

0345

**BOX:**

187

**FOLDER:**

1889

**DESCRIPTION:**

Galvin, Daniel

**DATE:**

09/08/85



1889

Witnesses :

Counsel,

Filed day of

1885

Pleads

THE PEOPLE

vs.

*R*

*Daniel Graham*

Grand Larceny 2nd degree etc  
[Sections 628, 68 ] Penal Code]

RANDOLPH B. MARTINE,

*In shape 14/15 - District Attorney.*

*Ind. requested.*

A True Bill.

*Chas H. Haswell*

Foreman.

0346

0347

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Daniel Fydlow*

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

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

The said *Daniel Fydlow*,

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

*one roll of rubber cloth of the  
value of forty dollars,*

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

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.

0348

SECOND COUNT—

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

Daniel Aguirre

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

The said Daniel Aguirre,

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

one roll of rubber bands of

the value of forty dollars,

of the goods, chattels and personal property of one James H. Kearns,

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said James H. Kearns,

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

Daniel Aguirre

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

**RANDOLPH B. MARTINE,**

**District Attorney.**



0349

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Thomas J. Crystal*

aged 30 years, occupation Police officer of No.

6th Precinct Police

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

*James H. Stearns*

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

Sworn to before me, this

24

day of

August

1885

*Thos J Crystal*

*sup. wry*

Police Justice.

0350

Police Court—First District.

Affidavit—Larceny.

City and County } ss.:  
of New York,of No. 154 and 155 Centre Street, aged 43 years,occupation Rubber Manufacturer being duly sworndeposes and says, that on the 1<sup>st</sup> day of March 1885 at the City of NewYork, 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 :

A Roll of Rubber Cloth  
of the value of forty 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

Daniel Galvin nowhere  
and Jerome Morgan who has been  
held for trial for said offence, from  
the fact that deponent was informed  
by Officer Crystal of the 6<sup>th</sup> Precinct  
Police that he arrested both of said  
defendants with the property in  
their possession

Deponent asks that  
said Galvin be held to answer and  
dealt with according to law.

James H. Stearns

Sworn to before me, this

24<sup>th</sup>

188

day,

August

Police Justice.

1550

Police Court, 1st District.

885

Office of the People's Attorney  
on the 1st of August 1885

James H. Stevens  
65487

1. Daniel Salmon  
65487

Offence: LARCENY

Date: August 24

Remond Corbett  
64888

Witnesses,

No.

No.

No.

\$ 500

to answer General Sessions.  
Cm

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

Daniel Salmon

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 August 24 1885

supreme Police Justice.

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

Dated 188

Police Justice.

There being no sufficient cause to believe the within named

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

Dated 188

Police Justice.

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

Police Justice

0352

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss

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

Question What is your name?

Answer

*Daniel Galvin*

Question. How old are you?

Answer

*17 years*

Question. Where were you born?

Answer

*New York*

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

Answer

*29 Mulberry Street - 1 year*

Question What is your business or profession?

Answer

*None*

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**Daniel Galvin*

Taken before me this

*24*

day of

*August*

188

Police Justice

0353

**BOX:**

187

**FOLDER:**

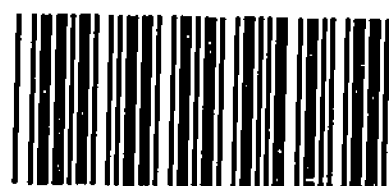
1889

**DESCRIPTION:**

Galvin, John

**DATE:**

09/17/85



1889



POOR QUALITY  
ORIGINALS

0354

119 ordered

Counsel, *Alvin*  
Filed *17* day of *Sept* 188*5*  
Pleads *Not guilty 118.*

THE PEOPLE

vs.

B

*Jim Lefine*

*vs H.D.*

*Speedy & requested*

RANDOLPH B. MARTINE,

District Attorney.

No 119

A True Bill.

*Chas N. Kameen*

Foreman.

*Adj to 2nd ad  
dye 118*

*msd.*

Witnesses:

ASSAULT IN THE FIRST DEGREE, Etc.  
(Sections 217 and 218, Penal Code).

0355

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John F. [illegible]*

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

*John F. [illegible]*

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

The said *John F. [illegible]*

late of the City of New York, in the County of New York aforesaid, on the *sixteenth* day of *August*, in the year of our Lord one thousand eight hundred and eighty *five*, with force of arms, at the City and County aforesaid, in and upon the body of one *Markwell Brown*, in the peace of the said People then and there being, feloniously did make an assault and *in* the said *Markwell*, in and upon the *head of him the said Markwell*, with a certain *knife*

which the said *John F. [illegible]* in *his* right hand then and there had and held, ~~the same being a deadly and dangerous weapon~~, wilfully and feloniously did beat, strike, ~~stab, cut~~ and wound, *the same being such means and force as were likely to produce the death of the said Markwell* with intent *in* the said *Markwell*, 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

*John F. [illegible]*

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

The said *John F. [illegible]*

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 one *Markwell Brown*, in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and *in* the said *Markwell*

with a certain *knife*

which *he* the said *John F. [illegible]* in *his* right hand then and there had and held, the same being a *knife* likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully beat, strike, ~~stab, cut~~ and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

0356

THIRD COUNT---

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

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

The said John

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 one Markell Bryan

in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make an assault, and ~~him~~ the said Markell, ~~with~~  
~~a certain stick which the said John in his~~  
~~had then and there had and held~~  
in and upon the head of ~~him~~ the  
said Markell did then and there  
feloniously, wilfully and wrongfully strike, beat, \_\_\_\_\_ bruise and wound,  
and did thereby then and there feloniously, wilfully and wrongfully inflict  
upon ~~him~~ the said Markell  
grievous bodily harm, to the great damage of the said Markell,  
against the form of the statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity.

**RANDOLPH B. MARTINE,**

**District Attorney.**



POOR QUALITY  
ORIGINALS

0357

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, Aug 17 1886

To whom it may concern:

This is to certify that

Hastwell Bryan

is ~~was~~ under treatment at this Hospital,

for Depressed fracture of  
skull

from Aug 1 1885, to

1886

and

M. H. Kirby M.D.  
House Surgeon

POOR QUALITY  
ORIGINALS

0358

CITY AND COUNTY  
OF NEW YORK, ss.

POLICE COURT, DISTRICT.

*Thomas J. Crystal*  
of No. *the 6th Precinct Police* Street, aged \_\_\_\_\_ years,  
occupation \_\_\_\_\_ being duly sworn deposes and says,

that on the \_\_\_\_\_ day of \_\_\_\_\_  
at the City of New York, in the County of New York, *William Galvin*

of No. 42 Baxter Street - in the City of  
New York is the party in complaint  
against one John Galvin who is charged  
with feloniously assaulting Hawthorne  
Bryant who is at present confined  
in hospital suffering from a fractured  
Skull, deponent further says that  
said injured man is likely to die  
and he therefore asks that said  
William ~~Galvin~~ *Galvin* be committed to the House  
of Detention as deponent believes that he will  
not appear when notified. *TJ Crystal*

Sworn to before me, this \_\_\_\_\_ day  
of August, 188 \_\_\_\_\_

*James J. [illegible]*

Police Justice.

POOR QUALITY  
ORIGINALS

0359

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, Aug 26 1885

To whom it may concern:

This is to certify that

Harburt Bryan

is ~~was~~ under treatment at this Hospital,

for Depressed fracture of skull

from Aug. 15 1885, to

188

and his condition is still the same with no perceptible change.

W. H. Kirby M.D.  
House Surgeon.

POOR QUALITY  
ORIGINALS

0360

Police Department of the City of New York,

Precinct No. ....

New York, ..... 188

Learn  
Find the extent  
of injuries of Patrick  
Liston and have it in Court  
Friday Morning at 9 A.M.  
Van Dyke case  
Berrows.

POOR QUALITY  
ORIGINALS

0361

CITY AND COUNTY  
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

*Harburtwell Bryan*

of *the House of detention* Street, aged *20* years,

occupation *Sailor* being duly sworn deposes and says,

that on the *16* day of *August* 188 *5*

at the City of New York, in the County of New York, *he was feloniously*  
*assaulted and beaten by two persons*  
*that John Talbot (now here) is one*  
*of the persons who did assault*  
*deponent as stated in the annexed*  
*Complaint of William Evans*

*Harburtwell Bryan*

Sworn to before me this

of

188

day

*John A. M. Police Justice*



0362

There being no sufficient cause to believe the within named \_\_\_\_\_  
 \_\_\_\_\_, guilty of the offence within mentioned, I order h to be discharged.  
 Dated \_\_\_\_\_ 188 . . . \_\_\_\_\_ Police Justice.

0363

Police Court—1st District.

City and County } ss.:  
of New York,

of No. 42 Baxter Street, aged 25 years,

occupation Sailor being duly sworn

deposes and says, that on 16th day of August 1885 at the City of New

York, in the County of New York, Heartwell Bryan

was violently and feloniously ASSAULTED and BEATEN by

John Galvin (nowhere) who did willfully and feloniously strike said Bryan on the head with a brick, at about 1 o'clock on the morning of said day in said premises,

And deponent further says that he is informed by officer Crystal of the 6th Precinct Police that said Bryan's Skull was fractured from the effects of said blow.

Deponent further says that said assault & committee was done with

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 dealt with according to law.

Sworn to before me, this 18th day

of August 1885

J. Henry Ford Police Justice.

his William Evans  
mark

0364

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK,

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

Question What is your name?

Answer

Question. How old are you?

Answer

Question. Where were you born?

Answer.

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

Answer.

Question What is your business or profession?

Answer

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

Answer.

*I am not guilty*  
*Abahrin*

Taken before me this

day of *September* 188*7**John J. Lawrence* Police Justice.



0365

**BOX:**

187

**FOLDER:**

1889

**DESCRIPTION:**

Gardner, Philip

**DATE:**

09/15/85



1889

POOR QUALITY  
ORIGINALS

0366

Counsel,

Filed 15 day of Sept. 1885

Pleas,

Property (16)

THE PEOPLE

vs.

I

#

Exiding Exoneration

Nov 3, 1885

April 22/88 - Clay/88

April 22/88

ASSAULT IN THE THIRD DEGREE.

(Section 219, Penal Code.)

RANDOLPH B. MARTINE,

Part III. District Attorney.

Nov 11/88 Bail forfeited

A True Bill.

Chas W. Marshall

Foreman

7 - Feb 3/88

Witness

The defendant makes the  
his application for to  
have this compl and sent  
to Special Recorner  
R. W. Racy atty  
refds. atty

I Consent  
Andrew H. Sorenson  
D. A. D. A

0367

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

*Philip Gardner*

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

*Philip Gardner*

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

The said *Philip Gardner*,

late of the First Ward of the City of New York, in the County of New York  
aforesaid, on the *27th* day of *August*, in the year of our Lord  
one thousand eight hundred and eighty-*five*, at the Ward, City and County  
aforesaid, in and upon the body of one *August Schneider*,  
in the peace of the said people then and there being, with force and arms, unlawfully  
did make an assault and *in* the said *August Schneider*,  
did then and there unlawfully beat, wound and illtreat, to the great damage of the  
said *August Schneider*, against the form of the statute  
in such case made and provided, and against the peace of the People of the State of  
New York, and their dignity.

**RANDOLPH B. MARTINE,**

**District Attorney.**

0368

BOX:

187

FOLDER:

1889

DESCRIPTION:

Garvey, Patrick

DATE:

09/14/85



1889

Witnesses:

Counsel,

Filed 14 day of Sep 1885

Pleads, Nov 4 day 15

THE PEOPLE

vs.

John J. Martin

For the Defendant

Grand Larceny, 2nd Degree.  
(From the Person.)  
[Sections 528, 531, Penal Code].

RANDOLPH B. MARTINE,

District Attorney.

W 88

In Sept 17/85

pleads P.C.

A True Bill.

Pen 6 and.

Chas H. Russell

Foreman.

0369

0370

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Rafinda Agnew*

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

*Rafinda Agnew*

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

The said

*Rafinda Agnew*

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

*one pocket watch of the value of ten cents, and three promissory notes for the payment of money of the said person as United States Treasury Notes, being then and there due and receivable of the denomination and value of one dollar each.*

of the goods, chattels and personal property of one *William J. Thompson*, on the person of *the said one Mary J. Thompson*, then and there being found, from the person of the said *Mary J. Thompson* then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*Randolph B. Martin,*  
*District Attorney.*

0371

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Mary J. Hamilton*  
*105th Street*  
*Brooklyn*  
*Robert J. Hamilton*

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Offence *Larceny*

Dated *Sept 7* 1885

*John J. Herman* Magistrate  
*William J. Herman* Officer

Witnesses *William J. Herman*  
No. \_\_\_\_\_  
Street \_\_\_\_\_

SFP  
No. \_\_\_\_\_  
1885  
Street \_\_\_\_\_

No. \_\_\_\_\_  
to answer *Sept 7*  
Street \_\_\_\_\_

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 \_\_\_\_\_

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

Dated *Sept 7* 1885 *John J. Herman* Police Justice.

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

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

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

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



0372

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, { ss

District Police Court.

*Patrick Garvey* 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

*Patrick Garvey*

Question. How old are you?

Answer

*18 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*22 Chrystie Street 18 months*

Question What is your business or profession?

Answer

*Printer*

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

Answer.

*I am not guilty*

*Patrick Garvey*

Taken before me this

day of

*September*

1885

Police Justice.



0373

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 33 years, occupation Police officer of the  
4th Precinct Police Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Mary J. Thompson  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

188

September 3 1888 Daniel J. Callaghan  
John J. [Signature]  
Police Justice.

