

0686

**BOX:**

174

**FOLDER:**

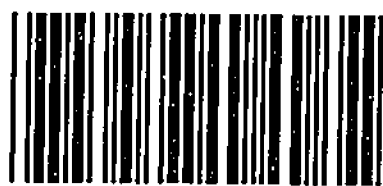
1766

**DESCRIPTION:**

Taylor, Henry

**DATE:**

04/10/85



1766

0687

BOX:

174

FOLDER:

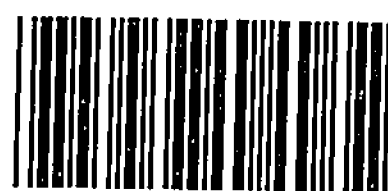
1766

DESCRIPTION:

Welsh, Thomas

DATE:

04/10/85



1766

0600

1946 Case No. 1113

Counsel,

Filed 10 day of April 1885  
Pleads

THE PEOPLE

vs. P

Henry Taylor

Thomas Welsh

RANDOLPH B. MARTINE,  
PETER B. OLNEY,

District Attorney.

A True Bill.

(Signed) [Signature]

Apr 13/85 Foreman.

(Signed) [Signature]  
Each Endorsed Ref.

Witnesses:



0689

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 Sawyer and*  
*Thomas W. W. W.*

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

*Henry Sawyer and Thomas W. W. W.*

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

The said *Henry Sawyer and Thomas*

*W. W. W., each* \_\_\_\_\_

late of the *Nineteenth* Ward of the City of New York, in the County of  
New York aforesaid, on the *first* day of *April*, \_\_\_\_\_ in  
the year of our Lord one thousand eight hundred and eighty-*seven*, with force  
and arms, at the Ward, City and County aforesaid, a ~~certain~~ building  
~~there situate, to wit:~~ the *building* of one *Mary S.*

*Connelly, 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

*Mary S. Connelly* \_\_\_\_\_

in the said *building* 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.



0690

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Henry Sanford and Thomas Walsh,*  
of the CRIME OF *Grand* LARCENY in the second degree,  
committed as follows:

The said *Henry Sanford and Thomas Walsh,* each  
late of the *Nineteenth* Ward of the City of New York in the  
County of New York aforesaid, afterwards, to wit: on the said *first* day of  
*April,* — in the year of our Lord one thousand eight hundred  
and eighty-*nine* at the Ward, City and County aforesaid, in the *day*  
time of said day, with force and arms,  
*two hundred pounds of lead*  
*pipe of the value of fifteen cents*  
*each pound,* —

of the goods, chattels and personal property of one *Mary S.*  
*Condit* — in the *building* of  
*the said Mary S. Condit*  
there situate, then and there being found, in the *building* 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.

*David D. Martin*  
District Attorney

TORN PAGE

POOR QUALITY  
ORIGINALS

0691

Boston Jan 9  
To Clerk Court  
Special Sessions  
Dear Sir  
My Son  
Henry Taylor -  
was sentenced for  
your Court on or  
about April 17<sup>th</sup> 1885  
to My State Reformatory  
will you kindly  
examine Record  
of Court and  
inform me what  
he done  
and what officers  
arrested him  
that I may correspond

0692

with him  
I desire to apply  
for a Pardon  
of Circumstances  
will allow.  
if you kindly give  
me desired information  
You will greatly oblige  
his mother

Respy Yours

Mrs. J. J. Perry  
109 State St  
Boston  
Ms



POOR QUALITY  
ORIGINALS

0693

CITY AND COUNTY  
OF NEW YORK, ss.

POLICE COURT, 5<sup>th</sup> DISTRICT.

Sworn to before me, this  
of April 188  
2 day  
at New York  
Police Justice.

Alexander Razarus  
of No. 28 Laight Street, aged 22 years,  
occupation Bonger Alarm Repairman  
that on the 2 day of April 188

at the City of New York, in the County of New York, he saw Henry  
Taylor & Michael Welsh, attempting  
to force open a rear door of  
premises 1071. Madison Avenue with  
a felonious intent, defendant called an  
officer who arrested said Taylor and  
Welsh while they were fleeing from  
said premises. Defendant asks that  
they be held for the purpose of  
getting evidence against them as a  
burglary which was committed yesterday  
which defendant believes was committed by said defendants.  
A. Razarus

POOR QUALITY  
ORIGINALS

0694

Police Court, 5 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Alexander Lazarus  
vs.  
Henry Taylor  
Thomas Walsh

AFFIDAVIT.  
*due Person*

Dated April 2 1888

M. J. Power Magistrate.  
Michael Barrett Officer.  
23

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

Disposition, \_\_\_\_\_

*\$1000. each for Ex<sup>9</sup>  
warn. Apr 4.*



POOR QUALITY  
ORIGINALS

0695

BAILED,

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

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

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

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

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

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James A. Wells  
1069 Madison Ave.  
New York City

Offence \_\_\_\_\_

Dated April 17 1885

John J. McNamee  
Magistrate.

Witnesses  
Edward M. Voorhes  
No. 1069 Madison Ave. Street.

Abraham D. Lanza  
No. 28 Laight Street.

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

It appearing to me by the above statement that the within named \_\_\_\_\_  
has been committed, and that there is sufficient cause to believe the within named \_\_\_\_\_

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

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

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

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

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

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



0696

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Thomas Welsh 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 Thomas Welsh

Question. How old are you?

