

1113

BOX:

429

FOLDER:

3962

DESCRIPTION:

Blattner, George

DATE:

03/03/91



3962

Maggie Morgan

...

George Blattner

District Attorney.

Henry Cole

Apur. Caracaras

11/17/19

[Handwritten signature]

1114

47

The People
~~Bridget McKeever~~
 George Blatterer

Court of General Sessions Part I
 Before Judge Fitzgerald March 23, 1911

Indictment for burglary in the third degree.
 Bridget McKeever, sworn and examined.
 I reside at 209 East 108th street and keep a little grocery store there. The front is a grocery store and I live in the back. I recollect the afternoon of the 19th of February. I was home all the time. I put forty dollars in money between the two mattresses of the bed in which I sleep. I put it there about eleven o'clock. At the time there was nobody there but myself. I then went into the store. There is no back stoop to the building. There are two windows and a door leading to the front street. The windows were fastened and the door locked. I thought everything was secure. The rooms are all open. The back kitchen I did not use in cold weather. I put trunks with things in them in the back kitchen. I have three bed rooms but they are not partitioned off. It is all an open room. I used the room next to the store for a temporary kitchen. The money was in the room next to the back kitchen. There is a door from that room, which I kept closed but not locked. There was a door which led from the kitchen into the hall. The defendant was in my store that afternoon and asked me if I wanted

potatoes. I think it was about three o'clock he
 came in. I told him I did not want any
 potatoes. After he went out I looked and did
 not see any wagon and I saw him no more.
 I stayed in the store all the time till a
 1/4 to 5 o'clock. I wanted to get some supper and
 I saw there was a cat inside of my room.
 I followed the cat and he ran out into the
 back kitchen and jumped out of the window.
 I looked around and the window was open.
 The trunks were all pulled out and the lids
 of one of them broken off; the clothes ^{that} were
 packed in there were dragged out as if they
 were searching them for money. Then right
 away I thought of my money and I turned
 back to my bed room. I found the book with
 a rent receipt in it, but there was no money
 in it. Then I sent out for my cousin and
 told him all about it. I sent my sister
 around to see parties who live in the
 houses in 109th Street. My sister went round
 and got some information from Mrs. Meyer.
 I then reported the matter to the police at the
 station house. The detective came up to my
 house and I showed him how the window
 was broken. I found an old razor inside
 in the kitchen which had never been there
 before. The pane of glass was broken in the

window near the catch. One could put in his hand, unfasten it and raise the window up. One could get from that window into the kitchen. The window looks out upon the yard. The next time I saw the prisoner was in the Police Court at 88th St. This happened on Thursday and I think it was on the following Monday that I saw him. I made a charge against him. I did not receive the money back, but his mother came and proffered me some money. I refused to take it. There is no one but myself and child lives in those rooms; she is two years and a half old, she was in my cousin's in the next house asleep. I did not miss anything but the forty dollars.

Cross Examined. From the back yard the window looks into the kitchen, next to the kitchen is the bed room, and next to that is another little bed room, and next to that is a bed room which I used as a kitchen during the cold weather. These rooms were not separated by partitions but I had curtains up there. I never kept money in my store but I always kept it under the mattress in my bed. There were four trunks in the room and they were all opened; there were two locked and they were broken open. I did not hear any noise or hammering.

that day, but there could be such noise in the rear and I not hear it. I think it was about three o'clock when I saw the defendant. I did not see any wagon there at all. I am sure this was Thursday and that he was trying to sell potatoes. I don't remember whether the defendant was in my store before that day or not. I discovered the loss of my money a quarter to five o'clock. Mrs. Morgan told me she saw the defendant in the yard. The mother and wife of the prisoner came to me and asked me if I would not settle it? that they would give me the money. I being awful poor, my sister gave me money to take that liquor store. I was afraid I should lose my little store on account of the loss of that money because I had it for the rent and other little bills: I would not take anything less than forty dollars. I was to make further enquiry to see if it was lawful to do so. I did not make an effort to settle for twenty or twenty five dollars. There are two windows from the yard into this rear kitchen, and one of these are open, when I saw it it was raised up as high as it could, it was the window next to Third Avenue that was open. On that afternoon there were children in the store from 9 to 15 years old.

There was no one went into the rooms that afternoon. I do not remember what happened the day before, but the money was there that day. I am certain it was there at 11 o'clock that day. You could not get from the hallway to the yard but one could go from that hallway down to the cellar. It is always open for people to go down for coal or anything they need. There is no door leading from the store into the hall; the door that goes into the store leads into the street. There is a hall door leading into the street, but it is closed most of the time.

Maggie Magan, sworn and examined, testified: I am housekeeping and live at 202 East 109th Street. I live in the rear of Mrs. M. Keever. I live in 109th Street and she lives in 108th St. I live in the back part top floor. I recollect the afternoon of the 19th of February. I was in my house. I know the defendant and saw him that afternoon. I saw him go out of Mrs. M. Keever's window and go over the fence - the window next to the cellar. I heard her describe her rooms; he was coming out of the kitchen window. I cannot tell exactly what time this was, but I know it was after three o'clock in the afternoon; he went down in the cellar and disappeared. I left my window then and thought nothing more of it. I believe it was that evening that Mrs. M. Keever sent her sister to ask me what I saw. I told her ~~just~~ what I have told

you saw the defendant next in the station house and I identified him as the man I saw coming out of the window. I identified him in the station house out of ten other men; they were all standing in a line. I went along the line till I came to him and then I picked him out.

Cross examined. I know the defendant by sight three or four years by seeing him on the street. They did not call out his name when I went to the police station. When I went there I expected to see the pedlar, the party whom I saw going over the fence. Have you any idea how far it is from the rear house over to the rear of Mr. McKeever's house? About eighty a eighty five feet. Then you were looking a height of four stories across the yard eighty a eighty five feet? ^{yes} I cannot describe the man's clothes exactly; I know they appeared to be tight fitting pants and a short sacque coat; he had a Derby hat; the defendant looks like the man. I am of a very nervous disposition. I suffer occasionally from delusions and from imagining things that do not exist.

Edward H. Doyle. sworn and examined. I am a police officer. I did not arrest the defendant. Officer Ligney arrested him. I saw the defendant on Sunday evening at the station house. I did not have any conversation with him till

after he was brought out to be identified by the complainant and the other witnesses. I stationed them in the Captain's room and closed the door and brought out ten men and stationed the defendant alongside of them. He was arranged in line along with them, and then she without any hesitation went over and picked him out. Mrs. Morgan did that. Mrs. McKeever was there and she identified him as the man who had been in the store in the day time. He denied it, he said he did not do it. I know nothing more about the case.

