

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

174 (C. 11) W. 46 W. 113

Counsel,

Filed 10 day of April 1885

Pleads

THE PEOPLE

vs. F

Henry Taylor

Thomas Welsh

RANDOLPH B. MARTINE,
DISTRICT ATTORNEY.

District Attorney.

Burglary in the THIRD DEGREE,
[Sections 488, 506, 520, 531]

A True Bill.

(Signature)

(Signature) Foreman.

(Signature) Foreman.

Each Endorsed R. J.

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

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

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

Denny Sawyer and Thomas W. W. W.

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

The said *Denny Sawyer and Thomas*

W. W. W.,

late of the *Ninth* 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.*

W. W. W. 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. W. W.

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 Sawyer and Thomas Walsh,

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

The said *Henry Sawyer 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-*five* 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

of the goods, chattels and personal property of one *Mary S. Condit* in the *vicinity* 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.

Richard C. Martin
District Attorney

TORN PAGE

POOR QUALITY
ORIGINALS

0691

Boston June 9
To Clerk Court
Special Sessions
Dear Sir
My Son
Henry Taylor -
was sentenced for
your Court on or
about April 17th 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
& desire to apply
for a Pardon
if Circumstances
will allow.
if you kindly give
me desired information
You will greatly oblige
his mother

Respy Yours
Mrs Dyer
Ct St Perry
109 State St
Boston
Ms

0693

POOR QUALITY ORIGINALS

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 5 DISTRICT.

Alexander Razarus

of No. 28 Laight Street, aged 22 years,

occupation. Being a daily sworn deposes and says,

that on the 2 day of April 188

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

I saw Henry Taylor & Michael Welsh, attempting to force open a rear door of premises 1071. Madison Avenue with a felonious intent, detinent called an officer who arrested said Taylor and Welsh while they were fleeing from said premises. detinent asks that they be held for the purpose of getting evidence against them of a burglary which was committed yesterday which detinent believes was committed by said defendants.

A. Razarus

Sworn to before me, this 2 day of April 188
A. J. O'Connell
Police Justice.

POOR QUALITY ORIGINALS

0694

Police Court, 5 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Alexander Lazarus

vs.

Henry Taylor

Thomas Walsh

AFFIDAVIT.

See Return

*\$ 1000. each for Expⁿ
warr. Apr 14.*

Dated April 2 188

M. J. Power Magistrate.

Richard Barrett Officer. 73

Witness, _____

Disposition, _____

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 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James A. Wells

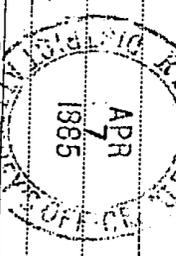
1067 Madison Ave

vs.

Henry Taylor

110 Broadway

Offence *Anglary*



Dated *April 7* 188*5*

J. J. Jones Magistrate.

W. J. Smith Officer.

313 Precinct.

Witnesses *Edward M. Cooper*

No. *1069* Madison Ave. Street.

Abraham S. ...

No. *28* ... Street.

...

No. *1067* ... Street.

...

It appearing to me by the above affidavits that the within named persons have committed the offence...

Henry Taylor & Thomas Gush 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 7* 188*5* *J. J. Jones* 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 *431 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
Wm. C. [unclear]

Taken before me this

day of *April* 188*7*

[Signature]

Police Justice.

0697

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, { ss

Henry P. 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 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

April 1888

1888

[Signature]

Police Justice.

0698

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 52 years, occupation Alexander Lazarus
Witchman of No.

28 Raible 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 1
day of April 1881 } Alexander Lazarus

W. J. [Signature]
Police Justice.

16
3
2

0699

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 54 years, occupation Michael Barrett
Policeman of No. 23rd 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 14 day of April 1888 } Michael Barrett

de J. O'wy
Police Justice.

1888

0700

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 63 years, occupation Edward M. Coakley of No. Rehert

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 11 day of April 1888 } Edward M. Coakley

Ed J. Gray
Police Justice.