Answer 27 years

Question. Where were you born?

Answer. N.Y. City

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

Answer. 731 E 9th, 3 years

Question What is your business or profession?

Answer Cooper

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 Welsh  
witness

Taken before me this

day of

188

Police Justice.

0697

Sec. 198-200.

9 District Police Court.

CITY AND COUNTY {  
OF NEW YORK, { ss

Henry P. Taylor 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 h  
that he is at liberty to waive making a statement, and that h ~~is~~ waiver cannot be used  
against ~~him~~ on the trial.

Question What is your name?

Answer.

Henry P. Taylor

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

N.Y.

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

Answer.

207 Broadway, about 12 years

Question What is your business or profession?

Answer.

Labourer

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

Answer.

I am not guilty

Henry P. Taylor

Taken before me this

day of

1887

Police Justice.

0698

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 22 years, occupation Witchman of No. 28 Raigh

Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Serge A. Wells.

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

Sworn to before me, this

day of

1881

Alexander Lazarus

Mysony  
Police Justice.

16  
3  
2



0699

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 54 years, occupation Michael Barrett  
23rd Street of No.

being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Henry A. Wells.  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

188

Michael Barrett

de J. Conway

Police Justice.

1064

0700

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 63 years, occupation Edward M. Voorhis  
Retired of No.

1069 Madison Avenue Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of George A. Wells.

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

Sworn to before me, this

day of

188

Edward M. Voorhis

Ed J. Gray

Police Justice.

1642

0701

Police Court— District.

City and County } ss.:  
of New York,

of No. 1067 Madison Avenue Street, aged 43 years,  
occupation Merchant being duly sworn

deposes and says, that the premises No 1071 Madison Avenue Street,  
in the nineteenth ward in the City and County aforesaid, the said being a dwelling house  
~~and which was occupied by deponent as a~~  
~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly breaking  
through a lath and plaster partition  
dividing the rear water closet from  
the kitchen of said premises

on the 1st day of April 1888 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

Lead pipe of the value of Twenty five  
Dollars

the property of Mary R. Buckley in charge of deponent  
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  
Henry Taylor and Thomas Welch

for the reasons following, to wit: that deponent having missed  
said property he was informed by Edward  
Mr. Cooper residing at 1069 Madison Ave that he  
saw the persons leaving said premises  
with a bag of something heavier in their  
possession on the day that said premises  
were entered, and further that he saw them  
return and leave said premises with a  
bag of something, the contents being unknown



0702

on the same day  
to him, Depment further says that he  
was informed by Officer Michael Barrett  
28<sup>th</sup> Precinct that he arrested the  
prisoners a day after said property was  
taken away in the act of fleeing from  
said premises. Depment further says  
that he was informed by Alexander  
Razarus who is employed by Depment  
as a watchman, that he Razarus saw  
the prisoners attempting to break into said  
premises shortly before their arrest.

George A. Kelly

Sworn to before me this  
4<sup>th</sup> day of April 1881

22901027

Robert Justice

Police Court	District
THE PEOPLE, &c., ON THE COMPLAINT OF	
vs.	
Burglary	
Dated	1881
Magistrate.	
Officer.	
Clerk.	
Witnesses:	
Committed in default of \$	
Bailed by	
No.	Street.

0703

BOX:

174

FOLDER:

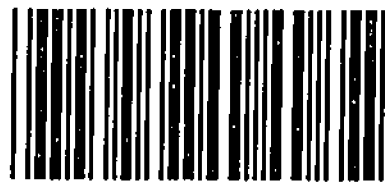
1766

DESCRIPTION:

Taylor, John

DATE:

04/21/85



1766

0704

No 168

Counsel,  
Filed *21* day of *April* 188*8*  
Plends

THE PEOPLE  
vs.  
*John Taylor*  
*1st P. 11*  
*5/11*  
[Sections 498, 500, 501, 502, 503, 504, 505]  
Burglary in the THIRD DEGREE,  
RANDOLPH B. MARTINE,  
PETER B. GINNEY

District Attorney.

A True Bill.

*May 1, 1888*  
*April 21/88* Foreman.  
*John Taylor*  
*5 P. one year*

Witnesses:  
*Geo A. Flaney*  
*Off Day*



0705

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 Sanford

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

John Sanford

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

The said

John Sanford,

late of the Seventh Ward of the City of New York, in the County of New York aforesaid, on the fifteenth day of April, in the year of our Lord one thousand eight hundred and eighty-five, with force and arms, at the Ward, City and County aforesaid, a certain part of building there situate, to wit: the store of one

John D. Starnes

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 D. Starnes

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.

0706

SECOND COUNT.

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

John Sanford

of the CRIME OF SEXUAL LARCENY,  
committed as follows:

The said John Sanford,

late of the Seventh Ward of the City of New York in the  
County of New York aforesaid, afterwards, to wit: on the said 15th day of  
April, in the year of our Lord one thousand eight hundred  
and eighty-nine, at the Ward, City and County aforesaid, in the night  
time of said day, with force and arms,

Two frames of steel plates of one  
dollar and fifty cents each,

of the goods, chattels and personal property of one

John W. Stenning, in the store of  
John W. Stenning

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.

0707

THIRD COUNT.