0374

Police Court—First District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

Mary J. Thompson

of No. 118 1/2 39<sup>th</sup> Street, South Brooklyn ~~Street~~, aged 34 years,  
occupation Widow being duly sworn

deposes and says, that on the 4 day of September 1885 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 day time, the following property viz:

One pocket book containing gold and lawful  
money of the issue of the United States  
consisting of three Notes of the denomination  
and value of one dollar each  
in all of the value of three dollars

the property of deponent and her husband  
William J. Thompson

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 Patrick Garvey (now here)

from the fact that deponent was walking  
along Chatham Street when deponent  
had said pocket book in a satchel  
carrying the same on her left arm,

Deponent is informed by David  
J. Callaghan of the 4<sup>th</sup> Precinct Police  
that he saw said defendant steal  
said pocket book from deponent's  
person, that he arrested him and  
found said property in his possession

Mary J. Thompson

Sworn to before me, this  
day of September 1885

of  
Police Justice

0375

**BOX:**

187

**FOLDER:**

1889

**DESCRIPTION:**

Gaylord, Nelson

**DATE:**

09/24/87



1889

POOR QUALITY  
ORIGINALS

0376

Counsel,  
Filed 24 day of Dec 1885  
Pleads, Northville 28.

THE PEOPLE  
vs.  
R  
Adrian Sigford

RANDOLPH B. MARTINE,  
District Attorney.  
Filed Dec 19/85 -  
Filed Nov 24/85  
A True BILL S.P. Less years.

Chas H. Hance  
Criminal Separated  
to plead & serve  
sentence

Witnesses:

0377

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Nelson Figford*

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

*Nelson Figford of the crime of Forgery in the second degree as a second offense, committed as follows:*

*Wherefore, to wit: at a Court of Sessions, held in and for the County of Westchester in the said State, at the Court House in the Town of White Plains, on the 9<sup>th</sup> day of December, 1878, before the Honorable David D. Figford, County Judge of the said County, William R. Stone and Cyrus Lawrence the second, Esquires, Justices of Sessions, the said Nelson Figford, by the name and description of Nelson Figford, was in due form of law convicted of a felony, to wit: Fraud and Forgery upon a certain Indictment then and there in the said Court depending against him the said Nelson Figford by the name and description aforesaid, for that the said Nelson Figford, then late of the Town of Greenburgh in the County of Westchester and State of New York, on the 15<sup>th</sup> day of September, 1878, with force and arms, about the hour of seven o'clock in the night time of the same day, at the Town of Greenburgh aforesaid, in the County of Westchester aforesaid, the dwelling house of another, to wit:*



of one John W. C. Wood, there is a large quantity of  
and the said John W. C. Wood did break into and enter  
the said dwelling house and breaking an outer  
door of said dwelling house the said John W. C. Wood  
breaking an outer window of  
said dwelling house, the said John W. C. Wood  
breaking the shutter of an outer window of  
said dwelling house, the said John W. C. Wood  
breaking the lock of an outer door of said  
dwelling house, the said John W. C. Wood  
breaking the lock of an outer door of said dwelling  
house, the said John W. C. Wood  
breaking an outer shutter of an outer win-  
dow of the said dwelling house, the said John W. C. Wood  
breaking an outer door of said dwelling house, the said John W. C. Wood  
breaking the lock of an  
outer door of said dwelling house, in which  
said dwelling house there was then and there  
at the same time some human beings, to wit:  
one Elizabeth C. Wood and other human beings,  
with intent feloniously and unlawfully  
to commit some crime therein, to wit: then  
and there the said John W. C. Wood did  
John W. C. Wood, in the said dwelling house  
then and there being, then and there felon-  
iously and unlawfully to steal, take and  
carry away, and remove and  
the said John W. C. Wood did  
the said John W. C. Wood, in the said dwelling

thence then and there being feloniously and unlawfully did steal, take and carry away.

And thereupon, upon the conviction aforesaid, it was considered by the said Court of Sessions, and ordered and adjudged, that the said Nelson Piquford, for the felony and larceny aforesaid, whereof he was so convicted as aforesaid, be imprisoned in the Albany County Penitentiary at hard labor for the term of three years, as by the record thereof doth more fully and at large appear.

And the said Nelson Piquford, ~~being~~ ~~residing~~ late of the City of New York, in the County of New York aforesaid, having been so as aforesaid convicted of the felony and larceny aforesaid, afterwards to wit: on the 15th day of September, in the year of our Lord 1886, with force and arms, at the City and County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly act and assist in the forging a certain instrument and writing, to wit: an order for the payment of money to the said commonly called bank checks, which said forged bank checks, is in the words and figures following, that is to say:

0380

NW. 50151

New York Debt

1885

German American Bank

Pay to the order of, Cashier

Five Hundred

Dollars,

\$500

Salomon & Sichelstein

with intent to defraud, 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 Nelson Sanford of the crime of Forgery in the second degree, as a second offense, committed as follows:

At New York, to wit: at a Court of Sessions held in and for the County of Westchester in the said State of New York, at the Court-house in the Town of White Plains, on the 9th day of December, 1878, before the Honorable Silas D. Clifford, County Judge of the said County, and



0301

William C. Stone and Cyrus Lawrence the  
second, Esquires, Justices of Sessions, the  
said Nelson Lyford, by the name and  
description of Nelson Lyford, was in  
due form of law convicted of a felony, to  
wit: Grand Larceny, upon a certain In-  
dictment then and there in the said  
Court depending against him in the said  
Nelson Lyford by the name and descrip-  
tion aforesaid, for that he the said Nelson  
Lyford, then late of the Town of Green-  
burgh in the County of Westchester and  
State of New York, on the 15th day of  
September, 1878, with force and arms, about  
the hour of eleven o'clock in the night time  
of the same day, at the Town of Green-  
burgh aforesaid, in the County of Westchester  
aforesaid, the dwelling house of another,  
to wit: of one John W. B. Wood, there  
situate, feloniously and unlawfully  
did break into and enter by forcibly  
bursting and breaking an outer door  
of said dwelling house, and forcibly  
bursting and breaking an outer window  
of said dwelling house, and forcibly  
bursting and breaking the shutter of an outer  
window of said dwelling house, and forcibly  
bursting and breaking the lock of an  
outer door of said dwelling house, and

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forcibly breaking and breaching the lock  
of an outer door of said dwelling house,  
by forcibly breaking and breaching the  
fastening of an outer shutter of an outer  
window of the said dwelling house, by  
unlocking an outer door of said dwell-  
ing house, by means of false keys, by  
opening the lock of an outer door of  
said dwelling house, in which said  
dwelling house there was then and  
there at the same time some human  
being, to wit: one Juliette Bishop and  
other human beings, with intent of  
forcibly and unlawfully to commit  
some crime therein, to wit: then and  
there the goods and chattels of the  
said John W. P. Wood, in the said  
dwelling house then and there being  
then and there feloniously and  
unlawfully to steal, take and  
carry away, and other more, against  
and against of the said John W.  
P. Wood, of the value of fifty dollars  
in the said dwelling house then  
and there being, feloniously and  
unlawfully did steal, take and  
carry away; And thereupon, upon the  
conviction aforesaid, it was considered by  
the said Court of Sessions, and ordered and

POOR QUALITY  
ORIGINALS

0383

adjudged that the said Nelson Lyford, for  
the felony and larceny aforesaid, whereof he  
was so convicted as aforesaid, be imprisoned  
in the Albany County Penitentiary at hard  
labor, for the term of three years as by the  
record thereof, doth more fully and at large appear.

And the said Nelson Lyford, late of the  
City of New York in the County of New York  
aforesaid, having been so as aforesaid convicted  
of the felony and larceny aforesaid, afterwards,  
to wit: on the 5th day of September, 1885,  
at the City and County aforesaid, having in  
his possession a certain forged instrument  
and writing, to wit: an order for the pay-  
ment of money of the said commonly called  
Bank of America, which said forged bank check  
is as follows, that is to say:

No. 50151

New York, Sept 1885

Bank of America Bank

Pay to the order of Cashier

Five Hundred

Dollars

\$500

Walter J. Lichtenstein

with force and arms, and with intent to defraud,  
the said forged bank check then and there  
did feloniously utter, dispose of and put off as  
true, by the said Nelson Lyford then and there  
well knowing the same to be forged, against  
the peace and dignity of the said State.

Charles J. Martin, District Attorney.

0384

Filed Sept 185-

Answered  
Mr. 27<sup>th</sup> / 1889  
J. R. D.

0385

VI

STATE OF NEW YORK.  
Executive Chamber,  
ALBANY.

June 25, 1889.

Sir:

Application for Executive clemency having been made on behalf of Nelson Gaylord..... who was convicted of forgery, 2nd degree in the county of New York..... and sentenced October 13, 1885, to imprisonment in the Sing Sing Prison..... for the term of ten years..... I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

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

Hon. J. R. Fellows,

I am,

District Attorney,

New York City.

very respectfully yours,

*William G. Rice*  
Private Secretary.



Westchester County  
Court of Sessions

Filed 20 day of Nov. 1878  
Pleads not Guilty

Nov 25/78

The People

vs

Nelson Gaylord

Exhibiting first  
depos

Nelson H. Baker  
District Attorney

A true bill  
Norman Merriett  
Foreman

Dec 9 1878  
withdraws plea of not  
Guilty & pleads Guilty  
to Grand Larceny  
J. M. R. Clerk

Fee 60¢



In the Court of Sessions of the County  
of Westchester of November Term in the  
year of Our Lord One thousand  
eight hundred and seventy eight

State of New York } ss  
County of Westchester }

The Jurors of the People of the State  
of New York, in and for the body  
of the County of Westchester, being then  
and there sworn, affirmed and  
charged, upon their oath and  
affirmation, do present:

That, Nelson Gaylord late of the town  
of Greenburgh in the County of West  
chester and State of New York on  
the fifteenth day of September in the  
year one thousand eight hundred  
and seventy eight with force and arms  
about the hour of eleven o'clock in  
the night time of the same day, at  
the town of Greenburgh aforesaid in  
the County of Westchester aforesaid  
the dwelling house of another, to wit:  
of one John H. B. Wood, there situate  
feloniously and burglariously did  
break into and enter by forcibly  
bursting and breaking an outer  
door of said dwelling house by forc-  
ibly bursting and breaking an outer  
window of said dwelling house, by

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~~by forcibly bursting and breaking the shutter of an outer window of said dwelling house~~  
~~by forcibly bursting and breaking the~~  
 lock of an outer door of said dwell-  
 ing house, by forcibly bursting and  
 breaking the bolt of an outer door of  
 said dwelling house, by forcibly burst-  
 ing and breaking the fastening of  
 an outer window of said dwelling  
 house, by forcibly bursting and break-  
 ing the fastening of an outer shutter  
 of an outer window of the said  
 dwelling house, by unlocking an  
 outer door of said dwelling house  
 by means of false keys, by picking  
 the lock of an outer door of said  
 dwelling house, in which said dwell-  
 ing house there was then and there  
 at the same time some human  
 being, to wit, one Juliette Bishop and  
 other human beings to the jurors  
 aforesaid unknown with intent  
 feloniously and burglariously to  
 commit some crime therein to wit  
 then and there the goods and chat-  
 tels of the said John H. B. Wood in  
 the said dwelling house then and  
 there being, then and there felonious-  
 ly and burglariously to steal, take  
 and carry away and silver ware  
 jewelry and clothing of the said  
 John H. B. Wood of the value of  
 fifty dollars in the said dwelling  
 house then and there being, feloniously

GLUED PAGE

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and burglariously did steal, take  
and carry away to the great damage  
of the said John. H. B. Wood, against  
the form of the statute in such  
case made and provided and a-  
gainst the peace of the People of  
York and their dig-

STATE OF NEW YORK, } ss.  
County of Westchester, }

I, JAMES F. D. CRANE, Clerk of said County, and also Clerk of the County and Supreme  
Courts in and for said County, (the same being Courts of Record,) do hereby certify that I have compared the preceding  
with the original.

*Indictment*

on file in my office, and that the same *is a* correct transcript therefrom, and of the whole of such original  
*Endorsed. Filed 20 of Nov, 1878*

In Testimony Whereof, I have hereunto subscribed my name  
and affixed my official seal this  
of *Sept* 1885 - *22nd* day

*James F. D. Crane*

Clerk.

GLUED PAGE

0390

and burglariously did steal, take  
and carry away to the great damage  
of the said John H. B. Wood, against  
the form of the statute in such  
case made and provided and a-  
gainst the peace of the People of  
the State of New York and their dig-  
nity

Nelson H. Baker  
District Attorney

0391

VI

STATE OF NEW YORK.  
Executive Chamber,  
ALBANY.

June 25, 1889.

Sir:

Application for Executive clemency having been made on behalf of Nelson Gaylord..... who was convicted of forgery, 2nd degree in the county of New York..... and sentenced October 13, 1885, to imprisonment in the Sing Sing Prison..... for the term of ten years..... I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

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

I am,

very respectfully yours,

Hon. H. A. Gildersleeve,

Judge General Sessions,

New York City.

*William G. Rice*  
Private Secretary.



POOR QUALITY  
ORIGINALS

0392

Witnesses:

*C. H. Kemley*  
Counsel,  
Filed *4* day of *Sept* 188*5*  
Pleads *Guilty* (107)

Forgery in the Second Degree.  
(Sections 511 and 521, Penal Code.)

THE PEOPLE

vs.

*F*

*William J. Rindford*

RANDOLPH B. MARTINE,

District Attorney.

*M. J.*

A True Bill.

*John H. Hamell*

Foreman.



POOR QUALITY  
ORIGINALS

0393

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Nelson G. Sanford*

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

*Nelson G. Sanford*

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

The said *Nelson G. Sanford,*

late of the City of New York, in the County of New York aforesaid, on the  
*fifteenth* day of *September*, in the year of our Lord  
one thousand eight hundred and eighty-*five*, with force and arms, at the City and  
County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly act  
and assist in the forging a certain instrument and writing, *to wit: an*  
*order for the payment of money of*  
*the kind commonly called bank-checks,*  
which said forged *bank-check,*  
is as follows, that is to say:

No. 50151      New York Sept 1885  
Pay to the order of *Charles*  
*five hundred* Dollars  
\$500#      *Walter & Son*

with intent to defraud, 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.

POOR QUALITY  
ORIGINALS

0394

SECOND COUNT:

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

Nelson & Sanford  
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said Nelson & Sanford,

late of the City and County aforesaid, afterwards, to wit, on the day and in the year aforesaid,  
at the City and County aforesaid, having in their possession a certain forged  
instrument and writing, to wit: an order for the  
payment of money of the kind  
commonly called Trade Notes,  
which said forged Trade Note,  
is as follows, that is to say:

No. 50151	New York Sept	1886
Superior American Bank		
Pay to the order of Cashier		
Five Hundred		Dollars
\$500	Bollinger & S. J. Hamilton.	

with force and arms, and with intent to defraud, the said forged Trade Note,  
then and there did feloniously utter, dispose of and put off as true, the the said  
Nelson & Sanford, then and there well knowing the same to be  
forged, against the form of the Statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity.