George Blattner sworn and examined in his own behalf testified. I am 21 years old and have been a pedlar about seven years. I go around peddling from door to door in the summer time. I sell potatoes, clams and fish. I guess I know Mrs. Morgan about five years, seeing her in the neighborhood. I know Mrs. McKeever by selling her potatoes. I heard Mrs. McKeever testify that on the afternoon of the 19th of February or the Thursday when this alleged burglary is said to have occurred that you were in her store trying to sell potatoes. I was not there that day, but I was in the store the day before trying to sell clams. I sell fish on Thursday because people want to use it on Friday. I sell to restaurants and saloons for chowder. I was not anywhere near Mrs. McKeever's

that day. I am positive of that. Where were you
 about three o'clock? At that time I was in my
 mother-in-law's house, 116th and 117th streets and
 Third Avenue. I don't know anything about this
 burglary. I offered to sell Mrs. McKeever potatoes
 the day I was there; she told me she had no
 money and had potatoes. My wife was at
 my mother-in-law's that day; my mother-in-
 law is not here, she is sick. I was up that
 afternoon to see my wife and baby; the baby
 was very sick; my wife is in Court. I was
 arrested on Sunday when I was going around
 to 110th street stable. My name was called out
 in the Police station before I was brought out.
 I had not seen Mrs. Morgan for a month before
 that. I generally used to see her in 109th St.
 I was at Mrs. McKeever's store on Wednesday
 and I was there about a week before that. I sold
 her a barrel of potatoes. I got up that Thursday
 morning at half past eight o'clock. I generally
 start at 114th street and Pleasant Avenue; a
 good many people buy clams from me reg-
 ularly on Thursday. I got up to my mother-in-
 law's between one and two o'clock. I went up
 especially that day because she sent down
 for me that morning. I had some trouble
 about four years ago with Mrs. Morgan when
 I used to play around the place. I wore an
 overcoat that day.

Mary Blattner, sworn and examined, testified. You are the wife of the defendant? Yes sir. Do you recollect a certain Thursday in February when Mrs. M^cKeever charges that money was stolen out of her house? Yes I do. This is your husband? Yes. Did you see him that day? Yes. Do you know about the time? It was between - the reason I know the time is the baby was sick with the measles and I had it to the doctor's. I was supposed to give the medicine every two hours. I gave the medicine at half past one o'clock. My husband came around and rung the bell; it was then about a quarter to two o'clock. My mother went to the butcher's; she said, "Go up stairs to the baby," and I waited until she went out. I said to my husband, "Go up stairs and see the baby before you go." It was near five o'clock when he left. Did you notice anything about him when he came up stairs? He had two claws in his hand. How about his clothing? He had on an old blue overcoat and a pair of old striped pants that was tore in the knee. You had your baby down in Court this week? I had him here Monday; the trial was to come off, and the doctor told me I must not bring it out any more, it is in danger of death, and he expected it to die by Wednesday.

Cross Examined. I do not remember whether it was

a clear or a rainy day this Thursday the 14th I attended to my baby. What time did your husband leave you that morning? He was not around in the morning. What time did he leave the house? He did not live with me. Are you not his wife? Yes. He contributes to your support? Yes, but he was in bad luck; we had to break up our rooms, I had to go and live with my mother. He found it all he could do to support himself? Yes, he gives me money occasionally. You live with your mother? Yes. You are perfectly friendly and affectionate with each other? Yes sir.

By Mr. Townsend. When did he give you money last? Saturday he gave me one dollar. I said to him "I want to give the doctor a dollar for the baby." He said, "I have got no money now, you have got to wait till I sell out the claims." He came around Friday. I had to go down and have the doctor from the Dispensary to attend the baby. My husband always worked and was always good to me and always treated me right so far as that is concerned. How can you expect a pedlar to make much this time of year.

William Morgan, sworn and examined.
I am the husband of Mrs. Morgan who testified in this case. Can you mention any

instances that happened within the last two years when your wife has imagined that she saw persons around about the house or in the house who were not there? Yes. State to the jury what they were? One time when we were living over the bridge, just about dusk, she asked me what did the man sneak along the back of the fence for? She called me to look and I went out to look; she kept pointing. I says, "you don't see nothing." I went, and after a long argument she gave in that there was nobody there. If there had been a man there I would have seen him. Can you mention any other instance? Yes, there was another time in the same place and in the same house that she said there was a man on the roof two or three yards away. Did you see a man there? No. I did not. You were looking in that direction? I was looking in that direction; she pointed for me to look in that direction. If there had been a man there, I would have seen him. Do you recollect anything that happened about the baby? Yes, she said there were men stealing her baby away; she began to scream and halloo. I shook her up and tried to get her to her senses, and after a little while when she got to her senses I told her she must be crazy. There was one time ~~if~~ I could not hold her and we went

for a doctor. How long have you been married?
 Three years. How many children have you?
 One. How many rooms do you occupy? Two.
 What do you work at? A truck driver. I gener-
 ally go to work about five o'clock in the morn-
 ing. Sometimes I get through my work at four
 and at other times not till seven or eight
 o'clock. Do you go out evenings? Very sel-
 dom. Did you ever put your wife under
 restraint, did you ever commit her to an
 institution? No sir. Do you give her all
 your wages? I do. She spends it on the
 household? Yes. Did you ever have any
 fault to find with the way she spends it?

No sir. Do you know the defendant? I
 know that man by sight, and that is all.
 You never have spoken to him? Never
 in my life, not a word. What did you
 say your business was - peddler? Truck
 driver. Whereabouts? 147th street. Do you
 own your truck? No, I work for a man
 named Fred Snoffer.

Edward H. Doyle recalled by Counsel. Did
 you examine this young man's pocket or
 search him? No sir, we did not. I am not
 the officer who arrested him. I believe there
 was no money found on him, only a
 parson ticket. The jury rendered a verdict
 of guilty of burglary in the third degree.

