

0075

**BOX:**

392

**FOLDER:**

3653

**DESCRIPTION:**

McAvoy, Robert A.

**DATE:**

04/14/90



3653

POOR QUALITY  
ORIGINAL

0076

Witnesses:

G. H. Wolf  
Officer J. B. ...

*[Signature]*

*[Signature]*

449 85  
449-726  
C. E. Magowan

Counsel,

Filed

1898

Pleas,

*[Signature]*

THE PEOPLE

vs.

*[Signature]*

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

Robert A. McAnoy

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*[Signature]*

Sept 23/90 Foreman.

*[Signature]*

29176  
Sept 26/90



POOR QUALITY  
ORIGINAL

0877

Police Court— / — District.

CITY AND COUNTY } ss.  
OF NEW YORK, }

of No. 313 East 70<sup>th</sup> Street, aged 30 years,  
occupation Collector being duly sworn, deposes and says, that  
on the 29<sup>th</sup> day of March 1890 at the City of New York,  
in the County of New York,

he was violently ASSAULTED and BEATEN by Robert McEvoy (now here)  
who struck deponent a violent blow  
upon the head with a glass bottle  
then held in his hand

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 29<sup>th</sup>  
day of March 1890

Jacob H. Wolff

Police Justice.

POLICE COURT— / — DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

On Complaint of

For

Jacob H. Wolff

Fell assault

Robert A. McEvoy

After being informed of my rights under the law, I hereby waive a trial, by Jury, on this  
complaint, and my right to make a statement in relation to it 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 March 29<sup>th</sup> 1890

Robert A. McEvoy

Police Justice.

POOR QUALITY  
ORIGINAL

0078

Sec. 198—200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Robert McEvoy*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *U S*

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

Answer. *156 Waverly Place*

Question. What is your business or profession?

Answer. *Cook*

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

Answer. *I am not Guilty*

*Robt. A. McEvoy*

Taken before me this

day of *March* 1890

Police Justice.

POOR QUALITY  
ORIGINAL

0079

BAILED,  
No. 1, by Robert M. O'Connor  
Residence 249 Mulberry Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

1085 509  
Police Court - Street District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Robert M. O'Connor  
313 E. 17th St  
Brooklyn, C. P. D. 15

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

Offence Assault

Dated March 29th, 1890

Thomas J. O'Connor  
Magistrate,  
10th Precinct.

Witnesses Called the officers

Robert M. O'Connor  
Street.

No. 1  
Residence 249 Mulberry Street

No. 2  
Residence 249 Mulberry Street

No. 3  
Residence 249 Mulberry Street

No. 4  
Residence 249 Mulberry 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 \_\_\_\_\_

Defendant

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

Dated March 29th, 1890 John J. O'Connor Police Justice.

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

Dated March 29th, 1890 John J. O'Connor 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 \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.



POOR QUALITY  
ORIGINAL

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

-----)  
)  
)  
)  
The People &c. )  
)  
)  
-agst- )  
)  
)  
Robert A. Mac-Avoy )  
)  
)  
-----)

City and County of New York, ss:

Richard W. Hoyer being

duly sworn says,

That he is the Proprietor of the Restaurant  
situated at number 249 Bowery in said City.

That the defendant Robert A. MacAvoy has been in my  
employ for upwards of one year as Cook, and during that time  
I have found him to be a person of peaceful conduct,

Deponent further says that during said time of employ-  
ment said defendant was always regular at work, and I never  
saw him under the influence of liquor.

Sworn to before me

September 25th. 1890.

*R. W. Hoyer*

*Joseph Lewis*  
*Notary Public*  
*New York Co*



POOR QUALITY  
ORIGINAL

00001

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

-----:  
:  
The People &c. :

-agst- :

Robert A. MacAvoy :  
:  
-----:

City and County of New York, ss:

Edward F. Lang being duly  
sworn says,

That he is the Proprietor of the Restaurant at  
Number 8 Clinton Place in the City of New York.

That the defendant Robert A. MacAvoy has been in my  
employ for upwards of two months <sup>1888</sup> of years and during that time,  
have found him to be industrious and a person of peaceful  
Conduct.

Sworn to before me

September 25th. 1890.

*Charles Harft*  
*Notary Public (153)*  
*New York County*

*Edward F. Lang*

POOR QUALITY  
ORIGINAL

00002

N.Y. General Sessions Court.

THE PEOPLE &c.

Plaintiff

against

ROBERT A. MACAVOY

Defendant.

AFFIDAVITS.

A. E. HAGEMANN,

Attorney for DEFENDANT.

44 7TH STREET,

NEW YORK CITY.

To

Esq.,

Attorney for

Due and timely service of a copy of the within

is hereby admitted.

Dated

189

Attorney for

C. B. MERWIN, PRINTER, 218 FULTON ST., N. Y.



POOR QUALITY  
ORIGINAL

00003

Assault case -

Wolff. v. Rob A. McDonald

To Recorder Smyth,

General Sessions.

Sir,

I beg to take the liberty of submitting a few facts connected with above case, which I was unable to lay before your Honor at my trial yesterday.

The assault happened, roughly as follows. - About 28<sup>th</sup> March last I and a friend were sitting at supper in McDonald's, restaurant, Boston, at a separate table sat the complainant with 3 others, (one male & two females). One of the ladies made use of some insulting remarks, I then advised her to mind her own business when Wolff interfered and asked "who the h-l I was speaking to" He

2/

threatened to break my neck when I came outside. They then left. Some five minutes elapsed before I finished supper & went out & was met at the door by Wolff and his friends. Wolff immediately struck me on the side of the neck, and fearing I was going to be roughly handled, I happened to take out <sup>I happened to be taking home</sup> a bottle ~~from my pocket~~ <sup>containing ketchup</sup> and strike him with it. — He immediately drew a revolver and followed me across the street, when an officer came upon the scene and arrested both of us, thus preventing Wolff from shooting me as he had threatened. Wolff was held in \$1000 bail for the felonious assault.



POOR QUALITY  
ORIGINAL

0005

3  
preferred against him and lay  
some time in the Tomb but as  
so far as I know has never been  
indicted.)

I have obtained Three sworn  
affidavits from previous employers  
as to character &c.

I hope also your Honor will take into  
consideration the aggravation <sup>I received</sup> also  
the fact that it is my first  
offense, and that I am leaving  
a young wife (about to become a  
mother) to the mercy of the world.

Hoping you will give the above  
facts your earnest consideration &c.

I am  
Obediently Yours  
Robt A. McNary.

POOR QUALITY  
ORIGINAL

0000

Assault

Hoff-

vs. Avoz.

POOR QUALITY  
ORIGINAL

0007

Combs. Sept: 21. 1890

Asst. District Attorney Jerome

Sir— Would you please bring  
before the notice of Recorder  
Emyth who is going to sentence  
me on Friday (the enclosed)  
affidavits & facts relating  
to the assault & Robbery

Yours Respectfully  
Robt A. McLeod



**POOR QUALITY  
ORIGINAL**

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Asst. Dist. Attorney

Perome



POOR QUALITY  
ORIGINAL

00009

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Robert A. McAvoy

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse

Robert A. McAvoy

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

The said

Robert A. McAvoy

late of the City and County of New York, on the twenty-ninth day of March, in the year of our Lord ~~one~~ thousand eight hundred and ~~eighty-ninety~~, with force and arms, at the City and County aforesaid, in and upon one

Jacob N. Wolff in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said

with a certain glass bottle which he the said

Robert A. McAvoy in his right hand then and there had and held, the same being then and there a weapon and an instrument ~~and weapon~~ likely to produce grievous bodily harm, him, the said Jacob N. Wolff then and there feloniously did wilfully and wrongfully strike, beat, 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.

POOR QUALITY  
ORIGINAL

0090

SECOND COUNT—

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

Robert A. Mc Away  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

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

Jacob H. Wolff  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault; and the said

Robert A. Mc Away  
the said Jacob H. Wolff  
with a certain glass bottle  
which he the said Robert A. Mc Away  
in his right hand then and there had held, in and upon the  
head of him the said Jacob H. Wolff

then and there feloniously did wilfully and wrongfully strike, beat, cut  
bruise and wound, and did then and there and by the means aforesaid, feloniously,  
wilfully and wrongfully inflict grievous bodily harm upon the said Jacob H. Wolff  
Wolff to the great damage of the said Jacob H. Wolff  
against the form of the statute in such case made and provided, and against the peace of  
the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0891

**BOX:**

392

**FOLDER:**

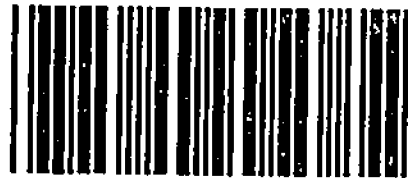
3653

**DESCRIPTION:**

McBride, Philip

**DATE:**

04/16/90



3653

POOR QUALITY  
ORIGINAL

0092

148  
Selling on Sunday

Counsel,

Filed

1890

Pleas,

THE PEOPLE

vs.

B

Philip Mc Bride

March 1900

Filed to the Court of Special  
Sessions for Trial by Request  
x Counsel for Defendant

VIOLATION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1083, Sec. 21 and  
page 1080, Sec. 5.]

Per the Court to be read

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. J. Berry  
Foreman.

Witnesses:

Peter Mergat



POOR QUALITY  
ORIGINAL

0893

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 Mc Bride*

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

*Philip Mc Bride*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows:

The said

*Philip Mc Bride*

late of the City of New York, in the County of New York aforesaid, on the *twenty fourth* day of *June* in the year of our Lord one thousand eight hundred and *eighty eight*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

*Peter Nugent*

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

*Philip Mc Bride*  
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Philip Mc Bride*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure and suffer and permit, to be open, and to remain open, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0894

**BOX:**

392

**FOLDER:**

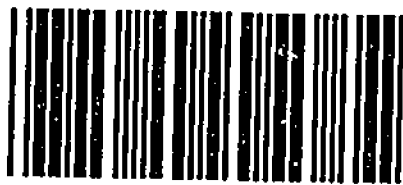
3653

**DESCRIPTION:**

McCarthy, John

**DATE:**

04/08/90



3653

POOR QUALITY  
ORIGINAL

0095

As C. Berdinga

Counsel,  
Filed  
Pleads  
1890

THE PEOPLE  
vs.  
John Mc Carthy  
Grand Larceny Second degree.  
[Sections 528, 531 - Penal Code.]

JOHN R. FELLOWS,  
District Attorney.  
April 11, 1890

A True Bill.

William J. Costello  
For emphy.  
Part 2 - April 11/90  
Read att. G. d. 2 degree  
2 4/16 6 Nov 1890  
D. J. 16

Witnesses;  
Jacob Berger  
Off Morgan  
Sept me after  
Gang of Morgan  
Thames 1890



POOR QUALITY  
ORIGINAL

0096

Police Court—1st District.

Affidavit—Larceny.

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

of No. 339 1st Avenue Street, aged 32 years,  
occupation Electric Light being duly sworn  
deposes and says, that on the 24th day of January 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the daytime, the following property, viz:

Four hundred feet of  
Electric Wire  
Being together of the value of  
Thirty Dollars  
the property of the East River Electric Light  
Company and in the care and  
custody of deponent.

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by John W. Carthy (nowhere)  
for the reason that on said day  
said property was on a truck in  
York Street and deponent saw said  
defendant take said property from  
said truck and run away with the  
same and then drop it where deponent  
pursued him and caused him to  
be arrested, and charges him with  
the larceny aforesaid.

Jacob Berger

Subscribed before me, this 24th day of January 1888  
of New York  
William J. McLaughlin  
Police Justice.



POOR QUALITY  
ORIGINAL

0097

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *John J. McCarthy*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *273 Washington Street 1 month*

Question. What is your business or profession?

Answer. *Plumber*

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

Answer. *I am not guilty*

*John J. McCarthy*

Taken before me this

day of

*March 1898*

Police Justice.

0098

**Discharge**

~~ON THE COMPLAINT OF~~

Paul

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

POOR QUALITY  
ORIGINAL

0099

COURT OF GENERAL SESSIONS, PART III.

\*\*\*\*\*

The People of the State of New York," BEFORE

against

" Hon. Rufus B. Cowing

JOHN McCARTHY.

" and a Jury.  
"

\*\*\*\*\*

Indictment filed April 19th, 1890.

Indicted for Robbery in the first degree.

New York, June 4, 1890.

Appearances for the People, Assistant District At-  
torney G. S. Bedford.

For the defendant, Mr. E. E. Price.

MICHAEL MARTIN? a witness for the People, sworn and testified:

I am a day laborer and have a family. On the night of the 19th of April about half past seven o'clock I was going home from work. I got within a few doors of my own home when I was knocked down by this defendant and my money taken out of my pocket. There was another man in company with this defendant; one of the men put his hand over my mouth and this man took my pocketbook containing forty-two cents and ran off with it. The pocket of my pants was entirely torn out. I had earned this forty-two cents by carrying up coal in tenement houses by this day in question. I am positive that while this unknown man had his hand over my mouth the defendant now at the bar took the forty-two cents; I cannot be mistaken. After they had taken my money they ran towards Water St. and I did not



**POOR QUALITY  
ORIGINAL**

0900

see the defendant again until the officers came round to my house and told me that one of the parties named McCarty had been arrested. I went to the station house and I recognized this man the moment I saw him as the man who took my money.

CROSS EXAMINATION:

I live at No. 45 Cherry St. I have a distinct recollection of the night on which this occurred. I recollect seeing this man in the station house and identifying him as soon as I saw him. I did not know his name before the night of the robbery but have seen him around the streets there. I have been arrested twice in twenty-five years for being drunk. I have no steady employment but go round the streets putting in coal for a living. The moment I was robbed these parties ran away and I went right home. It was three weeks from the day I was robbed until the time I saw the defendant in the station house under arrest and identified him.

Q How long was it after this occurrence before you spoke to a policeman about it.

A It was two weeks.

Q Two weeks afterwards?

A Yes, sir; it was two weeks after this happened.

Q Was it on account of this case?

A No, sir; it was on account of another matter. Some parties came into my house and struck my wife while I was absent.

Q Why did you allow two weeks to go by before you had this man arrested?

A I did not want to get into any trouble, and I would not have

**POOR QUALITY  
ORIGINAL**

0901

anything done about it only these men came into my house and struck my wife.

JAMES J. CRONIN, witness for the people, sworn, testified:

I am a police officer in this city. I arrested this defendant while he was standing in front of No. 150 Cherry St. I was informed by Sergeant Walsh of a robbery that had been committed and I arrested this man in consequence of that information. It took me from the 19th of April until the 11th of May to catch him. It was more than two weeks from the time of the robbery until this man was arrested by me.

CROSS EXAMINATION:

Q What day was the defendant arrested?

A On the 11th of May.

Q This complainant swears that it was two weeks after he was robbed before he made the complaint?

A I did not hear him say that.

Q You knew of it two weeks before his arrest?

A Yes, sir; I knew of it two weeks before.

Q Did you hear the complainant swear that it was two weeks after he was assaulted before he made any complaint at all?

A I would not say exactly.

Q Did you hear him say that?

A Yes, sir.

Q Did he make a complaint at all?

A He did, he went directly to the station house.

Q You knew where the defendant lived?

A Yes, sir.

Q You saw him there often didn't you?

**POOR QUALITY  
ORIGINAL**

0902

- A No, sir; he keeps out of my way.
- Q I suppose he does when you have a club with you.
- A At all times..
- Q Do you know that he works at Hecker's flourmills?
- A For four or five days I understand.
- Q Have you got anything against this defendant?
- A Yes, sir; I have this, I have known him to be a thief.

D E F E N D E .