**RANDOLPH B. MARTINE,**

**District Attorney.**

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**BOX:**

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**FOLDER:**

1889

**DESCRIPTION:**

Gilligan, James

**DATE:**

09/28/85



1889

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Witnesses:

Counsel, *R. Livingston*  
Filed *28* day of *Sept*, 188*5*  
Pleads *Not Guilty*

[Sections 528 and 531, of the Penal Code].  
(MISAPPROPRIATION.)  
*Larceny, 2nd degree*

THE PEOPLE

vs.

*J. E. H.*  
*Investigator*

RANDOLPH B. MARTINE,

District Attorney.

*No 280 Proc 16/15*

A True Bill. *Read at*

*Law: One Year.*

*Chas W. Karnell*

Foreman.

*Oct 26<sup>th</sup> 1885*  
*This case will be read*  
*presently*

0397

# 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 Fiddigan*

The Grand Jury of the City and County of New York, by this indictment, accuse *James Fiddigan* of the CRIME OF *Grand* LARCENY, in the second degree, committed as follows:

The said *James Fiddigan*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *twenty ninth* day of *August*, in the year of our Lord one thousand eight hundred and eighty-*five*, at the Ward, City and County aforesaid, being then and there ~~the clerk and servant of~~ *an officer, to wit: The Treasurer of a certain corporation then and there known and designated as The Seaboard Union Protective Society,* and as such ~~clerk and servant~~ then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said *corporation*,

the true owner thereof, to wit: *The sum of two hundred and sixty nine dollars and ninety four cents in money, lawful money of the United States, and of the value of two hundred and sixty-nine dollars and ninety four cents,*

the said *James Fiddigan*, afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, did feloniously appropriate the said *sum of money*

to his own use, with intent to deprive and defraud the said *corporation* of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said *corporation*,

did then and there and thereby feloniously steal, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE,  
District Attorney.



POOR QUALITY  
ORIGINALS

0398

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

No. 3, by

Residence

Street

No. 4, by

Residence

Street

Police Court District.

THE PEOPLE, &c,  
ON THE COMPLAINT OF

*John Martin*  
517 E. 14

*John Martin*  
517 E. 14

Offence

Dated

*Sept 23*

1885

*James Gilligan*  
Magistrate.

*Wm. J. Connel*  
Precinct.

No.

*James Gilligan*  
Street.

No.

*James Gilligan*  
Street.

No.

*James Gilligan*  
Street.

No.

*James Gilligan*  
Street.

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

*James Gilligan*  
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 *Sept 23* 1885 *John J. Horn* Police Justice.

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

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

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

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



0399

Sec. 151.

4<sup>th</sup> District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss

In the name of the People of the State of New York; To the Sheriff of the County of New York, or any Marshal or Policeman of the City of New York:

Whereas, Complaint on oath, has been made before the undersigned, one of the Police Justices in and for the said City, by John Martin, Financial Secretary of the Laborer's Union Protective Society of No. 517 East Fourteenth Street, that between the 8<sup>th</sup> day of June 1885, and 29<sup>th</sup> day of August 1885 at the City of New York, in the County of New York, the following article to wit: Legal tender of the United States of America

of the value of Two hundred and sixty nine 44/100 Dollars, the property of the said Laborer's Union Protective Society was taken, stolen, and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by James Gilligan

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 4<sup>th</sup> DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 23<sup>rd</sup> day of August 1885

John Martin POLICE JUSTICE.

POLICE COURT. 4<sup>th</sup> DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Martin

vs.

James Gilligan

Warrant-Larceny.

Dated N.Y. Sept 23<sup>rd</sup> 1885.

Magistrate

Officer

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

David O Connolly Officer.

Dated September 23 1885

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest, September 23

Name of James Gilligan  
Irishman

Age, 39

Sex Male  
No 515 E. 14. St.

Complexion, -

Color -

Profession, -

Married -

Single, -

Read, -

Write, -

513 E. 14. St.

POOR QUALITY  
ORIGINALS

0400

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK,

24 District Police Court.

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

Question What is your name?

Answer

Question How old are you?

Answer

Question Where were you born?

Answer

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

Answer

Question What is your business or profession?

Answer

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

Answer

Taken before me this

day of

1881

James Gallagher  
Police Justice.

State of New York,  
City and County of New York.

Fourth  
~~XXX~~ District Police Court of the City of New York.

City and County of New York:

being duly sworn says: That he resides  
at Number 517 West Front Street  
in the City of New York, and that he is the  
Financial Secretary of the "Laborers  
Union Protective Society," a Corporation  
duly incorporated under and pursuant  
to the Laws of the State of New York, having  
its place of business at Number 220  
Broadway in the City of New York.

That between the eighth day of June  
1885, and the twenty ninth day of  
August 1885, one James Gilligan was  
the Treasurer of said Corporation and as  
such was authorized to receive, and to  
have in his possession, custody and con-  
trol the moneys of the said Corporation,  
and he the said James Gilligan did  
between the said eighth day of June 1885,  
and the twenty ninth day of  
August 1885, as the Treasurer of said cor-  
poration have in his possession, custody

POOR QUALITY  
ORIGINALS

0402

and control the sum of two hundred and eighty nine dollars and ninety four cents, <sup>the money</sup> good and lawful money of the United States of America, of the money goods, chattels and property of the said Laborers Union Protective Association. That the said James Gilligan being an officer of the said Laborers Union Protective Association did at the city of New York, at divers times between the eighth day of June 1885 and the 29<sup>th</sup> day of August 1885, feloniously take and appropriate to his own use the said sum of two hundred and eighty nine dollars and ninety four cents, good and lawful money of the United States of America, of the money goods and chattels of the said Laborers Union Protective Association, to the great damage of the said Laborers Union Protective Association, contrary to the statute in such case made and provided. Wherefore defendant prays that the said ~~James~~ James Gilligan may be arrested and dealt with according to law.

Shown to before me this  
23<sup>rd</sup> of September 1885 John Martin  
John J. Corman  
Police Justice



0403

**BOX:**

187

**FOLDER:**

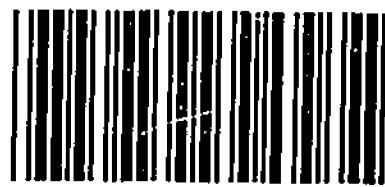
1889

**DESCRIPTION:**

Goldstein, Morris

**DATE:**

09/14/85



1889

POOR QUALITY  
ORIGINALS

0404

From the accompanying  
affidavits it appears that  
there is no probability of  
securing the attendance  
of the complaining witness  
without whose testimony  
a conviction cannot be  
secured. I recommend that  
the defendant Morris Goldstein  
be discharged on his own  
recognizance.

Oct 2/80

Randolph B. Martine  
District Attorney

Counsel,

Filed 14 day of Sept 1885

Pleads, Not guilty

THE PEOPLE

vs.

R

Morris Goldstein

ASSAULT IN THE THIRD DEGREE

(Section 219, Penal Code.)

RANDOLPH B. MARTINE,

District Attorney.

1086 + 65-

A True Bill.

Thos H. Marshall

Ind of the Court Foreman

On m's of Dec 1st 1885  
sett. dec. at 2 on his  
Recognizance for \$100



0405

**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 Goldstein*

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

*Morris Goldstein*

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

The said *Morris Goldstein*,

late of the First Ward of the City of New York, in the County of New York  
aforesaid, on the *23rd* day of *August*, in the year of our Lord  
one thousand eight hundred and eighty-*nine*, at the Ward, City and County  
aforesaid, in and upon the body of one *Morris Cowie*, —  
in the peace of the said people then and there being, with force and arms, unlawfully  
did make an assault and *in* the said *Morris Cowie*,  
did then and there unlawfully beat, wound and illtreat, to the great damage of the  
said *Morris Cowie*, — against the form of the statute  
in such case made and provided, and against the peace of the People of the State of  
New York, and their dignity.

**RANDOLPH B. MARTINE,**

**District Attorney.**

0406

COURT OF GENERAL SESSIONS

The People, &c.

vs.

*Morris Goldstein*

OFFENCE

RANDOLPH B. MARTIN  
District Attorney

0407

## COURT OF GENERAL SESSIONS.

The People, &amp;c.

vs.

Morris Goldstein

OFFENCE

RANDOLPH B. MARTINE,  
District Attorney.

City and County of New York f:-

Fanny Bliss being duly sworn says:- That she resides at No. 1 Forsyth Street in the City of New York. That she is the daughter of Maurice Bliss the complainant in the above entitled action. That her father has left the city on or about the 1<sup>st</sup> day of September 1885, in answer to an advertisement, and that deponent and her mother have not yet heard of or from him and do not know where he is at present, but are expecting to hear from him shortly. That deponent does not know when he will return.

Sworn to before me this } Fanny Bliss  
1<sup>st</sup> day of October 1885 }  
Randolph B. Martine  
Comt of Deeds N.Y. City & Co.

0408

Police Court—3 District.CITY AND COUNTY }  
OF NEW YORK, } ss.

of No. 1 Forsyth Morris Bris Street, aged 60 years,  
 occupation Janitor being duly sworn, deposes and says, that  
 on the 23 day of August 1885 at the City of New York,  
 in the County of New York,

he was violently ASSAULTED and BEATEN by Morris Goldstein  
(now here) who struck deponent one blow  
in the face with his fist

without any justification on the part of the said assailant

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

Sworn to before me, this 26  
 day of August 1885

John Patterson

Morris his Bris  
Maur  
 Police Justice

0409

880

Police Court, 9 District.

THE PEOPLE, &c.,  
on the complaint of

Morris Priss  
1 Son of the  
Morris Goldstein

2  
3  
4

Offence—Assault & Battery

Dated Aug 26 1885

Patterson Magistrate.

Hollis Officer.

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

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

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

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

\$ 500 Gen. Sessions.  
AUG 27 1885  
27 TURNER

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 \_\_\_\_\_

Morris Goldstein

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

Dated Aug 26 1885 Edw. Patterson Police Justice.

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

to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 1885 \_\_\_\_\_ Police Justice.

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

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

Dated \_\_\_\_\_ 1885 \_\_\_\_\_ Police Justice.



04 10

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Morris Goldstein 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 Morris Goldstein

Question. How old are you?

Answer 27 years

Question. Where were you born?

Answer. Ireland

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

Answer. 66 West

Question. What is your business or profession?

Answer. Tailor

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 did not strike him. I demand a trial by jury

Morris his Goldstein  
Mark

I then before me this

26

day of

August

188 8

Alfred J. Lawrence

Police Justice.

04 11

COURT OF GENERAL SESSIONS

The People, &c.

VS.

*Morris Goldstein*

OFFENCE

RADOLPH B. MARTIN

District Attorney.

GLUED PAGE

0412

PART I.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

*Affidavit wanted*

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To *Morris Bliss*  
of No. *1 Forsyth* Street,

WE COMMAND YOU, That, all business and excuses ceasing, you appear in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *2* day of *OCTOBER* instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

GREETING :

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

WITNESS, Hon. FREDERICK SMYTH, Recorder, of our said City, at the City Hall, in our said City, the first Monday of *October* in the year of our Lord 188*5*

*RANDOLPH D. MARTINE, JOHN McKEON, District Attorney.*

sworn, deposes and says: I reside at No. *101 Ossey*

Street, in the City of New York. I am a subpoena server in the office of the District Attorney of the City and County of New York. On the *29<sup>th</sup>* day of *September* 188*5*, I called at *No. 1 Forsyth Street*

the alleged residence of *Maurice Bliss*

the complainant herein, to serve him with the annexed subpoena, and was informed by *his wife and daughter* that he had left the city about *2 weeks ago* <sup>to work</sup>, but they did not know where he is or when he will return. They expect to hear from him shortly, though they do not expect him to return in less than a month.

Sworn to before me, this

day

of

*October* 188*5*  
*Rudolph A. Scharf*  
Court of Deeds  
N.Y. City & Co.

*Jacob Drubert*  
Subpoena Server

GLUED PAGE

04 13

Court of General Sessions.

THE PEOPLE

vs.

Goldstein

County of New York, ss.:

sworn, deposes and says: I reside at No.

Jacob Denbert  
161 Essex

being duly

Street, in the City of New York. I am a subpoena server in the  
office of the District Attorney of the City and County of New York. On the 29<sup>th</sup> day  
of September 1885, I called at No. 1 Forsyth Street

the alleged residence of Maurice Bliss

the complainant herein, to serve him with the annexed subpoena, and was informed by his wife  
and daughter that he had left the city about  
2 weeks ago, <sup>to work</sup> but they did not know  
where he is or when he will return.  
They expect to hear from him shortly,  
though they do not expect him to return  
in less than a month.

Sworn to before me, this 1<sup>st</sup> day  
of October, 1885

Rudolph A. Scharf  
Clerk of Deeds  
N.Y. City & Co.

Jacob Denbert  
Subpoena Server

0414

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Morris Rosenberg  
181 East Broadway  
Morris Goldstein

1  
2  
3  
4

Offence Fraud Larceny

Dated

August 24 1885

J. M. Patterson

Magistrate.

Silmon

Officer.

Witnesses

No.

Ed 9th 11.00

Street.

No.

Aug 26 1885

Street.

No.

15th to answer

Street.

to answer

Con. Sessions.

Call dismissed

Call dismissed

Call dismissed

Call dismissed

Call dismissed

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

Morris Goldstein

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

Dated August 26 1885 J. M. Patterson Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.



04 15

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY {  
OF NEW YORK. } ss

Morris Goldstein 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 Morris Goldstein

Question. How old are you?

Answer 23 years

Question. Where were you born?

Answer. Poland

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

Answer. 68 Mott

Question What is your business or profession?

Answer Tailor

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 do not know anything about it, I am not guilty  
Morris Goldstein  
Make

Taken before me this

24

day of

August 1885

John J. Sullivan

Police Justice.