1127

Testimony in the
case of
George Blatter

filed

March

1891

30th

1128

Police Court— 5 — District.City and County } ss.:
of New York,of No. 209-E-108 Street, aged 29 years,occupation Grocer being duly sworndeposes and says, that the premises No. 209-E-108 Street, 12 Wardin the City and County aforesaid the said being a Five story BrickHouse, the first floor of~~and~~ which was occupied by deponent as a grocery store & dwelling~~and in which there was at the time a human being, by name~~were BURGLARIOUSLY entered by means of forcibly breaking the
Glass in the window on the first floor in the rear of said
buildingon the 19 day of February 1899 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:Good and lawfull money of the
United States & amounting to
Forty Dollarsthe 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
George Blattner (nowhere)for the reasons following, to wit: That on said date the
doors and windows of said apartments were securely locked
and fastened and the windows were intact
and the said property was in Deponent's
apartments and between two mattresses
in said apartments. Deponent is informed
by Mrs Maggie Morgan of no 202-E-109
Street, that on said date the
she saw the Defendant go into

deponents apartments by going through
the window of deponents apartments
and ~~there~~ in a short space of
time come out ~~of~~ through the said
window and climb over the
fence in the yard of said House
deponent further says that about
the hour of five o'clock P.M. on said
date deponent missed the said property

Wm McKeever

Sworn to before me
this 28th day of February 1891

J. P. Jones
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 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

Police Court, District,

THE PEOPLE, vs.,
on the complaint of

Offence—BURGLARY.

1
2
3
4

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

1130

CITY AND COUNTY }
OF NEW YORK, } ss.

Maggie Morgan
aged 19 years, occupation Housekeeper of No.

202-E-109⁴ Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Bridget McKeever

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

Sworn to before me, this 23
day of February 1889 } Maggie Morgan

J. D. [Signature]
Police Justice.

1131

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

George Blatner 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.

George Blatner

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

New York

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

Answer.

223 E 106 St. N. Y. 4 months

Question. What is your business or profession?

Answer.

Reader

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

Answer.

I am not guilty

George Blatner

Taken before me this *20* day of *February* 189*9*
M. J. [Signature]

Police Justice.

1132

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.....

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

Dated, *July 23* 189

[Signature] Police Justice.

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

Dated,.....189

Police Justice.

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

Dated,.....189

Police Justice.

1133

Police Court,

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Bridges McHenry
vs. *George Blatten*

209 E 108

2
3
4

Officer

Barry

Dated, *July 23* 1891

Magistrate.

Doyle Officer.

Precinct.

Witnesses *Maggie Morgan*

No. *202-E-109* Street.

No. *Officer* Street.

No. *Officer* Street.

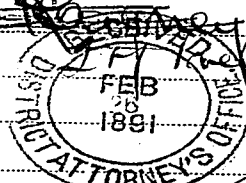
No. *Officer* Street.

No. *Officer* Street.

\$ *1000* to answer *J. J.*

1000 Ex July 25 - 2 P.M.

Corr



BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

George Blattner

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

George Blattner

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

The said

George Blattner

late of the *Twelfth* Ward of the City of New York, in the County of New York
aforesaid, on the *nineteenth* day of *February* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
day — time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one

Bridget Mc Keever

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

Bridget Mc Keever

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.

SECOND COUNT—

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

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

The said

George Blattner

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

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

of the goods, chattels and personal property of one

Bridget McKeever

in the dwelling house of the said

Bridget McKeever

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

DeRancey Nicoll,
District Attorney

THIRD COUNT—

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

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

The said

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

of the goods, chattels and personal property of

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

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

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

JOHN R. FELLOWS,
District Attorney.

1137

BOX:

429

FOLDER:

3962

DESCRIPTION:

Bleamings, William

DATE:

03/18/91



3962

1138

POOR QUALITY ORIGINAL

Witnesses:

Richard Fraumen
Catherine O'Hagan

In the within case
the people are unable
to secure the presence
of the most material
witness, and as the
case has been repeatedly
on for trial and with
no prospect of trial
I recommend that
the deft be discharged
on his own recognizance.

Wauchope Lynn
Oct 13/ 1891
1891

P.S. The complainant who
knows nothing concerning the
crime signs a withdrawal
which is enclosed herein
W.L.

335

J.W.M.L.
Sept 23/91

Counsel,

Filed

day of

1891

Pleads,

THE PEOPLE

William Bleamings

(vs) Fleming

arr + com.
Sept. 24/91

DE LANCEY NICOLL.

JOHN R. FELLOWS

District Attorney.

Sept 24/91

A True Bill.

Sept 22. 1891. W.L.
Foreman.

Sept 1 Oct 12/91

Sept. 30-1891

Part 3. October 1891. W.L.
Defendant discharged on his
verbal recognizance.

Supplied in the Third degree
Petit Jury and Review
[Section 498, 506, 52, 54, 55, 56, 57]

COURT OF GENERAL SESSIONS.

THE PEOPLE
VS.
WILLIAM BLEMINGS.

Sir,-

Please take notice that I will move on ~~Friday~~ day
October 1sth, in Part III of the Court of General Sessions,
for the discharge of the above named defendant on his own
recognizance under Section 663 of the Code of Criminal Pro-
cedure on the affidavit hereto attached and all proceedings
herein.

Yours respectfully,

James W. Mc Laughlin,
Counsel for defendant,
280 Broadway,
New York,
City.

To,
De Lancey Nicoll Esq.,
District Attorney,
New York City.

COURT OF GENERAL SESSIONS.

THE PEOPLE
VS.
WILLIAM BLEMMINGS.

CITY AND COUNTY OF NEW YORK, SS.

JAMES W. MC LAUGHLIN, being duly sworn says: That he is Counsel for the above named defendant Was arrested day of 1891, that the case has been on the calendar fourteen or fifteen times and the people have never been ready to try the case. No witnesses but the complainant and the officer being present at any time, and on account of the numerous ajourments we cannot obtain the attendance of our witnesses.

Sworn to this 10th

day of Oct. 1891.

James W. McLaughlin
James J. Quinn

James J. Quinn
James J. Quinn

COURT OF GENERAL SESSIONS.

-----X
PEOPLE ON MY COMPLAINT,
VERUS.
WILLIAM ELEMINGS.
-----X

As complainant in the above case, I
beg to recommend the defendant to such leniency and clemency
as the Court and District Attorney may see fit to show; but
I expressly assert that my reasons for so doing are not con-
trolled by any advantage to myself.

I desire to have the defendant discharged and request
that the District Attorney dismiss the indictment herein.
I am very anxious to do anything I can to help his wife.

R. FRANZEN.

1142

J. J. Linsen

The People

Plaintiff

against

William Blum

Defendant

*Notice
of
Motion*

James J. McLaughlin
James J. McLAUGHLIN,
Attorneys for

No. 280 BROADWAY, New York City

Due and timely service of cop of the
within hereby admitted.
this day of 18
Attorney.