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

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

The said

John Sanford

late of the Seventh Ward of the City of New York, in the County of New  
York aforesaid, afterwards, to wit: on the said 10th day of April,  
in the year of our Lord one thousand eight hundred and eighty-five  
with force and arms, at the Ward, City and County aforesaid,

Received of the said John Sanford

one dollar and fifty cents cash,

of the goods, chattels and personal property of one

John D. Stewart

by ~~a certain person or persons~~ to the Grand Jury aforesaid unknown, then lately  
before feloniously stolen of the said John D. Stewart

unlawfully and unjustly did feloniously receive and have (the said

John Sanford

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.

RANDOLPH B. MARTINE.

~~PETER B. OLNEY~~ District Attorney.



Dated.....188 .

0709

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY { ss  
OF NEW YORK,

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

Question What is your name?

Answer

Question. How old are you?

Answer

Question. Where were you born?

Answer.

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

Answer.

Question What is your business or profession?

Answer.

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

Answer.

Taken before me this

day of

1885

Police Justice.

0710

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Norman C. Sly*  
aged 26 years, occupation police man of No.  
245 Madison Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *John A. Henry*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me this

day of

188

15 *Norman C. Sly*  
*John A. Henry*  
Police Justice.



0711

Police Court— 3 District.

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

of No. 35 Jefferson Street, aged 42 years,  
occupation Butcher being duly sworn

deposes and says, that the premises No 35 Jefferson Street,  
in the City and County aforesaid, the said being a Wick Weeding

and which was occupied by deponent as a Butcher store  
and in which there was at the time no human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking  
a pane of glass in the  
store window

on the 15 day of April 1885 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

Two Lams

of the value of three dollars

the property of Complainant

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

John Taylor (now present)

for the reasons following, to wit:

from the fact  
that deponent is informed  
by officer Norman C. Slay  
that he has seen  
one block from deponent's  
store with two lams  
concealed under his coat  
deponent identifies the property  
as belonging to him  
John A. Heney

Witness my hand and seal  
this 15th day of April 1885  
John A. Heney

0712

BOX:

174

FOLDER:

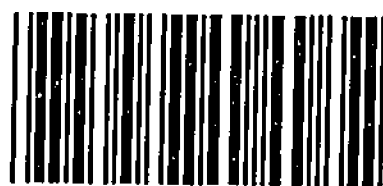
1766

DESCRIPTION:

Thiebout, August

DATE:

04/17/85



1766

2312

Off Delaney

No 158

Day of Trial,

Counsel,

Filed 17 day of

188

Pleas

Guilty (20)

THE PEOPLE

23.162

vs.

B

August Thielbort

1469 - 3 Ave

Violation of Excise Law.

(Sunday.)

RANDOLPH B. MARTINE.

JOHN McKEON.

Attorney.

Ordered by the Court

Open up for trial

A True Bill

19/85

19/85

19/85

19/85

19/85

19/85

19/85

19/85

19/85

19/85

19/85

19/85

19/85

19/85

19/85

19/85

19/85



0714

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*August Shindart*

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

OF THE CRIME OF Exposing for Sale and Selling Strong and Spirituous Liquors, Wines, Ale and Beer, on Sunday, committed as follows :

The said *August Shindart*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the 15th day of February, in the year of our Lord one thousand eight hundred and eighty-five, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, 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 whisky, 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 expose for sale and sell as a beverage to

~~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

*August Shindart*

of the CRIME OF GIVING AWAY AND DISPOSING OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, ON SUNDAY, committed as follows :

The said *August Shindart*,

late of the First Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit : On the said 15th day of February in the year of our Lord one thousand eight hundred and eighty-five, at the Ward, City and County

0715

aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, 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 whisky, 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 give away and dispose of as a beverage to \_\_\_\_\_

~~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.

THIRD COUNT :

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

\_\_\_\_\_ *August Dickson,* \_\_\_\_\_

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRIT-  
UOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said *August Dickson,* \_\_\_\_\_

late of the First Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the said *15th* day of *February*, in the year of our Lord one thousand eight hundred and eighty-*five*, 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 certain premises at number

*1469 Third Avenue,*

in the City and County aforesaid, which said place 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.

**RANDOLPH B. MARTINE.**

**JOHN McKEON, District Attorney.**

POOR QUALITY  
ORIGINALS

0716

Police Court, 5th District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Murray Delaney  
3 Inspection Dept  
200 Mulberry  
Augustus Rebout

EXCISE VIOLATION.  
SELLING ON SUNDAY.

Dated 16th day of February 1885

M J Purr Magistrate.  
M Delaney Officer.  
3rd Precinct

Witness RECEIVED  
FEB 17 1885  
ATTORNEY GENERAL'S OFFICE

Bailed \$ 100 Ans. G Sessions.

By Henry Schumacher  
381 Eighth 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 Augustus Rebout 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 Feb - 16 1885 City of New York Police Justice.

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

Dated Feb 16 1885 City of New York Police Justice.

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

Dated Feb 16 1885 City of New York Police Justice.



POOR QUALITY  
ORIGINALS

0717

Excise Violation—Selling on Sunday.

POLICE COURT—5<sup>th</sup> DISTRICT.