0416

3

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK, } ss.

Mary Rosenberg

of No. 181 East Broadway Street, New York

being duly sworn, deposes and says, that on the 24 day of August 1885

at the Seventh Ward City of New York,

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

the following property, viz :

Two bundles ladies of cloaks  
of the value of thirty dollars,

the property of

Max Rosenberg, and  
then in the care and custody of  
deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken,  
stolen, and carried away by Morris Goldstein (nowhere) for the following reasons:—Deponent  
saw the said Goldstein in the said  
premises with the said clothing in his  
possession, at about 10.30 A.M. on said date. Deponent  
saw the said Goldstein walk out of  
the said premises carrying the said  
two bundles of cloaks. Deponent  
saw the said Goldstein hand the  
said clothing to a man whose  
name is to deponent unknown,

Sworn before me this

day of

Police Justice,

1885

POOR QUALITY  
ORIGINALS

0417

and the said unknown man walked  
away with the said property. The said  
Morris Goldstein was one of crowd of  
men who were in ~~deposited~~ the store of  
deponents father from which the said  
property was then taken.

Mary Rosenberg

Sworn to before me  
this 24 day of August 1935

M. M. Peterson  
Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

AFFIDAVIT - Larceny.

Dated

1935

Magistrate.

Officer.

WITNESSES:

DISPOSITION

04 18

**BOX:**

187

**FOLDER:**

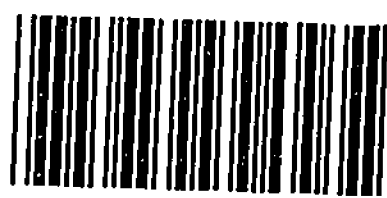
1889

**DESCRIPTION:**

Goode, Samuel B.

**DATE:**

09/10/85



1889

POOR QUALITY  
ORIGINALS

0419

Witnesses :

Counsel, \_\_\_\_\_  
Filed 10 day of Sept 1885  
Pleads Not Guilty Sept 11 1885

THE PEOPLE

vs.

Samuel B. Gordon

Murder  
[Section 183 Penal Code].

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Chas H. Haswell

Foreman



0420

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Samuel B. Goode*

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

*Samuel B. Goode*

of the CRIME OF *Murder in the first degree*

committed as follows:

The said

*Samuel B. Goode*

late of the *First* Ward of the City of New York, in the County of New York aforesaid, on the *twenty first* day of *August* in the year of our Lord one thousand eight hundred and eighty-*five*, at the Ward, City and County aforesaid,

*with force and arms, in and upon the body of one James North, in the presence of the said People then and there being wilfully, feloniously and of his malice aforethought did make an assault, and the said Samuel B. Goode, him the said James North, with a certain Knife which he the said Samuel B. Goode in his right hand then and there had and held; in and upon the neck of him the said James North, then and there wilfully, feloniously and of his malice aforethought, did strike, stab, cut, and wound*

giving unto him the said James North then and there, with the Knife aforesaid, in and upon the neck of him the said James North one mortal wound of the breadth of one inch and of the depth of six inches, of which said mortal wound he the said James North then and there died. And so the Grand Jury aforesaid do say that he the said Samuel B. Goode, him the said James North, in manner and form and by the means aforesaid, wilfully, feloniously and of his malice aforethought did Kill and murder, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity -

Randolph B. Martin  
District Attorney

Witnesses:

Counsel, \_\_\_\_\_  
Filed 10 day of *Sept* 1885  
Pleads *Not Guilty Sept 11/85*

THE PEOPLE

vs.

*Samuel P. Gordon*

*Murder*  
[Section 183 - Penal Code].

RANDOLPH B. MARTINE,

*District Attorney.*

A True Bill.

*Chas H. Haswell*

*Foreman*

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0423

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Samuel B. Goode*

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

*Samuel B. Goode*

of the CRIME OF *Murder in the first degree*

committed as follows:

The said *Samuel B. Goode*

late of the *First* Ward of the City of New York, in the County of New York aforesaid, on the *twenty first* day of *August* in the year of our Lord one thousand eight hundred and eighty-*five*, at the Ward, City and County aforesaid, with force and arms, in and upon the body of one *James North*, in the peace of the said People then and there being, wilfully, feloniously and of his malice aforethought did make an assault; and the said *Samuel B. Goode*, him the said *James North*, with a certain knife which he the said *Samuel B. Goode* in his right hand then and there had and held, in and upon the neck of him the said *James North*, then and there wilfully, feloniously and of his malice aforethought, did strike, stab, cut,

and wound, giving unto him the said James North then and there, with the Knife aforesaid, in and upon the neck of him the said James North one mortal wound of the breadth of one inch and of the depth of six inches. of which said mortal wound he the said James North then and there died. And so the Grand Jury aforesaid do say that he the said Samuel B. Grode, him the said James North, in manner and form and by the means aforesaid, wilfully feloniously and of his malice aforethought did Kill and murder, 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.

Samuel B. Grode  
District Attorney



POOR QUALITY  
ORIGINALS

0425

Miss Jennie Turpin  
TYPE WRITER COPYING,  
32 Nassau St. N. Y.

PEOPLE

--VS--

GOODE.

CHARGE

to the Jury.

*Suited  
Nov 27/85*

*W  
to*

*filed Nov 28. 1885.*

POOR QUALITY  
ORIGINALS

0426

-----X  
P e o p l e :  
: :  
-vs- :  
: :  
G o o d e . :  
-----X

Gentlemen of the Jury:-- In consideration of the very great importance of this case, I deem it to be my duty to present it to you for your consideration tonight. It is a case of very grave importance not only to the defendant, but it is also of very grave importance so far as the people and the good government of this State are concerned. You have been selected to act as jurors because you answered, under oath, that you would determine the questions involved without either fear or favor on one side, or prejudice on the other; and that you would give to this defendant now on trial, as I have no doubt you will, a fair and impartial trial upon the evidence as you have heard it.

Gentlemen, it appears to me that there will be little, if any, difficulty in twelve intelligent, honest and fearless men, men actuated by the single motive-- to do justice between the people on the one side and the prisoner on the other-- in arriving at a just and proper conclusion upon the question of the guilt or innocence of this defendant. This case, unlike many others of the same character, does not involve some of the questions which are generally presented for the consideration of a jury. There is but a single vital question involved in this case, which you will have to determine in the first instance. The homicide is admitted. The fact that the deceased came to his death in consequence of one or more

0427

mortal wounds inflicted upon him by this prisoner is conceded, and the defence interposed in this case is that of justifiable homicide. If that defence is not established, then this defendant must be convicted of some one of the degrees of homicide.

I now will call your attention to the statute defining homicide in its various degrees and also justifiable homicide, so far as it is applicable to this case:--

"Homicide", the statute says, "is the killing of one human being by the act, procurement or omission of another, and it is either murder, manslaughter, excusable homicide, or justifiable homicide."

You will perceive from the language of this statute that every homicide is either murder or manslaughter, excusable or justifiable. It is not claimed in this case, nor could it be claimed, upon the evidence, that the killing was excusable. It is claimed, however, on the part of the defendant, that it was justifiable, while it is insisted on the part of the prosecution that the homicide which was committed by this defendant is of the degree of murder in the first degree. It is claimed on the part of the defendant that it is neither murder in the first or second degree, nor manslaughter in either of its degrees, but that it is justifiable, having been done by him in self defence.

These are the claims on the part of the defendant and of the prosecution simply stated. It, therefore, becomes necessary for me to define what constitutes murder in the first, and second degrees, and manslaughter in the first and second degrees, and also justifiable homicide.

0428

The statute provides that the killing of a human being, unless it is excusable or justifiable, is murder in the first degree, when committed from a deliberate and premeditated design to effect the death of the person killed, or of another. There are other provisions of this statute defining murder in the first degree which, it is conceded, do not apply to this case.

It is claimed on the part of the prosecution that this defendant, with deliberation and premeditation, and with the design to effect the death of the deceased, on the night of the 21st day of August last, made an assault upon him with a dangerous and deadly weapon and inflicted upon the body of the deceased certain mortal wounds of which he almost immediately thereafter died; and it is further claimed that the testimony of three witnesses, in connection with the weapon which it is conceded was used by the defendant, in inflicting the wounds, and the circumstances preceding and succeeding the infliction of those wounds, establishes the fact that they were so inflicted by the defendant, not only with a design to effect the death of the deceased, but that the act of inflicting those wounds was premeditated and deliberated upon by the prisoner before inflicting the wounds.

Now, gentlemen, it is proper that I should read to you what constitutes murder in the first degree, and the legal definitions of premeditation and deliberation as used in this statute. I charge you in the language of Chief Justice Davis in a charge delivered by him and adopted as my charge to you bearing on these questions. Judge Davis says that:

0429

"To constitute murder in the first degree--" under the first sub-division of the statute-- "something more than an actual presence of intention formed at the instant of the striking of the blow, or the firing of the shot, is necessary. There must be a deliberated and premeditated design to effect death, distinguishable from a suddenly formed intention without deliberation and premeditation. In a case, therefore, where the offense charged is murder in the first degree, it is essential that it should appear that there was some actual deliberation and premeditation acting in and upon the mind of the accused in respect to the subject matter of the offense, before the actual occurrence of the fact which is alleged to be criminal."

(The fact, of course, as you will understand it, is the act of killing.) "This," Judge Davis says, "may be illustrated by supposing a case of poisoning where the party procured the poison, prepares it, and in some form most convenient, causes its administration, or administers it. In such a case the various steps pre-arranging the result would with great propriety, be found by a jury to indicate the deliberate and premeditated design required by the statute. So where the defence is committed by any other mode, as by shooting or stabbing, the previous preparation for the deed, the arming of ones self, the loading of the gun, the going to the place, the laying in wait, or the seeking of the interview, and the various steps either prearranged in the person's mind, or taken with the view, in the judgment of the jury, to the accomplishment of the fatal end might very properly be deemed to bring the case within the provisions of the statute, if satisfactorily



0430

Shown."

Now, gentlemen, as to the time necessary to deliberate and premeditate upon the act of killing; In a recent case-- decided by the Court of Appeals, bearing upon that question, this language is used by that Court:

"There must not be only an intention to kill, "but there must also be a deliberate and premeditated "design to kill such design must precede the killing by "some appreciable space of time, but the time need not "be long. . It must be sufficient for some reflection or "consideration upon the matter for choice to kill, or not "to kill, and for the formation of a definite purpose to "kill. The human mind acts with celerity which it is "sometimes impossible to measure, and whether a deliberate "or premeditated design to kill was formed must be deter- "mined from all of the circumstances of the case."

It is claimed on the part of the prosecution upon the evidence, that officer North was standing on the southeast corner, (or near it) of Broadway and Pine St. in this city about 11 o'clock on the night of the 21st of August; that he assaulted the prisoner, striking him on the face and kicking him; and that that assault was perpetrated by North in consequence of the action of the prisoner towards the woman who was in conversation with the officer a few minutes before at that place; that after this occurrence and within a few minutes thereafter the officer left the woman at that place and proceeded down Broadway in a southerly direction towards Wall street on the easterly side of Broadway; that the prisoner had made a threat against the officer in consequence of the

0431

assault made upon him, and that he followed the officer from that point down to a point at the junction of Wall street and Broadway or near that point, and while the officer was reclining against a railing and facing south, with his back towards the prisoner, that the prisoner stealthily approached him and plunged the knife which has been produced here, into the back part of his neck, about the centre ; that the officer thereupon turned and the prisoner faced him and again plunged the knife into his throat. And it is claimed that these facts have been proved, not only by the witness, Mary Masterson, but also by the witness Scully, who was coming that night from Niblo's Theatre and who got to the corner of Broadway and Pine street when his attention was first attracted to the prisoner and the officer, and passed them on his way towards Wall street, the deceased being in front of the prisoner and the prisoner following him, and by Mr. Astor's watchman who, it is claimed saw the assault made by the prisoner upon the deceased.

It will be for you to determine upon all the evidence whether there was a sufficient time for this man to deliberate and premeditate upon the act of killing, preceding the act which resulted in the death of the deceased; whether he had time to deliberate upon what he was about to do; whether he turned it over in his mind, and whether he made up his mind to do what he did do, before he struck the fatal blows which caused the death of the officer. If you come to the conclusion that he had sufficient time and that he did deliberate and premeditate upon this act, and that he followed up the act of delibera-

tion

0432

and premeditation by killing the officer, then, unless the act of killing was justifiable, it is murder in the first degree.

Again, gentlemen, this homicide was perpetrated by means of a dangerous and a deadly weapon aimed at a vital part of the deceased. The prisoner admits that up to the time that the third assault, as I will call it, was made upon him by the officer, that this knife was closed and in his pocket, and that he took out the knife and with both of his hands opened it and held it in the position which you will recollect was described to you by him when he was upon the witness stand. These are circumstances bearing upon the question of deliberation and premeditation to be taken by you into consideration with the other evidence bearing upon this question. This last case from which I <sup>have</sup> read <sup>holds</sup> ~~states~~ that it is not necessary that any great length of time should elapse. Some time, however, must elapse-- sufficient to enable the defendant to deliberate upon and premeditate the act of killing; but, as the Court of Appeals say, the time need not be long; it is sufficient if all the facts and circumstances taken together satisfy a jury beyond a reasonable doubt, that the process of deliberation and premeditation upon the act was gone through before the act of killing, to bring the case within the provisions of this section of the statute constituting murder in the first degree.

If you come to the conclusion, assuming for the present that this killing was not justifiable, that the prisoner did not deliberate upon and premeditate the act of killing the deceased, it will be for you then to determine whether the case comes within the definition of

0433

murder in the second degree; the statutory definition of which is as follows:

"Such killing of a human being; that is, where  
"it is not murder in the first degree, and where it is  
"neither excusable or justifiable homicide, is murder in  
"the second degree when committed with a design to effect  
"the death of the person killed, or of another, but with-  
"out deliberation or premeditation."