To _____

1143

COUNTY OF NEW YORK, ss.

In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING:-

An indictment having been found on the 18th day of March

1891, in the Court of General Sessions of the Peace of the County of New York,
charging William Bleamings

with the crime of Burglary Third Degree &c

You are therefore Commanded forthwith to arrest the above named William
Bleamings and bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the City
Prison of the City of New York.

New York City, the 23rd day of Sept 1891

By order of the Court,

John Sparks

Clerk of Court.

1144


New York General Sessions of the Peace.

THE PEOPLE
OF THE STATE OF NEW YORK,
against

William Bleamings
324 W 37 st Basement

BENCH WARRANT FOR FELONY.

Issued *Sept. 23* 189*1*

 The officer executing this process will make
his return to the Court forthwith.

COURT OF GENERAL SESSIONS.

THE PEOPLE
VS.
WILLIAM BLEMMINGS.

Sir,-

Please take notice that I will move on ~~Tuesday~~ *Friday*
October 1stth, in Part III of the Court of General Sessions,
for the discharge of the above named defendant on his own
recognizance under Section 663 of the Code of Criminal Pro-
~~cedure~~ on the affidavit hereto attached and all proceedings
herein.

Yours respectfully,

James W. Mc Laughlin,

Counsel for defendant,

280 Broadway,

New York,

City.

To,

De Lancey Nicoll Esq.,

District Attorney,

New York City.

COURT OF GENERAL SESSIONS.

THE PEOPLE

VS.

WILLIAM BLEMMINGS.

CITY AND COUNTY OF NEW YORK, SS.

JAMES W. MC LAUGHLIN, being duly sworn says: That he is Counsel for the above named defendant. Was arrested 15th day of March, 1891, that the case has been on the calendar fourteen or fifteen times and the people have never been ready to try the case. No witnesses but the complainant and the officer being present at any time, and on account of the numerous ajourments we cannot obtain the attendance of our witnesses.

Sworn to this 10th

day of Oct. 1891.

James W. McLaughlin
Levi S. Furr
Clerk of Decd.
N.Y. Co.

COURT OF GENERAL SESSIONS.

-----X
: PEOPLE ON MY COMPLAINT,
: VERUS.
: WILLIAM BLEMMINGS.
: -----X

As complainant in the above case, I
beg to recommend the defendant to such leniency and clemency
as the Court and District Attorney may see fit to show; but
I expressly assert that my reasons for so doing are not con-
trolled by any advantage to myself.

I desire to have the defendant discharged and re-
quest that the District Attorney dismiss the indictment herein
I am very anxious to do anything I can to help his wife.

R. Traylor

U. S. General Session
of the People
Plaintiff

against

William Blum
Defendant

Notice
of Motion
James W. McLAUGHLIN,
Attorneys for

No. 280 BROADWAY, New York City

Due and timely service of cop of the
within hereby admitted
this day of 18
Attorney.

To _____

1149

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Charles J. Faint a Police Justice
of the City of New York, charging Charles Marshall Defendant with
the offence of that Paul Betting Sec 351 PC

and he having been brought before said Justice for an examination of said charge, and it having been made
to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and
the hearing thereof having been adjourned,

We, Charles Marshall Defendant of No. 59
West 28 Street; by occupation a Commercial Agent
and Cratis Crawford of No. 220 W 28 St
Street, by occupation a Engineer Surety, hereby jointly and severally undertake
that the above named Charles Marshall Defendant
shall personally appear before the said Justice, at the 59 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Five
Hundred Dollars.

Taken and acknowledged before me, this

day of February 1897Charles J. Faint POLICE JUSTICE.Charles Marshall
Cratis Crawford

1150

OF AND COUNTY } ss.
NEW YORK,

day of *April* 18*91*
Charles W. Mansley Police Justice.

Sworn to before me, this

the within named Bail and Surety being duly sworn, says that he is a resident and holder within the said County and State, and is worth *Five* Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *The house and lot of*

land situated at 230 W 28th Street and is worth Ten thousand Dollars clear of all encumbrances
Erastus Crawford

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles W. Mansley

Undertaking to appear during the Examination.

Taken the *22* day of *April* 18*91*

Justice.

Police Court—2d District.

City and County } ss.:
of New York,

of No. 417 West 26th Street, aged 37 years,
occupation Printer,
deposes and says, that the premises No. 417 West 25th Street,
in the City and County aforesaid, the said being a Stable

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

were BURGLARIOUSLY entered by means of forcibly removing
a lock from the door leading from
said stable to said Stable

on the 13 day of March 1891, in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

A Quantity of Harness of the
Value of Ten 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

William Cummings
(nowhere)

for the reasons following, to wit: that at or about the hour
of 7:30 P.M. on said date deponent left
said premises securely fastened and
went home. That at or about the hour
of 7 A.M. on the 14th Day of March 1891
deponent discovered that said premises
had been entered as aforesaid and the
said property taken stolen and carried
away. Deponent is informed by Catherine

1152

O'Hagan that at or about the hour
 of 11 P.M. on the ~~13~~ 15th day of March 1889
 the said Blumins left a quantity
 of harness in her rooms no 308 10th Avenue.
 Dependent has seen the harness left
 by the said Blumins in the premises of
 the said O'Hagan and has identified
 the same as the property feloniously
 taken stolen and carried away
 from depedents stable. Dependent
 therefore prays that the said defendants
 may be held to answer

Subscribed before me J. A. Longren
 this 15th day of March 1889

Attestation
 Office Justice

Police Court District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Burglary Degree.
 vs.

Dated _____ 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

1153

CITY AND COUNTY }
OF NEW YORK, } ss.

Catharine O'Hagan
aged 35 years, occupation 308. 10th Avenue of No.

308 10th Avenue Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Richard Krutzen
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 15
day of March 1899 } v Catharine O. Hagan

W. J. M. M. M. M.
Police Justice.

1154

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

District Police Court.

William Bleumings 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. *William Bleumings*

Question. How old are you?

Answer. *44 Years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *258. 9 Avenue 2 months*

Question. What is your business or profession?

Answer. *Peddler.*

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 exoneration?

Answer. *I am not guilty.*

William Bleumings
Mund

Taken before me this

11

day of March 1891

Inspector

Police Justice.

1155

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

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

Dated Nov 15 1891 W. D. McMahon Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

1156

BAILED.

No. 1, by Jacob Klug
 Residence 31 Green St. Street.

No. 2, by _____
 Residence _____ Street.