City and County } ss.  
of New York,

William Delaney  
of the 3<sup>rd</sup> 4<sup>th</sup> Inspection District Police Street,  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 15<sup>th</sup> day  
of February 1885, in the City of New York, in the County of New York, at  
premises No. 1469 Third Avenue Street,  
Augustus Peabody (now here)

did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his  
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,  
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

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

Sworn to before me, this 16<sup>th</sup> day  
of February 1885

William Delaney

de J. O'neal

Police Justice.

POOR QUALITY  
ORIGINALS

0718

POLICE COURT <sup>5th</sup> DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

Augustus Thibout

On Complaint of

For

William Delaney  
Violator of the Westlaw

demand

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

Dated February 16 1885

August Thibout

anyway

Police Justice.

POOR QUALITY  
ORIGINALS

0719

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

*File* District Police Court.

*Augustus Rebout* 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.

*Augustus Rebout*

Question. How old are you?

Answer.

*23 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*1469 Third Avenue, 5 weeks*

Question. What is your business or profession?

Answer.

*Bar tender*

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*

*August Thibault*

Taken before me this

day of *February* 188*8*

*16th*

*See P. 107*  
Police Justice.



0720

**BOX:**

174

**FOLDER:**

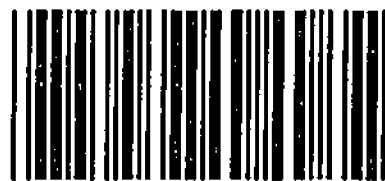
1766

**DESCRIPTION:**

Tierney, Andrew

**DATE:**

04/22/85



1766

Witnesses:

Peter Delaney  
Off. Leary

No. 175  
Counsel, (H. Pleas)  
Filed 22 day of April 1885  
Pleeds Magistrate (23)

THE PEOPLE

vs.

P

Andrew Tierney

Grand Larceny  
[From the person.]  
[Sections 528, 530, -- Penal Code].

RANDOLPH B. MARTINE,

~~CLERK~~ B. OLNEY

District Attorney.

A True Bill.

Magistrate

Foreman,

April 20/85

Speedy Convicted

S.P. 5 years.

0721

0722

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Andrew S. S. S. S.*

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

*Andrew S. S. S. S.*  
of the CRIME OF GRAND LARCENY in the *2nd* degree, committed as follows:

The said *Andrew S. S. S. S.*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the  
*15th* day of *April*, in the year of our Lord one thousand  
eight hundred and eighty-*four*, in the *10th* time of the said day, at the Ward, City and  
County aforesaid, with force and arms,

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

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

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

*Randolph B. Martin,*

*District Attorney*



0723

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

Police Court 3 District. 485

THE PEOPLE, &c,  
ON THE COMPLAINT OF

Peter McLeary  
26 Market St

1 Andrew Denny

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

Offender Larceny from Person

Dated April 17 1885

Magistrate.  
Leary & Speed Officer.

Witnesses \_\_\_\_\_  
Precinct. \_\_\_\_\_

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

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

No. 500 95  
to answer 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 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 17 1885 Police Justice.

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

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

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

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

0724

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, { ss

3 District Police Court.

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

Question. What is your name?

Answer. *Andrew Tierney*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *43 Rutgers St (resided there 4 yrs)*

Question. What is your business or profession?

Answer. *Truck Driver*

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*  
*Andrew Tierney*

Taken before me this

day of

1888

Police Justice.

0725

Testimony in the  
case of  
Andrew J. Kearney

filed April  
1883.

sentenced the defendant to the state prison for five

years and for failing to support a dependent child and

work for said wife until the next session of court.

to the court the following evidence: I said I was willing to

testify on the defendant's behalf I was arrested and was held

and until vacated by the court house. I went up to the

house where I was held for work for a time to the court

and time expired the day of trial. I have been a free man



0726

The People  
Andrew Tierney.

Court of General Sessions, Part I  
Before Judge Cowing.

April 27, 1885.

Indictment for grand larceny in the first degree.

Peter Delaney sworn and examined. I live 26 Market Street and was in New York on the 15th of April; my mother was sick and I was lying on the outside of the bed with her. While I was lying in the bed, the prisoner came over and was talking to my mother, he was saying he was very sorry for her trouble, he was going through my bosom and my mother asked him for the ten dollars, I knew him before this, I am positive he took that ten dollars; then my uncle and my cousin went out looking for him and could not find him. That ten dollar bill was given me for burying my sister; it was sticking out of my vest and he saw it, I could not say that he was present when it was given me; he walked out very fast.

Cross Examined. I could not say what time in the night it was but think it was about twelve o'clock. The body was in one of the rooms; my mother was lying down in the bed-room and Andie Tierney was there; there was two young men in the kitchen, one was Johnnie Redmon, I could not say whether McGowan was there; a man named Thomasey was in the front room sitting at the head of the corpse, there was about five in the front room and me and my mother in the middle room. My mother spoke to Tierney when he was putting his hand on my bosom and after he did so he walked right out through the kitchen from the bed-room. My mother asked me who took the money off me and I told her about fifteen minutes after he left, I did not go to sleep after he put his hand in my bosom, I laid on the

0727

side of the bed, I could swear he took the bill but I did not see it in his hand; it was not pretty dark in the room, when he was in the room there was a good light in it, I was lying down when he had his hand in my bosom, I was lying on my back and could see everybody that was in the kitchen, they were playing; no one came in that room after Tierney left it; I looked over the clothes carefully, I said to mother, maybe he dropped it on the floor going out, we did not look until the next day.