CORNELIUS McCARTY, a witness for the defence, sworn, testified:

I am a brother of the defendant. I reside at No. 150 Cherry St. I recollect the 19th day of April. On that day when I came home from work in the evening at half past five my brother was in the house. I asked him was he doing anything and he said no. I told him that I thought I could get him employment on the sub-way. About 7 o'clock I went with him in company with another gentleman to the Tammany club rooms. I went in the club rooms and inquired for Alderman Noonan. I went in the club rooms and remained there about five minutes and my brother stood outside till I came back. I did not find the Alderman in and myself and my brother went home. I was with my brother all the time between seven and eight o'clock on that evening.

- Q Between the hours of six and eight o'clock on that night did your brother assault or rob anybody?
- A No, sir.
- Q Were you in a position to have seen him if he had done so?
- A Yes, sir.



**POOR QUALITY  
ORIGINAL**

0903

CROSS EXAMINATION:

The Tammany Hall club rooms that I speak of are located at the corner of Clinton St. and E. Broadway. I am not a member of that club, but I went there to see Alderman Noonan to try and get my brother employment on the sub-way. I know the Alderman quite well and felt sure that if he could he would get my brother employment on the sub-way. I am certain this was on the 19th of April, because I had been at a funeral of a relative on the 18th. I never went to see Alderman Noonan before the 19th of April that I recollect of. I am positive that I went at seven o'clock in the evening. I have never been arrested in my life for anything.

RICHARD GRIFFIN, a witness for the defendant, sworn, testified:

I reside at No. 128 Cherry St. I recollect the 19th of April last. I know the defendant and I am also acquainted with his brother. On the night of the 19th of April I was standing at No. 150 Cherry St. and met the defendant and his brother. The brother asked me if I would take a walk with him around to the Tammany Hall club room as he wanted to see Alderman Noonan. I went around with him and remained outside with his brother while he went in the club room. I was in the company of the defendant between the hours of seven and eight o'clock and while I was with him he did not rob or assault anyone.

CROSS EXAMINATION:

I have known the brother of the defendant twelve or fourteen years. I never went with him before to ask

**POOR QUALITY  
ORIGINAL**

0904

for a political appointment. I am acquainted with Alderman Noonan but I did not see him on the night in question. I could not tell you where I was on the 18th of April, except that in the evening I took a walk down to Battery Park.

JOHN McCARTY, the defendant, sworn, testified:

Q You have heard the testimony given against you by the complaining witness, have you not?

A Yes, sir.

Q He stated that on the 19th of April last, about half past seven o'clock, whilst another man put his hand over his mouth, you rifled his pockets, is that true?

A No, sir.

Q Did you see him at all on the 19th?

A No, sir; I did not.

Q Were you with your brother on that evening as he has stated?

A Yes, sir.

Q And you solemnly swear that you had nothing to do with this robbery?

A Yes, sir.

Q Since you have come home from prison what have you been doing, if anything?

A I have been working in Hecker's flour mills for one week, but as I could only make \$2.50 a week my brother told me to leave it. I left there and worked for one week with my brother in the printing business pushing a hand cart with forms on it. On Saturday, April 19th, I came home from work at a quarter after five, and when my brother came home he told me he would go with me to the Tammany Hall club rooms and see Alderman Noonan, and try and get me a job on

**POOR QUALITY  
ORIGINAL**

0905

the sub-way. At ten minutes to seven o'clock we left our house and when we were a short distance down the street we met Mr. Griffin. The three of us walked together to the Tammany club room, at Clinton St. and E. Broadway. My brother went in to see the Alderman and I waited till he came out. I was in company with my brother from six o'clock until half past eight.

**CROSS EXAMINATION:**

Q The Alderman was not there when you, Griffin and your brother called?

A No, sir.

Q What did you say to your brother when he said the Alderman was not there?

A I said nothing to him.

Q Did n't you ask him to call again?

A Yes, sir; and he said he would.

Q You were working on the 19th of April?

A Yes, sir.

Q Did you go on any other evening to see the Alderman?

A No, sir.

Q Why didn't you go on the 20th and 21st?

A I don't know, except my brother had somewhere else to go.

Q Your brother never made any other effort to get you employment?

A No, sir.

Q How do you remember that this was on the 19th?

A Because on the 15th or 16th my cousin died, and was buried on the 18th.

Q You were sent to the Elmira Reformatory by Judge Moore?

A No, sir; I was never sent to the Elmira Reformatory.

Q Where were you sent by Judge Moore?



**POOR QUALITY  
ORIGINAL**

0905

A I was sent to the Kings County Penetuary for a year and ten months.

Q For what?

A For attempting to commit burglary.

Q For robbing the ferry box?

A Attempt of burglary was the charge.

Q Wasn't it for robbing a ferry box?

A Yes, sir.

Q That was in what year?

A In February, 1888, I think.

Q Didn't you get into some trouble in 1884, on June 5?

A Not as I recollect, sir.

Q Weren't you sent to the penetuary for six months for six months on June, 1884.

A Yes, sir.

Q And you could not recollect that ?

A I didn't recollect the date.

Q What did you steal at that time?

A A piece of rope. I pleaded guilty to petty larceny then and was sent to the penetuary for six months.

Q You pleaded guilty to attempt of burglary and you were convicted of petty larceny?

A I was convicted of petty larceny and I served a year and ten months in the Kings County Penetuary for robbing the ferry box.

The jury returned a verdict of guilty of robbery in the first degree.

**POOR QUALITY  
ORIGINAL**

0907

Indictment filed Apl. 16-1890

COURT OF GENERAL SESSIONS

Part III.

The People &c.

against

JOHN MCCARTHY

Abstract of testimony on

trial New York June 4th

1890.

POOR QUALITY  
ORIGINAL

0908

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 Mc Carthy

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

John Mc Carthy

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

The said

John Mc Carthy

late of the City of New York, in the County of New York aforesaid, on the twenty-fourth day of March in the year of our Lord one thousand eight hundred and ninety, at the City and County aforesaid, with force and arms,

four hundred feet of wire of the value of eight cents each foot

of the goods, chattels and personal property of one a corporation called

The East River Electric Light Company

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

John Q. Teltow,  
District Attorney



0909

**BOX:**

392

**FOLDER:**

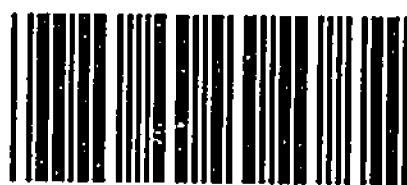
3653

**DESCRIPTION:**

McCarthy, Sylvester

**DATE:**

04/09/90



3653

POOR QUALITY  
ORIGINAL

0910

Witnesses:

Marian Montgomery  
Mollie McCarthy

In my opinion there  
can be no conviction in  
this case. The complainant  
is the case is the sister of  
the deft & she is the sole  
witness - she is determined  
now to shield her brother,  
& will not give testimony  
sufficient to convict.  
I therefore recommend  
the dismissal of the indictment.

May 28/1890

Costs

255.  
No 29  
Counsel, ~~John R. Fellows~~  
Filed day of June 1890  
Pleads, ~~John R. Fellows~~

THE PEOPLE

vs.

B

Sylvester McCarthy

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

May 28/90 Indictment dismissed  
JOHN R. FELLOWS  
District Attorney  
See memo, 29  
Court May 8-7  
WJ

A TRUE BILL.

William J. Leary  
Foreman.

May 21/90 May 16/90  
J.S.D.

May 13/90 peremptory  
The child in this case is his son  
June 28, 1890, W.M.D.

POOR QUALITY  
ORIGINAL

0911

Police Court— District.

CITY AND COUNTY  
OF NEW YORK, { ss.

of No. Sixth Precinct Street.

Police officer being duly sworn, deposes and says, that

on Friday the 28<sup>th</sup> day of March

in the year 1889 at the City of New York, in the County of New York, one Nellie McCarthy  
a female child age 13 years  
he was violently and feloniously ASSAULTED and BEATEN by Sylvester

McCarthy (now here) who cut and  
stabbed said Nellie McCarthy upon  
her arm with a pair of scissors.

Deponent alleges that he found said  
Nellie in apartment at 33 Park Street  
and saw her right arm was cut  
and lacerated and the said Nellie  
then and there informed deponent  
that her brother Sylvester inflicted  
said injury

David A. Montgomery

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 29 day  
of March 1890

John J. ...  
POLICE JUSTICE.



POOR QUALITY  
ORIGINAL

09-12

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Sylvester M. McCarthy* 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. *Sylvester M. McCarthy*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *33 Park St. 4 months*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty*  
*Sylvester McCarthy*

Taken before me this

*29<sup>th</sup>*

*day of March 1890*

*John J. McNamee*  
Police Justice

POOR QUALITY  
ORIGINAL

0913

BAILED,  
No. 1, by John Kennedy  
Residence 1959 Grand Ave. Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court

District

do 29 / 501

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

David A. Montgomery

Elizabeth Montgomery

1  
2  
3  
4

Offence

Assault

on Nellie G. G. G.

Dated March 29 1890

Gorman Magistrate.

Montgomery Officer.

Witnesses Public W. G. G. Precinct.

No. 100 East Street.

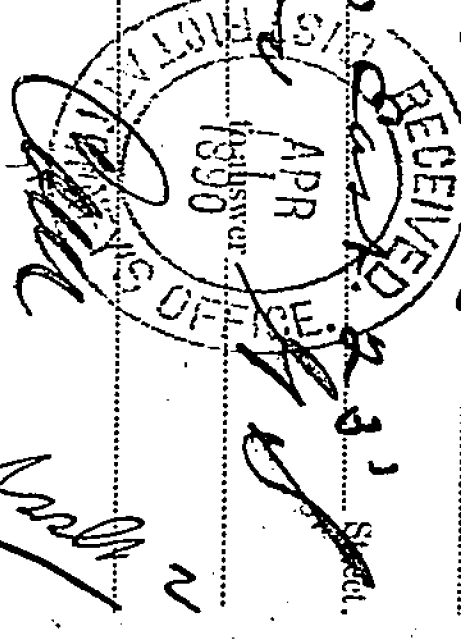
Elizabeth Montgomery

No. 33 Park Street.

William A. G.

No. 100 East Street.

100 East 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

defendant

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

Dated March 29 1890 John Kennedy Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0914

*The New York Society for the  
Prevention of Cruelty to Children*

100 EAST 23D ST. (COR. FOURTH AVE.)

*New York, April 3<sup>rd</sup> 1890*

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

*The People  
against*

*Sylvester McCarty*

*Notice of Prosecution.*

*To the District Attorney of the  
City and County of New York,*

*Sir: This Society is interested in the prosecution of  
the above defendant, and is familiar with the facts of the  
case. It respectfully requests that before sending the papers  
to the Grand Jury, fixing the day of trial, consenting to  
any postponement thereof, or to any reduction of bail, or  
final disposition of the charge, you will duly notify me as  
its President and Counsel, so that I may confer with you  
in regard thereto. This request is made pursuant to the  
statute (Laws of 1886, Chapter 80, Section 1), and in  
furtherance of the ends of Justice.*

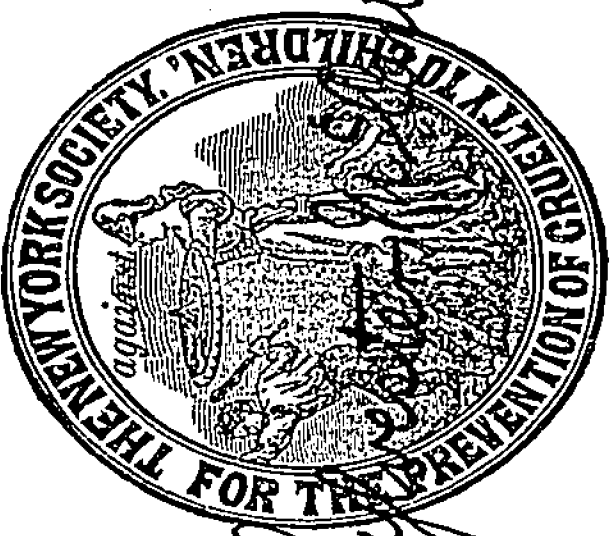
*I have the honor to remain, with great respect,*

*Elbridge T. Gerry,  
President, &c.*



POOR QUALITY  
ORIGINAL

0915

N. Y. GENERAL SESSIONS	THE PEOPLE	NOTICE OF PROSECUTION BY THE SOCIETY.	EUBRIDGE T. GERRY, <i>President, &amp;c.</i>
	 <i>Following Attached on</i> CRUELTY TO CHILDREN		

POOR QUALITY  
ORIGINAL

09 16

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Sylvester Mc Carthy

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse

Sylvester Mc Carthy

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

The said

Sylvester Mc Carthy

late of the City and County of New York, on the *twenty eighth* day of *March*, in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety*, with force and arms, at the City and County aforesaid, in and upon one

*Nellie Mc Carthy*

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

with a certain *pair of scissors*, which he the said

*Sylvester Mc Carthy* in *his* right hand then and there had and held, the same being then and there

a weapon and an instrument and weapon likely to produce grievous bodily harm, *her*, the said *Nellie Mc Carthy* then

and there feloniously did wilfully and wrongfully strike, beat, *cut, stab* ~~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.

POOR QUALITY  
ORIGINAL

0917

SECOND COUNT—

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

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

The said

Sylvester Mc Carthy

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

said

Nellie Mc Carthy

in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault; and the said Sylvester Mc Carthy

the said

Nellie Mc Carthy

with a certain

pair of scissors

which

he

the said

Sylvester Mc Carthy

in

his

right hand then and there had held, in and upon the

arm

of

her

the said

Nellie Mc Carthy,

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

Mc Carthy

to the great damage of the said

Nellie Mc Carthy

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

JOHN R. FELLOWS,

District Attorney.



09 18

**BOX:**

392

**FOLDER:**

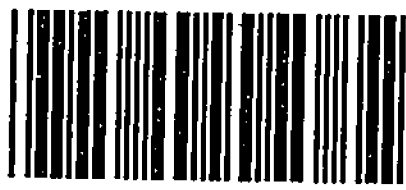
3653

**DESCRIPTION:**

McConnell, John

**DATE:**

04/17/90



3653

POOR QUALITY  
ORIGINAL

09 19

240 186

for pleading against

Counsel,

Filed

17

day of

April 1890

Pleads,

THE PEOPLE

41-153 vs. P  
waiver  
50875

John Mc Connell

Amos & Co  
May 2/90

VIOLATION OF EXCISE LAW.  
(Selling without license.)  
III, R. S. (7th Ed.) page 1981, § 18, and  
of 1888, Chap. 340, § 51.

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. J. C. Berry

Post I May 2/90 Foreman.

Pleads guilty

C.P. 1 day P.M.

Witnesses;

Samuel M. H. H.

POOR QUALITY  
ORIGINAL

0920

Excise Violation—Selling Without License.

POLICE COURT—5 DISTRICT.

City and County } ss.  
of New York, }

of No. the 35th Precinct Police Street,  
of the City of New York, being duly sworn, deposes and says, that on the 3rd day  
of July 1888, in the City of New York, in the County of New York, at  
No. 65 Manhattan Street,

John M. McConnell (now here)  
did then and THERE SELL, CAUSE, suffer and permit to be sold, under his direction and authority,  
strong and spirituous ~~liquors~~ liquors and beer, being intoxication liquors, in quantities less than  
five gallons at a time, to be drunk in the house or premises aforesaid WITHOUT HAVING A  
PROPER LICENSE THEREFOR contrary to and in violation of the statute in such case made  
and provided

that said M. McConnell  
is the proprietor of premises 65 Manhattan  
Street, used by him as a restaurant in  
which place two glasses of beer was served to deponent  
and paid for  
John M. McConnell

WHEREFORE, deponent prays that said  
may be arrested and dealt with according to law.

Sworn to before me, this 3rd day of July 1888 Bernard Murtha  
of Manhattan Police Justice.



POOR QUALITY  
ORIGINAL

0921

Sec. 198-200

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss

*John McConnell* 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 am not guilty of the  
charge and I demand a  
trial by Jury if held after  
examination*

*John M. McConnell*

Taken before me this

188

Police Justice.