You can readily see the distinction between the two degrees of murder; one requires deliberation and premeditation and a design to kill; the other requires a clearly formed design to kill preceding the act of killing which is not accompanied by deliberation and premeditation. And to constitute murder in the second degree it is sufficient, if the evidence satisfies a jury beyond a reasonable doubt that, at the very moment of striking the fatal blow which resulted in the death of the person killed, the design to kill was formed before the act of killing; so that if this defendant at the moment that he struck the blow which deprived the deceased of his life intended, at the very moment of striking the blow, to kill, it would constitute murder in the second degree, because there was neither deliberation nor premeditation upon the act, but there was a design and intent to kill formed before the act of killing.

Now, gentlemen, how are you to get at the design or intent of the defendant? You have the right, and it is your duty to take into consideration in determining the question of intent, all the evidence and the surrounding circumstances;-- the weapon which it is conceded was used; the manner in which it was used; the part of the body which

0434

it was used against, the nature and number of the wounds which were inflicted. The law presumes that every sane man intends the ordinary and natural consequence of his acts and if a man uses a dangerous and deadly weapon, knowing the nature of the weapon against a vital part of a human being, and death ensues in consequence of the use of such a weapon in the absence of any explanation to the contrary, the law presumes that he intended the ordinary and natural consequences arising from the use of such a weapon, and it is a fair, reasonable and just presumption.

It is unnecessary for me to again refer to the evidence bearing upon the question of premeditation and deliberation and the design to kill, and bearing upon the question of an intent to kill unaccompanied by deliberation and premeditation.

Now, gentlemen, let us see if this case comes within the definition of justifiable homicide for that is a matter for your determination. The statute declares that homicide "Is justifiable when committed in the lawful defence of the slayer, or of his or her husband, wife, parent, child, brother, sister, master or servant or of any other persons in his presence or company, when there is reasonable ground to apprehend a design on the part of the person slain to commit a felony, or to do some great personal injury to the slayer or to any such person, and there is imminent danger of such design being accomplished." Homicide, therefore, is justifiable in the lawful defence of the slayer.

That is the defence in this case. It being claimed by the defendant that he had reasonable ground at the



0435

time that he killed the deceased to apprehend a design on the part of the deceased to do him (the prisoner) some great personal injury and that there was imminent danger of such a design being accomplished.

Now, gentlemen, the Court of Appeals have also defined justifiable homicide and I will read to you from a decision of that Court, and you will apply the rule as laid down by the court in connection with this provision of the statute which I have read to you, to the facts in this case, and it will be for you to determine whether the case on the part of this defendant has been brought within the provisions of the statute defining justifiable homicide. I read from the case of the people against Shorter:

"When one, who is without fault himself, is attacked by another in such a manner, or under such circumstances as to furnish reasonable ground for apprehending a design to take away his life or to do him some great bodily harm, and there is reasonable ground for believing the danger imminent that such design would be accomplished, I think he may safely act upon appearances and kill the assailant, if that be necessary to avoid the apprehended danger and the killing will be justifiable, although it may afterwards turn out that the appearances were false and there was, in fact, neither a design to do him serious injury, nor danger that it would be done; He must decide at his peril upon the force of the circumstances in which he is placed, for that is a matter which will be subject to judicial review."

Now, gentlemen, what is meant by judicial review? It means a review by a court and jury of the evidence introduced for the purpose of sustaining that defence.

0436

It is not enough, gentlemen, for a man when he is charged with the commission of a homicide to come before a jury and swear that "I committed this homicide in self defence, because I believed at the time I committed it, that my own life was in danger, or that I was in danger of receiving some great bodily injury at the hands of my assailant, and that the danger was imminent." That is not enough, because if that were the case then every man who is charged with the commission of a homicide and is brought to the bar for the purpose of answering for his crime could come upon the stand and relieve himself at once from the consequences of his act. But the meaning of the law is that facts and circumstances must be proved from which a jury can and may come to the conclusion that the person who sets up that defense had reasonable ground to believe that his life was in danger, or that he was in danger of receiving some great bodily injury at the hands of his assailant and that the danger was imminent. It is for the jury to say upon all the facts and circumstances that surround the entire transaction; and so in this case it will be for you to say upon all the facts and circumstances, including the testimony of this defendant himself, whether such a state of facts existed at the time that he deprived the deceased of his life, as reasonably led him to believe that, his own life was in danger or that he was in danger of receiving some great bodily harm at the hands of the deceased.

In addition to and in connection with what I have read to you from the case of Shorter, I shall also read to you from the charge of another judge where that defence was interposed I believe it to be one of the clearest

0437

definitions of the law of self defence that has come within my observation.

"It is undoubtedly a fundamental rule of law" he says, "that a homicide is justifiable when done necessarily in defence of one's person, for the preservation of his life, or protection from great bodily injury. The foundation of the right to take life by way of self defence is necessity, necessity for resorting to any violence for self protection, and necessity for using the means that were used to secure the defence of the person. An accused is justified in using force to defend his person only when force is necessary to accomplish that end. If he apprehend injury could be otherwise avoided, he is bound to avoid the danger without resorting to violence, and if the circumstances be such as to require the use of force to repel the assault, he will be inexcusable if he carry his defense beyond the bounds of necessity. To justify the taking of life by way of self defence, the danger must be immediate and must be actual, or else apprehended on reasonable grounds of which the jury is to judge. The accused cannot make his own judgment of the necessity of slaying the deceased in order to defend himself: a justification of his act. Whether the necessity for taking life existed must be determined from the situation of the accused at the time, but it is in the province of a jury to decide whether the circumstances were such as to furnish reasonable ground for apprehending a design on the part of the deceased to take the life of the accused, or to do him some great bodily harm. It is not enough that the accused believed

0438

"himself to be in danger, unless the facts and circumstances were such that the jury can say that he had reasonable grounds for his belief. In determining whether the accused made all reasonable efforts to avoid the necessity for taking life, you are to consider his situation at the time the fatal wound was given. In some cases, an accused is bound to retreat; in others he is not. If he can retreat with safety and avoid the necessity of taking the life of his adversary, he is bound to adopt that course. But where his situation is so perilous as not to allow retreat, with manifest danger to life, or grievous bodily harm, he is under no obligation to fly, and may, if need be, kill his adversary. He is not bound to wait until his adversary has effected his destruction before he acts."

Now, gentlemen, this defendant says that on that night in question he was standing on the north side of Pine street; that his attention was attracted to the woman, Mary Masterson, by her beckoning or motioning to him from the opposite or southerly side of the street; that he crossed the street; that he entered into a conversation with her; that the deceased came to where they were standing, and without any provocation whatever upon his part, or any justification on the part of the officer, assaulted him charging him with having taken improper liberties with the woman and insulting her; that the officer slapped his face and kicked him as he was about crossing the street, and that the officer then went away, he-- the defendant-- stating that he would report his conduct to the Captain of

0439

Police; and that for the purpose, as he claims and as I understand from his evidence,-- but you are not bound by my understand of it-- instead of going through Pine street in an easterly direction towards the station house, the location of which he knew, he proceeded in the same direction which the officer had taken and says that he was ahead of the officer and, as I recollect his testimony, that he was about at the centre of the block between Pine and Wall streets, when the officer commenced another assault upon him with his club, and that that assault was continued from that time down to the time that he and the officer got to the corner of Wall street and Broadway, and that there, the officer having threatened twice or three times to kill him before he could report to the Captain of Police, and having clubbed him on the back, on the shoulder and on the head and again threatened to assault him, he drew his knife -- believing his own life to be in danger,-- and that he then plunged it into the body of this officer. Now, gentlemen, that, as I understand it, is substantially the defendant's statement.

No serious wound of any sort was inflicted upon him, the evidence in this case establishes. According to his own testimony, the officer used his club upon his back, upon his shoulder, and gave a slanting blow, as I understand it, which knocked his hat off, and that was accompanied by, as he says, a threat to kill him before he would have an opportunity to report his case to the Captain of Police. That threat and those blows you have a right to take into consideration, to enable you to determine whether at the time he inflicted the wounds his life was in danger, or that he was in danger of receiving some



0440

great bodily injury at the hands of the deceased and that the danger was imminent. It is for you, gentlemen, to say.

The quarrel between the deceased and the defendant had ended at the corner of Pine street and Broadway, as it is claimed by the prosecution. If that is so, the law would not justify the defendant in following up the officer and assaulting him, as it is claimed he did. But you will recollect in this connection that the defendant claims that the assault was made by the officer as he was quietly proceeding down Broadway for the purpose of going through Wall street to this Police Station. The defendant, it is claimed, is contradicted by Mary Masterson, by Scully, by the watchman at Astor's houses,- as to the fact that he was preceding instead of following this officer,- one of the witnesses stating that the officer was walking down with his hands behind his back and his club in one of his hands,- that the prisoner followed him, Mary Masterson stating that he followed him stealthily until he overtook him where he was standing on the corner of Wall street, and that some time elapsed between the first assault and the time of the assault at the corner of Wall St. and Broadway. It is for you to determine in this case all questions of fact, and the credibility of the witnesses. If the defendant has testified to the truth in this case, it will even then be for you to say, on all the evidence, whether such a state of facts and circumstances existed which justified him, in the eye of the law, in taking the life of this officer.

Under this indictment, you have a right to convict this defendant of the crime of manslaughter, provided you are not satisfied beyond a reasonable doubt-- the meaning

0441

of which I will endeavor to define-- of his guilt of either murder in the first or second degree.

Of course, you understand me as saying to you, and I say it now so that there will be no misapprehension about it, that if the killing was justifiable, then this defendant is not guilty of any criminal offence, and it will be your duty to acquit him.

Manslaughter is divided into two degrees, and under this indictment, if you are not satisfied that the crime of murder in either of its degrees has been committed, you may convict, if the facts and circumstances will warrant, of manslaughter in either of its degrees. The general distinction between murder and manslaughter is simply this:-- Murder is the intentional killing of a human being which is neither excusable or justifiable; manslaughter is the unintentional killing of a human being, Both are homicide, but one is murder because it is preceded by an intent to kill; the other is manslaughter because it is not preceded by an intent to kill.

"Such homicide", the statute says, "is manslaughter in the first degree when committed without a design to effect death, in the heat of passion, but not in a cruel and unusual manner, or by means of a dangerous weapon." I do not read the first sub-division of Section 189, because unless the counsel desires it to be read, I do not see that it applies to this case.

(Mr. Read, counsel for the defendant, here stated that he did not claim that the case was within that sub-division and he did not wish the case to be submitted under it.)

0442

There is no dispute in this case that the death of the deceased was caused by means of a dangerous and a deadly weapon. It is conceded in this case that it was a dangerous and deadly one. The question under this section of the statute is whether the homicide was committed by this defendant without a design to effect death and by means of a dangerous weapon. If it was, then the killing, if it was not justifiable, is manslaughter in the first degree; and if you come to the conclusion that it is not manslaughter in the first degree, or that the evidence does not satisfy you beyond a reasonable doubt that that degree of crime has been perpetrated by the defendant, you have the right under this indictment to convict of manslaughter in the second degree, provided the homicide was not justifiable and that the evidence satisfies you beyond a reasonable doubt of the defendant's guilt of that degree of homicide. "Such homicide", the statute says, "is manslaughter in the second degree when "committed without a design to effect death by any act, "procurement or culpable negligence of any person, which, "according to the provisions of this chapter, does not "constitute the crime of murder in the first or second degree or manslaughter in the first degree."

Before you convict under that section of the statute, you should be satisfied that the killing was not only unintentional, that it was not done in the heat of passion by means of a deadly weapon, or by the use of means either cruel or unusual, but that it was done <sup>Some act of</sup> by the defendant which act did not constitute murder in either of its degrees or manslaughter in the first degree.

0443

AB  
I have been requested by the defendant's counsel to charge you certain propositions, some of which I will charge and others of which I ~~will~~ decline to charge. Those which I have charged, I think I have covered by what I have already said in this case, but for the purpose of complying with the request which has <sup>been</sup> handed to me by the counsel, and presenting his views so far as I agree with them, I will charge the following request.

for  
He requests me to charge First,-- and I do charge, That by the law, the defendant had the lawful right to kill the deceased, James North, in his lawful defence, if there was a reasonable ground for him, the defendant, at the time of the killing, to apprehend a design on the part of said North to do some great personal injury to the defendant, Goode, and there was imminent danger of such design being accomplished.

I also charge the second request: That the law presumes the defendant to be innocent until he is proved guilty by credible and reliable evidence beyond every reasonable doubt, and that this presumption of innocence remains with and is a shield to the defendant against the charge of the indictment until credible evidence is produced which shows the defendant to be guilty as charged in the indictment, to a moral certainty and beyond a reasonable doubt. And if the jury, from all the evidence, or from the want of evidence, have a reasonable doubt of the guilt of the defendant, it is their duty to find him not guilty; and they have no legal discretion to do otherwise.

753  
So much of this request I charge; the remainder of it, which I have marked in brackets, I refuse to charge.

0444

I also charge the third request: That the law does not require a man who is unjustly assailed and attacked to wait and deliberate to ascertain whether or not the danger is real, but the law protects a man when thus assailed, if he acts in good faith as a reasonable man would under such circumstances, judging from the circumstances then surrounding him; and if in such a case danger of great personal injury would be apparent to a reasonable man acting in good faith, then he is protected by the law if he acts in good faith in defense of himself under such circumstances, although thereafter it may appear that the danger was only apparent.

The fourth request I decline to charge, because it is entirely a matter for the jury.

The fifth request I decline to charge, except as I have already charged it.

The sixth request I will charge: That the jury are the sole and only judges of the credibility of the witnesses who have testified, and they are the sole and only judges of the weight of the evidence given by such witnesses. They are to be wholly uninfluenced by all outside considerations not shown by the evidence.

707  
The seventh request I will also charge: If the jury shall believe that any witness or witnesses has or have wilfully and corruptly sworn falsely on any matter material to the issue in this action, then the jury have the right, and it is their duty, to discredit and reject the whole of such false testimony, except in so far as the same may have been corroborated by any other credible evidence.



0445

The eighth request I will refuse to charge, except as I have charged.

The ninth request I will charge: That a motive is involved in every crime. If such motive is not proved directly by the evidence, it must be shown clearly and conclusively by the evidence that some adequate motive existed, although the specific motive does not appear. That I charge you, gentlemen.