1042

0701

Police Court— District.

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

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

George A. Wells

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 1887 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
Mc. Cooper residing at 1069 Madison ^{and} that he
saw the persons leaving said premises
with a bag of something heavy in their
possession on the day that said premises
were entered, and further that he saw them
return ^{ever} 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
25th 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
Kazarus who is employed by Depment
as a watchman, that he Kazarus saw
the prisoners attempting to break into said
premises shortly before their arrest.

George A. Kelly

Sworn to before me this
4th day of April 1881

W. J. O'Connell
Judge Justice

Police Court _____ District.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

vs.

Burglary _____ Degree.

Dated _____ 1881

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ _____ Bail.

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*0*
Plends

Sections 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520
Burglary in the THIRD DEGREE,
[Sections 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520]

THE PEOPLE

vs. *F*

John Taylor

*57
11
1/2
Ct
Bank*

RANDOLPH B. MARTINE

PETER B. GENEY

District Attorney.

A True Bill.

May, 1880

April 21/80 Foreman.

John Taylor

5 P. one year

Witnesses:

Jno A. Flaney
Off Sdy

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. Harvey

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. Harvey

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 SIX 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 trunks of the value of one
dollar and fifty cents each,

of the goods, chattels and personal property of one _____

John W. Stewart, in the State of
New York

there situate, then and there being found, in the State 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,

and James J. DeWitt of
one dollar and fifty cents each,

of the goods, chattels and personal property of one

John D. Dewey

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

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. O'NEIL~~ District Attorney.

0700

Police Court 3 District.

THE PEOPLE, &c,
ON THE COMPLAINT OF

John J. Stevens
35 Jackson St.
John Sawyer
100 Broadway

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Offence Burglary

Date April 15 1885

Magistrate
James B. Kelly

Officer
Thomas G. Kelly

Precinct
Sixth of New York

Street

Street

Street

Street

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

John Sawyer guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 100 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 15 1885 Police Justice.

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

Dated April 15 1885 Police Justice.

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

Dated April 15 1885 Police Justice.

No. 10000

in witness whereof I have hereunto set my hand and seal of office this 15th day of April 1885.

James B. Kelly

Magistrate

0709

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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 *John Taylor*

Question. How old are you?

Answer *51 years*

Question. Where were you born?

Answer.

Germany

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

Answer.

406 E. 11 St (resided there 2 mos)

Question What is your business or profession?

Answer.

Butcher

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
John Taylor*

Taken before me this

day of *April* 188*8*

[Signature]

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

Sworn to before me this

day of

15
April 188*8*

Norman C. Sly

J. P. Caffery
Police Justice.

07111

Police Court - 3 District.

City and County of New York, ss.:

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

John A. Heney

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

brick building

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

Butcher store

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 pairs

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 saw said Taylor one block from deponent's store with two pairs concealed under his coat deponent identifies the property as belonging to him John A. Heney

Subscribed and sworn to before me this 15th day of April 1885

0712

BOX:

174

FOLDER:

1766

DESCRIPTION:

Thiebout, August

DATE:

04/17/85



1766

0713

No 158

Off Delaney

Day of Trial, Counsel, Filed day of April 1888 Pleads *Proquity (20)*

THE PEOPLE vs. *B*
August Thiebout
1469 - 3 Ave

RANDOLPH B. MARTINE
JOHN McKEON

Ordered by the Honorable Attorney.
Open up the evidence for trial
A TRUE BILL
John A. Gid
Apr 24, 1888
Foreman.
Filed and certified
New York papers
Pr Med 5-1888
Read Daily

1983-12-17-1999-1
1983-12-17-1999-1
Violation of Excise Law.
(Sunday)

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 September, 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 September 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 Diebold, _____

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

The said August Diebold, _____

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 Nebout

EXCISE VIOLATION.
SELLING ON SUNDAY.

Dated 16th day of February 1885

M J Power Magistrate.

M Delaney 12 P.M.
Officer.