0922

BALIED,  
No. 1, ~~St.~~ *John, of Deer*  
Residence *63 Mainfaller* Street

283 No 186 1016  
Police Court District

ON THE CATHARTIC OF

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*Jennett Muelha*  
*Kare*

John McConnells

Offence.....

Dated 22/07/188

*[Signature]*  
Magistrate

/ sssccccccccc /

Officer,

Precinct 00

## Witnesses

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

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

11	6	FI
----	---	----

No. 157 Street 157

to answer

Miss J.

*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 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 1 May 1888 16 May 1888 Police Justice.

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

Dated July 10 1888 & Samuel M. M. M. 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.*

POOR QUALITY  
ORIGINAL

0923

**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 Mc Connell*

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

(III. Revised  
Statutes. [7th  
edition] p. 1981  
Section 13).

*John Mc Connell*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES  
WITHOUT A LICENSE, committed as follows:

The said

*John Mc Connell*

late of the City of New York, in the County of New York aforesaid, on the *third*  
day of *July* in the year of our Lord one thousand eight hundred and  
eighty-*eight*, at the City and County aforesaid, certain strong and spirituous  
liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one  
gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,  
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong  
and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in  
quantity less than five gallons at a time, to

*Bernard Murtha* and to  
certain *other* persons whose names are to the Grand Jury aforesaid unknown, without  
having a license therefor, as required by law, contrary to the form of the Statute in such case  
made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1883, chapter 340 sec-  
tion 5) SECOND COUNT—

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

*John Mc Connell*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND  
BEER WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said

*John Mc Connell*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, and at the premises there situate, known as  
number *sixty-five Manhattan Street*

certain strong and spirituous liquors, and certain ales, wines and beer, to wit: one gill of  
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of  
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of  
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury  
aforesaid unknown, unlawfully did sell to

*Bernard Murtha* and to  
certain *other* persons whose names are to the Grand Jury aforesaid unknown, to be  
drank upon the premises aforesaid, without having a license therefor, as required by law,  
against the form of the Statute in such case made and provided, and against the peace of  
the People of the State of New York and their dignity.

*John P. H. Harris,*  
District Attorney.



0924

**BOX:**

392

**FOLDER:**

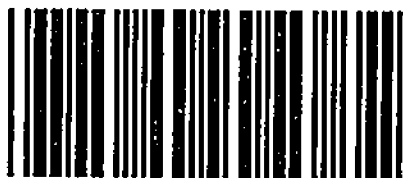
3653

**DESCRIPTION:**

McCormack, Thomas

**DATE:**

04/16/90



3653

POOR QUALITY  
ORIGINAL

0925

Witnesses:

Thomas Lally

Counsel,

Filed

day of

1880

Pleads,

March 17

THE PEOPLE

vs.

Thomas McConaughy

*Placed concerning K. McConaughy*  
*(Section 498, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000)*

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. J. Berry  
Foreman

*[Signature]*

Pen bnd.

POOR QUALITY  
ORIGINAL

0926

Police Court—2 District.

City and County } ss.:  
of New York,

Thomas Lally  
of No. 132 West Houston Street, aged 40 years,  
occupation Chief Fire Department being duly sworn  
deposes and says, that the premises No 132 West Houston Street,  
in the City and County aforesaid, the said being a 3 story and basement  
brick house  
and which was occupied by deponent as a dwelling  
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly opening a  
door of said premise in the basement

on the 9 day of April 1890 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

Journal  
clothing consisting of a girl's cloak  
an undershirt, a boy's jacket  
and other articles all of the  
value of ten dollars \$10

the property of deponent and members of his family  
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

Thomas Mc Cormick (now here)

for the reasons following, to wit:

The said property was  
in said premise on said date  
and was missed thereon at said  
time, and the rear door of the  
said premise was found open,  
and the defendant was found  
immediately in an adjoining house  
No 130 West Houston St with the  
said stolen property in his possession.  
Thomas Lally

Sworn to before me this 10th day of April 1890. J. J. [Signature]



POOR QUALITY  
ORIGINAL

0927

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Thomas McCormack* 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; 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's waiver cannot be used  
against h on the trial.

Question. What is your name?

Answer. *Thomas McCormack*

Question. How old are you?

Answer. *21 Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *At Home*

Question. What is your business or profession?

Answer. *Dealer*

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 McCormack*

Taken before me this  
day of

Police Justice.

POOR QUALITY  
ORIGINAL

0928

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

40/38 2 569  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Howard Kelly  
132 West Madison St.  
Thomas Mc Cormack

Offence Burglary

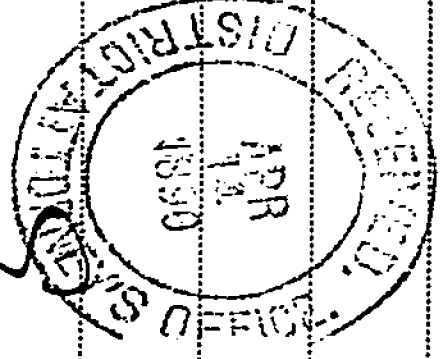
Dated April 10 1890

White Magistrate.

Ed. O'Connor Officer.

Witnesses  
15  
Callegher Precinct.

No. 130 West Howard St.



No. 10000 to answer

Done

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 \$10000 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 April 10 1890 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0929

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 Mc Cormack

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

Thomas Mc Cormack

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

The said

Thomas Mc Cormack

late of the *Fifteenth* Ward of the City of New York, in the County of New York  
aforesaid, on the *ninth* day of *April* in the year of our Lord one  
thousand eight hundred and eighty *ninety*, with force and arms, in the  
*night* - time of the same day, at the Ward, City and County aforesaid, the  
dwelling house of one

Thomas Lally

there situate, feloniously and burglariously did break into and enter, with intent to  
commit some crime therein, to wit: with intent, the goods, chattels and personal property  
of the said

Thomas Lally

in the said dwelling house then and there being, then and  
there feloniously and burglariously to 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.



POOR QUALITY  
ORIGINAL

0930

SECOND COUNT—

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

*Thomas Mc Cormack*

of the CRIME OF *Petit* LARCENY \_\_\_\_\_, committed as follows:

The said

*Thomas Mc Cormack*

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, in the *night*-time of said day, with force and arms,

*one cloak of the value of five dollars, one shirt of the value of one dollar, one jacket of the value of two dollars, and divers other goods, chattels and personal property, a more particular description whereof is to the Grand Jury aforesaid unknown, of the value of five dollars*

of the goods, chattels, and personal property of one

*Thomas Lally*

in the dwelling house of the said

*Thomas Lally*

there situate, then and there being found, from the dwelling house aforesaid, 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.

POOR QUALITY  
ORIGINAL

0931

THIRD COUNT.

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

*Thomas Mc Cormack*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows :

The said

*Thomas Mc Cormack*

late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid, one cloak of the value of five dollars, one shirt of the value of ~~two~~ one dollars, one jacket of the value of two dollars and divers other goods, chattels and personal property, a more particular description whereof is to the Grand Jury aforesaid unknown of the value of five dollars

of the goods, chattels and personal property of

*Thomas Lally*

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said

*Thomas Lally*

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

*Thomas Mc Cormack*

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

JOHN R. FELLOWS,

District Attorney.

0932

**BOX:**

392

**FOLDER:**

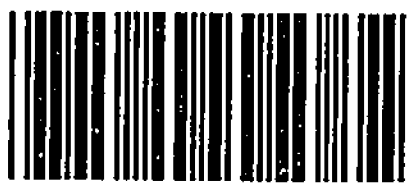
3653

**DESCRIPTION:**

McCullough, Thomas

**DATE:**

04/14/90



3653



POOR QUALITY  
ORIGINAL

0933

Witness:

*Mr. Rooney*

Counsel,

Filed

*14* day of *April* 189*0*

Pleads,

THE PEOPLE

vs.

*Thomas McCullough*  
Grand Larceny, First Degree.  
[Sections 528, 530 — Penal Code.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*W. J. Berry*  
Foreman.

*April 14/90*

*W. J. Berry*

*S. P. 2 1/2 - yds*

POOR QUALITY  
ORIGINAL

0934

CITY AND COUNTY } ss.  
OF NEW YORK, }

POLICE COURT, 3 DISTRICT.

of No. 11<sup>th</sup> Avenue Street, aged 32 years,

occupation Police Officer being duly sworn deposes and says

that on the 9<sup>th</sup> day of April 1894

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

knowing is a material witness  
for the People against Thomas  
McCollough charged with  
Larceny from the Person. He promises  
believing that said Roney will  
not appear when wanted he prays  
he be committed to the House  
of Detention for witnesses to appear  
at the trial of said Complaint.

John S. Adrian

Sworn to before me this

of April 1894

day

Charles W. Hamilton  
Police Justice.

POOR QUALITY  
ORIGINAL

0935

Police Court—3 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. No residence Street, aged 35 years,

occupation Wood - Turner being duly sworn

deposes and says, that on the 8 day of April 1890 at the City of New

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

person of deponent, in the night time, the following property, viz:

Good and lawful money of  
the United States consisting  
of bank-bills of divers de-  
nominations the whole being  
valued at Twenty-five dollars  
\$25.00

the property of Deponent

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

(now here), for the reasons following  
to wit: on the said date as  
deponent was on Rivington  
Street having the said money  
in the pocket of the vest  
then worn by deponent as a  
portion of her bodily clothing  
the said defendant took said  
money from said pocket and  
ran away with the same.  
Deponent is informed by  
Officer John J. Harrigan (her husband)  
that he Harrigan saw the  
defendant running on Rivington

Subscribed and sworn to before me this 18 day of April 1890

Police Justice



POOR QUALITY  
ORIGINAL

0936

Street followed by deponent who  
was shouting "Stop thief." After  
a chase of two blocks said  
Adrian caught said defendant  
and in his (defendant's) hand  
was the money which deponent  
had lost. Deponent further  
says that the defendant attempted  
to steal his watch and chain

Sworn to before me }  
this 9<sup>th</sup> day of April 1890 } Michael Rooney

Charles Kaintz

Police Justice

POOR QUALITY  
ORIGINAL

0937

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 32 years, occupation Police Officer of No. 114

Michael Rooney Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Michael Rooney

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

Sworn to before me, this 9th

day of April 1890

John J. Adrian

Charles W. Lainto

Police Justice.

POOR QUALITY  
ORIGINAL

0938

Sec. 105-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

3 District Police Court.

*Thomas McCullough* 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; 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's waiver cannot be used  
against h on the trial.

Question. What is your name?

Answer. *Thomas McCullough*

Question. How old are you?

Answer. *30 years.*

Question. Where were you born?

Answer. *New York.*

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

Answer. *122 Mott St. 2 years.*

Question. What is your business or profession?

Answer. *Picture frame maker.*

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 - The*  
*complainant was throwing*  
*his money away to the child-*  
*ren who were gathered around*  
*him - I found the money*  
*on the sidewalk.*

*Thomas McCullough*

Taken before me this

day of *April* 189*2*

*Charles W. Fenwick* Police Justice.



POOR QUALITY  
ORIGINAL

0939

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

Police Court--- District.

1090 3550

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Michael J. P. [Signature]

James M. [Signature]

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

Offence [Signature]

Dated

April 9 1890  
[Signature]  
Magistrate.

[Signature]  
Officer.

[Signature]  
Precinct.

Witnesses

No. \_\_\_\_\_  
[Signature]  
Street.

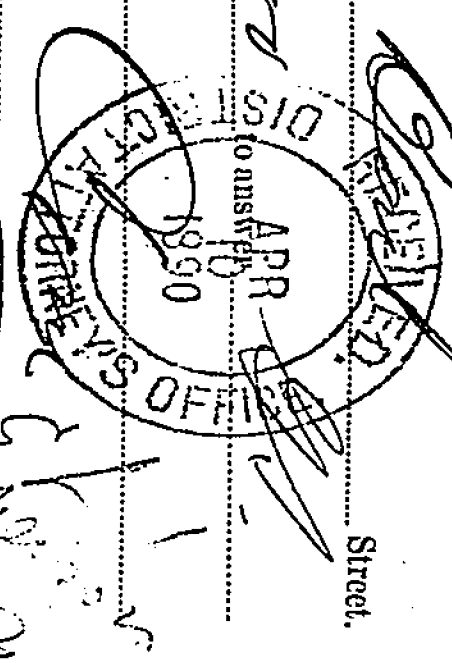
Complainant's name  
[Signature]  
Street.

Guilty of offence  
[Signature]  
Street.

All taken in default  
[Signature]  
Street.

No. \_\_\_\_\_  
[Signature]  
Street.

No. \_\_\_\_\_  
[Signature]  
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 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 April 9 1890. Charles H. Smith Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0940

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 McCullough*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by  
this indictment, accuse

*Thomas McCullough*  
of the CRIME OF GRAND LARCENY IN THE *first* DEGREE,  
committed as follows:

The said

*Thomas McCullough*

late of the City of New York, in the County of New York aforesaid, on the *eightth*  
day of *April* in the year of our Lord one thousand eight hundred and  
*ninety*, at the City and County aforesaid, with force and arms, in the  
*night* - time of the same day, divers promissory notes for the payment of money, being  
then and there due and unsatisfied (and of the kind known as United States Treasury  
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the  
payment of and of the value of *twenty-five*

dollars; divers other promissory notes for the payment of money, being then and there due  
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination  
to the Grand Jury aforesaid unknown, for the payment of and of the value of  
*twenty-five*

dollars; divers United States Silver Certificates of a number and denomination to the Grand  
Jury aforesaid unknown, of the value of *twenty-five*

dollars; divers United States Gold Certificates of a number and denomination to the  
Grand Jury aforesaid unknown, of the value of *twenty-five*

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

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

JOHN R. FELLOWS, District Attorney.

0941

**BOX:**

392

**FOLDER:**

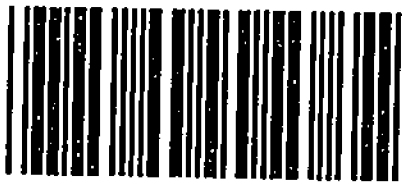
3653

**DESCRIPTION:**

McDermott, Charles

**DATE:**

04/16/90



3653



POOR QUALITY  
ORIGINAL

0942

Witnesses:

Henry Seligman

Counsel,

Filed

Pleads,

1890

day of

April 17

THE PEOPLE

vs.

Charles McDermott

JOHN R. FELLOWS,

District Attorney.

TRUE BILL.

W. J. Berry

Foreman.

Sub 2 - April 24/90

Indictment Committed

J. M. C. P. F. M.

April 25/90

Indictment Committed  
See 525, Rule 20

POOR QUALITY  
ORIGINAL

0943

CITY AND COUNTY } ss.  
OF NEW YORK,

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

of No. 2 East 46<sup>th</sup> Street, aged 33 years,  
occupation Banker being duly sworn deposes and says

that on the 10<sup>th</sup> day of April 1890  
at the City of New York, in the County of New York Charles Mc Dermott

(now here) did in a manner not amounting to a Burglary, enter the building with intent to commit a felony or a Larceny or Malicious Mischief for the reason that at about the hour of 9.30 A.M. on the aforesaid day deponent saw said defendant standing in the hall on the First or Parlor floor in said premises and said defendant had no business to be in said premises deponent therefore charges said defendant

Sworn to before me this  
of 1889 day

Police Justice.

POOR QUALITY  
ORIGINAL

0944

with Violations Section 505 of the  
Penal Code of the State of New York  
and asks that he may be dealt with  
as the law may direct.  
Sworn to before me this }  
10<sup>th</sup> day of April, 1890 } Henry Seligman  
Sincerely,  
Police Justice

Police Court-- District.

THE PEOPLE, & C.,

vs. ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated

188

Magistrate.

Officer.

Witness,

Disposition,



POOR QUALITY  
ORIGINAL

0945

COURT OF GENERAL SESSIONS.