By Mr. Bedford. Q. You seem to be in a state of terror, has anybody threatened you if you came here?      yes sir, plenty of men around Henry Street - a big, tall fellow with red hair; they said if I appeared against him they would lick me, I do not see any of these men in court, I was threatened the day before yesterday.

Margaret Finn sworn and examined. On the 15th of April I was in the premises 26 Market Street and saw Peter Delaney, the little boy lying on the bed, his mother was on the bed too, sick, I saw the prisoner, I was sitting on the left-hand side of the room, as I passed through the kitchen I spoke to Mrs. Delaney and said, I am very sorry for your trouble; her daughter was lying in bed in the front room and her brother came into the bed-room and sat down upon the chair and put his hand in his pocket and gave a ten dollar bill to my sister Lizzie, I could not say that the prisoner was present, the mother gave it to her child, I seen that; this man Tierney and another dissipated looking man walked in with him. He stood over the corpse and looked around the front room at the mantle piece very suspiciously; there was only myself and sister

0728

sitting in the room, and a few ladies walked in and passed out again; the prisoner walked out into the kitchen and returned back into the bed-room and with his left hand he leaned over Mrs. Delaney in the bed and her little boy was lying on the outside of the bed; she was crying; the prisoner's hand was right across Peter's bosom, I could not tell what became of the prisoner, the boy hallooed a few minutes after that his money was gone; the prisoner left and a few fellows in the house followed him but could not catch him.

Cross Examined. I remember the brother walked out of the room after giving the money, I removed from the left hand of the corpse to the right side; my eye followed the prisoner and the other man, I do not know who his companion was. The prisoner went into the bed-room alone and his "pal" stood outside. I could not say how long he was in the room, perhaps about fifteen minutes; he spoke a few words to Mrs. Delaney first and then put his hand on the boy's bosom; after he got off the bedside he took his cap and walked out, I did not see the prisoner take anything, Mrs. Tierney was not able to get off the bed and the boy lay there, but his cousin from New Rochelle went to look for Tierney and could not find him.

Lizzie Delaney sworn I am the sister of Peter, I saw the prisoner come in the house with another fellow, he went to the bed-room and pretended to have so much sympathy for my mother, I went and asked her who he was; he laid down on the side of the bed, I saw him open Peter's jumper and press his arm right down on him. My mother said it was Tierney, I did not know him at all,



0729

I saw the prisoner's hand on my brother's bosom; he left the very minute that he took the ten dollars.

Cross Examined                      I never saw Tierney before to my knowledge, I had a brother Johnnie and a brother Jack but they are dead, I do not know that they were companions of the prisoner, I do not remember seeing him at that time they were dead, I do not know the other man who came in with the prisoner, I do not know whether my sister who died worked in the same place with the other man. The prisoner and the other man came from the kitchen into the front room, I was sitting beside an ice-box in the front room, I could not say how many were in the kitchen but there was a good many; he looked at the body in the front room and went back again into the bed-room, he stood sideways at the bed, he put his right hand down and his face was turned to the front room, I should think he remained about fifteen minutes, he was now over a minutes unbuttoning the jumper, after he did that he remained with my mother, the boy was wide awake, the very minute he went out, Peter told my mother that Tierney took the ten dollars; after he went back into the kitchen I could not say whether he joined this other man; I thought it was funny to see him sitting on the bed, I do not think my brother waited fifteen minutes to tell my mother that he lost the money; the child was so much afraid that he was scared of his life to go outside the door.

Cornelius Leary sworn. I am an officer of the 7th precinct and arrested the prisoner on the complaint of Lizzie Delaney and her brother, I brought him to the

0730

Station House and locked him up, I told him what he was arrested for and he said he did not do it, I found twenty-five cents in his pocket, he was under the influence of liquor when I arrested him, it was the next day that I made the arrest and he was slightly under the influence of liquor.

Andrew Tierney sworn and examined in his own behalf. I live 42 Rutger Street and was at the wake of Miss Delaney. I was going home about half past nine o'clock on Thursday night and I met a young man named Dennis McGowan, who drives a truck for the same firm that the girl worked for. So he stopped me at the door and asked me if I would not go over to Brooklyn with him at seven o'clock and load fifteen bales of rags, I was to make seventy-five cents. In the meantime another truck driver of the same firm came out and stood at the door and invited us over to have a drink; we had two drink and a cigar across the way; we stood in the saloon talking until it was about twelve o'clock. Dennis McGowan had no coat on and he says to me, Andy, I would like to go round to Miss Delany's wake, I am acquainted with Mrs. Delaney over twelve years. So Dennis McGowan says to me, Andy, wait till I come up and get my coat and we will go around for an hour. He lives at 92 Henry Street; he went up and got his coat, he came down and we both went round to the wake together. We had to go through the kitchen, we went in and looked at the corpse. Mrs. Delaney on the way going out, put her hand out, I told her that I was sorry for her trouble. When I went into the kitchen Thomasey was there and three brothers

0731

of the name of Bergen and some strange gentleman, I don't know who he was. McGowan and I went through the bed-room into the front room; there was some ladies there and I saw Mrs. Delaney's daughter, I did not stay long in the front room where the body was, Mrs. Delaney was lying on the bed in the bed-room; there was a young man had a chair at the head of the bed; she introduced me to him, I says to her, haven't you got another daughter and she said yes, and called her in and introduced me; the boy was between the mother's arms and her breast, he was sound asleep, I was talking with his mother and he never looked or stirred, I did not put my hand on his bosom and did not take any money from him, I remained in the bed-room about five minutes and went into the kitchen where McGowan was sitting down and held conversation with him over an hour. They were playing a game in the kitchen called crooked crab tree, I was not interested in the game; I was in the room over half an hour and McGowan and I started to go, I cannot say for sure whether Mr. Thomasey went out of the door ahead of us or not, three of us went on the corner of Henry and Market Streets and I bid Dennis McGowan good-night at his own door.