No. 3, by _____
 Residence _____ Street.

No. 4, by _____
 Residence _____ Street.

Police Court--- 2 District. 346

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Richard Hansen
412 - W. 26th St.
William Pleamings

2

3

4

Offence.

Dated March 15 1891

M. Mahan Magistrate.

Off. Carey 16th
20th St. bet 8th & 9th Ave Officer.

Precinct.

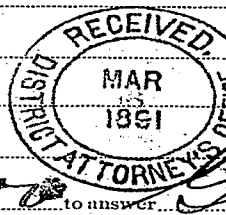
Witnesses Stephen O'Hagan

No. 308. 10th Ave. Street.

No. _____ Street.

No. _____ Street.

\$ 2500 to answer _____



W. Com Buy 3
for
flour

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

William Bleamings

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

William Bleamings

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

The said

William Bleamings

late of the *Sixteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *thirteenth* day of *March* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
night - time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *a certain building to wit:*

the stable of one Richard Franzen

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 *Richard Franzen in the*

stable 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.

SECOND COUNT—

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

William Bleamings
 of the CRIME OF *Petit* LARCENY, committed as follows:

The said

William Bleamings

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

a quantity of harness, (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of ten dollars

of the goods, chattels and personal property of one *Richard Franzen*

in the dwelling house of the said

Richard Franzen

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

THIRD COUNT—

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

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

The said

William Bleamings

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

a quantity of harness, (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of ten dollars

of the goods, chattels and personal property of

Richard Franzen

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

Richard Franzen

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

William Bleamings

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.

De Launcey Nicoll
 JOHN B. FELLOWS,

District Attorney.

1160

BOX:

429

FOLDER:

3962

DESCRIPTION:

Borum, Charles

DATE:

03/12/91



3962

Witnesses:

John Murray

Counsel

Filed

Pleas,

March 1891

March 13

THE PEOPLE

vs.

Charles Brown

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

DE LAUNCEAU

JOHN R. FELLOWS

District Attorney.

March 18/91

17-2

A True Bill.

Alfred J. Murray

Foreman.

original to Mich 24, 91

Book 2 - March 24, 1891

Indictment of Assault
2nd Degree, with weapon & force

S.P. 2 up & 9 md.
March 26

1162

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

No. 219 Sullivan Street, aged 23 years,
 occupation work in laundry 122 N. Houston St. being duly sworn
 deposes and says, that on the 7th day of March 1891 at the City of New
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Charles
Borum (now here) who cut deponent
 on the face with the blade of
 a razor then held in his hand

(W, 364 re)

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

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

Sworn to before me, this 8th day
 of March 1891.

John Murray
A. M. M. M. M. M. Police Justice.

1163

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Charles Barum 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. Charles Barum

Question. How old are you?

Answer. 50 years

Question. Where were you born?

Answer. Virginia

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

Answer. 4 Congress St. 1 year

Question. What is your business or profession?

Answer. Whitewasher

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

Charles Barum

Taken before me this

day of March 1891

H. P. Minkler

Police Justice

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

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

Dated March 8 1891 W. W. W. W. W. Police Justice.

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

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

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

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

1165

168 ordered 309
Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Murray
219 Sullivan St
Charles Borum

Officer
John A. ...

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *March 8* 1891
McMahon Magistrate.
Dourigan Officer.
15 Precinct.

Witnesses *Called to the office*
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *15.00* to answer *4.8*



Chm

Ans. 1

COURT OF GENERAL SESSIONS.

City and County of New York.

The People

Tried before

vs

Hon. Rufus B. Cowing,

John Esposito.

and a jury.

Indicted for RAPE.

Indictment filed March 5, 1891.

Tried March 18th, 1891.

Appearances:

Assistant District-Attorney Mc Intyre for the People.

G. W. Hopkins, Esquire, for the Defense.

Barbara Starace, the complainant, testified that she was thirteen years and seven days old, and that she lived at 325 West 67th street. She worked in the flats at Eleventh avenue and 59th street. She first met the defendant about six months before the trial. The defendant then boarded with her mother who had three rooms. She, the complainant, and her little brother, aged nine, lived in the front of a lot of her mother's place off of 325

occupied the front room of her mother's apartment, which was on the first floor of the house, as a bed room. At about eight o'clock on the morning of February 22nd, 1891, she awoke. She saw the defendant in her room. Her, the witnesses mother had gone out. She, the witness, first saw the defendant in her room about six o'clock and he went back to his own room. But, at about eight o'clock she was awakened by feeling a severe pain. The defendant was lying on top of her, when she felt the severe pain, in her private parts. The defendant hurt her in her private parts with his private parts, and she felt wet, and he wiped her private parts with a towel or something. Then the defendant went away to his own room. Later in the day the defendant made her dress herself and took her out for a walk. In the street, the defendant said, "the clothes that you had on, give them to me. If you say anything to your mother, I will beat you." Then she, the complainant, ran home. She, the complainant, was looking at the funeral of a baby, in the street, and, when the defendant returned to the house, he told the witnesses mother that she, the witness, was making a bum of herself in the street. Then the defendant took all of her street clothes off and

On the following evening he beat her. When she was awakened by the pain in her private parts she screamed. The defendant had connection with her. In cross-examination the complainant testified that her mother and the defendant slept together in the adjourning room. It was Sunday when she was assaulted by the defendant. Her mother had gone out to buy something for breakfast. She, the complainant, believed that her mother went out to buy milk. She, the complainant, told of what the defendant had done to her to a woman living across the hall and this woman informed her, the complainant's uncle, and her uncle caused the defendant's arrest. On the next evening—Monday evening, the defendant said that he would kick her out of the house, and beat her. She fled for protection to the rooms of the woman living across the hall, and then her older brother took her to her uncle's home. Her uncle made a complaint against Esposito to the Society for the Prevention of Cruelty to Children and the society took charge of her, the complainant.

Dr. J. Clifton Edgar testified that he was the examining physician for the Society for the Prevention of

Cruelty to Children. On the afternoon of Feb. 27th, he examined the complainant; in his office at 115 East 35th street. She was taken there by an officer of the society. He found an inflammation of the external genital organs, and that the hymen was ruptured, and that the vagina was dilated. In his opinion there had been a penetration by some blunt instrument.

Frank Paulo testified that he was eleven years of age and that he attended school, Sunday school and Church. He lived at 325 West 67th street. He, the witness, lived on the opposite side of the hallway from the complainant. He the witness had known the complainant for about six years. He got up about six o'clock on the morning of February 22nd to go to Sunday school. Shortly after he got up he heard the complainant scream. About eight o'clock the complainant came into his, the witnesses mother's room, but did not stay long.