-----X  
T h e P e o p l e

vs.

Charles McDermott.  
-----X

Before

: Hon. Frederick Smyth

: and a Jury.  
-----X

Tried April 21st, 1890.

Indictment filed April 16th, 1890.

Indicted for unlawfully entering a building.

APPEARANCES.

Assistant District Attorney Davis, for the People.

Mr. Hooper, for the Defense.

H E N R Y S E L I G M A N, the complainant, testified that he lived at No. 2 East 46th Street, and was a banker. On the 10th of April, 1890, he saw the defendant in the hallway of his, the complainant's house, near the front door. It was then about 9 o'clock in the morning. He, the complainant, was reading a newspaper in the dining room when he saw the defendant moving around in the hall. He ran out and got between the defendant and the front door, and asked him what he was doing there. The defendant replied

**POOR QUALITY  
ORIGINAL**

0946

2

that his uncle had sent him to tell a colored woman to meet him somewhere that night. The defendant said that he came in through the basement. He asked the defendant what he was doing on that floor. The defendant said that he did not see any harm in coming up to that floor. He, the complainant, told the man servant to watch the defendant until he, the complainant, came back. He, the complainant, had no colored woman in his employ, but to give the defendant the benefit of the doubt, he went to No. 2 West 46th Street, and, on learning that no colored woman was employed there, he called a police officer and had the defendant arrested. There was a hat-rack in the front hall, and there was an overcoat on the rack valued at \$75. There were also hats and several valuable canes.

OFFICER JOSEPH SONDHEIM testified that he was attached to the 23rd Precinct. He arrested the complainant on the parlor floor of Mr. Seligman's house. He asked the defendant what he was doing there and the defendant said that his uncle had sent him from 34th Street to make an engagement with a colored servant. The defendant said that he had entered from the area and had come up the basement stairs. He, the witness, asked the defendant why he had not asked somebody downstairs for the colored woman,

**POOR QUALITY  
ORIGINAL**

0947

3

but he said that he saw nobody down stairs to ask. He said that his uncle's name was Williams, but he did not give any number in 34th Street where his uncle lived. He said that his parents lived at 545 First Avenue. He said that he had been working in a District Telegraph Office, at the corner of 6th Avenue and 46th Street, but he had on no uniform.

No testimony was offered for the defense.



POOR QUALITY  
ORIGINAL

0948

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK.

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

Question. What is your name.

Answer. *Charles Mc Dermott*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *545 1<sup>st</sup> Avenue, 1 year*

Question. What is your business or profession?

Answer. *Telegraph*

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

Answer. *I am not guilty and demand a trial by jury*

*Charles Mc Dermott*

*th<sup>is</sup> day*  
#6

*McDermott*

*7*

Taken before me this *11<sup>th</sup>* day of *April* 188*9*

*J. P. Mc Dermott* Police Justice.

POOR QUALITY  
ORIGINAL

0949

BAILED.

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

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

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

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

ch 135  
541  
Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John W. Chapman*  
*112 East 94th*  
*Charles H. Bennett*  
Offence *Entering a Building*

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

Dated *April 10* 188*9*

*W. Lewis* Magistrate  
*Charles H. Bennett* Officer

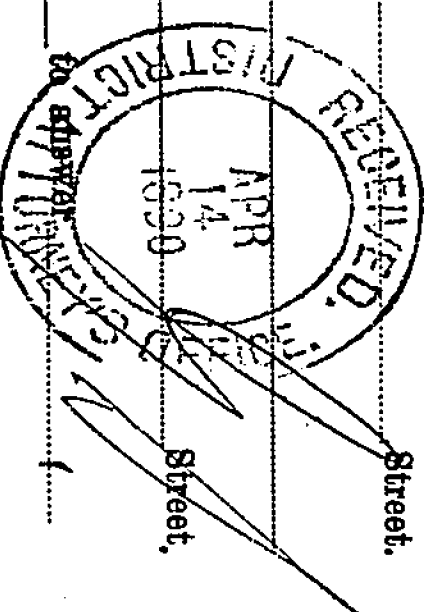
*23* Precinct.

Witnesses *Call Officer*

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

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

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



*511* to *april 10 1889*

*Emmett*

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

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

Dated *April 10* 188*9* *Loice 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 \_\_\_\_\_ *545-1st Ave* Police Justice.  
*34th St. N.Y.*

POOR QUALITY  
ORIGINAL

0950

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY  
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles Mc Dermott

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment, accuse Charles Mc Dermott —

of the crime of unlawfully entering a  
building. —

committed as follows:

The said Charles Mc Dermott,

late of the City of New York, in the County of New York aforesaid, on the

Tenth day of April, in the year of our Lord one thousand  
eight hundred and ninety           , at the City and County aforesaid,

(under circumstances and in a manner not  
amounting to a burglary) did unlawfully  
enter a certain building, to wit: the dwelling  
house of one Henry Seligman, there



POOR QUALITY  
ORIGINAL

0951

situate, with intent to commit a larceny  
therein, to wit: with intent, the goods,  
chattel and personal property of the  
said Henry Delagrave, in the said building  
then and there being, then and there  
feloniously to 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

John A. Bellows,

*[Signature]*

0952

**BOX:**

392

**FOLDER:**

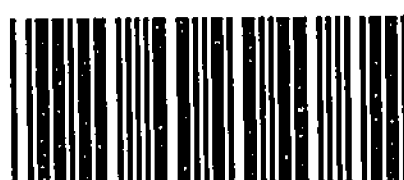
3653

**DESCRIPTION:**

McElroy, Thomas

**DATE:**

04/11/90



3653

0953

**BOX:**

392

**FOLDER:**

3653

**DESCRIPTION:**

Rohman, Joseph

**DATE:**

04/11/90



3653



0954

No. 2. On pecuniary Dist. City debt  
Rohman directed on Wisconsin  
June 26/90

JOHN R. FELLOWS,  
District Attorney.

A True Bill

M. J. Berne

Part 2 - June 18/90 Foreman.

Quills & Spectacles  
Chas. C. Smith

B. M.

the view of all the  
circumstances sur-  
rounding the trial of  
Rothman in con-  
sideration the ends  
of justice will be  
best observed by  
granting him a  
new trial, and the  
motion for a new trial  
is therefore granted  
dated 24 Apr 29/90  
Thos Bloomer  
Clerk ~~of~~ <sup>for</sup> the Court

POOR QUALITY  
ORIGINAL

0955

Police Court—

District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

of No. 901 Broadway Street, aged 31 years,  
occupation dry goods being duly sworn  
deposes and says, that on the 31 day of March 1883 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the night time, the following property, viz:

One Dozen Pairs of Sues  
Stockings of the Value of Thirty  
Dollars.

the property of

Lord & Taylor, and in  
deponent's Care and Charge as  
Manager

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 Thomas M. Elroy and  
Joseph R. Rodman, both now  
and acting in concert together  
from the fact that deponent has  
frequently missed a quantity  
of stockings and other property  
from the premises of Lord and Taylor  
at 901 Broadway where the said  
M. Elroy was employed as  
porter. Thus the said M. Elroy  
admitted and confessed in deponent's  
presence that on said date he did  
take steal and carry away from said  
premises the said property and  
sell the same to the said Rodman.

Sworn to before me, this  
day  
1883

Police Justice.



POOR QUALITY  
ORIGINAL

0956

for the sum of Seven dollars. That the  
said M. C. Long informs Depenens. That  
he has frequently taken stolen and  
carried away from said premises  
a quantity of Stocking and other property  
and sold the same to the said Robman.  
below the Murder Value.

Depenens is further informed by  
Edmund J. Armstrong that he  
arrested the said Depenens  
and found in the possession  
of the said Robman, a quantity  
of Stocking which Depenens fully  
identifies as property stolen  
and carried away from Depenens  
possession. Depenens therefore charges  
that the said M. C. Long did feloniously  
take and carry away said property  
and that the said Robman did knowingly  
and knowingly receive and purchase  
from said M. C. Long the said property  
he well knowing the same to have  
been stolen

Sworn to before me  
this 3<sup>d</sup> day of April 1890

W. M. Mahon

Justice



POOR QUALITY  
ORIGINAL

0957

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 27 years, occupation Police officer of No. 125

125 Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Joseph H. May

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

Sworn to before me, this 3<sup>rd</sup>

day of April 1887

Edward J. Armstrong

W. J. McMichael

Police Justice.

POOR QUALITY  
ORIGINAL

0958

Sec. 198—200.

District Police Court.

CITY AND COUNTY { ss.  
OF NEW YORK, }

*Thomas M. Calvey* 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 *h* *is*; that the statement is designed to  
enable *h* *to* if he see fit to answer the charge and explain the facts alleged against *h* *is*  
that *he* is at liberty to waive making a statement, and that *h* *is* waiver cannot be used  
against *h* *is* on the trial.

Question. What is your name?

Answer. *Thomas M. Calvey*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *New Jersey*

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

Answer. *46 West 27th St. 18 years.*

Question. What is your business or profession?

Answer. *Writer*

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 friendly -*  
*Thor M. Calvey*

Taken before me this

day of *August* 18*97*

Police Justice.

POOR QUALITY  
ORIGINAL

0959

Sec. 198—200.

*1st* District Police Court.

CITY AND COUNTY  
OF NEW YORK, } ss. 41

*Joseph Rohman* 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.

*Joseph Rohman*

Question. How old are you?

Answer.

*26*

Question. Where were you born?

Answer.

*Poland*

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

Answer.

*37 East Broadway - four months*

Question. What is your business or profession?

Answer.

*merchant*

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

Answer.

*I am not guilty and  
demand an examination.*

*Joe Rohman*

Taken before me this

*3rd*

day of *Sept* 189*0*.

*H. H. Macdon*

Police Justice.



0960

**Residence** ..

**Distric**

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
J. H. C. C. C.  
vs. J. H. C. C. C.  
J. H. C. C. C.

Offence *Dr. One*  
*Receiving Stolen Property*

**Dated**

✓

•

7

No. ...

NO. ....

2072

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

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

Dated April 2 1891 W. T. McMahon Police Justice.

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

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

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

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

New York April 28. 1890  
Hon. Rufus B. Foring  
Judge Gen. Sessions. Part I.

Sr.

I, the undersigned, was a member of the Jury in the case of The People vs. ... Roman, accused of having received stolen goods, knowing them to have been stolen. The Jury brought in a Verdict of "Guilty".

Now, after later, mature reflection, reviewing again all the evidence adduced in this case, together with the charge of your Honor, I come to the conclusion, that the Verdict is entirely wrong and unjust, that it is not in accordance with the evidence and contrary to the charge of your Honor. I would, in my humble opinion, consider it a grievous mistake to deprive a man, to whom not even the benefit of a reasonable doubt was accorded, of his liberty and to brand him a Criminal, in consequence of such an unjust Verdict.

The more I think this matter over, the more distressed I feel; and it would be a relief to me, if the law would allow, that your Honor set this Verdict aside or that you suspend Judgment! or, that the great Sentence may be a very light one.

Very Respectfully

Your old Servant

Adolf Roman

POOR QUALITY  
ORIGINAL

0962

We the undersigned jurors are of the same opinion  
and approach your Honor with same request  
as Mr. Rosman. Louis Heyman

Wm. N. Heuckelshin

Wm. H. Pulver

Joachim Lueg

Henry Kayard

H. Gordon Pinkard Roseman

John S. Farmer

Ernst Seigler

G. Kaufman



POOR QUALITY  
ORIGINAL

0963

Joseph Emery  
agent  
Thomas W. E. Croyle  
Joseph Robinson

Ordered with  
L. Emery  
Receiving Station  
Property  
April 5/1890  
Before Hon  
Samuel F. W. Croyle  
Police Justice

Joseph Emery being duly sworn  
deposes and says  
By the Court  
Where is your place of business?  
At 901 Broadway  
Of the 31st of March was there anything  
lost that was in your care and  
custody?  
Answer  
What was it?  
A silver case  
I valued at about how much  
A thirty dollars  
Of whose property was it?  
A The property of Lord and Taylor  
of New York who loaned the

POOR QUALITY  
ORIGINAL

0964

Property?

A Only the man acknowledging it himself

Q Did anybody inform you that he took it?

A Yes the detective

Cops Examined by Mr. Friend

Q You don't know this defendant at all?

A No Sir

Q Is this the property that you speak of referring to property?

A Yes Sir

Q How do you know that it is your property?

A Because I know we are the only house that imports those goods -  
Q And how many shirts similar to these does your house import per year?

A Maybe 500 dozen

Q And the number of single shirts run up into the thousands?

A Yes Sir

Q And you sell them through out the country do you not?

A Yes Sir

Q And in your stores at retail?

A Yes Sir

Q And anybody that comes into your place with the money to pay for them can buy them?

A Yes Sir

Q Will you tell me if you please what there is about the ships that I show you here that nothing quibbles the fact that they were stolen and not sold, show me some mark or something with A There is ind mark

Q So all that you know about their being stolen is the fact that somebody else told you?

A Certainly

Q You don't know of your own knowledge that these identical goods were stolen?

A Certainly not



4  
By the Court  
Q The prisoner at the bar M<sup>o</sup> Elroy  
informed you that he stole those  
goods?

A Yes Sir he did

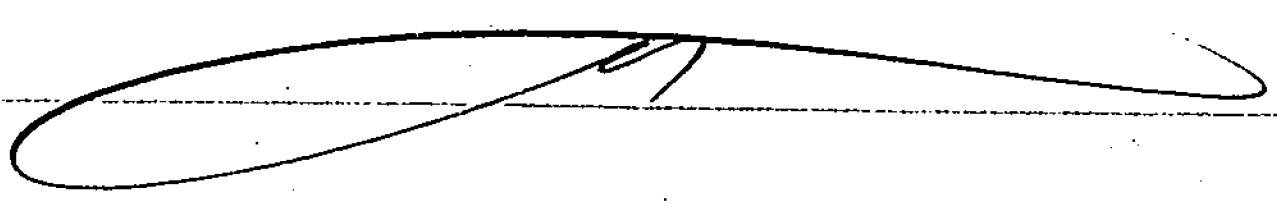
Recap Examination  
Q And there is nothing on the stockings  
or shirts, that would distinguish  
that they were stolen from you?  
A I know that they are our goods  
but that will not prove them?

Q And you also see them?  
A Yes Sir

Q And whether these identical  
goods were sold or not you  
cannot say?

A No Sir only what the prisoner says  
Q Will you swear if your own name be  
whether those goods were stolen  
or not?

A Certainly not



J

Edward J. Armstrong answers  
called by the people being duly  
sworn deposes and says

By the Court

Q What is your business?

A Detective 300 Mulberry Street

Q State what you know of this case?

A I arrested the prisoner last  
Monday night and I found these  
(showing) in his possession, and  
after having a conversation  
with him related me he sold  
them to a man named Joe  
Defendants Counsel

objects to any testimony  
being given in the absence of  
the other defendants.

By the Court Sustained

A I then arrested this man Joe  
and related me he had been  
buying stockings from him  
Q Did Joe tell you who the man  
was that he had been buying  
stockings from?

6

Q All that he knew him by was the  
name of Seely and he pointed Mr.  
Elroy out as the man,

Q Joe said Mr. Elroy was the man  
that he bought the steering from  
Ayres.

Q Yes, Examined

Q He didn't say to you that he bought  
stolen property?

Q Yes.

Q He didn't say to you that he purchased  
this identical property?

Q Some of this property he claimed  
he got from Mr. Elroy.

Q Which property did he say he got  
from Mr. Elroy?

Q There were four (showing the  
said that Mr. Elroy represented  
himself as being in business  
By the Court

Q He said Mr. Elroy represented  
himself as being in business  
Ayres.

