the defendant, "Why don't you settle this thing up?" He, the defendant, said, "I can't settle it at all; I know nothing at all about it." The officer said, "Why don't you give him what he wants, fifty dollars, half of it?" He, the defendant, said, "How can I give him the money? I haven't got his money." The officer said, "Well, if you don't, I'll fix you." The officer was a friend of the complainant's, and was going into the complain-



ant's saloon all the time. This was Officer Meyers. He, the defendant, had been locked up in the Tombs for three months. He did not know anything about any \$18.00 which the complainant claimed that O'Brien gave him.

In cross-examination the defendant testified that he had not been working on the day of the alleged larceny. He had not been working for a month previous to that time. He had last worked for Alexander Brown, at the corner of West and Spring streets. He had worked for Brown for six or seven weeks. He, the defendant, was not in the habit of going into Ryan's saloon every night. The reason he stayed so late on the night in question was because he met the complainant in there, and they were drinking. He had known "Pinkey" from the time that he went to school. "Pinkey" worked at book-binding. "Pinkey" had lived with his mother, until her death, in 12th street, and then he moved away somewhere with his sister. He, the defendant, did not know where "Pinkey" lived at the time of the larceny. He, the defendant, did not say to the officer that when ever anything happened in that neighborhood he was blamed for it. He did not say anything about that to



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Officer Meyers either. He, the defendant, did not tell Officer Meyers that he had heard that the police were looking for him, and that he had kept out of the way. Officer Meyers did not go to his, the defendant's, house; he, the defendant, was there all the time, and if the officer had called he would have seen him. He, the defendant, did not know who called at the house in his absence. He had never had any trouble with Officer Meyers. He had heard that subsequent to the larceny the officers had been frequenting the complainant's saloon. He, the defendant, did not know why Officer Meyers should go on the stand and swear against him falsely. His, the defendant's, father did not give the complainant \$18.00; he, the defendant, only knew this because he had been told so. The next day after the larceny had been committed he, the defendant, heard who had taken the complainant's money. O'Brien told him that, on the street. O'Brien did not tell him how the money was taken, nor how much had been taken. He, the defendant, did not ask O'Brien how much had been taken. He, the defendant, had never seen the persons whom O'Brien mentioned as having taken the

money. He, the defendant, heard the next day after the larceny had been committed that he was charged with committing it. He went into the saloon the next night, and the proprietor, John Ryan, was there. Ryan said to him, the defendant, "Did you hear what they have got you charged with?" He said, "Yes." Ryan said, "Well, you ought not to be around here." He, the defendant, said, "I am innocent, and that's the reason I'm around here." Ryan said, "The best thing you can do is to keep out of the way." He said to Ryan, "I am innocent, and I won't keep out of the way." He, the defendant, did not, however, go to the police station and surrender himself when he heard that the police were looking for him. He did not go and tell the police when O'Brien told him who took the money; he considered that they should find it out themselves.

JOHN J. DONNELLY, being duly sworn, testified that he was a brick-layer, but at the time of the trial he was engaged as the representative of the organization. He had known the defendant about three years. The defendant's character for honesty was good. He, the witness, knew the

defendant's father and brother. He, the witness, had seen the defendant when he was going from building to building. He, the witness, did not know what others said in regard to the defendant's reputation; he had not heard people talking about the defendant.

WILLIAM H. CORCORAN, being duly sworn, testified that he was a brick-layer and had lived in the City of New York thirty-seven years. He had known the defendant seven or eight years. To the best of his knowledge, the defendant's character for honesty was good; he had never heard anything against the defendant.

MICHAEL DOUGHERTY, called by THE PEOPLE, being duly sworn, testified that he was a police Captain, attached to the 14th precinct. He was in the station house when the defendant was taken in. He chanced to be behind the desk with the sergeant at the time. He, the witness, heard the defendant say that if he got a chance he would pay the money to the complainant. He, the witness, asked the defendant if he were guilty, and



the defendant said, "I deny that I am the real thief." The defendant said that if he got time he would pay the complainant fifty dollars.