Philomena Raconte testified that she was the mother of the last witness and that she lived at 325 East 67th street, across the hallway from the complainant. She knew the complainant and her mother. She knew that the defendant lived with the complainant's mother. Shortly

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after six o'clock on the morning of February 22nd, she, the witness, heard a scream proceeding from the room occupied by the complainant. On the following evening she saw the defendant beating the complainant. On that evening the complainant told her, the witness, of the defendant's assault upon her. She, the witness, told the complainant that she must go at once to her uncle and that her uncle would have the defendant arrested. She, the witness, had been friendly with the complainant's mother, but, learning that she was living with Esposito, she had nothing further to do with her.

Teresa Avellino testified for the People that she was the mother of the complainant, and that the complainant was thirteen years of age.

In cross-examination the witness testified that she was living with the defendant as his wife, on February 22nd, 1891. They had been living together about a month. She, the witness, got up a half past five o'clock on that morning, lit the kitchen fire and made some coffee. She did not go out of the house at all that morning. She saw the complainant and the little boy asleep in their bed. All the rooms were open while she was making the

coffee. The defendant was still abed, in the middle room. He was sick, and asked her to make some coffee for him. She did not see the defendant go near the room where the complainant was asleep, nor did she hear the complainant scream. She, the complainant, was, in the opinion of the witness, crazy. That morning, she, the witness, wanted the complainant to go out for the milk, but the complainant would not go, and she, the witness, slapped the complainant's face. The complainant never made any complaint to her, the witness, about any assault having been made upon her by the defendant. She the witness, objected to the complainant going into the rooms of Mrs. Racote, and she punished her for doing so, and also struck her repeatedly for running about the streets. Her little boy went for the milk, at about half past six o'clock on the morning of February 22nd, after the complainant had refused to go. The boy got the milk from a passing wagon. She, the witness expected to marry Esposito. She was willing to marry him at once, but Esposito was not willing to marry her just then. She the witness, lost her husband, in Italy, two years before the trial, and had been in the United States about a year.

Officer Hugo Schultes, of the Society for the Prevention of Cruelty to Children, testified that he had examined the premises at 325 West 67th Street, and had found that it was possible to hear a conversation going on in the defendant's room, from the rooms occupied by Mrs. Raconte.

Barbara Starace, the complainant, being re-called, testified that the defendant had frequently said to her, "I won't get married to your mother. I will get married to you." She had often complained to her mother when the defendant used bad words to her. The defendant gave her a cross for Sundays for which he paid \$5. Her, the complainant's mother did not want to have the defendant arrested.

For the defense John Esposito testified that he lived with the complainant's mother as her husband for about six months. He was a longshoreman. He got up at about quarter past seven o'clock on the morning in question, and went to the kitchen, took a cup of coffee, and went back to bed. He was suffering from face ache. The complainant and her little brother were asleep in the room adjoining his, the defendant's room. He did not have

connection with the complainant, or attempt to have. He did not enter the complainant's room. On the following Monday evening, he, the witness, was talking with the complainant's mother, when the complainant interfered. The complainant interrupted them, and when he, the witness, told her to go away, she would not, and he the witness, gave the complainant a blow, and the complainant ran into the rooms of the neighbor across the hall.

In cross-examination the witness testified that when the complainant's mother testified that he, the witness and she had lived together for only one month, she was mistaken. She was also mistaken when she testified that the complainant did not scream on the morning of February 22nd. The complainant did scream, but it was when her mother slapped her face for refusing to go for the milk. He the witness, intended to marry the complainant's mother. He had never intimated that he intended to marry the complainant, because she was thirteen years of age, and he, the defendant, was about thirty. Pepino was fact as Pepino Starace, called by the defendant, testified that he was nine years old and that he lived with his mother and Esposito. He the witness, went out for the

milk, on the morning of February 22nd, after the complainant had refused to do so. He, the witness, did not hear any loud talking in the rooms. His, the witnesses, family had breakfast together, in the rooms that morning. He, the witness, went to Sunday School at eight o'clock that morning, and the complainant went with him as far as the corner and then she said that she wanted to stay home to play with the children of the neighborhood. He, the witness, had never seen the defendant beat the complainant or heard him speak roughly to her. If his, the witnesses mother had testified that he the witness, bought the milk from a wagon, she was mistaken, because, he, the witness, bought it in a store, in 67th street, about the middle of the block. When the complainant refused to go for the milk his, the witnesses mother slapped her and she cried out.

The complainant being re-called testified that her mother always went out for the milk, and always bought it in a store at 11th avenue and 67th street. Pepino was fast asleep when her, the complainant's mother went for the milk.

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

T h e P e o p l e ,

vs.

CHARLES BORUM.

)

) Before

)

) HON. RUFUS B. COWING,

)

) and a Jury.

)

Tried March 24th, 1891.

Indicted for ASSAULT IN THE FIRST DEGREE.

Indictment filed March 12th, 1891.

APPEARANCES:

Assistant District Attorney Macdona,

For The People.

J. H. Sims, Esq.,

For The Defense.

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JOHN MURRAY, the COMPLAINANT, testified that he worked in a laundry, at 116 West Houston Street, and he was on 6th Avenue, near Third Street, at about a quarter to 12 at night on the 7th of March, 1891. He saw the defendant in an argument with several white men. He, the complainant, stopped and listened to the argument, standing about 3 feet away from the defendant. The defendant had some words with the two white men, and then he whipped out a razor and ran over to him, the complainant, and cut him, the complainant, in the face--on the left side of the face. He also cut him, the complainant, in the coat and in the arm. He, the complainant, ran away towards Bleeker Street. A police officer intercepted him, the complainant, and took him to the Mercer Street Police Station. There he saw the defendant, who had been taken there by Officer

Durrigan. He, the complainant, did not assault the defendant before he was cut with the razor, or even speak to him. He did not know the two whitemen who were talking with the defendant. In

C r o s s - E x a m i n a t i o n .

the complainant testified that he was at 26 Cornelia Street earlier in the evening, visiting a friend. He left his friend's house at about a quarter to 12 o'clock, and he then started towards his home, at 219 Sullivan Street. He, the complainant, worked at the Empire Laundry in Houston Street. He, the complainant, had never been charged with the commission of any criminal offense, and had been arrested only once, for being intoxicated. He was perfectly sober on the evening in question. He had taken several glasses of beer with his friend in Cornelia Street. They had a pint of beer together. He had been sentenced to imprisonment for ten days

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for drunkenness, on the only occasion that he was arrested. That was two or three years before he was assaulted. He, the complainant, ran away from the defendant after he was wounded, to look for a drug store, but could not find any open.