Q And that he purchased these goods



7

From M<sup>o</sup>Elroy ?  
Ayres si

Dependants Tinsell more  
to discuss the complaint  
By the court Motion Denied

Thomas M<sup>o</sup>Elroy called by  
the court, and being informed  
of his rights under the Code  
testified as follows

Q You admitted taking these stockings  
Ayres si

Q Did you sell these stockings ?  
Ayres si

Q For how much ?  
A \$1.00 a dozen

The Complaint Recused  
by the court  
Q What are these stockings worth  
A 30 dollars a dozen

8

Examination of Mr. Elroy  
Resumed

The counsel for the defendant says there is no proof that the goods were stolen ~~between~~ Joe Roman knew he had an agent that received the goods and he gave me the money therefor, and he always said to me to have no dealings with the party next door  
of what said that?  
A Joe Roman, because he said the first thing you know it will turn out he is no friend of ours or mine, and will give the whole thing away  
Defendants Counsel comes further Examination  
Defendants had to come in sum of \$2000 each for trial

John

POOR QUALITY  
ORIGINAL

0971

In your reply  
please refer to

TRUNK LINE ASSOCIATION.

OFFICE OF COMMISSIONER, No. 346 BROADWAY.

NEW YORK, *May 28<sup>th</sup>* 1890

SUBJECT.

Hon. Frederick Smyth,  
Recorder, City of New York,  
Dear Sir:

I would respectfully ask you  
to deal leniently with and impose as light  
a sentence as you possibly can on Thomas  
J. McElroy, who pleaded guilty to Grand  
Larceny. I have known Mr McElroy since  
childhood; we went to the same school,  
that of the Christian Brothers on West 19<sup>th</sup> St.  
He left there to serve a Novitiate in the  
Jesuit Order at West Park, N.Y. but was com-  
pelled to leave on account of having to  
support his mother and aunt. Through  
not having the benefit of necessary home  
influences, he was thrown into bad com-  
pany and his salary being small he  
began to pilfer from his employers Lord  
& Taylor. The rest of the history of his  
case, I believe you will know. During  
his incarceration in the Tombs my  
mother has visited him and she says  
he is very repentant and he feels his position



POOR QUALITY  
ORIGINAL

0972

very much. From what I know of Mr. McElroy I do not believe he is bad at heart. He has an old mother to support, (his Aunt having died since Jan'y 1st.) and she depends on him for the necessaries of life. This is the first time I have ever known him to do wrong. If he goes to prison I am afraid that the acquaintances and friendships he may make there may lead to worse.

I would respectfully request that you (on consideration of the above facts) will commit him, if you conscientiously can to the Reformatory or to let him go entirely. This will be a God send to himself and to his mother and may be the means of making a good man of him.

Trusting that you will give the above facts due consideration, I am,

Most respectfully yours,

Louis McMooney

City of New York f -

Louis McMooney to me personally known, being duly sworn deposes & says, that the above statement is true to the best of his knowledge & belief -

Dated May 28/90 -

John Kelly  
Notary Public in N.Y.

I concur in the above facts and add my supplication thereto.

Respectfully yours

Mar. Denis Mooney

People,  
McElroy -

5/7/90

The People  
vs  
Joseph Rohman  
Indictment for grand larceny in the second degree  
and receiving stolen goods.

Court of General Sessions. Part I  
Before Judge Cowing. April 25. 1890.  
Jointly indicted with Thomas M. Elroy.

Thomas M. Elroy, sworn and examined by  
Mr. Macdonna Q. M. Elroy, what was your business  
on the 31<sup>st</sup> day of March last?

A I was porter at Lord and Taylor's.

Q How long before that had you been in the  
employ of that firm as porter.

A I had been about three years in the  
retail and a little over seven years  
in the wholesale.

Q Which of their stores were you employed at.

A Broadway and Twentieth street.

Q As porter did you have in your handling  
at times goods belonging to that firm.

A The only handling I ever had at goods  
was legitimately - was handling them in  
the cases as they came in.

Q In bulk. A. Yes sir.

Q You know this prisoner Rohman don't you.

A Yes sir.

Q Did you at any time prior to March  
31<sup>st</sup> 1890 give him any goods that you  
took from Lord and Taylor.

Objected to as leading. objection overruled  
Exception.

A That is that - previous to March 31<sup>st</sup>?

Q Previous to March 31<sup>st</sup> did you give him any goods taken from Lord and Taylor by you? A. Yes sir, I guess for a period as near as I can recollect -

Counsel Objected to on the ground that it refers to matters previous to the indictment.

By Mr. Macdonna Q How long have you known the prisoner prior to March 31<sup>st</sup> - Robinson.

A Probably for a space of three months.

Q You knew him? A. Yes sir about that.

Q Three months prior to March 31<sup>st</sup> 1890.

A That would be February, January, December.

Q Now during those months of December 1889 and January, February and March 1890 did you deliver him any goods that you had taken from Lord and Taylor.

A Not during December and January, I do not think - probably in the latter part of January there might have been. The deliveries that I made to him lasted probably the space of eight or nine weeks.

Q Beginning when? A. Beginning in the latter part of January and continuing on February and March.

Q Did you in that time or between the dates that you have given and the 31<sup>st</sup> of March deliver to him two dozen of



silk stockings

Objected to as leading.

By the Court Q You stole two dozen of stockings from your employer where? [No answer.]

By Mr. Macdonna Q Now during the time that you have mentioned did you take any stockings from the possession of Lord and Taylor? A. Yes sir.

Q That date did you take them:

A I could not give the dates; the only date that I could give would be on the 31<sup>st</sup> the night of the 31<sup>st</sup>.

By the Court Q Of what month? A. The 31<sup>st</sup> of March, the night that I was arrested I delivered to him one dozen that night.

Q Delivered to whom? A. To Mr. Robinson.

Q The prisoner. A. The prisoner.

Q Which you had stolen from Lord and Taylor's. A. Yes sir.

By Mr. Macdonna Q On March 31<sup>st</sup> you took them.

A. Yes sir.

Q Where did you take them to after you took them out of the store.

A I took them home.

Q To your house? A. Yes.

By the Court Q One dozen of pairs. A. Yes sir.

By Mr. Macdonna Q Could you identify that dozen, do you remember the colors objected to.

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Q Can you identify them. A. No, I could not swear to that.

Q You could not swear to it. A. No sir.

Q Where did you meet him to deliver this dozen of stockings to him.

A The corner of Thirty second street and Sixth avenue, commonly known as Betty Bennetts, on the corner, not on the premises.

Q On the street you delivered them to him.

A Yes sir.

Q Did you have any conversation with him there? A. No more than turning them over to him.

Q Did you have any conversation previous to that that you would meet and deliver them? A. Yes sir. He merely said. He could use a dozen of the same color when I might get them, and I told him where I got them. He says, "Where will I meet you?" and we appointed that as the meeting place the northwest corner of Thirty Second street and Sixth avenue.

Q When had you the conversation to make the meeting. A. Made on the night previous the night of the 30th.

Q You met him there at what time.

A It was in the neighborhood of nine  
or half past nine.

By the Court Q Morning or evening? A. Evening.  
By Mr. Macdonna Q What did you say to him  
when you delivered the stockings?

A I gave them to him, and he told me  
he did not have any money to pay  
for them, that he would pay for them  
the next night. That was all the  
conversation there was.

By the Court Q You delivered him one dozen.  
A Yes sir.

By Mr. Macdonna Q Did you deliver him any  
after that. A. No, I was arrested that  
night.

Q Was he arrested with you?

A I believe he was arrested the following  
night.

Q Did you see him the following night  
when he was brought in; when did you  
next see him after that meeting on  
the corner when you gave him the  
goods. A. The next time I saw him  
was - well, he was arrested the following  
night, and then the following morning  
after his arrest I saw him going down  
in company with detective Woodruff  
to the Police Court in the Tombs.

Q McElroy, will you look at these stockings.



6

and see if you can identify them as the stockings that you gave Rohman. (stockings shown)

Counsel

Didn't I understand the witness to testify a few moments ago that he could not identify the stockings? I object.

A

Yes, I made the remark that I could not identify the particular dozen that I delivered to him on that occasion.

Q

But can you identify those I have given in your hand as stockings you took from the possession of Lord and Taylor?

A

Yes sir.

By the Court Q You took them from Twentieth Street in this city. A. Yes sir.

By Mr. Macdonna Q Now did you previous to this night of March 30<sup>th</sup> deliver any stockings to him that you had taken from Lord and Taylor. A. Yes sir, for the space of eight weeks.

By the Court Q Did you deliver him stockings for eight weeks you had been stealing from Lord and Taylor. A. Yes sir.

By Mr. Macdonna Q Do you know anything about the value of those stockings.

A

These colas are worth \$30 a dozen.

Counsel

I object. There is no foundation laid for the question.

Mr. Macdonna: You need not answer it.

Q Now did you have any conversation with Rohman in the Police Court when you were both brought up. A. No sir.

Q Did you have any with him since concerning this particular crime with which he is charged. A. No sir.

Q None at all. A. No sir.

Q Then as to these previous meetings of his and the delivery of stockings to him in December, January and February last.

A There was not any in December.

Q Well eight weeks previous to your arrest or the six weeks. A. Yes sir.

Q Let us have any conversations you had with him - where did you meet him in the first place usually.

A The first place ever I met him was through the introduction of a party in 32<sup>nd</sup> street.

Q A woman in 32<sup>nd</sup> street.

A She was an inmate of one of those houses.

Q What number? A. It was No. 141

Q It was through that woman you were introduced to this man.

A Through an inmate of the house, yes sir.

By the Court Q Introduced to the prisoner? A. Yes sir.

By Mr. Macdonna Q After that you saw him frequently, after this introduction.

A Yes sir, sometimes two or three times a week.

Q And did you on all these occasions when you met him deliver him some goods. A As a general rule, yes, sir.

Q Mostly what were they? A Well, generally stockings; sometimes silk vests - what are commonly known as undershirts.

Q Silk undershirts? A Yes sir.

Q Did you ever leave in that house at his suggestion for him stockings or silk under vests to be called for. A I did.

Q Did you in a conversation subsequent to leaving these things hear from him that he had received them (objected to)

By the Court Q You had a party come and take the stockings that you stole, tell the jury what were your relations, what brought you in contact, what was your agreement, what did you tell him, let us know what he knew you were doing.

A I was introduced by him to this party, and for a long time the goods were left with this party.

Q Under what circumstances. A I mean with this agent of his we will call her.

Counsel I object to "agent," and move that be stricken out.

The Court Yes.

By the Court Q What we want to find out is what



he knew about your larcenies.

A I never told him I was going to steal goods. I simply offered him the goods for sale.

Q Did you tell him where you got them from. A. No sir.

Q Did you tell him you stole them.

A No sir, merely told him the price I wanted for them, and on some occasions he paid me that himself and on other occasions he left it with this party.

Q Did he know where you were employed.

A No sir, he did not; he did not even know my name.

Q From time to time you left some goods with him and sometimes you left them with somebody for him? A. Yes sir.

Q You had no arrangement or understanding particularly with this defendant in reference to goods of that kind.

A That kind of an understanding do you mean?

Q Well, for instance, like this, "I am going to steal goods from time to time and I want you to take them." A. There was no such understanding; the only understanding was about the pay.

Q That was the understanding you had about the pay, how did you happen to give them to him. A. I have sold

10

Q goods, to lots of other people besides him.  
Did you sell goods to people without a word, throw them right at them.

A No, I would tell them I had goods to sell; they could have them at ~~so~~ so much a piece; if they paid that, that was all there was about it. The first time I had these plain silk stockings I told him he could have those at a dollar a pair; he consented to that arrangement, and I delivered several lots to him.

Q At a dollar a pair - he paid you a dollar a pair for the first lot.

A All that style that is there.

Q Well, what else, when you got other stockings how much did you charge for those.

A There was some stockings which had one color on top and another color on the bottom - he bought those at \$1.50 a pair.

Q That is, he paid you from one dollar to a dollar and a half a pair? A. Yes sir.

Q And these others, as far as you are concerned, without any information from you that you came by them wrongfully, without knowing your name, or that you took them wrongfully from anybody.

POOR QUALITY  
ORIGINAL

0983

he bought them from you? A. Yes sir.

Q Did you give him any information where you got them? A. No.

Q And he did not ask you. A. No sir, he never asked me.

Q Whatever you delivered to him he paid you for? A. Yes sir.

Q He paid you one dollar & one dollar and a half a pair? A. Yes sir.

Q Where you delivered him goods in the street was it after dark. A. Yes sir, in the evening - around the neighborhood of half past nine o'clock.

Q Was anything said by him why this was done in the street. A. No sir, he did not say; he never made any remark of the kind, and I did not think it was my business to.

By Mr. Macdonna Q Now McElroy do I understand you to say that this man did not know what your business was, or where you were employed. A. No sir, he did not.

Q He did not? A. Not to my knowledge.

Q Did he ever telephone you. did you ever get any telephonic messages at Lord & Taylor's saying Joe wants to see you. A. No sir.

Q Never did? A. No sir.

11 Q Did you ever have any conversation



with him about where you were employed or what business you were in. A. No sir.

Q Did you know what business he was in. A. Well, I knew that he was commonly called a pedlar, that is what I understood him to be.

Q Where did he go on the night of the 31<sup>st</sup> of March, the night that you were arrested, if you know, after you delivered these goods to him on the corner of 32<sup>nd</sup> St.

A He walked down to the corner of Seventh Avenue; I took the Seventh Avenue car. I don't know where he went after that.

Cross Examined by Counsel.

Q You are known as what is known by "Silk stocking Tom". A. I never heard it until after I was arrested.

Q Then you heard of it. Is it not the fact that the women in the houses of ill fame up town used to call you "Silk stocking Tom". A. I never heard them call me such.

Q Never addressed you as such? A. No sir.

Q But since your arrest you have discovered they did? A. I understand that epithet was applied to your defendant.

Q His name is not Tom. A. I do not know that his name is Tom; I knew

him as Joe.

Q You sold stockings in these houses didn't you.  
A Where?

Q In almost all the houses of ill fame up town didn't you? A. No sir.

Q In some of the houses. A. No sir.

Q Did not ever sell up there.

A I gave some of them away in some of the houses up town. I never sold any though.

Q Never sold any to anybody. A. No sir.

Q Did not you say so to his Honor that you did? A. I am speaking of up town.

A Did you sell them down town.

A Yes, I sold them down town.

Q To whom? A. Several people.

Q Who? A. Have I got to answer that question, your Honor?

Q Would it incriminate anybody else?  
The Court: I would make him answer that question if I thought it would help your case. He admits he is a thief and has been stealing goods.

Q Lord and Taylor have a great many stockings similar to that haven't they?

A Yes sir.

Q Other houses have too, do you know whether they have or not, silk stockings similar to these. A. Lord and Taylor jobs those stockings and sold them

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to retailers on Sixth Avenue: Those people all have them.

Q They all have them and they all sell them? A Yes sir.

Q When Lord and Taylor sells those (Objected to)

Q Lord and Taylor sell those stockings to a good many houses in New York, do they not? A Yes sir.

Mr. Macdonna. I object to that on the ground that he says that his business in that house - there is no foundation laid for it - his business was to handle these goods in bulk.

The Court He asks him now as a fact within his knowledge if they do sell them. He has undertaken to answer that they sell to other places in Sixth Avenue - he has answered that they do sell these kind of stockings.

By Your Honor Q They are identical with these are they not? A Yes sir

Q As to color, sizes &c. A Yes sir

Q From what fact do you know that these are the identical stockings that you took, what is there about the stockings.

A If you take notice there is a mark on the toe of the stockings; it is not on that pair (showing)

Q Show me the paper. A You can see it right on the toe; there is one mark (pointing)



Q That is on them all? A No, it is not on all, on most all of them though.

Q You do not mean to say that it was put on especially on the ones you took.

A It is on there especially, Lord and Taylor's mark.

Q Even though that mark is upon the stockings they sell, those marked that way were sold to other people. A Yes sir.

Q Is there any mark by which you identify the stockings. A No, no mark.