Now, gentlemen, there are only two other matters which it is necessary for me to call your attention to, and then I will submit this case to you. The defendant has introduced evidence which, it is conceded, emanates from very respectable people, entitled to credence, and tending to show that he has heretofore borne a good character. In all criminal cases the law requires the jury to take into consideration evidence of that character and to give it just such weight as they think it justly and properly entitled to, and no more; and when a jury are considering evidence of this character and giving to it the weight which the law authorizes to be given to it, they should also consider the fact that men of good character have been known to commit some of the most atrocious criminal acts. But the criminal law in its humanity, requires a jury to take evidence of that character into consideration, in connection with the other evidence and surrounding facts and circumstances of the case.

The defendant is entitled to what the law calls "the benefit of a reasonable doubt." The law requires that the prosecution must establish to the satisfaction of the jury by competent evidence and beyond a reasonable

0446

doubt, that the person charged is guilty of the offence before the jury are called upon to convict; but the law says: "a reasonable doubt", and distinguishes it from an imaginary unsubstantial doubt. A reasonable doubt has been well defined to be "Such a doubt as honest, conscientious, painstaking men may entertain upon the facts presented to them, upon which they are asked to determine the question of guilt or innocence"; and if, after looking into all the evidence in this case, and the surrounding facts and circumstances as detailed by the evidence, you can say, as conscientious, painstaking men,-- men anxious to arrive at what the truth is, and to do justice,-- that you do entertain a doubt upon the question of the guilt or innocence of this defendant, that is the reasonable doubt the benefit of which, if it exists in this case, it will be your duty to give this prisoner, and to acquit him; and that reasonable doubt is extended to all the degrees of crime embraced in the indictment.

If you entertain a reasonable doubt that the crime of murder in the first degree, as I have defined it, has been established, and no reasonable doubt that murder in the second degree has been established by the evidence in this case, then it is your duty to extend to this defendant the benefit of that doubt and to convict him of the second instead of the first degree; but you have no right to convict of the second degree, unless you are satisfied beyond a reasonable doubt that he committed the crime of murder in the first degree. So, also, gentlemen, if you entertain a reasonable doubt as to his guilt of murder in either of its degrees, but that he is guilty of manslaughter

0447

wh-  
as the statute has defined it, the law says it will be your duty to give him the benefit of the doubt and convict him of that ~~crime~~ crime of whatever degree you believe the facts and circumstances, as they have been proved in this case, establish.

This case is now about to be submitted to you. You are to determine it; because, after all, under the laws of this state, every question of this character, involving either the life or the liberty of a human being, is to be committed to and passed upon by a jury of his peers. This man has had a fair and impartial trial; he has had the benefit of experienced counsel, and nothing has been done, so far as I have been able to see, on the part of the District Attorney, having a tendency improperly or unduly to prejudice your minds. The case has been presented in the way in which, in my judgment, a public prosecutor should always present a criminal case. He has brought every witness, who could throw any light upon the subject matter of this investigation, and placed them upon the stand before you, for the purpose of enabling you to see exactly what justice requires should be done. In summing up this case on the part of the People, he has said nothing to inflame your minds against this prisoner. He has done his duty fairly and properly between the people and the defendant, and with that ability which he is known to possess.

JS  
Your verdict in this case, gentlemen, will be either guilty of murder in the first degree, guilty of murder in the second degree, guilty of manslaughter in the first or in the second degree, or not guilty,-- as you find the facts and circumstances in this case will warrant.

0448

Mr. Reed: I except, on behalf of the defendant, to the charge of the Judge that the evidence of the three witnesses who are named by him, on the part of the prosecution, were entitled to great weight.

I except also to the charge of the judge in calling the special attention of the jury to the testimony of the witness Scully, who swore that he did not see the killing.

I except to the refusal by the judge to charge the several requests which I asked to have charged, and which he did not charge.

*Settled Nov. 27 '85  
F. J. [Signature]*

POOR QUALITY  
ORIGINALS

0449

At a Court of General Sessions of the Peace,

holden in and for the City and County of New York, at the  
City Hall of the said City, on                      day, the *Nineteenth*  
day of *November*, in the year of our Lord One Thousand  
Eight Hundred and *eighty five*

PRESENT,

The Honorable, *Frederick Smyth*  
Recorder of the City of New York,

Justice of the  
Sessions.

*Samuel R. Goode* is in due form of law arraigned at the  
bar upon an indictment for *Murder first degree*, and  
having heard the indictment read and being asked whether he demanded a trial  
thereon, answers that he does require a trial, and says that he is not guilty  
thereof. Whereupon the following Jury is balloted and sworn to well and truly  
try and a true verdict give according to evidence, viz:


who upon their oath aforesaid do say that the said *Samuel R. Goode*  
is guilty of ~~the~~ *Murder in the second degree*, as by the indictment  
is alleged against him,

It is thereupon demanded of the said *Samuel R. Goode*  
what he hath to say why judgment should not be pronounced against him  
according to law, who nothing further saith unless as before he hath said.

Whereupon it is considered, ordered and adjudged by the Court, that the  
said *Samuel R. Goode* for the felony aforesaid whereof  
he is convicted as aforesaid be imprisoned in the *State Prison* at hard labor  
for the term of *his natural life*.

A true extract from the minutes.

*Thos. Sparks*  
Clerk of Court.

POOR QUALITY  
ORIGINALS

0450

**The** Return of the Judges of the  
Court of General Sessions of the peace held in and for the City and  
County of New York,

*A transcript of the Indictment and Judgment Roll of the  
Court, together with all things touching or in any wise concerning the same.*

[L. S.]

**We Certify**, under the seal of our said Court, to  
the Justices of the Supreme Court mentioned  
in the annexed notice of Appeal, filed in the  
Clerk's Office of this Court, on the  
day of 188

*By the Court,*

*Clerk.*



POOR QUALITY  
ORIGINALS

0451

*Received*  
*J. H. Barton*  
*Chas. H. Reed*  
Counsel,  
150 Broadway  
Filed 10 day of Sept. 1885  
Plends, *Not guilty* (11)

[Sections - 183 - Penal Code]

THE PEOPLE

*vs. Wm. H. F.*

*Edward B. Goddard*

*H.D.*

RANDOLPH B. MARTINE,

District Attorney.

*221 State St. 1885*

*Chas. H. Reed*

A True Bill. *Sept 11*

*Wm. H. F.*  
*10/16/85*

*Wm. H. F.*  
*10/16/85*

Witnesses:

0452

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Samuel C. Rippe

The Grand Jury of the City and County of New York, by this indictment, accuse Samuel C. Rippe

of the CRIME OF Murder in the first degree committed as follows:

The said Samuel C. Rippe,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the twenty-first day of August, in the year of our Lord one thousand eight hundred and eighty-five, at the Ward, City and County aforesaid, with force and arms, in and upon the body of one James North, in the presence of the said People then and there being, wilfully, feloniously and of his malice aforethought did make an assault, and the said Samuel C. Rippe, with the said James North, with a certain knife which he the said Samuel C. Rippe in his right hand then and there had and held, in and upon the neck of him the said James North, then and there wilfully, feloniously and of his malice aforethought, did strike, stab, cut, and wound, giving unto him the said James North then and there, with the knife aforesaid, in and upon the neck

of him the said James North one mortal  
wound of the breadth of one inch and of  
the depth of six inches, of which said  
mortal wound the said James North  
then and there died. And so the said  
James North said that he the said  
Samuel B. Gode, him, the said James  
North, in manner and form and by  
the means aforesaid, wilfully, felon-  
iously and of his malice aforethought  
did kill and murder, against the form  
of the Statute in such case made and  
provided, and against the peace of the  
People of the State of New York, and  
their dignity.

Randolph B. Martin,

District Attorney

0454

**BOX:**

187

**FOLDER:**

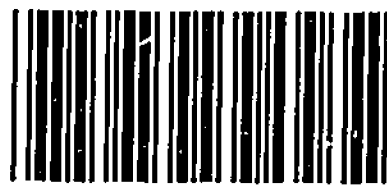
1889

**DESCRIPTION:**

Gorman, Thomas

**DATE:**

09/16/85



1889



Witnesses:

Counsel,

Filed *16* day of *Sept*

188*5*

Pleads *Guilty*

THE PEOPLE

vs.

*R*

*Thomas Gorman*

ASSAULT IN THE FIRST DEGREE, ETC.  
(Sections 217 and 218, Penal Code).

RANDOLPH B. MARTINE,

District Attorney.

*No 124 In Sep 13/85  
ind accepted.*

A True Bill.

*Chas H. Kamm*

Foreman.

0455

POOR QUALITY  
ORIGINALS

0456

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Thomas Ferman*

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

*Thomas Ferman*

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

The said *Thomas,*

late of the City of New York, in the County of New York aforesaid, on the *twenty ninth* day of *August*, in the year of our Lord one thousand eight hundred and eighty *five*, with force of arms, at the City and County aforesaid, in and upon the body of one *John Sherry* in the peace of the said People then and there being, feloniously did make an assault and *in* the said *John*, in and upon *the* *body* *of* *John*, with a certain *knife*

which the said *Thomas* in *his* right hand then and there had and held, ~~the same being a deadly and dangerous weapon,~~ wilfully and feloniously did beat, strike, stab, cut and wound, *the same being such means and force as were likely to produce the death of John the said John,* with intent *to* the said *John*, 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

*Thomas Ferman*

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

The said *Thomas,*

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 one *John Sherry* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and *in* the said *John*,

with a certain *knife*

which *the* the said *Thomas* in *his* right hand then and there had and held, the same being an *instrument* likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully beat, strike, stab, cut and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.



0457

THIRD COUNT--

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

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

The said Thomas,

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 one John Sherry,

in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make an assault, and him the said John,

in and upon the abdomen of him the  
said John, did then and there  
feloniously, wilfully and wrongfully strike, beat, stab, cut, bruise and wound,  
and did thereby then and there feloniously, wilfully and wrongfully inflict  
upon him the said John,

grievous bodily harm, to the great damage of the said John,  
against the form of the statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity.

**RANDOLPH B. MARTINE,**

**District Attorney.**

POOR QUALITY  
ORIGINALS

0458

Police Court, 1 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James P. Kira*  
vs.  
*Prosser*

AFFIDAVIT.

*Justice J. J. Gorman of  
the printing justice here  
then is hereby authorized  
to proceed with the  
examination herein  
for the reason that I will  
then be absent from this  
jurisdiction as I have  
P. H. Kira*

Dated Aug 30 188

*Prosser* Magistrate.

*Officer.*

Witness, 27

Disposition, *committed for  
further examination to await  
result.*

POOR QUALITY  
ORIGINALS

0459

CITY AND COUNTY  
OF NEW YORK, ss.

POLICE COURT, First DISTRICT.

*The 29<sup>th</sup> Precinct*  
of No. *Dennis O'Hara* Street, aged *35* years,  
occupation *Police Officer* being duly sworn deposes and says,  
that on the *29<sup>th</sup>* day of *August* 188*5*  
at the City of New York, in the County of New York,

*Thomas Gorman (nowhere) did*  
*wilfully and feloniously cut and stab*  
*one David Cherry in the abdomen*  
*with the blade of a pen knife then and*  
*there held in his hands as set forth*  
*in the annexed certificate inflicting*  
*injuries from which the said Cherry is*  
*now confined in the Chamber Street Hospital*  
*and deponent ask that the said Gorman*  
*may be held to await the result of*  
*said injuries Dennis O'Hara*

Sworn to before me, this

of

188

day

Police Justice.

POOR QUALITY  
ORIGINALS

0460

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, Aug 31 1885

To whom it may concern:

This is to certify that

*John Cherry*

is ~~was~~ under treatment at this Hospital,

for *Stab wound of abdomen*

from *Aug 29* 1885, to

1885

and *his condition is worse*

*this morning.*

*W. H. Kirby M.D.*  
*House Surgeon*

POOR QUALITY  
ORIGINALS

0461

Large Room  
36 Washington  
Alec Dunbar  
36 Washington

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court

1st District

THE PEOPLE &c.,  
ON THE COMPLAINT OF

John Henry

36 Washington

John Henry

36 Washington

36 Washington

36 Washington

36 Washington

36 Washington

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

Gorman

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

Dated Sept 8th 1885 John Gorman Police Justice.

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

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

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

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



POOR QUALITY  
ORIGINALS

0462

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

182 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*  
*Thomas Gorman*  
*Mark*

Taken before me this

day of

188

*John J. Gorman*  
Police Justice.

0463

Police Court—1st District.

City and County of New York, ss.:

of No.

36

Washington

Street, aged 53 years,

occupation

Laborer

being duly sworn

deposes and says, that on

29th

day of

August

1885 at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Thomas Gorman (nowhere) who did

cut and stab deponent on the left side of deponents body or abdomen with the blade of a pen knife then and there held in his hands cutting and wounding deponent and said assault was committed with

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 dealt with according to law.

Sworn to before me, this

day

of

September

1885

John Cherry

Police Justice.

0464

**BOX:**

187

**FOLDER:**

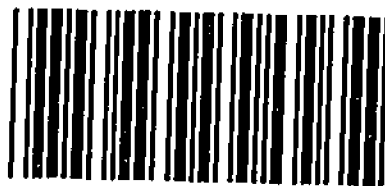
1889

**DESCRIPTION:**

Gregory, George H.

**DATE:**

09/16/85



1889

0465

Foreman  
 Board of Directors  
 May 22/11

POOR QUALITY  
ORIGINALS

0466

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

George D. Freaguy

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

~~George D. Freaguy~~  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said George D. Freaguy

late of the City of New York, in the County of New York aforesaid, on the  
thirtieth day of August, in the year of our Lord  
one thousand eight hundred and eighty-five, with force of arms, at the City and  
County aforesaid, in and upon the body of one William D. Thompson,  
in the peace of the said People then and there being, feloniously did make an assault  
and ~~in~~ the said William D. Thompson,  
with a certain ~~knife~~

which the said George D. Freaguy  
in ~~his~~ right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound,

with intent ~~in~~ the said William D. Thompson,  
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  
~~George D. Freaguy~~  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said George D. Freaguy

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 one William D. Thompson,  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make an assault, and ~~in~~ the said William D.  
Thompson,  
with a certain ~~knife~~

which ~~in~~ the said George D. Freaguy  
in ~~his~~ right hand then and there had and held, the same being an  
~~instrument~~ likely to produce grievous bodily harm, then and  
there feloniously did wilfully and wrongfully beat, strike, stab, cut and wound,  
against the form of the statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

Randolph B. Martin,  
District Attorney



POOR QUALITY  
ORIGINALS

0467

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court

District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William O. Thompson  
vs.  
330 W 41 St

George O. Gregory

1  
2  
3  
4

Offence Fel assault

Dated

Sept 2

1885

D. A. Reilly

Magistrate.