OFFICER JAMES A. DURRIGAN, testified that he was attached to the 15th Precinct. He was on duty in the neighborhood of 6th Avenue and 3rd Street on the night of March 7th, and he arrested the defendant at about ten minutes before 12 o'clock. He, the witness, was coming through West Third Street towards 6th Avenue, and he heard a cry for police. He saw the defendant running towards Macdougall Street in the middle of the street, and

he, the witness, stepped out into the street to stop him, and said, "Halt!" and thereupon the defendant slashed at him with the razor. The defendant cut off the top button of the witness's uniform coat, and then he, the witness, struck him with his club, and then the defendant made a second slash at him, the witness, with the razor, and ran down 6th Avenue to Minetta Lane. He, the witness, pursued him into the Lane, and struck again at the defendant with the club, and the defendant threw the razor on the sidewalk, and fell down, and thereupon he, the witness, arrested him. He, the witness, heard the razor ring on the pavement, and looked for it, but could not find it at the time: He, the witness, told a brother officer to look for it, and he afterwards found it. He, the witness, took the defendant to the Mercer Street Station, and there the complainant identified him.

CHARLES BORUM, the DEFENDANT, testified, in his own behalf, that he lived at No. 4 Carmine Street, and had been living there for about a year. He moved to that number from a house in Varick Street. He was a white washer by occupation, and also worked 'longshore, when he could not get work at his trade. He was married. He had lived in New York about 20 years, off and on. He left his home at about half-past 10 or 11 o'clock on that night, intending to go to 8th Street to see a lady friend of his. He usually made his visits to her late at night, because she worked up at Harlem, and did not get home sometimes until 10 or 11 o'clock at night. He was going up 6th Avenue, on the lefthand side, and was nearly opposite West 3rd Street, when he met three men coming down on the same side of the way. They were white men. He was alone. One of the men gave him a shove,

and called him a black son-of-a-bitch, and he, the defendant, desiring to avoid trouble started across the street. He had reached the first car track when the three men jumped on him and threw him down and jumped upon him and beat him with their fists and kicked him and stamped upon him. He did not know either of the men, and had never seen them before. While he was down on the ground, he saw that he could not help himself otherwise, and, having an old razor in his pocket, with which he generally cut his corns, he pulled it out. He did not even open the razor, but struck at the men, and they released him. He was not in the habit of carrying the razor, but one night when he was cutting his corns he put it into his overcoat pocket and forgot it. As soon as the men released him, he got up, and there was a crowd of white men that had gathered, and they began to beat him, and he ran away to escape the crowd. He did not know whether he cut any one in the crowd, because he did not remember even opening the razor.

He struck at the crowd to free himself and escape. He did not cut at the officer. On the morning after the police officer told him that he had cut at him, the police officer, but he, the defendant, told the police officer that he had no idea of cutting at him, but had only thrown up his arms in fright, when he was running away. In

C r o s s - E x a m i n a t i o n ,

the defendant said that he remembered that the razor was tied at both ends with a string, but he did not put the string on the razor. It was on the razor when he got it. He did not know it was a custom among colored men to fix the razor so that a very small part of the edge would project on the opposite side of the razor, enough of the razor blade to make severe cuts without making fatal wounds, and then tied the razor at both ends, so that the blade could not move. He

could not recall when he got the razor, because he had had it for a long time. He, the defendant, lived at 4 Congress Street, between Houston and King Street, and had a wife but no children. He had been convicted before of an assault, and was sentenced to prison. He did not have any trouble with the complainant that night, and had never seen him before in his life. It was about 10 or 12 years before his arrest upon the charge on trial that he was convicted of assault and sentenced.

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles Borum

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

of the crime of

Assault in the first degree

committed as follows:

The said

Charles Borum

late of the City of New York, in the County of New York, aforesaid, on the
seventh day of *March* in the year of our Lord one thousand
eight hundred and ~~eighty~~ *ninety-one* at the City and County aforesaid,

*with force and arms in and upon the body
of one John Murray in the peace of
the said People then and there being feloniously
did make an assault and him, the said John
Murray with a certain razor which the said
Charles Borum in his right hand then
and there had and held, the same being a deadly
and dangerous weapon, then and there wilfully and
feloniously did strike, beat, cut, stab and wound,
with intent him the said John Murray thereby,
then and there feloniously and wilfully to kill, against
the form of the Statute in such case made and*

provided, and against the peace of the People of the State of New York and their dignity.

Second Count.

And the Grand Jury aforesaid, by this indictment further accuse the said Charles Borum of the crime of assault in the second degree committed as follows:

The said Charles Borum, late of the City and County aforesaid, afterwards to wit: on the day and in the year aforesaid at the City and County aforesaid with force and arms, in and upon the body of the said John Murray in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and then the said John Murray with a certain razor which the said Charles Borum in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike beat cut, stab and wound, against the form of the Statute in such case made and provided and against the peace of the People of the State of New York and their dignity.

De Lancey Nicoll,
District Attorney

1186

BOX:

429

FOLDER:

3962

DESCRIPTION:

Bouzeran, Henry

DATE:

03/05/91



3962

Witnesses:

Adrian Fornace
Louis Barab

Counsel,

Filed

Pleads,

THE PEOPLE

24 Feb 1891
1891 4 26 01

Henry Bougram

Burglary in the Third degree,
Petit Larceny

DE LANCEY NICOLL

JOHN H. FELLOWS

Part 2 March 25/91 Foreman.
District Attorney.

A True Bill.

Adrian Fornace

Part 2 March 25/91 Foreman.

Part 2 March 25/91 Foreman.
District Attorney.

Pen one up

Police Court—2 District.

City and County } ss.:
of New York,

of No. 138 West 26th Street, aged 28 years,

occupation Keep saloon being duly sworn

deposes and says, that the premises No 138 West 26th Street,

in the City and County aforesaid, the said being a dwelling, the store of

~~and~~ which was occupied by deponent as a lager beer saloon
~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly opening the
window in the rear of said store and
and unfastening the rear door and entering
and breaking out by unfastening the
front door and leaving
on the 14th day of February 1887 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of cigars, champagne
and a shot gun all of the
value of twenty 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

Henry Bouzeran (now dead)

for the reasons following, to wit: that between 12 and 1 o'clock
on said day in the morning
deponent securely and fastened
the doors and windows leading into
said premises and said property
was therein. Deponent found said
place broken into about the hour
of two o'clock and said property
missing. The deponent is a frequent

visitor to deponent's saloon and
the defendant has acknowledged
and confessed that he committed
said burglary and stole said
property.