Q What you mean to say is because Lord and Taylor's mark is on you know for that reason these stockings were in Lord and Taylor's. A Yes sir.

By the Court Q They resemble in every particular those that you delivered to the defendant. A Yes sir.

By the Court Q But there is nothing upon those by which you are positive that those are the identical stockings. A No sir.

Q You do not say that they are the identical stockings. A Yes sir, from what I believe they are.

Q But you are not prepared to swear that they are. A No, I could not tell those from any stockings that Lord and Taylor would have.

Joseph H. Emory, sworn and examined.

By Mr. Macdonna Q Mr. Emory, what is your business.

A Manager of the hosiery department of Lord and Taylor's.

Q Do you know the witness who has just left the stand, McElroy. A. I do, yes sir.

Q He has been in the employment of that firm for some time. A. He has.

Q How long? A. About ten years to my knowledge.

Q What was his business A. Porter.

Q In that same department or generally.

A The same department.

Q Have you charge of the stock in the hosiery department of Lord and Taylor's.

A Yes sir, the wholesale.

Q Did you previous to March the 31<sup>st</sup>. and subsequent to that date in taking stock miss any property in your custody belonging to Lord and Taylor. (Objected to. objection overruled. Exception) A. He did.

Q You did. A. He did, yes sir.

Q What quality or what character of goods were they. (Objected to. Objection overruled. Exception.

A Silk —

Q Go on and answer the question, you did.

A He did miss silk goods, yes sir.

Q Now did you subsequent to March 31<sup>st</sup> through the hands of the police in this city recover

any of those goods A. No sir.

Q Have you seen any of the goods that you missed since the 31<sup>st</sup>.

(Objected to. Objection overruled. Exception) A. Yes.

Q Where did you see them? A. At the Tumb.

Q In whose possession? A. At the Tumb in the possession of the detective.

Q Which of them, officer Woodbridge or officer Armstrong. A. Woodbridge I think had them.

Q Are these the stockings that you saw.

(Stockings shown) A. Yes sir, they are.

Q At the Tumb in possession of that officer

A. Yes sir.

Q You identified them as the goods of your firm? A. Yes sir, as the goods of Lord & Taylor.

Q And they are the property and were in the possession of Lord and Taylor were they not. A. They were.

Q How do you identify them, Mr. Emory.

A. By our trade mark on the toe.

Q This goldene stamp marked Paris with a device. A. Yes sir.

Q Did you have any conversation with either Rohman or McElroy after their arrest. A. I did, yes sir.

Q Concerning this larceny. A. Yes sir.

Q What conversation, if any, did you have with Rohman or with McElroy in his presence. I would just like



you to tell what happened in the police Court what this man said to you on the morning he was brought up in the Police Court - when they were both arraigned - what Robman said. A. I was standing at the railing and Mr. Robman was sitting behind, and he asked me if he could speak to me, and I told him, 'yes'. He says, "you will make it as easy as possible, will you please?" I answered, we would see about that; and he sat down. A moment afterwards he got up and asked me - he says, "I have ten dollars in my pocket what shall I do with it?"

Q Did you give him any advice how to dispose of that ten dollars. A. No sir.

Q That conversation, if any, did you have with McElroy in Robman's presence. A. None.

Q None whatever. A. No.

Q What is the value of those stockings that you have identified. A. About \$3.50 a pair.  
Cross Examined.

By Counsel P When you say \$3.50 a pair, you mean what kind of stockings. A. I mean those there.

Q Mr. Emory, you say these stockings were once the property of Lord and Taylor, do you

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ORIGINAL

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A Yes sir.

Q How do you know that. A By the stamps on the toe.

Q Show me the stamp on this pair.

A There is no particular stamp on that one pair.

Q From what fact do you know that this one pair was once the property of Lord and Taylor.

A The general get up of the stocking; we design the top and the toe; from the general get up and from nothing else.

Q Does anybody else in New York have stockings of this description. A None that I know of.

Q Then the only stockings of this description that are in existence belong to Lord and Taylor. A Exactly like this as far as I know.

Q As far as you know. A Yes sir.

Q What do you get them up for? A To sell.

Q Do you keep them there for ever. A No sir.

Q Do you sell them. A We do.

Q Who do you sell them to. A Every one that will buy.

Q To anybody that will buy them, is not that true? A That is right.

Q About how many pair of stockings such as these do you sell per year.

A We sold several thousand dozens -

19 several thousand pairs rather.

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Q You sell them to both the retail and whole sale trade do you not. A. We do, yes sir.

Q Now you wont swear that these identical stockings were stolen from you will you. A. No sir.

Q Then all you mean to testify is, these stockings were once the property of Lord and Taylor. A. Yes sir.

Q And whether they were bought in the regular course of business or not you wont say. A. Certainly not.

Q You do not know if they were ever stolen is that it. A. That is it.

By the Court Q I understand you to say that these stockings that have been shown you are worth \$3.50 a pair. A. Yes sir.

By Counsel Q All of them? A. Some of them may be worth only three dollars, but the majority are worth \$3.50.

Q What are those that bear the mark.

A. Three dollars and a half.

Q Are these what they call 'boot' stockings.

A. No, the top is one color and the boot is another color, that is, from here down.

Joseph D. Woodbridge, sworn and examined

By Mr. Macdonna Q Officer Woodbridge, did you arrest McElroy. A. Yes sir.

Q The first witness brought here by the people.



A Yes sir.

Q When did you arrest him? A. The 31<sup>st</sup> of March.

Q You had some conversations with him after you arrested him. A. Yes sir.

Q Now in consequence of the conversations that you had with him the night that you arrested him did you go to attend a meeting place where you expected to find Robman. A. Yes sir.

Q Did you find Robman at the place. A. Yes sir.

Q Tell us what occurred. Where was the meeting place, in the first place. That you got information about. A. Thirty Second street and Sixth Avenue.

Q The same place that was testified to by the first witness on the stand as the place where he delivered the stockings the night before - you have heard the testimony of the first witness. (Objected to)

Q Was it outside Joe. Bennetts on Thirty Second street and Sixth Avenue. A. Yes sir.

Q You went there at the appointed hour. A. Yes sir.

Q You found Robman there did you. A. Yes sir.

Q What time did you go there.

A Well, we went there about half past eight; that was the first of the month.

By the Court Q The first of April. A. Yes sir.

By Mr. Macdonna Q Officer Armstrong and yourself.

A Yes sir.

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- Q Rohman appeared did he? A. Yes sir.
- Q What did you do, tell the jury what happened? A. We arrested him and took him down on a Broadway car; we asked him for the goods.
- Q What goods? A. The stockings that he got off McShoy. We told him to tell the truth, and he said he would. He said that the goods were down in a store in Division street.
- Q What number? A. I think it is 73 or 78.
- Q What did you do with him then?
- A. We locked him up at Headquarters and took him to Court in the morning. After he had been remanded to Headquarters we took McShoy and took Rohman down to his place of business in Division St. We went in and asked the gentleman that owned it for the stockings.
- Q The one in charge? A. Yes sir.
- Q What was his name? A. I think it is Rubenstein or some Stein.
- Q This man Rohman was with you, what did Rubenstein say? A. He asked Rohman where they were? and Rohman told him they were in the safe, and he handed the bundle of stockings.
- Q These are the stockings that have been

shown? A. Yes sir.

By the Court Q. The prisoner went and took them out of the safe. A. No, Rubenstein asked the young man to get them, and the young man went to the safe and got this bundle of stockings out.

Q. That have been shown to the jury. A. Yes.

Q. You say Rohman told you where they were. A. Told this young man where to get them.

Cross Examined

Q. You told him you arrested McElroy for stealing some stockings. A. Yes sir.

Q. You say McElroy told you where the stockings were. A. Yes sir.

Q. Did he say, "I will take you to where they are." A. No, he did not say that he will take us; he told us where they were.

Q. He made no hesitancy in giving them up. A. No sir.

Q. In fact he aided you in getting them.

A. Yes, by telling us.

By the Court Q. Did you have any conversation with him about his knowledge of where they came from or anything of that kind.

A. He said he did not know where he (McElroy) was working; he only met him on the street - that is all he knew about him.



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By a juror Q Did he know the name of this McElroy.

A No.

By the Macdonna Q How did you identify him to him.

A How do you mean?

Q How did you identify the man when you said to him somebody told us that you received those goods, how did you identify the man - you identified McElroy, what did you call him? A He called him Joe.

Q When you took 'Joe' up on this corner of Thirty Second street and Sixth Avenue outside of Bennetts you took hold of him.

A Yes sir.

Q You testified here that you said, "now we are told that you got these stockings."

A Yes sir.

Q Did you tell him who told you.

A He knew Louis name.

Q Did you tell him Jimmy. A Yes sir.

Q Did he know his other name Jimmy McJutee or Jimmy Maguire. A Silk stocking Jimmy, that is what he was known as.

Q And he identified him as silk stocking Jimmy. A Yes.

Q You said "silk stocking Jimmy."

A I said, "we have Jimmy arrested - Silk Stocking Jimmy."

By Counsel Q As matter of fact Silk Stocking Jimmy

sells stockings up town don't he.

A I do not know that.

Q Have you been told so (Objected to. Objection sustained.)

Q When you arrested silk stocking Jimmy you found some of that property, vests and things on him. A. No.

Q This was found in Jimmy's house (showing another bundle)

The Court The jury understand that these on the table are the only ones before them.

Mr. Macdonna: I offer these stockings in evidence. I would like to recall Mr. Emory.

Joseph H. Emory recalled by Mr. Macdonna  
Q Mr. Emory, it is not clear to my mind what branch of the hosiery and silk department, wholesale or retail that you are in.

A The wholesale department.

Q The prices that you gave here as the value of these stockings was it the wholesale or the retail price.

A The retail price. They are worth wholesale thirty dollars a dozen.

Q When you took stock and found out that this property had been lost how much did you find missing from the stock. A. Twenty two dozen of that particular kind.

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ORIGINAL

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Q This particular kind of assorted colors.

A Yes sir.

Mr. Macdonna: That is the case.

No evidence was presented for the defence.

The jury rendered a verdict of guilty of receiving stolen goods. The defendant was remanded for sentence.



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Testimony in the  
case of  
Joseph Rohman

filed April

1890

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

The People of the State of New York  
against  
Samuel W. Lewis.

Herbert Dr. Grindat being

duely sworn says:

That he is the defendants counsel herein. That as such counsel he has met Mrs J. F. Richards of 358 West 58<sup>th</sup> St. New York City and has had several interviews with her concerning her knowledge of the matters involved in this action. That the said Mrs Richards has stated to deponent that she will testify upon the trial of this defendant as follows:

That she is well acquainted with Mrs Alice  
L. Lewis the wife of the defendant and the pro-  
secutor in this action. That since the indictments  
herin were found against the defendant the  
said Alice L. Lewis stated to Mrs. Richards that the  
proceedings against defendant were brought to com-  
pel said defendant to pay a sum of money, which  
would take the place of alimony. That said Mrs Lewis  
had planned the whole matter for a long time prior  
to proceedings the indictment to compel the defendant  
to pay said money as aforesaid, or if he had none  
to oblige his family to pay in order to save the Reputa-  
tion of the family.

That said Mrs Lewis stated to the said Mrs Richards that she had paid twenty five hundred dollars ~~(2500)~~ to get the indictments herein ~~through the District~~ Attorney's office, and that she would send this defendant to state prison if possible unless he secured ~~the~~ for her the money that she wanted.

That said Mrs Richards is well acquainted with the general reputation of the said Mrs Lewis and knows that her reputation is bad for truth and veracity as well as for decency and morality, and that she (the said Mrs. Richards) would not believe the said Mrs ~~Richard~~ Lewis under oath.

That Mr John H. Townsend, Counsel for Mrs Lewis, stated to Mrs Richards in the office of Paul Wilcox Esq in Temple Court, that all proceedings against this defendant would be stopped if defendant would consent that Mrs Lewis obtain a quit notice from defendant.

That Mrs Lewis had secured all of defendant's books and papers so that he would be unable to establish his defence.

Deponent further says that on the afternoon of the 19th of March 1891 he went to the apartments of the said Mrs Richards to have an interview with her concerning her testimony herein, and to serve her with a subpoena. That deponent found two physicians and a nurse at said apartments and was not allowed to see the said Mrs Richards or ~~the~~ to procure and affidavits or statement in writing from her. That he was informed by



Mr. Stafford that Mrs. Richards was about to be operated upon and would not be able to leave her room for at least a week and that there was a possibility that she might not survive the operation at all.

Deponent further says that most of the facts would be testified to by the said Mrs. Richards as above stated cannot be proven by any other witness of whom he has present knowledge and that he believes the said Mrs. Richards a material and necessary witness for the defendant herein and that the rights of the said defendant will be prejudiced if he is required to go to trial without her testimony.

Sworn to before me this

20<sup>th</sup> day of March 1891

J. Edward Weld  
Commissioner of Deeds  
City and County of  
New York

Herbert W. Grindal

POOR QUALITY  
ORIGINAL

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People

v

S. W. Lewis

copy  
affidavit of  
W. W. Grindal

POOR QUALITY  
ORIGINAL

1004

MEMORANDUM.

LAW OFFICE OF  
HERBERT W. GRINDAL,  
160 BROADWAY,

People's  
Laws.

New York, Mar. 21 1897,

Bartholomew L. Richards Esq.

West 12th St. N.Y.

Dear Sir:

I called last evening at Mr. Stafford's residence and was told by him that Mr. Richards would not be able to see me, much less to be examined. He said that he would make an affidavit to that effect and I have sent a message to him this morning. As soon as he returns I will send you a copy of his affidavit. This being the case it will be useless to go to the house this afternoon at two o'clock.

Very truly yours  
Herbert W. Grindal



Court of General Sessions of the Peace  
for the City and County of New York

The People of the State of New York  
against  
Samuel W. Lewis.

City and County of New York ss.

James Stafford being  
duly sworn says:

That he is a practicing physician,  
duly registered and licensed and residing at No.  
157 Madison Ave New York City. That, with  
two other physicians, he performed a surgical  
operation upon Mrs S. F. Richards of No 358 West  
58<sup>th</sup> Street, New York City, upon whom he is attend-  
ing professionally. Said operation was performed  
late in the afternoon of Thursday March 19<sup>th</sup> instant  
and was of about three quarters of an hour  
in duration and of a delicate and critical  
nature.

That the patient has passed safely  
through the operation but is still suffering  
from the nervous shock of it and is yet in a  
very critical condition although doing as well  
as could be expected. That no person is yet  
allowed to see Mrs Richards whose presence  
or conversation would excite or disturb her, and

that anything in the nature of her examination as a witness could not possibly be permitted at present as it would be exceedingly dangerous and might have a fatal result.

That deponent will not assume the responsibility of consenting to such an examination for at least a week, and that he cannot now tell whether the condition of the patient at that time will render such an examination prudent or not, as it will depend upon the progress of her recovery.

Given to before me this  
21<sup>st</sup> day of March 1891

Signed - James Stafford

(098) Louis E. Salmon

Notary Public (353)

N. Y. Co.

General License

The People vs

v

Samuel W. Lewis

copy  
affidavit of Dr. Stafford

Attest  
Counsel for Defendant  
160 Broadway  
N.Y.C.

POOR QUALITY  
ORIGINAL

10007

New York May 13/90  
Lomb City Prison

Hon Recorder Smyth

Your Honor I beg  
leave to present this plea  
to you as I have no lawyer  
This is the first time I have  
ever been arrested I have  
hitherto always borne a good  
reputation. I plead guilty to  
Grand Larceny in the second  
degree and have served the  
prosecution as far as able in  
convicting the accomplice  
I have a sincere desire to  
reform and pray that you  
would kindly send me to  
the Elmira Reformatory

Yours Respectfully  
Thos McCleary



POOR QUALITY  
ORIGINAL

1008

New York City

Hon Record Smyth

June 27<sup>th</sup> 1890

Dear I write to you  
to ask you if you will please  
make my sons sentence as  
light as you possibly can  
as I am an old woman too old  
and sick to work and he is  
my only support-

Truly  
yours  
Margaret

POOR QUALITY  
ORIGINAL

1009

State of New York }  
City & County of New York } ss.  
Priscilla M. & Mary being  
by me duly sworn doth  
depone and say that  
she resides at 216 St. 27<sup>th</sup>  
Street City of New York that  
she is the mother of  
Thermon M. & Mary. and  
confined at the time,  
that her age is 67  
years, that her son  
is her sole support and  
has been for several years.