In cross-examination the witness testified that he had been a police captain a little over two years. The defendant was assigned before the desk. The complainant was also present at the time. He, the witness, asked the complainant what the charge was against the defendant. The complainant said that the defendant had robbed him of \$105.00, in Ryan's saloon, about a week previous. The defendant then said that he was not wholly to blame in the matter, and that there were others in it. The complainant said that while he was standing in front of the bar the defendant kept fooling around his pocket, where the pocket-book was, and the defendant was showing him, the complainant, how easily he could rob him, the complainant, if he wanted to. The defendant did not say anything when the complainant said that. Officer Smith was a truthful man, and he, the witness, would believe what Officer Smith said. The defendant might have said something that he, the witness, did not remember. He, the wit-



ness did not remember the defendant staying in the station house that he did not take the complainant's money, but that he knew who did. He, the witness, might have failed to hear something that the defendant had said.

DENNIS RYAN, called by THE DEFENCE, being duly sworn, testified that he was the father of the defendant. He was a mason and builder and had lived in the city of New York forty-five years. The defendant's character for honesty, as far as he knew, had always been good. The defendant was a brick-layer, and belonged to the Bricklayers' Union. He, the witness, first heard of the defendant being charged with the crime after the arrest of the defendant. He, the witness, was a brother of Counsellor Ryan. The \$18.00 spoken of by the complainant was paid to the complainant in his, the witness's, presence, by some friends of the defendant. He, the witness, did not like to approve of the paying of the money to the complainant, but he consented when the complainant said that he would be satisfied with that amount. The defendant did not

know anything about the money being paid to the complainant.

HENNETTA LEINHARDT, being duly sworn, testified that she lived at 95 Third avenue. She had known the defendant eight years. The defendant's character was good. She, the witness, was engaged to be married to the defendant. She, the witness, had seen the defendant every day and every evening during the week preceding his arrest. She, the witness, lived with her father; her mother was dead.

PATRICK SMITH, being duly sworn, testified that he was a bartender, and worked for Mr. Ryan. He remembered the 6th of December, 1892. He knew the complainant. The complainant entered Ryan's saloon about three o'clock in the morning. There was a man named Harry Campbell in the bar-room when the complainant entered, and another man called "Pinkey." He, the witness, did not know "Pinkey's" name. He, the witness, did not remember whether O'Brien was there or not. The complainant had a drink of ale or beer immediately after entering

the saloon. He, the witness, remembered that there was no whiskey drank on that night. The complainant and Harry Campbell went out once, and were away a very short time when they returned. After they returned they had more drinks. "Pinkey" started to sign, but he, the witness, stopped him. He did not remember hearing any conversation between the complainant and "Pinkey." Campbell left the saloon about five o'clock. The complainant, the defendant and "Pinkey" were not drinking all the time; they were talking and drinking. The complainant said that he was no dancer, and "Pinkey" started to dance, but he, the witness, would not allow it, and "Pinkey" stopped. He, the witness, would not be positive whether it was the complainant or the defendant who waltzed with "Pinkey." When he, the witness, was relieved he left the saloon as soon as he could. He, the witness, wouldn't swear that none of the party were drunk. He did not see any ladies in the saloon on that night. There was a family entrance to the saloon, but there was no place to sit down.

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COURT OF GENERAL SESSIONS

----- -2  
The People, etc., :  
against :  
JAMES RYAN :  
----- -x  
City and County of New York, ss:

John J. Donnelly being duly sworn deposes and says  
that he has known the defendant for a period of *three* years  
that he always believed him to be an honest, sober and in-  
dustrious young man.

Subscribed and sworn to )  
before me this *14*th day )  
of March, 1893. )

*John J. Donnelly*

*William  
Henry Public  
W. H. H. H.*



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COURT OF GENERAL SESSIONS

\*\*\*\*\*

The People, etc.,

against

JAMES RYAN

\*\*\*\*\*

AFFIDAVIT.

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Purdy & McManus,  
Attorneys for defendant  
116 Centre St., N.Y.