Cross Examined. I swear that Mrs. Tierney introduced me to her daughter. The testimony of Margaret Finn, Miss Delaney and Peter Delaney is false. I have been arrested twice, I was arrested once for assault fighting with a man and was discharged, he had me arrested on a charge of sticking him with a pen-knife in the arm and I was discharged, I was then arrested for petty larceny and got three months by Judge Gildersleeve about two years ago,



0732

my time expired the 5th of July, I have been a truck driver  
nine years, I was going to work for a firm in 48th Street  
and Third Avenue , a furniture house, I went up to this  
firm on the Wednesday before I w s arrested andI was told  
to goup the following Saturday, I said I was willing to  
work for small wages until thebusy season wouldstir up.

The Jury rendered a verdict of guilty and the Court  
sentenced the defendant to the State orison for five  
years.

no  
to  
the  
no  
sentenced  
to  
the  
State  
prison  
for  
five  
years.

0733

3 District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK, } ss.

Peter Delaney

as 16 of No. 26 Market Street,

being duly sworn, deposes and says, that on the 15 day of April 1885

at the Seventh Ward City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent <sup>this person</sup> in the night time

the following property, viz :

One ten dollar bill Gold  
and lawful money of  
the United States

the property of Eliza Delaney and in  
complainant's care and charge

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken,  
stolen, and carried away by Andrew Tierney (now present)

from the fact that whilst  
deponent was lying on a  
bed with his sick mother,  
said Andrew thrust his hand  
into the inside of deponent's  
vest which he then had on  
and took therefrom the  
money as above described  
and then ran out of the  
house

Peter Delaney

Sworn before me this

17 day of April 1885

Police Justice,

0734

BOX:

174

FOLDER:

1766

DESCRIPTION:

Tracey, Michael

DATE:

04/14/85



1766



Witnesses:

Off Smith

No 104

Counsel,

Filed

day of

1885

Pleads

THE PEOPLE

vs.

Grand Larceny in the  
(MONEY)  
(Sec. 528 and 530, Penal Code.)

P

Michael Tracey

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Wm. D. O'Leary  
April 15/85

James L. Tracey  
Foreman.

S. R. 2 years.

0735

0736

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Michael Bracey*

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

*Michael Bracey*  
of the crime of GRAND LARCENY IN THE *First* DEGREE, committed as follows:

The said *Michael Bracey*

late of the First Ward 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 eighty-*nine*, at the Ward, City and County aforesaid, with force and arms, in the *night* time of the same day, *one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars; *three* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars *each*; *seven* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars *each*; *nineteen* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars *each*; *twenty-nine* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar *each*; *one* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars; *three* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars *each*; *seven* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars *each*; ~~divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of~~

*and two bags of the value of*  
*ten cents each,*

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

RANDOLPH B. MARTINE,

District Attorney.

0737

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

Police Court, 1st District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John J. Moran*  
55th Broadway St.  
*Michael Greaney*

1  
2  
3  
4  
APR 10 1885

Office from the Person

Dated April 10 1885

*William J. Patterson*  
Magistrate.  
Officer.

Precinct.

Witnesses

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

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

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

\$1500 to answer \_\_\_\_\_ Sessions.

*Conrad*

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 *Michael Greaney*

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

Dated April 10 1885 *Wm. J. Patterson* Police Justice.

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

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

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

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



0738

Sec. 198-200

1 District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

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

Question. What is your name?

Answer.

*Michael Tracey*

Question. How old are you?

Answer.

*32 years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*50 Verty Street all my life*

Question. What is your business or profession?

Answer.

*Truck Driver*

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*

*Michael Tracey*  
*Mark*

Taken before me this

day of

188

Police Justice.

0739

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 25 years, occupation Police Officer of No. 5th Avenue

Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of John J. Moran and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 10th

day of April 1888

Wm. A. Smith

Police Justice.

0740

Police Court—First District. Affidavit—Larceny.

City and County of New York, ss.:

of No. 55 1/2 Hudson Street, aged 42 years,  
occupation Liquor Dealer being duly sworn  
deposes and says, that on the 10 day of April 1885 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession and person of Deponent, in the Night time, the following property viz:

Good and lawful and lawful money of  
the United States consisting of Bank Bills  
of various denominations of the the amount  
and value of Thirty Nine Dollars & two  
brass door keys

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 Michael Tracey (now here)

from the fact that Deponent was informed by  
Officer Martin A. Smith of the 5<sup>th</sup> Precinct Police  
that he saw the said defendant abstract the  
aforesaid money and keys from the pantaloons  
pocket of Deponent, worn by Deponent as a  
portion of Deponent's bodily clothing and the  
said keys found in the possession of said  
defendant, Deponent identified as a portion  
of the property taken stolen and carried away  
as aforesaid

therefore Deponent charges the  
said defendant with taking, stealing and carrying  
away from possession and person of Deponent  
the aforesaid property

John J. Moran

Sworn to before me, this

188

day

John J. Moran Police Justice.