Subscribed &  
sworn to before me  
this 28<sup>th</sup> day of  
June 1890

Priscilla M. & Mary  
Mary

Edward P. Davis

Notary Public

City & County of New York

POOR QUALITY  
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Lecher  
McIlroy }



POOR QUALITY  
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424. W. 47<sup>th</sup> St.  
June 27<sup>th</sup> 1890

Dear Sir

Being deeply interested in the case of Mr Thomas W. Elzy now pending sentence, I took the liberty of addressing you in his behalf.

I have known the young man all my life, and I assure you that outside of this one dishonest act, his conduct has been irreproachable and exemplary, and has always attended to his religious duties.

He is the sole support of an aged and widowed mother. I trust that this has been his first fall, and I am certain that it will be to him a lesson for the future.

I appeal to you as a man

POOR QUALITY  
ORIGINAL

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State of New York }  
County of New York }

Thomas F. Mooney being  
sweared says that the  
following statement regarding  
Thomas McElroy is true to the  
best of his knowledge and  
belief.

Thomas F. Mooney.  
Sworn to before me  
this 27<sup>th</sup> day of June 1890

H. H. Coates  
Clerk of Deeds  
N.Y.C.

of experience to give him a chance to  
redeem himself. We are all human,  
and I am positive that if you show him  
mercy, he will become a good and  
honest citizen, and God will bless you  
for it.

I am Respectfully Yours  
Thomas F. Mooney.  
Seminarian of St. Joseph's.

U. A.

If it is possible do not send him  
to Sing Sing prison, but to either  
suspend sentence or send him to  
the Reformatory

Thomas F. Mooney.  
224 W. 47<sup>th</sup> St.  
City.

POOR QUALITY  
ORIGINAL

10 13

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 Mc Elroy*  
*And Joseph Rohman*

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

*Thomas Mc Elroy And Joseph Rohman*

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

The said *Thomas Mc Elroy And Joseph Rohman, both*

late of the City of New York, in the County of New York aforesaid, on the *thirty-first*  
day of *March* in the year of our Lord one thousand eight hundred and *ninety*;

, at the City and County aforesaid, with force and arms,

*twenty-four stockings of the value*  
*of one dollar and twenty-five*  
*cents each*

of the goods, chattels and personal property of one

*Edward P. Hatch*

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.



POOR QUALITY  
ORIGINAL

10 14

SECOND COUNT—

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

*Thomas McElroy* ~~and~~ *Joseph Rohman*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The ~~said~~ *Thomas McElroy* ~~and~~ *Joseph Rohman*

~~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,

*twenty-four stockings of the value  
of one dollar and fifty cents each*

of the goods, chattels and personal property of one *Edward P. Hatch*  
*by one Thomas McElroy and also*  
*other*  
by a certain person or persons to the Grand Jury aforesaid, unknown, then lately before  
feloniously stolen, taken and carried away from the said *Edward P. Hatch*

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

*Joseph Rohman*

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.

JOHN R. FELLOWS,  
District Attorney.

10 15

**BOX:**

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**FOLDER:**

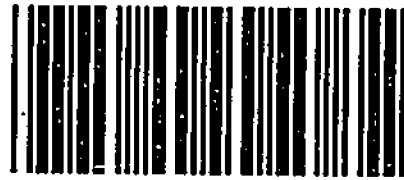
3653

**DESCRIPTION:**

McIntosh, James

**DATE:**

04/14/90



3653

POOR QUALITY  
ORIGINAL

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314

*Wm. J. Kempster*

Counsel,

Filed

1890

Pleads,

THE PEOPLE

vs.

*R*

*James McEntosh*

*Burglary in the Third Degree*  
*Second Degree*  
*Section 488, N.Y. Code of Criminal Procedure*

JOHN R. FELLOWS,

District Attorney.

*Part II June 17/90*  
*Referenced discharged*  
*Part 2 May 28/90*  
*WJ on his own recognizance*

A True Bill.

*June 5<sup>th</sup> 1890 completed in way*

*from South American*

*W. J. Kempster*

Foreman.

*Agrees to report*  
*to dist atty office*

*when Complainant*

*arrives - then pass the*

*case on Calendar of 1st*

Witnesses:

*John Abraham*

*The complainant cannot*

*be found & recaptured*

*after exchange of letters*

*his full recognition*

*afforded by*

*Arch Deik City*



POOR QUALITY  
ORIGINAL

10 17

Police Court— District.

City and County } ss.:  
of New York,

of No. 21 Morris Street, aged 16 years,  
occupation Fancy Goods being duly sworn

deposes and says, that the premises No 21 Morris Street, 1<sup>st</sup> Ward  
in the City and County aforesaid the said being a tenement house the

store floor of ~~and~~ which was occupied by deponent's father John Abraham as a fancy goods store  
~~and in which there was at the time a heman being, by name~~

were BURGLARIOUSLY entered by means of forcibly breaking the  
door leading from the hallway into  
said premises

on the 27<sup>th</sup> day of March 1889 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

Good and lawful money of  
the United States of the value of  
Fifty dollars

the property of deponent and his father  
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

James Mc Intosh (murder)

for the reasons following, to wit: that deponent securely locked  
the front door of said store and  
said money was in the drawer behind  
the counter. The door leading into the  
hallway was locked and a bar affixed  
across thereby securely fastening it.  
Deponent shortly thereafter returned and  
saw the defendant in the store and  
when deponent opened the door the

POOR QUALITY  
ORIGINAL

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defendant went out of the side door  
and deponent found it broken and said  
money missing  
Sworn to before me  
this 5<sup>th</sup> April 1890 J. Gahon & Graham

P. T. Mahon  
Police Justice

Dated 188 Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

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

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

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—BURGLARY.

ss.

1.  
2.  
3.  
4.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

POOR QUALITY  
ORIGINAL

10 19

Sec. 198—200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *James McIntosh*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *69 Fourth St. 2 years*

Question. What is your business or profession?

Answer. *Painter*

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

Answer. *I am not guilty*

*James McIntosh*

Taken before me this *25*<sup>th</sup>

day of *April*

189*0*

*W. H. Macdonald*  
Police Justice



POOR QUALITY  
ORIGINAL

1020

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

Police Court... District.

No 96 531

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Abraham  
& 21 Morris St  
James Mcintosh

Offence

Burglary

Dated

April 5 1890

Residence

Magistrate.

Residence

Officer.

No. 3, by

2 Precinct.

Residence

Street.

No. 4, by

Street.

Residence

Street.

No. 5, by

Street.

Residence

Street.

No. 6, by

Street.

Residence

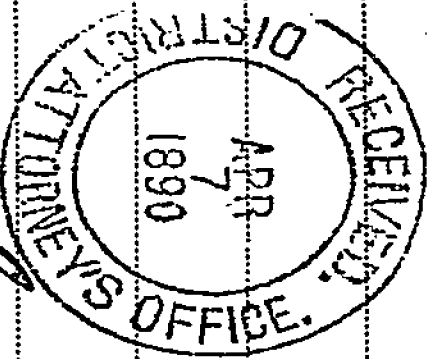
Street.

No. 7, by

Street.

Residence

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.....

defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty 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 April 5 1890 W. T. McMahon Police Justice.

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

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

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

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

POOR QUALITY  
ORIGINAL

1021

Court of General Sessions.

The People

vs.  
James Mc. Intash.

To John R. Fellows Esq.  
District Attorney

Sir,

Please take notice  
that on Tuesday the 17<sup>th</sup> day of June 1890  
at eleven o'clock in the forenoon or as soon  
thereafter as counsel can be heard at  
part three of said court, before the Hon.  
Rufus B. Cowing, City Judge at 32 Cham-  
bers in the City of New York, I shall  
move the court to discharge the said  
defendant on his own recognizance  
upon the ground that he has not been  
brought to trial within the time  
required by law.

Yours Respectfully  
C. F. Kinsley,  
of Counsel for def.

New York June 14, 1890.

1022

The People

AGAINST

James H. C. Sutcliffe

Notice of Motion.

Paul

C. F. KINSLEY,

**A TORNEY FOR**

ATTORNEY FOR *Pelardant*

POTTER BUILDING,

38 PARK ROW,  
NEW YORK CITY.

Due and timely service of copy of within is hereby

[illegible]



POOR QUALITY  
ORIGINAL

1023

**DIRECTIONS.**

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

*affidavit wanted ask to see Mr. Maguire 2<sup>d</sup>*  
SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF  
GENERAL SESSIONS.

In the Name of the People of the State of New York.

To

of No.

Street.

YOU ARE COMMANDED to appear before the Grand Jury of the County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of *June* 1890, at the hour of 10½ in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

*James McIntosh*  
Dated at the City of New York, the first Monday of *June*,  
in the year of our Lord 1890.

JOHN R. FELLOWS, *District Attorney.*

GLUED PAGE

POOR QUALITY  
ORIGINAL

1024

the Grand Jury calls witness. The For man pleases. The For good. If you wait patience. If your turn comes, it may be very inconvenient. If it is very inconvenient, let the District Attorney know this. If you do not obey this order, the Court will punish, and fine you. If you are ill, when served to the District Attorney, other witnesses in this taken up, you may be taken up. If you do not at the Grand Jury do may then retire mention or clerk. the Grand Jury adjourned without explanation. District Attorney's office when.

THE PEOPLE

vs.

*James M. Outosh*

City and County of New York, ss.:

*Patrick H. Cosgrove* being duly sworn, deposes and says: I am a Police Officer attached to the *2<sup>nd</sup>* Precinct,

in the City of New York. On the *2<sup>nd</sup> 4<sup>th</sup> & 13<sup>th</sup>* days of *June* 1890,

I called at *21 Morris St. New York City*

the alleged *residence* of *John Abrahams*

the complainant herein, to serve him with the annexed subpoena, and was informed by *his*

*Uncle that he had left there on or about the 10<sup>th</sup> of May, and he furthermore says that he told him he did not intend to return for some time or he may never return*

Sworn to before me, this

*13<sup>th</sup>* day

of

*June*

1890

*Jas. H. Driscoll*  
COMMISSIONER OF DEEDS  
N. Y. C.

*Patrick H. Cosgrove*

POOR QUALITY  
ORIGINAL

1025

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

*James Mcintosh*

Offense:

JOHN R. FELLOWS,

District Attorney.

Affidavit of Police Officer

*Patrick H. Corrigan*

*2nd*

Precinct.

Failure to Find Witness.



POOR QUALITY  
ORIGINAL

1026

DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF  
GENERAL SESSIONS.

In the Name of the People of the State of New York.

To John Abraham  
of No. 21 Morris Street.

YOU ARE COMMANDED to appear before the Grand Jury of the County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of June 18913, at the hour of 10½ in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

James M. Detch  
Dated at the City of New York, the first Monday of  
in the year of our Lord 1890.

JOHN R. FELLOWS, District Attorney.

GLUED PAGE

POOR QUALITY  
ORIGINAL

1027

# Court of General Sessions.

THE PEOPLE

vs.

*James Mc Intosh*

City and County of New York, ss.:

*Cornelius Leary* being duly  
sworn, deposes and says: I reside at No. *27 North Moore St*  
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 *12<sup>th</sup>* day of *June* 18 *90*  
I called at *No 21 Morris Street, in the City of*  
*New York*  
the alleged residence of *John Abraham*  
the complainant herein, to serve him with the annexed subpoena, and was informed by *him*

*Further, that the said John Abraham, had*  
*gone to Jamaica, West Indies, on business*  
*and was unable to tell when he intended*  
*to come home. also called on three other*  
*occassions and could get no further information*

Sworn to before me, this

*13<sup>th</sup>* day  
of *June* 18 *90*

*Thos. A. McGuire*  
Commissioner of Sads  
N.Y. Co.

*Cornelius Leary*

Subpoena Server.

POOR QUALITY  
ORIGINAL

1028

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

*James McIndoe*

Offence:

JOHN R. FELLOWS,  
District Attorney.

Affidavit of

*Camille A. Gray*

Subpoena Server.

Failure to Find Witness.



POOR QUALITY  
ORIGINAL

1029

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 Mc Intosh*

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

*James Mc Intosh*

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

The said

*James Mc Intosh*

late of the

*First*

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

New York, aforesaid, on the *twenty seventh* day of *March* in the year of  
our Lord one thousand eight hundred and *ninety*, with force and arms, at the  
Ward, City and County aforesaid, a certain building there situate, to wit: the *Store* of one

*John Abraham*

feloniously and burglariously did break into and enter, with intent to commit some crime therein,  
to wit: with intent, the goods, chattels and personal property of the said

*John Abraham*

in the said

*Store*

then and there being, then and there feloniously and burglariously  
to 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.

POOR QUALITY  
ORIGINAL

1030

SECOND COUNT—

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

James Mc Intosh  
of the CRIME OF ~~Grand~~ LARCENY, in the second degree, committed as follows:

The said

James Mc Intosh  
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, in the day—time of the said day, with force and arms,

the sum of fifty dollars in  
money, lawful money of the United  
States, and of the value of fifty  
dollars

of the goods, chattels and personal property of one

in the store of the said

John Abraham  
there situate, then and there being found, in the store aforesaid, 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.

John R. Xellows,  
Attorney

1031

**BOX:**

392

**FOLDER:**

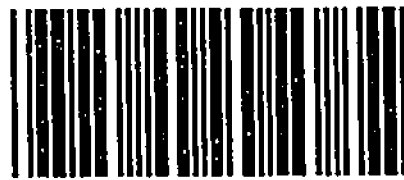
3653

**DESCRIPTION:**

Mertens, Henry

**DATE:**

04/29/90



3653



1032

POOR QUALITY  
ORIGINAL

Reading for Henry

Witness: *[Signature]*

*[Signature]* 268 1/10

Counsel  
Filed  
Pleads  
day of *[Signature]* 1898  
of *[Signature]* May 6

THE PEOPLE  
at court 190  
we say 190  
of *[Signature]*  
of *[Signature]*  
of *[Signature]*  
Henry Martens  
alias  
Henry Young  
May 1903 ADP

Grand Larceny, Second Degree.  
[Sections 528, 529] — Penal Code]

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*[Signature]* W. J. Berry  
Foreman.

April III May 8/96  
May 10/96  
Pearls Smith  
Peterson  
1903 ADP

POOR QUALITY  
ORIGINAL

1033

**District Attorney's Office,**  
City and County of New York.

City and County }  
of New York, } ss.

of No. 125 Park Ave Street, aged 45 years,  
occupation Restaurant keeper being duly sworn, deposes and says,  
that on the 20th day of March 1890, at the City of New  
York, in the County of New York, one Henry Meyers alias

Henry Meyers, did feloniously take steal  
and carry away the sum of one hundred and  
forty dollars in money belonging to deposor  
in the manner following, to wit: on said day  
deposor gave to the defendant who was  
employed by him, the said sum of money  
with instructions to deposit the same in the  
Germania Bank to deposor's credit; that  
instead thereof the defendant converted the  
same to his own use and fled from this  
state.

On the evening of the 28th instant the  
defendant was apprehended at Newark in the  
State of New Jersey by a detective of Police  
Headquarters in said city. I identified him  
and in my presence he admitted the larceny  
above alleged. He was thereupon committed  
to await the action of the authorities of this  
state.

Sworn to before me this }  
29th day of April, 1890 }  
David Anderson  
Notary Public (100)  
N. Y. Co.