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COURT OF GENERAL SESSIONS

-----x  
: The People, etc., :  
: against :  
: JAMES RYAN :  
: -----x

City and County of New York, ss:

Edward Smith being duly sworn deposes and says that he is a contractor and builder, and has been engaged in that business in the City of New York for a period of *twenty three* years. That I have known James Ryan for over seven years, and he was formerly employed by me for a period of fifteen months; that I can certify to the defendant's good character during the period of time that I know him, and that he was a faithful, honest, and industrious young man.

Subscribed and sworn to )  
before me this 13th day )  
of March, 1893. )

*Edward Smith*

*James Ryan*  
*Contractor*  
*Witness*



0436

COURT OF GENERAL SESSIONS

The People, etc.,

against

JAMES RYAN

AFFIDAVIT.

Purdy & McManus,  
Attorneys for defendant  
110 Centre St., N.Y.

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Cor. 13<sup>th</sup> St & 3<sup>rd</sup> Ave  
(4385)Police Court—3<sup>rd</sup> District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

John Smith  
of No. 210 East 12<sup>th</sup> Street, aged 27 years,  
occupation Bartender being duly sworn,  
deposes and says, that on the 6<sup>th</sup> day of December 1892 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
and person of deponent, in the night time, the following property, viz:

A pocket book containing One  
hundred and five dollars lawful  
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 James Ryan (now here) and  
an unknown man not arrested who  
were acting in concert for the  
reasons that at about the hour  
of five o'clock in the morning  
deponent was in the liquor saloon  
situate on 3<sup>rd</sup> Avenue and 12<sup>th</sup> Street  
and there met Ryan with whom  
deponent is acquainted and the  
unknown man. Deponent invited  
them to have something to drink  
and remained in their company for  
some time. Deponent paid for the drinks  
from money taken from said pocket  
book and returned the pocket book

Sworn to before me this

day

of

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Police Justice.



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to the inside pocket of the vest then worn on deponent's person. That the said Ryan pretending to be friendly seized deponent at the lapels of the coat to importune deponent to go home and deponent refused and while said Ryan still had hold of deponent the other man was pushing deponent so that deponent's back was pushed against the bar. After said Ryan released deponent the defendant Ryan left the saloon and immediately thereafter ~~left~~ the other man left and ~~these~~ ~~within~~ within a few minutes thereafter deponent missed said pocket book and money.

Deponent therefore charges the defendants with stealing said property.

Sworn to before me

of this 15<sup>th</sup> December, 1892

John Smith

Police Justice

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Sec. 198-200.

CITY AND COUNTY } ss:  
OF NEW YORK, }

3 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this

day of

*James Ryan*  
Police Justice.

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

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

Dated, Dec 15 1893 [Signature] Police Justice.

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

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

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

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



044

*James Ryan*

*\**

BAILED

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

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

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

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

Police Court,

1570  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Smith*  
*210 E. 12<sup>th</sup>*  
*James Ryan*

Dated *Dec 15* 189

*Duffy* Magistrate  
*25<sup>th</sup> Precinct* Officer.  
*off John Smith*  
*114<sup>th</sup> Precinct* Precinct.

Witnesses *Frederick Auringer*  
No. *306 E. 24<sup>th</sup>* Street.

*Thomas Carroll*  
No. *154 East 28<sup>th</sup>* Street.

*Capt. Dougherty*  
No. *14 Precinct* Precinct.  
*off Schmidt* Precinct.

\$ *1000* to answer



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*James Ryan*

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

*James Ryan*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

*James Ryan*

late of the City of New York, in the County of New York aforesaid, on the *6th*  
day of *December* in the year of our Lord one thousand eight hundred and  
ninety-*two*, in the *right*-time of the said day, at the City and County aforesaid,  
with force and arms,

*the sum of one hundred  
and five dollars in money,  
lawful money of the United  
States of America, and of the  
value of one hundred and  
five dollars, and one pocketbook  
of the value of one dollar —*

of the goods, chattels and personal property of one *John Smith*  
on the person of the said *John Smith*  
then and there being found, from the person of the said *John Smith*  
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.

*De Lancey Nicoll,  
District Attorney.*