0741

**BOX:**

174

**FOLDER:**

1766

**DESCRIPTION:**

Trainer, John

**DATE:**

04/21/85



1766

Exhibits:

Off. Wallenstein  
Charles Meyer

Counsel,

Filed

day of

1885

Pleads

Michie

THE PEOPLE

vs.

P

John Drainer

at Albany, N.Y.

RANDOLPH B. MARTINE

JOHN MCKEON

District Attorney.

A True Bill.

(Hugst, Clerk)

Foreman

April 24th

Spec. Foreman of  
Grand Jury Delegates

S. P. 5 y/ear.

Burglary, Receiving Stolen Goods,  
Grand Larceny, Degree,  
(Sections 407, 509, 528, 530, and 550).

0742

0743

**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 Drainer*

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

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

The said *John Drainer*,

late of the *14<sup>th</sup>* Ward of the City of New York, in the County of New York aforesaid, on the *12<sup>th</sup>* day of *April*, in the year of our Lord one thousand eight hundred and eighty-*five* with force and arms, about the hour of *seven* o'clock in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of

*Madam Mergers*  
there situate, feloniously and burglariously did break into and enter,

whilst there was then and there some human being, to wit, ~~one~~ *the said*  
*Madam Mergers*, within the said dwelling house, the said

*John Drainer*  
then and there intending to commit some crime therein, to wit: the goods chattels and personal property of *the said Madam Mergers*,

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.



0744

SECOND COUNT.

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

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

The said John Snainor,

late of the Ward, City and County aforesaid, afterwards, to wit: on the said \_\_\_\_\_  
Twenty day of April, in the year of our Lord one thousand eight  
hundred and eighty-five, at the Ward, City and County aforesaid, in the  
night time of said day, with force and arms,

Twenty three pieces of the value  
of one dollar and forty cents each,  
two reading glasses of the value of  
one dollar and forty cents each,  
and five diamonds of the value  
of forty cents each.

of the goods, chattels and personal property of one Madero Mager,  
in the dwelling house of one

from the said Madero Mager, there situate, then and there being found  
in 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.

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THIRD COUNT.

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

John Crainor  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said John Crainor,

late of the Ward, City and County aforesaid, afterwards, to wit: on the said Twenty day of April, in the year of our Lord one thousand eight hundred and eighty-five, with force and arms, at the Ward, City and County aforesaid,

Twenty three pistols of the value of  
one dollar and twenty cents each,

Two reading glasses of the value of  
one dollar and fifty cents each,

and five diamonds of the value  
of twenty cents each,

of the goods, chattels and personal property of Martinsburg,

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

unlawfully and unjustly did feloniously receive and have (the said

John Crainor

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.

RANDOLPH B. MARTINE.

JOHN MCKEON,

District Attorney.

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Testimony in the case  
John Y. Hainor  
filed April 1883.

[illegible]



0747

The People  
vs.  
John Trainor.

Court of General Sessions, Part I.  
Before Judge Cowing.

April 24, 1885.

Indictment for burglary in the second degree.

Marx Meyers sworn and examined. I live 233 Bowery in the rear and have a store in front. On Saturday night the 12th of April I lost twenty-three pistols, reading glasses and glaciers diamonds; the plate glass was smashed and all the pistols in the corner of the window were taken out. I was woke up by a policeman about six o'clock in the morning who told me that my window was broken. I dressed myself, ran out quick and saw that every pistol was gone. I have not got them back but I identified one of them in Thomas Green's pawn shop in the Bowery. The value of the pistols was about thirty dollars. I did not see the prisoner break in.

Jacob Wallenstein sworn. I am an officer of the 10th precinct and arrested the prisoner; upon searching him I found a pawn ticket, I arrested him on the 13th of April, I saw the prisoner at nine o'clock in the morning with a pistol in his hands, he was trying to sell it to me for five dollars. In the meantime I found out that there was a burglary committed on my post at 23 Bowery and when I saw him again at half past twelve I arrested him, I asked for the pistol and he told me he had pawned it and gave me the ticket, I went to the pawn shop with Mr. Meyers, the complainant, and he identified the pistol in the presence of the prisoner, he said that was one of the pistols that stolen that night and he preferred a charge against the prisoner.

Cross Examined. The prisoner said to me, do you want to buy a pistol, I will sell you a cheap pistol worth

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The People  
Court of General Sessions  
twenty dollars for five. I says, let me see this pistol and he showed it to me, I told him I did not want to buy it. I was in uniform. He did not say to me, I will go and pawn it and sell you the ticket and the difference. I found out that the window was broken but I was not the one that woke up the complainant, I knew nothing of the burglary until after the prisoner offered to sell me the pistol.

John Trainor sworn and examined in his own behalf.