Gustav Bauer

POOR QUALITY  
ORIGINAL

1034

No 268

DISTRICT ATTORNEY'S OFFICE.

City and County of New York.

THE PEOPLE, & C.,  
ON THE COMPLAINT OF

*Egyptian Bazaar*

vs.

*James Matthews*

*John Henry Matthews*

Dated *April 29* 1890

Witnesses,

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

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

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



POOR QUALITY  
ORIGINAL

1035

COURT OF GENERAL SESSIONS OF THE PEACE, OF THE CITY AND COUNTY  
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Henry Martens*  
*otherwise called*  
*Henry Young*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by  
this indictment, accuse *Henry Martens*  
*otherwise called Henry Young*  
of the CRIME OF GRAND LARCENY IN THE SECOND DEGREE,  
committed as follows:

The said *Henry Martens, otherwise called*  
*Henry Young*,  
late of the City of New York, in the County of New York aforesaid, on the *20th*  
day of *March*, in the year of our Lord one thousand eight hundred and  
*nineteen*, at the City and County aforesaid, with force and arms, in the  
*last* time of the same day, divers promissory notes for the payment of money, being  
then and there due and unsatisfied (and of the kind known as United States Treasury  
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the  
payment of and of the value of *seventy*

dollars; divers other promissory notes for the payment of money, being then and there due  
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination  
to the Grand Jury aforesaid unknown, for the payment of and of the value of  
*seventy*  
dollars; divers United States Silver Certificates of a number and denomination to the Grand  
Jury aforesaid unknown, of the value of *seventy*

dollars; divers United States Gold Certificates of a number and denomination to the  
Grand Jury aforesaid unknown, of the value of *seventy*

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

*blank note of the value of*  
*ten cents,*

of the goods, chattels and personal property of one *Edw. J. J. J. J.*  
*Gustav J. J. J.* 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.

JOHN R. FELLOWS, District Attorney.

1036

**BOX:**

392

**FOLDER:**

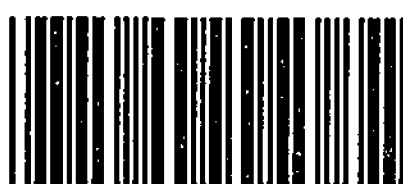
3653

**DESCRIPTION:**

Metz, Charles

**DATE:**

04/02/90



3653

POOR QUALITY  
ORIGINAL

1037

Witnesses:

Christian F. Haacke

Albert Schonken

*[Signature]*

*[Signature]*

Counsel,

Filed

day of April 1890

Pleas,

*[Signature]*

THE PEOPLE

vs.

*[Signature]*  
Charles Metz

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

JOHN R. FELLOWS,

District Attorney.

A True Bill

*[Signature]*  
John F. Haacke

Foreman.

*[Signature]*  
April 1890

*[Signature]*  
Foreman

*[Signature]*  
April 1890

23



POOR QUALITY  
ORIGINAL

1038

NO CLAIMS ALLOWED UNLESS MADE WITHIN FIVE DAYS AFTER RECEIPT OF GOODS.

GOODS AT PURCHASERS RISK, AFTER  
DELIVERY AT VESSEL OR TRANSPORTATION  
COMPANY IN NEW YORK.

New York, December 18 1889.  
C. E. B. We 21890

Mr. A. Schenck

Bought of Henry Flaacke's Sons,  
Wholesale Grocers,

FRED. W. FLAACKE,  
C. FISCHER FLAACKE.

TERMS CASH.

No. 200 WEST STREET.

2 Mol Sugar 33 1/2 68 1/2  
Paid  
H. Flaacke  
11/27/89

51 15

POOR QUALITY  
ORIGINAL

1039

Police Court— / — District.

Affidavit—Larceny.

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

Christian F. Flaacke

of No. 200 West Street, aged 43 years,  
occupation Wholesaler grocer being duly sworn  
deposes and says, that on the 15<sup>th</sup> day of January 1899 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

Good and lawful money of the  
United States of the value of  
Fifty one <sup>15</sup>/<sub>100</sub> Dollars

the property of deponent and his co-partners

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

reasons that on said day the defendant  
was in deponent's employ as a salesman  
and collector and on said day there  
was due and payable from Albert  
Schonherr the above sum of money  
for merchandise sold to said Schonherr  
Deponent is informed by said Albert  
Schonherr (now here) that he Schonherr  
paid said sum of money to the defendant  
in payment for said bill and gave  
the said Schonherr the annexed receipt  
bill as evidence of said payment.  
The defendant has made no return  
or accounted for said money to deponent.

Sworn to before me, this 188

Police Justice.

POOR QUALITY  
ORIGINAL

1040

or said firm but has appropriated  
the same to his own use and deprived  
this deponent and his co-partner of the  
use and benefit thereof

Sworn to before me }  
this 22<sup>nd</sup> March 1890 } Christian H. Flaacke

John J. Worman  
Police Justice



POOR QUALITY  
ORIGINAL

1041

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Albert Schonher*

aged *34* years, occupation *Baker* of No.

*13 Rueignon* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Christian J. Haack*

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

Sworn to before me, this *22*  
day of *March* 18*90*

*Albert Schonher*

*John Herman*  
Police Justice.

POOR QUALITY  
ORIGINAL

1042

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Charles Metz*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *Austria*

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

Answer. *9 Union St. Union Hall. N.Y. 9 months*

Question. What is your business or profession?

Answer. *Salesman*

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

Answer. *I have nothing to say*

*Charles Metz*

Taken before me this *22<sup>nd</sup>*

day of *March* 189*6*

*John J. Linneman*  
Police Justice.

POOR QUALITY  
ORIGINAL

1043

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

Police Court, 460  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Robert M. Mearns  
2000 9th St  
Westchester

Offence, Grand Larceny

Dated March 22<sup>nd</sup> 1890

Thomas Magistrate  
Officer  
5<sup>th</sup>  
Precinct.

Witness  
Albert Schenck

No. 13  
F. de. Schenck  
Street.

No. 357  
R. A. Mearns  
Street.

No. 265  
R. A. Mearns  
Street.

No. 1000  
to master  
Street.

Call  
6<sup>th</sup> St

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 \_\_\_\_\_

\_\_\_\_\_ dependant  
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 March 22<sup>nd</sup> 1890 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.



The People v. Charles Metz Court of General Sessions. Part I  
Before Judge Cowing. April 18. 1890.

Indictment for grand larceny.  
Christian F. Placke, sworn and examined.

I am a member of the firm of Henry Placke  
Sons; my brother Frederick H. and myself  
compose the firm; we are wholesale grocers  
and bakers' supplies at No. 200 West st.  
I know the defendant Metz, he was in our  
employ during November 1889. I think we  
had him altogether about ten months; he  
was discharged and arrested about the  
20th of March 1890. His duties were to sell  
goods and collect money; he was sales-  
man and collector for the route on  
which he sold goods only; he was arrested  
in March for not turning in the money  
which he collected. I had a conversation  
with the defendant on the 20th of March  
in our office in the presence of the  
police officer, my brother, Mr. De Sieghardt  
and Mr. McDonald; and there were one  
or two others there. I had a conversation  
with the defendant concerning the bill of  
Mr. Schenken. Did you have the bill  
in your possession at that time? I  
think the bill was there.

By the Court. He would like to know what he said?

I asked him, Mr. Metz, how much money have you stolen since you have been with us? He says, "That! me?" Says I, "yes, you," and he commenced to cry and said he had taken about seven hundred dollars. Says I, "what have you done with the money?" "O, I have used it," he says, "spent it around with my customers," and immediately after that he took out his pocket book and drew out these cards and says, "I have written the whole amount down, here is all that I have taken."

By Mr. Maedonna. Are these the cards he drew out of his pocket? (four cards shown) Yes sir. He held those cards in his hand, did he? Yes sir. And he told you that these were the amounts that he had - what was the language he used? "I have written everything down what I have taken; here it is on the cards. (The four cards were marked for identification) I hand you that exhibit marked for identification No. 1, and ask you if you can see on there the amount \$57.15 with Mr. Schoube's name on it? Yes sir. In whose handwriting is that card? Metz handwriting. You are familiar with it enough to

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swear that that is his handwriting? Yes.  
Mr. Macdonna. I offer that card in evidence.

(People's Exhibit B) After he presented these cards you looked them over - what further conversation did you have? I spoke about him acting in that way towards us being that we had taken him more out of charity than anything else, we did not really need him when we took him, that his former employer recommended him so highly and was at the office two or three times trying to get him a position and another gentleman a friend of ours wanted us to take him, and we knew he had a wife to support. I told him all this, and he said I should not be hard on him on account of his wife and baby. I told him we could not do just what he wanted us to do, that we were trying to make all the money honestly we could and I did not want to lose it in that way. Did he say anything about this \$57.15, did he say he collected that and spent it? Yes.

I think the bill was left there with my brother I cannot say positively that I saw Schorker's bill with him. The bill



now shown me is made out on one of our billheads. I recognize the writing in pencil across the face of that bill, "Paid, H. Black sons," that is Metz signature; it is in his handwriting. This bill came into my possession from Mr. Schouhen. After I had this conversation with the defendant I had him arrested. I think he was taken to the Leonard St. station house by the officer who arrested him, Officer Thorne. I saw the defendant again at the Trunk Police Court. I had a general conversation with him. I asked him if he ever stole any bills before and he said he had. ~~Cross~~ Examined. As to this bill of \$57.15 he said he collected the money and spent it amongst the customers. He had no right under our instructions to spend money among the customers. It was his duty when he collected money to turn it over to us.

Albert Schouhen sworn. I am a baker and do business at No. 13. Rivington St. in this city. I know Mr. Metz as being in the employ of Henry Black sons, grocers. He came around to my place every week on his route and took orders and collected money for Black sons.

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I remember paying him an amount of \$57.15. I don't remember the date, but it was some time in January. (Paper shown to the witness) This is the receipt that he gave me. I saw the defendant write the receipt on the counter in my presence. I paid him that money on account of Black Sins. Cross Examined. I have been in the habit of paying him bills by checks and cash money. I paid him this particular bill in cash. I don't recollect the denominations. Taucher & Sieghardt, sworn.

A juror was withdrawn and the defendant pleaded guilty to grand larceny in the second degree. He was remanded for sentence.

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Testimony in the  
Case of  
Charles Metz

filed April  
1890.



City & County of New York & L.I.

Arthur Goldbach, being duly sworn,  
says he resides at No. 110 West 15<sup>th</sup> Street & is a  
clerk with the firm of August Behnson & Co., at  
No. 23 Nassau St. N.Y.:

That he has known the accused Charles Metz  
for a period of about three years & has been in  
constant association with him & has never known  
anything against his character until the present  
accusation & has the best reasons for believing  
him to have been honest & straightforward.

Deponent further says that he has loaned  
Charles Metz at different times various sums of  
money which he has returned to deponent  
promptly & deponent has always considered  
him an honest & trustworthy person.

He has never been to deponent's knowledge  
extravagant, never intoxicated, being of domes-  
tic disposition & deponent believes that as far  
as the present charge is concerned that the pris-  
oner must have yielded to a great pressure  
of necessity, arising from a paltry salary  
upon which he had to support his wife  
& family.

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Deponent further says that if the good character of a man should count for anything that this case is one for the exercise of great judicial leniency. Deponent thinks, if all the facts are taken into consideration, it will be found to be a case more of great misfortune & weakness, than wickedness.

The motive of deponent in wishing to urge upon the Court the exercise of judicial clemency, is to save the wife & family of this unfortunate man, from the absolute beggary & destitution which a lengthy term of imprisonment <sup>upon him</sup> would entail upon them. They would be the real sufferers not the prisoner.

Sworn before me this {  
twenty second day of April 1890

J. F. Roberts  
Notary Public (70)  
City & County,

Arthur J. Alden

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~~Livorn~~ to before me  
this day of April 1890<sup>m</sup>



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The People vs.

v.

Charles Metz

Alfred's of  
Arthur Goldbach  
as to business checks

**POOR QUALITY  
ORIGINAL**

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**HENRY FLAACKE'S SONS,**  
Wholesale Grocers,  
AND  
**COMMISSION MERCHANTS,**  
No. 200 West Street,  
NEAR JAY ST. NEW YORK.

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<del>Dec 23</del>	<del>Gumman</del>	<del>36.32</del>
<del>Dec 16</del>	<del>Jacob 16<sup>th</sup></del>	<del>27.48</del>
Dec 28	Pick	20.13
<del>Dec 30</del>	<del>Von Seidling</del>	<del>24.22</del>
Dec 26	Riegler	22.23
<del>Jan 7</del>	<del>Co</del>	<del>6.98</del>
Jan 6	Dunhaupt	21.32
<del>Jan 15</del>	<del>Bohr</del>	<del>22.44</del>
Jan 4	Pick	3.15
Feb 17	Jacob 16 <sup>th</sup>	25.30
Jan 11	Hohus	4.54
Jan 2	Blank	29.13
Jan 16	Schunppf	26.09
Jan 18	Feise	12.92
Jan 23	G. Weigelt	10.00
Jan 25	Hohus	23.80
Feb 8	Klinger	39.95



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Jan 29	Golz J)	24.18
Jan 15	Huber e	23.80
Jan 22	Huber	18.96
Febr 20	Riegler	6.34
Jan 20	Riegler	3.00
<del>Jan 23</del>	<del>Elb Weigelt</del>	<del>5.30</del>
Febr 20	"	2.75
March 6	"	2.30
Jan 23	Coy	45.16
Febr 27	Coy	44.20
Jan 27	Bordemann	21.48
Nov 12	Conrad Jacob	30.00
Febr 6	Riegler	-81

Feb 3	Vonderlin	20.28
" 17	Vonderlin	2.20
Feb 3	Bordemann	23.74
Jan 20	Bordemann	12.09
Jan 27	Jacob	16.19
<del>Jan 23</del>	<del>Weigelt</del>	<del>13.27</del>
Dec 12	Frank	49.06 x 9.06
Sept 20	P. Berg	x 32.00
Febr 3	Quinkhaupf	20.58
Jan 20	Vonderlin	26.10
Febr 5	E. Huber	2.46
Febr 12	E. Huber	24.50
Dec 5	Schneider	23.71
Jan 11	Bick	22.44
Jan 18	Stephan	x 17.00

Sept 2	Ohnwald	2.00
Nov 15	Plum	x 10.00
Oct 31	Frank	21.23
Febr 26	Golz	8.60
Dec 28	Ohnwald	24.27
Nov 18	Schönher	51.15
Dec 4	Huber	43.84 x 8.84
Dec 18	Coock	7.45
Dec 18	Golz	37.17 x 7.17
Feb 8	Fedre	13.15
<del>Jan 23</del>	<del>Hobus</del>	<del>26.90</del>
Febr 12	Golz	8.08
Jan 30	Schumpf	21.30
Dec 5	Gumm	1.50
" 18	"	6.12
" 26	"	25.19
Jan 16	"	1.81
" 23	"	1.40

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Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Charles Metz*

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

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

The said

*Charles Metz*

late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *January* in the year of our Lord one thousand eight hundred and *eighty-ninth* at the City and County aforesaid, being then and there the clerk and servant of

*Frederick W. Flaacke*  
and *Christian F. Flaacke*, co-partners

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

*Frederick W. Flaacke*  
and *Christian F. Flaacke*, copartners aforesaid  
the true owner thereof, to wit:

*the sum of fifty-one dollars in money, lawful money of the United States of America, and of the value of fifty-one dollars and fifteen cents:*

the said

*Charles Metz*

afterwards, to wit:

on the day and in the year aforesaid, at the 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 *Frederick W. Flaacke* and *Christian F. Flaacke*, copartners, as aforesaid of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said *Frederick W. Flaacke* and *Christian F. Flaacke*, copartners as aforesaid. 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.

JOHN R. FELLOWS,

District Attorney.