Witness



Bailed \$ 100 Ans. 9 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

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 *Aug 1885* Police Justice.

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

Dated Feb 16 1885 *Aug 1885* Police Justice.

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

Dated Feb 16 1885 *Aug 1885* Police Justice.

POOR QUALITY ORIGINALS

0717

Excise Violation—Selling on Sunday.

POLICE COURT—5th DISTRICT.

City and County } ss.
of New York, }

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

did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN A WAY 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 Pebout
may be arrested and dealt with according to law.

Sworn to before me, this 16th day
of February 1885 } William Delaney

de J. O'neil Police Justice.

POOR QUALITY ORIGINALS

0718

POLICE COURT 5th DISTRICT.

City and County of New York, ss.:

THE PEOPLE,
vs.
Auguste Thibout

On Complaint of William Delaney
For Violation of the Penal Law

demanded

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

August Thibout Police Justice.

POOR QUALITY ORIGINALS

0719

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

5th District Police Court.

Auguste 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.

Auguste 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

16th

day of *February* 188*8*

see p. 107

Police Justice.

0720

BOX:

174

FOLDER:

1766

DESCRIPTION:

Tierney, Andrew

DATE:

04/22/85



1766

Witnesses:

Peter Delaney
J. J. Leary

No. 175
Counsel, *C. F. Howard*
Filed *22* day of *April* 188*5*
Pleeds *Magistry (23)*

Grand Larceny *1st* degree
(From the person.)
[Sections 528, 530, -- Penal Code].

THE PEOPLE

vs.

F

Andrew Tierney

vs
the People

RANDOLPH B. MARTINE,

CLERK OF THE DISTRICT COURT,

District Attorney.

A True Bill.

C. Howard

Foreman,

C. Howard

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 Diamond

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

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

The said *Andrew Diamond*

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-*five*, in the *night* 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~~ dollars.

of the goods, chattels and personal property of one *Wm. D. Daney*
on the person of one *Peter D. Daney*
then and there being found, from the person of the said *Peter D. Daney*
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

Police Court 3 District 485

THE PEOPLE, &c,
ON THE COMPLAINT OF

Peter McLenny
26 Market St

1 Andrew Denny

Offence Larceny from Person

BAILED,
No. 1, by
Residence

No. 2, by
Residence

No. 3, by
Residence

No. 4, by
Residence

Dated April 17 1885

Magistrate
Leary K. Speed Officer

Witnesses

No. _____
Street

No. _____
Street

No. 507 to answer
Street 95

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

Andrew Denny
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 _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0724

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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 *April* 188*9*

[Signature]
Police Justice.

0725

Testimony in the
case of
Andrew Jerney
filed April
1883.

sentenced the defendant to the state prison for a term
of one year and a day and to pay the costs of the trial.

work for such a long season as to be able to
to do in the following season. I said I was willing to
stay on the defendant's place if he pleased and was
and that I was willing to work for a year or more
if he pleased. I was so far from any other place
that I was obliged to stay there and to work for him.

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 halloed 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 & me 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 not 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 43 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 Delaney'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.

*at no present
to see
service work
1888*

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 ^{this person} in the night time

the following property, viz :

One ten dollar bill Good 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,

[Signature]

0734

BOX:

174

FOLDER:

1766

DESCRIPTION:

Tracey, Michael

DATE:

04/14/85



1766

0735

No 104

Witnesses:

Off Smith

Counsel,
Filed 14 day of April 1885
Pleads

THE PEOPLE
vs.
Michael Tracey
Grand Larceny in the (MONEY)
degree. (Sec. 528 and 530, Penal Code)

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

Wm. M. O'Neil
April 15/85
Foreman.

S. R. 2 years.

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 *twelfth* 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 rings 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

Police Court - 1st District
10994

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John J. Moran
55th Broadway St.
Michael Greeng
Greeng
Office from the Person

APR 10 1985
188

Dated April 10 1885

North of Smiths
Magistrate.
5
Precinct.