I live 243 Elizabeth Street, I did not break into the store 233 Bowery and steal pistols from there, I was not in that neighborhood that night, I was found with a pawn ticket representing a pistol. It was Sunday, the early part of the evening, round about four or five o'clock I went into the saloon corner of Houston and the Bowery, Cooper's place, I was drinking at the bar and a couple of other gentlemen drank. One of them pulled a pistol out of his pocket which was not loaded; he got talking about selling it and showed it to me and asked three dollars for it, I saw it was a nice one, I had two dollars and twenty-five cents in my pocket, I says, I would like to buy it if I had money enough, he says, I am in need of money; when I was going out I offered him two dollars for it. He said he would not take it and as I went out he called me back again, I gave him two dollars and took the pistol. I left it in the house and my mother saw it Monday morning, I took the pistol out with me thinking I would make a little money, I was in need of money, my brother was only buried a week before this, I met this officer corner of Stanton Street and the Bowery. I says, Jake I have got a nice pistol I bought on speculation and I will sell it to you. He says, if I had the money I would buy it. I said, if you haven't got the money I will pawn it

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0749

MEMORANDUM FOR THE ATTORNEY GENERAL. I am writing to you regarding the case of the prisoner who was arrested on the night of the 12th of April, 1934.

and sell you the ticket. He says, all right. I started away and going down I went into the cigar store and asked the boss if he wanted to buy it. He said he did not have use for it and going down I pawned it for \$2.50 and gave the officer the pawn ticket. When we got in the pawn shop I put the ticket on the table and the clerk showed the pistol to the officer, the complainant identified the pistol as his and the officer arrested me, I never knew the pistol was stolen. I was arrested once before, I was tried in this court for assault and acquitted. I was at home in bed when this burglary is said to have been committed, it was twenty-five minutes to twelve when I got home.

Cross Examined. I was tried for an assault on my wife with a pistol, it is not true that I put my wife on the town to support me, I was arrested once on suspicion of stealing a watch, I was locked up at night and discharged by the Judge, I have never been in State Prison.

Mary McCabe sworn. The prisoner is my son by my first husband, I remember the night of the 12th of April, to the best of my opinion it was about half past eleven when he came in and went to bed. He showed me a pistol and said he got it cheap, he laid it on the bureau till Monday, he went out about nine or half past nine on Monday and took it with him, he has been sick from childhood troubled with a rupture for a great many years.

Marx Meyers recalled. I swear positively that I saw the prisoner in front of my store on the evening before the night of the burglary between nine and ten o'clock.



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was and going down I went into the street and saw  
and sell you the ticket. He says all right. I started

Jacob Wallenstein recalled. The prisoner was arrested  
about two months ago for breaking a window on the Bowery in  
a lager beer saloon between Rivington and Stanton Streets, 7  
saw him arrested by Officer Wringle, the complainant did not  
appear the next morning in court and he was discharged. I saw  
him locked up in a cell in the Eldridge Street station house.

The jury rendered a verdict of guilty of burglary in the  
second degree and the Court sentenced the defendant to  
imprisonment in the State Prison for five years.

*all in printed  
the  
10/11/10*

0751

Police Court 94391 District.

THE PEOPLE, &c,  
ON THE COMPLAINT OF

Wm. H. Hoyer  
233 Broadway  
John Hannon

Offence Burglary

Dated April 13 1885

Deputy Magistrate

Wallerstein

10 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

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

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

Dated April 13 1885. P. G. Deady Police Justice.

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

Dated 1885. Police Justice.

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

Dated 1885. Police Justice.

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Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, { ss

*John Trainor* 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 Trainor*

Question. How old are you?

Answer. *24*

Question. Where were you born?

Answer. *New York*

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

Answer. *243 Elizabeth Street - 10 years*

Question. What is your business or profession?

Answer. *Oysterman*

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

Answer. *I am not guilty.*

*John Trainor*

Taken before me this

*13*

day of

*April*

*1885*

*John J. Murphy*  
Police Justice.



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CITY AND COUNTY }  
OF NEW YORK, } ss.

*Jacob Wallenstein*  
aged 23 years, occupation Policeman of No. 10 Precinct

Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Mark Meyer  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 13<sup>th</sup>  
day of June 1885 } Jacob Wallenstein

D. J. Duffy  
Police Justice.

0754

Police Court—9<sup>d</sup> District.City and County }  
of New York, } ss.:of No. 233 Bowers Mark Meyers  
Street, aged 29 years,  
occupation storekeeper being duly sworndeposes and says, that the premises No 233 Bowers Street,  
in the City and County aforesaid, the said being a 3 story frame  
houseand which was occupied by deponent as a store and dwelling  
and in which there was at the time a human being, by name Mark  
Meyerswere BURGLARIOUSLY entered by means of forcibly breaking  
the front window of the said storeon the 12<sup>th</sup> day of April 1885 in the \_\_\_\_\_ time, and the  
following property feloniously taken, stolen, and carried away, viz:Twenty three pistols of the value  
of thirty dollars. Two reading glasses  
of the value of three dollars and some  
sterling diamonds of the value of two  
dollars — the whole property being  
of the value of thirty five dollars.the property of deponentand 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  
John Trainor now herefor the reasons following, to wit: Deponent retired to bed  
about midnight on eleventh day of April,  
and was awakened by a policeman on  
post who informed deponent that his  
premises had been broken open by smashing  
the window. Deponent was subsequently  
informed by Policeman Jacob Wallenstein  
that he arrested the said John Trainor  
in the Bowers having a portion of the

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said property in his possession.

Sworn to before me this  
13th day of April 1885

Martins Mayes

J. J. Duffy  
Notary Public

Police Court — District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Degree.

Burglary

28.

Dated 1885

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.