Henry Bayliss

20 Precinct.

Witnesses

Harold Thompson

330 W 41 St

Street.

No.

SEP 3 1885

Street.

No.

1000

to answer

88

Street.

It appearing to me by the depositions and statements that the crime 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 One 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 Sept- 2 1885 Danny O'Reilly Police Justice.

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

Dated \_\_\_\_\_ 1885 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1885 \_\_\_\_\_ Police Justice.

0468

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY {  
OF NEW YORK, } SS

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

Question. What is your name?

Answer. George D. Gregory

Question. How old are you?

Answer. 44 years

Question. Where were you born?

Answer. N. S.

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

Answer. 330 W 41<sup>st</sup> St. 3 years

Question. What is your business or profession?

Answer. Coachman

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

George D. Gregory  
mark

Taken before me this

day of

Sept 1 -

188

Police Justice.

POOR QUALITY  
ORIGINALS

0469

POLICE COURT—       DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Harriet Thompson  
vs.  
George H. Gregory

**AFFIDAVIT**

Dated August 30 1885

J. B. Ford Magistrate.  
Boylan Officer.

Witness, \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Disposition Car. to await  
result of injury  
Ex Sept 1<sup>st</sup> 12 PM  
2 2 PM

*Ed. A. Thompson*

POOR QUALITY  
ORIGINALS

0470

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

POLICE COURT,

DISTRICT.

*Harriet Thompson*

of No. *330 West 24th* Street, being duly sworn, deposes and says,  
the number of *99* day of *August* 188*5*  
that on the *15* day of *August* 188*5*  
at the City of New York, in the County of New York, *about 1:15 O'clock*

*As in a hallway of said premises deponent saw the defendant George Gregory now present cut and stab William H. Thompson upon the sole of his foot and inflict injuries of such a character as disables him from appearing in Court to testify. Deponent asks that said Gregory may be dealt with as the law directs.*  
*Harriet Thompson*

Sworn to before me, this

of

*August*

188*5*

day

at

*New York*

City

of

*New York*

County

of

*New York*

State

of

*New York*

City

of

*New York*

County

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City

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*New York*

County

of

*New York*

POOR QUALITY  
ORIGINALS

0471

ROOSEVELT HOSPITAL,

59th STREET & NINTH AVENUE.

New York, Aug. 31 1885.

This is to certify that the records of this Hospital show that William H. Thompson, represented to be 34 years of age, native of United States, married, and a waiter by occupation, was brought to this Hospital in an ambulance from 330 W. 41<sup>st</sup> St. on August 30 '85. at 2<sup>15</sup> A.M. suffering from an incised wound in the sole of the foot and that he was discharged on the same day after his injuries had been attended to.

Jas. R. Lathrop,  
Supt.  
per. J.



0472

Police Court— 2 — District.

City and County } ss.:  
of New York, }of No. 330 W 41<sup>st</sup>

William O. Thompson

Street, aged 34 years,

occupation waiter

being duly sworn

deposes and says, that on the 30 day of August— 1885 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by George H. Gregory (now here) who struck deponent a blow on the face with his fist knocking him down and while down said defendant wilfully and maliciously cut and stabbed deponent on the foot and hand with a knife then and there held in the hand of said defendant—

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 2 day  
of Sept—, 1885.

Wm O Thompson

Sam'l C. Kelly Police Justice.

District Police Court.

*William H. Thompson*

*vs.*  
*George H. Gregory*

*Thompson*

STENOGRAPHER'S TRANSCRIPT.

*Sept 2* 188 *5*

BEFORE HON.

*Samuel P. Kelly*  
*Police Justice.*

*G. J. Tracy*  
Official Stenographer.

0474

## STENOGRAPHER'S MINUTES.

*Second* District Police Court.

THE PEOPLE, &amp;c., IN COMPLAINT OF

*William H. Thompson*

VS.

*George H. Gregory**Thomas Asaiah*

BEFORE HON.

*James O'Riley*

POLICE JUSTICE,

*Dept 2nd*

188

5

APPEARANCES:

For the People,

For the Defence,

188

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WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

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<i>Harriet Thompson</i>	6		6

*M. J. Treacy*

Official Stenographer.

0475

Second DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF  
*William J. Thompson* Examination had *September 2* 188*5*  
agst. *George H. Gregory* Before *Samuel O'Reilly* Police Justice.

I, *M. J. Greacy* Stenographer of the District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of *William J. Thompson, George H. Gregory and James Thompson* as taken by me on the above examination before said Justice.

Dated

*September 2* 188*5*

*Samuel O'Reilly*  
Police Justice.

*M. J. Greacy*  
Stenographer.

New York Sept 2<sup>nd</sup> 1885  
 Second District Police Court

William H. Thompson }  
 George H. Gregory } <sup>Defendant</sup>  
 William Thompson  
 being duly sworn deposes and  
 says.

Ques When did this occur?

Ans On the 30<sup>th</sup> Aug.

Ques Where did it occur?

Ans In the Hall way of  
 330 West 41<sup>st</sup> St

Ques Did not you  
 and your wife have a  
 quarrel?

Ans He had a little  
 unsocial between ourselves. We  
 were not fighting or all. I  
 never had any words with  
 this man. When I came  
 in my wife and I had  
 a little fuss, he came  
 in and grabbed



me in the foot and  
 Cur me and Knocked  
 me down. I did not  
 Kick him. He grabbed  
 me by the bottom of the  
 foot. I had the same  
 kind of a shoe on, I  
 have now.

Ques Did you see  
 the Knife?

Ans I did, I  
 pulled it out of my  
 foot.

Ques How is the Cur in  
 your shoe?

Ans It is not exactly  
 lengthwise.

Ques Did your wife  
 threaten your life?

Ans No Sir. He never  
 made any noise, we  
 were not drunk. I had  
 some drinks.

Ques Did you  
 have any quarrel  
 (2)

0478

Ans  
Ques  
Ans

3  
No Sir. How long  
have you lived there?  
8 Months.

Sworn to before me  
this 2<sup>nd</sup> day of Decr 1885

Daniel O'Reilly Police Justice

3

H

George H. Gregory being  
 away on work, deposes and  
 says, When I came from  
 work, I met Thompson on  
 the street. He said good  
 evening. I asked him to  
 have a glass of Beer. He  
 had no other went into  
 my room, next to his.  
 I went out to pay some  
 grocery bills. When I got  
 back Thompson and his  
 wife were fighting. I  
 said don't disgrace your-  
 self, he said "it is none  
 of your damn business."  
 Then he struck me. My  
 wife came out, then he  
 kicked me in the private,  
 and struck me on the  
 side of the head. I  
 fell, I did not draw  
 my knife out of my  
 pocket. I never cut him  
 at all.

H

0480

5

I went into the room  
and said Thompson is  
my friend and we always  
get along very well. He  
said his wife were fighting.  
They were bandied together. I  
never had any enmity or  
ill will ~~at~~ towards him,  
I do not see how this  
happened.

Sworn to before me  
this 2<sup>d</sup> day of Sept 1885

Samuel Kelly Police Justice

9-



Harrier Thompson being  
 duly sworn deposes and  
 says,

Ques Did you and your  
 husband fighting?

Ans He had  
 some words. I never was  
 arrested for striking a man.  
 Ques Do you know where  
 the knife struck your  
 husband?

Ans Yes Sir. I  
 had no knife in my  
 hand. I saw him  
 make a plunge at  
 my husband. He cut  
 at my dress too. The  
 knife cut him in the  
 foot.

sworn & before me  
 this 2<sup>nd</sup> day of Sept 1885

Samuel C. Bell, Justice



0482

**BOX:**

187

**FOLDER:**

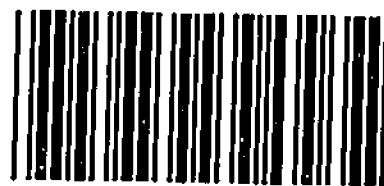
1889

**DESCRIPTION:**

Griffin, James

**DATE:**

09/30/85



1889



0484

# 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 Fiddler*

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

*James Fiddler*

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

The said *James Fiddler*,

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

*one* Promissory Note for the payment of money, the same being then and there due and unsatisfied, and of the kind known as *United States Treasury Notes*, of the denomination of *one hundred dollars*, and of the value of *one hundred dollars*,

*and one* Promissory Note for the payment of money, the same being then and there due and unsatisfied, and of the kind known as *Bank Notes*, of the denomination of *one hundred dollars*, and of the value of *one hundred dollars*.

of the goods, chattels and personal property of one *Andrew J. Fiddler*,

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

*Randolph B. Martin*  
District Attorney

0485

Police Court - 1st District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Frank McEvinney

256 1st Avenue St

1 James Crispin

2

3

4

Offence

Dated Sept 26 188

Magistrate

Officer

Precinct

Witness

No. 144 Castle St

Street

No. Street

No. Street

No. Street

No. Street

\$ 1000 to answer

Street

Street

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 1000 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 Sept 26 188 J. B. Smith Police Justice.

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

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

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

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

0486

Sec. 198-200.

151

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question What is your name?

Answer

Question How old are you?

Answer

Question Where were you born?

Answer

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

Answer

Question What is your business or profession?

Answer

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

Answer

day of

Taken before me this

189

Police Justice.

The complainant was drinking with me and he gave me a one hundred dollar bill to get changed and I went to several places to change it and could not get it changed and I returned and I told him I could not get it changed and he asked me to have another drink and he again gave me the bill and insisted upon my getting it changed and I told him I would get it changed if I could but it would take me an hour or half hour. I got it changed and came back and had the money in my pocket and I met some friends, who took me away I was drunk at the time.

*James Griffin*



POOR QUALITY  
ORIGINALS

0487

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 47 years, occupation Police Officer of No. 141

141 Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Thos. McGinnis

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

Sworn to before me, this 26

day of Sept 188 7

Edward Shalvey

J. R. Wick

Police Justice.

POOR QUALITY  
ORIGINALS

0488

Police Court— District.

Affidavit—Larceny.

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

of No.

236 Plymouth

Street, aged 27 years,

occupation

Labourer

being duly sworn

deposes and says, that on the 12 day of Sept 1885 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

Good and lawful Money of  
the United States Consisting  
of One One hundred dollar bill  
and of the value of One hundred  
dollars  
the property of deponent

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

from the fact that at about six  
o'clock P.M. of the above date deponent  
went into the saloon Number 14  
Catherine Ship kept by a man  
named Jennings and there met  
two girls whom he invited to  
drink with him. deponent  
gave the order for three drinks to  
defendant and believing said  
defendant was employed there  
and tendered defendant in  
payment for said drinks a One  
hundred dollar bill when said  
defendant informed deponent.

Sworn to before me, this

188

day

Police Justice.

POOR QUALITY  
ORIGINALS

0489

that it was too large a bill for them  
to change whereupon deponent  
asked him to go out somewhere  
else and try and get it changed  
said defendant took said bill  
and failed to return and did  
not again see defendant until  
the morning of the 26<sup>th</sup> day of Sept 1885  
when he was informed by Officer  
Edward Shalby of the 14<sup>th</sup> Precinct  
Police that he had arrested said  
defendant and deponent fully  
identifies said defendant as the  
person who feloniously took  
stole and carried away the aforesaid  
property.

Subscribed before me this } Hugh H. Guirone  
26<sup>th</sup> day of Sept 1885  
G. V. [Signature]  
Police Justice

Dated 1885 Police Justice

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

There being no sufficient cause to believe the within named

Dated 1885 Police Justice

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

Dated 1885 Police Justice

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

Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

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

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Office—LARCENY.

1.  
2.  
3.  
4.

Dated

1885

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$

to answer

Sessions.

0490

**BOX:**

187

**FOLDER:**

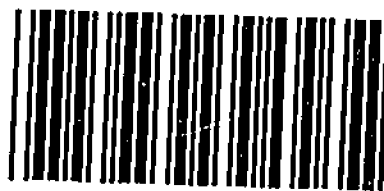
1889

**DESCRIPTION:**

Grippo, Guiseppe

**DATE:**

09/21/85



1889



POOR QUALITY  
ORIGINALS

0491

Witnesses:

Counsel,

Filed 21 day of Sept 1885

Pleads

*pro se*

THE PEOPLE

vs.

*W. M. M. M.*

*Aggravated Rape*

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

RANDOLPH B. MARTINE,

District Attorney.

No 192 Pr. Sec. 1078

A True Bill.

*Filed Case 3d*  
*Pen one year*  
*Chas N. Russell*

Foreman.

25th

*Sept 25th*

*G. S. B.*



0492

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Synesio Aguirre*

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

*Synesio Aguirre*

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

The said *Synesio Aguirre*,

late of the City and County of New York, on the *fourteenth* day of *September*, in the year of our Lord one thousand eight hundred and eighty *five*, with force and arms, at the City and County aforesaid, in and upon one

*Michael Federico*

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said *Synesio Aguirre*,

with a certain *knife* which *he* the said

*Synesio Aguirre*

in *his* right hand then and there had and held, the same being then and there a *instrument* likely to produce grievous bodily harm, *he*, the said *Michael Federico*, then and there feloniously did wilfully and wrongfully strike, beat, *stab, cut*, bruise and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*Randolph B. Smith*

*District Attorney*

0493

Residence \_\_\_\_\_

*Chen*

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

0494

Sec. 198-200.

181

District Police Court.

CITY AND COUNTY  
OF NEW YORK, { ss

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

Question What is your name?

Answer

Question How old are you?

Answer

Question Where were you born?

Answer

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

Answer

Question What is your business or profession?

Answer

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

Answer

*I am not guilty*  
*Giuseppe Grippo*  
*mark*

Taken before me this  
day of

1885

Police Justice.