Witnesses
Call the officer
Street.

No. Street,

No. Street,
\$1500 to answer
Sessions,
Conrad

No. Street,
No. Street,

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

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 J. M. 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

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

Michael Tracey

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

Question. What is your name?

Answer.

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
with

Taken before me this

day of

188

J. J. [Signature]

Police Justice.

0739

CITY AND COUNTY }
OF NEW YORK, } ss.

Walter A Smith

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* 188*8* *Walter A Smith*

John Patterson

Police Justice.

0740

Police Court—First District. Affidavit—Larceny.

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

of No. 55 4th 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 5th 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 10 day of April 1885 at New York Police Justice.

0741

BOX:

174

FOLDER:

1766

DESCRIPTION:

Trainer, John

DATE:

04/21/85



1766

132-11-11-11-11

Off. Wallenstein
Markes Meyer

No 167

Counsel,
Filed 21 day of April 1885
Pleads *Wholly*

THE PEOPLE
vs.
John Trainor
et al
Plaintiff

RANDOLPH B. MARTINE
JOHN MCKEON

District Attorney.

A TRUE BILL.

(Signature)

(Signature)
Foreman

(Signature)
Spced Foreman of
County Delegates
S. P. 5 y/ear.

0742

0744

SECOND COUNT.

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

John Drainer

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

The said John Drainer,

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 articles 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 Menger,
in the dwelling house of one

John Madero Menger, 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.

THIRD COUNT.

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

John Drainer

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

The said John Drainer,

late of the Ward, City and County aforesaid, afterwards, to wit: on the said twelfth 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 articles 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 fifty cents each,

of the goods, chattels and personal property of Madame Menger,

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

unlawfully and unjustly did feloniously receive and have (the said

John Drainer

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.

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

0748

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

2

0749

THE STATE OF TEXAS, I swear that I saw the

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.

0750

... I went into the ...
... He ... 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, I 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.

*was not permitted
to be present
at the trial
1887*

0751

Police Court 92391 District

THE PEOPLE, &c,
ON THE COMPLAINT OF

Walter Mayer
233 Broadway
John Rainie

APR 16 1885

Offence Burglary

Dated April 13 1885

Magistrate
Walter Mayer
Officer

10 Precinct

BAILED,
No. 1, by _____
Residence _____
Street _____
No. 2, by _____
Residence _____
Street _____
No. 3, by _____
Residence _____
Street _____
No. 4, by _____
Residence _____
Street _____

Witnesses _____
No. _____
Street _____

No. _____
Street _____

No. 100029
Street _____
in witness _____

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

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

Dated April 13 1885 _____ Police Justice.

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

Dated _____ 1885 _____ Police Justice.

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

Dated _____ 1885 _____ Police Justice.

0752

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* 188*5*

John J. Kelly

Police Justice.

0753

CITY AND COUNTY }
OF NEW YORK, } ss.

Jacob Wallenstein

aged *27* 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 *13th*

day of *June* 188*5*

Jacob Wallenstein

P. J. Peiffer

Police Justice.

0754

Police Court— 9^d District.

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

of No. 233 Bowery Street, aged 29 years,
occupation Storekeeper being duly sworn

deposes and says, that the premises No 233 Bowery Street,
in the City and County aforesaid, the said being a 3 story frame
house

and which was occupied by deponent as a store and dwelling
and in which there was at the time a human being, by name Mark
Meyers

were BURGLARIOUSLY entered by means of forcibly breaking
the front window of the said store

on the 12th 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
Gauguin diamonds of the value of two
dollars — the whole property being
of the value of thirty five dollars

the property 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

John Trainor now here

for the reasons following, to wit: Deponent retired to bed
about midnight on evening day of April,
and was awakened at 6 AM 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 Bowery having a portion of the

0755

said property in his possession.

Sworn to before me this
13th day of April 1885

Martin M. [Signature]

[Signature]
[Signature]

Police Court — District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Degree. Burglary

Dated 188 1

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.