0495

Police Court—First District.City and County { ss.:  
of New York,

of No.

54 Mulberry

Michele Federico

occupation

Tender

Street, aged 17 years,

deposes and says, that on

14th day of

September

1885

being duly sworn

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

he was violently and feloniously ASSAULTED and BEATEN by

Giuseppe Grippo (now here) who did  
 wilfully assault deponent by  
 cutting deponent on the right hand  
 with the blade of a razor then and there held  
 in his hands and said assault  
 was committed

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 dealt with according to law.

Sworn to before me this

of

14th day of September 1885

Michele Federico

J. J. Duffy

Police Justice.

Mark

0496

**BOX:**

187

**FOLDER:**

1889

**DESCRIPTION:**

Guggenheim, Dabor Max

**DATE:**

09/18/85



1889



POOR QUALITY  
ORIGINALS

0497

Counsel,

Filed 18 day of Sept 1885

Pleads,

THE PEOPLE

vs.

B

Deborah May

Exaggeration

77

RANDOLPH B. MARTINE,

District Attorney.

70/65-

A True Bill.

Chas H. Kynell

Foreman

Ames

7 Dec. 24. 1885

POOR QUALITY  
ORIGINALS

0498

Counsel,  
Filed *12/17/88* day of *Dec* 188*8*  
Pleads,

[Sections 356 - Penal Code]

THE PEOPLE

vs.

*B*

*Dobson Max*

*Exaggeration*

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*Geo. A. Kanelis*

Foreman

*Wm. H. [Signature]*

*7 Dec. 24. 1888*

Witnesses:

*[Signature]*

*Book - Pa. 1. 100 13.0. 1.330  
For Index  
" 149. 1.407*

POOR QUALITY  
ORIGINALS

0499

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Doctor Max Kappagundheim*

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

of the CRIME OF *practicing medicine without authority*

committed as follows:

The said *Doctor Max Kappagundheim*,

late of the *First* Ward of the City of New York, in the County of New York afore-  
said, on the *thirtieth* day of *August*, in the year of our Lord  
one thousand eight hundred and eighty-*five*, at the Ward, City and County aforesaid,  
*without being authorized by a license or*  
*diploma from any chartered school, state*  
*board of medical examiners, or medical*  
*society, did unlawfully practice medicine,*  
*and did then and there without being so*  
*authorized as aforesaid, unlawfully examine,*  
*treat and prescribe for one Valentine D.*  
*Swain as a physician; against the form*  
*of the Statute in such case made and pro-*  
*vided, and against the peace and dignity*  
*of the said People.*

And the Grand Jury aforesaid, say this  
Indictment further accuse the said *Doctor*  
*Max Kappagundheim* of the crime of *practicing*  
*physic without being lawfully authorized*

(See 356  
Penal Code)

(Chap. 513  
Laws of 1880  
Sec. 1)

POOR QUALITY  
ORIGINALS

0500

no to do, committed as follows: The said Doctor  
Max Kuggenheim, late of the Ward, City and  
County aforesaid, afterwards to wit: on the  
day and in the year aforesaid, and at the  
place aforesaid, did unlawfully practice  
physic without being then and there law-  
fully authorized so to do, and without such  
lawful ~~and~~ authority did then and there  
unlawfully examine, treat and prescribe  
for one Valentine D. Quinn as a Physician;  
against the form of the Statute in such  
case made and provided, and against the  
peace and dignity of the said People.

(Chap. 513  
Laws of 1860  
Sec 2)

And the Grand Jury aforesaid say that  
Indictment further accuse the said Doctor Max  
Kuggenheim of the crime of practicing physic  
without having duly registered, committed as  
follows: The said Doctor Max Kuggenheim,  
late of the Ward, City and County aforesaid  
afterwards to wit: on the day and in the  
year aforesaid, at the Ward, City and County  
aforesaid, being then and there a person duly  
authorized to practice <sup>and surgery</sup> physic, did unlawfully  
practice physic without having before then  
registered in the Clerk's Office of the said  
County, in manner and form required by  
law, his name, residence and place of birth,  
together with his authority for so practicing  
physic and surgery, and did then and there

POOR QUALITY  
ORIGINALS

0501

without having so registered as aforesaid, and  
carefully examine, treat and prescribe for  
one Valentine D. Durin, against as a injur-  
sion, against the form of the Statute in  
such case made and provided, and against  
the peace and dignity of the said People.

Randolph B. Marline,

District Attorney.



POOR QUALITY  
ORIGINALS

0502

PART I

THE COURT ROOM IS IN THE BROWN STONE BUILDING, AND FRONTING THE CITY HALL.



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



Bring this Subpoena with you, and give it to the officer at the Court-Room door, that your attendance may be known.

known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA—(DUCES TECUM)

425

FOR A WITNESS TO ATTEND THE

Court of General Sessions, Part I

The People of the State of New York,

To John F. Carroll, Esq.

of No. Clerk of the Court of General Sessions

GREETING.

WE COMMAND YOU, That all business and excuses ceasing, you appear in your proper person, before the Court of General Sessions, to be holden in and for the City and County of New York, at the Sessions Building in the Park of the said City on the 9<sup>th</sup> day of March 1892 instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf against

Max Guggenheim

in a case of felony, whereof he stands indicted, and that you bring with you and produce, at the time and place aforesaid, a certain record of the indictment of Max Guggenheim on 18<sup>th</sup> day of September 1885

now in your custody, and all other deeds, evidences and writings, which you have in your custody or power, concerning the premises. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, HON. Frederick Smyth

Presiding Judge of

our said Court, at the City Hall in our said City, the first Monday of March in the year of our Lord 1892

DE LANCEY NICOLL, District Attorney

POOR QUALITY  
ORIGINALS

0503

BAILED  
No. 1, by Edward Keller  
Residence 2132 West 57<sup>th</sup> Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court J. A. 868  
District \_\_\_\_\_  
THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
William A. Thompson  
2nd Floor  
Water Mary =  
Guggenheim  
Dated August 21 188 5  
William A. Thompson Magistrate.  
William A. Thompson Officer.  
William A. Thompson Precinct.  
Witnesses  
No. 1 William A. Thompson  
Street 15  
No. 2 William A. Thompson  
Street 15  
No. 3 William A. Thompson  
Street 15  
No. 4 William A. Thompson  
Street 15  
to answer Sessions.  
William A. Thompson

Offence Misdemeanor  
Proc. Chap. 513 Law  
1880

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 \_\_\_\_\_

Water Mary Guggenheim  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Three  
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 August 21 188 5 W. A. Thompson Police Justice.

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

Dated Aug. 21 188 5 W. A. Thompson Police Justice.

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

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

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

0504

Sec. 151.

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

CITY AND COUNTY }  
OF NEW YORK, } ss.

In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:

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

of No. 2 Wall Street, that on the 21 day of August

1885 at the City of New York, in the County of New York,

Max Guggenheim did unlawfully practice medicine in violation of Chapter 513 of the Laws of 1880 of the State of New York in violation of the registration in the clerk's office of said County as the law directs (his authority to practice is hereby revoked or dispensed)

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant, and bring him forthwith before me, at the 3<sup>d</sup> District Police Court, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 21<sup>st</sup> day of August 1885

Wm. A. Harrington POLICE JUSTICE.

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

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William A. Harrington

Max Guggenheim

Warrant-General.

Dated August 21<sup>st</sup> 1885

William A. Harrington Magistrate.

William A. Harrington Officer.

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

William A. Harrington Officer.

Dated August 21<sup>st</sup> 1885

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest, August 20<sup>th</sup> 1885

Max Guggenheim  
Native of Austria

Age, 27

Sex, Male

Complexion, Light

Color, Blue

Profession, Physician

Married, No

Single, Yes

Read, "

Write, "

No. 90 Seventh

POOR QUALITY  
ORIGINALS

0505

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY { ss  
OF NEW YORK,

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

Question What is your name?

Answer

deabor Max Guggenheime

Question. How old are you?

Answer

27 years 9 age

Question. Where were you born?

Answer.

Switzerland

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

Answer.

90 East 7<sup>th</sup> St. 3 months

Question What is your business or profession?

Answer

Medicine

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

Max  
deabor Guggenheime

Taken before me this

27<sup>th</sup>

day of

188

Alfred J. ...

Police Justice.



POOR QUALITY  
ORIGINALS

0506

POLICE COURT } DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

On Complaint of

*Wm A. Cunningham*

For

*Misdemeanor*

*Deator Max Guggenheim*

*demanded*

After being informed of my rights under the law, I hereby ~~waive~~ *demand* a trial, by Jury, on this complaint, and demand a trial at the COURT OF ~~SPECIAL~~ SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated *August 27* 188*1*

*Deator Max Guggenheim*

*Wm A. Cunningham*

Police Justice.



W

The People } Penal Code 356  
10 } de 1880 c 573  
May Englebrecht  
of No 90 E 15 St. cor  
1st Avenue.

Charge Practicing physic  
without lawful authority regis-  
tered with the County clerk

Complainant

the  
Medical Society of the County of  
New York by their counsel  
William A. Purnington, 2 Wall St

Witness

Dillon Brown. } 415 E 15 St.  
Valentine Brown }

0507

0508

City and County }  
of New York } 80

2 Wall St.

William A. Rarrington, being duly sworn says that he is a Counsellor at Law residing, and having an office at No. 2 Wall Street - in the City of New York; that he is the duly retained counsel of the Medical Society of the County of New York and that as such officer and acting in behalf of said Society, he complains upon information and belief of one Mart Guggenheim as practicing medicine in this County without authority and contrary to the form of the Statute in such cases provided. So complaining he says

I That said Mart Guggenheim whose full name is believed to be Mart Guggenheim <sup>resides and</sup> <sup>on East Ave</sup> has an office at No. 90. Berenville Street, in said City

II That on or about the 20<sup>th</sup> day of August 1885 the said Mart Guggenheim — practiced medicine at his said office upon Valentine D Irvine a child seven years old by examining the bodily symptoms of said Valentine D Irvine, who was then in bad health, and prescribing drugs for the cure and advising treatment for the relief of said Valentine D Irvine for which medical services ~~he~~ <sup>it was agreed he should</sup> receive compensation, ~~with a fee of~~ <sup>dollar</sup>

III That said Mart Guggenheim had at the time of said practice no authority by

license, certificate, or diploma registered in the Office of the Clerk of this County whereby he was entitled to practice medicine in this State and County

IV That such practice of medicine was without authority and contrary to the provisions of section 356 of the Penal Code and Chapter 513 of the laws of 1885

Sworn to before me

this 21 day of August 1885

J. D. Patterson

Police Justice

W. A. Dunnington

City and County }  
of New York

Dillon Irwin being duly sworn says that on the 20<sup>th</sup> day of August 1885 Mary Guggenheime — examined as a physician the bodily symptoms of Valentine D Irwin then in bad health and prescribed drugs and treatment for the cure and relief of said Valentine D Irwin at  
No East of 4<sup>th</sup> Street N.Y.C. — Deponent

05 10

further says that upon the said 20<sup>th</sup> day  
of August 1885 said Max Guggenheim -  
has no authority registered with the Clerk of  
the County of New York either by license,  
diploma or certificate whereunder he was  
entitled to practice medicine

Sworn to before me } Dillon Irwin  
this 21 day of August 1885 }

J. M. Patterson Police Justice

05 11

**BOX:**

187

**FOLDER:**

1889

**DESCRIPTION:**

Gutzwiller, Frank

**DATE:**

09/14/85



1889



\_\_\_\_\_

THE PEOPLE  
vs.  
JAMES M. HARRIS,  
Defendant.

ASSAULT IN THE FIRST DEGREE, ETC.  
(Sections 217 and 218, Penal Code).

No. 57

A True Bill.

Filed Sept 28/60

Thos H. Haswell Secy.

Sept 25th  
1950

Pen one year.

0512

0513

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Franklin D. Roosevelt*

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

*Franklin D. Roosevelt*

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

The said *Franklin D. Roosevelt*

late of the City of New York, in the County of New York aforesaid, on the *Twenty eighth* day of *August*, — in the year of our Lord one thousand eight hundred and eighty-*five*, with force of arms, at the City and County aforesaid, in and upon the body of one *Sena Steppel*, in the peace of the said People then and there being, feloniously did make an assault and *then* the said *Sena Steppel* with a certain *knife*

which the said *Franklin D. Roosevelt* in *this* right hand then and there had and held, ~~the same being a deadly and dangerous weapon~~, wilfully and feloniously did beat, strike, stab, cut and wound, ~~the same being a deadly and dangerous weapon~~ and ~~force as were likely to produce the death of the said Sena Steppel~~, with intent *then* the said *Sena Steppel* 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

*Franklin D. Roosevelt*

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

The said *Franklin D. Roosevelt*

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 one *Sena Steppel*, in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and *then* the said *Sena Steppel*,

with a certain *knife*

which *the* the said *Franklin D. Roosevelt* in *this* right hand then and there had and held, the same being an ~~instrument~~ likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully beat, strike, stab, cut and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*Randolph B. Martin*  
District Attorney

0514

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

Police Court-  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

1  
2  
3  
4  
Offence \_\_\_\_\_  
1885

Dated \_\_\_\_\_ 1885

Magistrate.

Officer.

Prisoner.

Witnesses

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

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

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

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

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

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

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

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

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

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

Dated \_\_\_\_\_ 1885 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1885 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1885 \_\_\_\_\_ Police Justice.

05 15

Sec. 198-200

CITY AND COUNTY  
OF NEW YORK,

2 District Police Court.

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

Question. What is your name?

Answer

Question. How old are you?

Answer

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer

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

Answer.

*I had no knife in  
my hand.*

*Frank Fitzgeller*

Taken before me this

day of *May*

188

Police Justice.

05 16

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

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

of No. 177 New Houston Street, aged 72 years,  
occupation Housekeeper being duly sworn

deposes and says, that on the 28 day of Aug 1885 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by One

Charles Purtywiler (now  
here)  
who cut Deponent on the  
right arm with an ordinary  
table knife,

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 31 day  
of Aug 1885 }

James J. Gaff  
J. M. M. M. M. Police Justice.