Sworn to before me
this 28th February, 1891

J. A. McKinnon
Justice of the Peace

G. H. Murphy
Police Justice

Police Justice

Police Court — District.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

vs.

Burglary

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

1190

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

Henry Bougeron 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 Bougeron

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

France

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

Answer.

153 West 26 St.

Question. What is your business or profession?

Answer.

book

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.
Bougeron Henry.

Taken before me this
day of *Sept* 188*9*

Grundy
Police Justice

1191

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

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

Dated July 28 1891 J. H. Smith Police Justice.

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

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

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

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

1192

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court---*279* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Adrian Tornage
138 West 26th
Henry Bouzouan

2

3

4

Officer

Durham

Dated *July 28* 189*1*

Magistrate.

Officer.

16 Precinct.

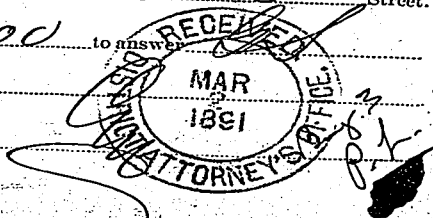
Witnesses

Louisa Barre
No. *153 W. 26* Street.

Edward Mangue
No. *153 W. 26* Street.

Alfred Sicaud
No. *153 W. 26* Street.

\$ *1000* to answer



Mr Lewis -

Then should be
a Court. Chief
a "making out."

Also from Capt
Stuy. Alfred Tinsley
who is a
Miners should be
directed -

Alfred Tinsley
Alfred 12th

1194

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 Bougeran

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

Henry Bougeran

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

The said

Henry Bougeran

late of the *Sixteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *fourteenth* day of *February* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
night - time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *Adrian Fornage* to wit: the saloon
of one, *Adrian Fornage*

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 *Adrian Fornage*, in the said
saloon 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.

SECOND COUNT—

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

— Henry Douzeran —
 of the CRIME OF *Petit* LARCENY, committed as follows:
 The said *Henry Douzeran*

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

one gun of the value
of five dollars, two hundred
cigars of the value of five
cents each and five bottles
of champagne of the value of
one dollar and seventy-five cents
each bottle

of the goods, chattels and personal property of one *Adrian Fornage*
saloon
 in the dwelling-house of the said *Adrian Fornage*

in the saloon
 there situate, then and there being found, ~~from the dwelling-house~~ aforesaid, then and there
 feloniously did steal, take and carry away, against the form of the statute in such case made and
 provided, and against the peace of the People of the State of New York and their dignity.

He Larceny Nicoll,
District Attorney

1196

BOX:

429

FOLDER:

3962

DESCRIPTION:

Bowmyer, George P.

DATE:

03/03/91



3962

1197

BOX:

429

FOLDER:

3962

DESCRIPTION:

Miller, William

DATE:

03/03/91



3962

Witnesses:

J. Jackson
Off. Toley

Counsel, *Henry A. [Signature]*
Filed *3* day of *March* 1891
Pleads, *Agguly-4*

THE PEOPLE

vs.

George P. Bowyer
and
William Miller

Burglary in the third degree
and Petit Larceny

[Section 498, 506, 525, 527]

DELANEY HULL
JOHN R. FELLOWS

District Attorney.

A True Bill.

Alfred C. [Signature]
March 9/91
[Signature] Foreman.
[Signature] Fred H. [Signature]

1199

Police Court— District.

City and County } ss.:
of New York,

of No. 131 Henry Street, aged 27 years,
 occupation grocer being duly sworn
 deposes and says, that the premises No. 700 Madison Street, 7th Ward
 in the City and County aforesaid the said being a five story brick
building and which was occupied by deponent as a grocery store
 and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking open
the front door and entering therein
 with intent to commit a felony

✓ on the 24th day of February 1889 in the night time, and the
 following property feloniously taken, stolen, and carried away, viz:

Gold and lawful money of
the United States of the
Amount and value of One
dollar and twenty cents
\$1.20

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

for the reasons following, to wit:

George P. Bremer and
William Miller both merchants,
 That at about 9 o'clock
P.M. of February 23rd 1889, deponent
secretly locked and fastened
all the doors and windows of
said grocery store. Deponent
 is informed by Officer Patrick
J. Foley of the 7th Precinct
that at about one o'clock
on of said February 24th he saw

1200

Defendant Pomeroy coming
through said store front door
and saw him immediately through
inter into conversation with
Defendant Miller whereupon
said Officer placed each of
Defendants under arrest
Defendant thereupon
charges each of Defendants
with acting in concert with
each other and saying that
they each agreed to answer
and defend with as the
law directs.

Summons before me
this 27th day of July, 1891 by John J. Jackson
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated _____ 1891
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated _____ 1891
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated _____ 1891
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—BURGLARY.

vs.

1
2
3
4
Dated _____ 1891

Magistrate.

Officer.

Clerk.

Witness,

No. _____ Street,

No. _____ Street,

No. _____ Street,

to answer General Sessions.

1201

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 37 years, occupation Police Officer of No. 7th Avenue

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

Sworn to before me, this

day of July 1890,

Patrick J. Foley
Police Justice.

1202

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK.

3 District Police Court.

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

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty

George T. Bowmyer

Taken before me this

Day of July 1887

John J. Bowmyer
Police Justice.

1203

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK.

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

Question. What is your name.

Answer. *William Miller*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *180 Madison St. New York*

Question. What is your business or profession?

Answer. *Shimulans filter*

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*
William Miller

Taken before me this

1891

Henry H. Williams
Police Justice.

1204

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

George P. Penney and William Miller
guilty thereof, Order that he be held to answer the same and he be admitted to bail in the sum of
Five Hundred Dollars, *Each* and be committed to the Warden and Keeper of
the City Prison, of the City of New York, until he give such bail.

Dated *February 1891* *Henry Lawrence* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

1205

263

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James J. Jackson
Geo. D. Bennett
Wm. Miller

Office

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

Dated

Feb 24 1891

Magistrate.

Officer.

Precinct.

Witnesses

Said Officer

No.

Street.

No.

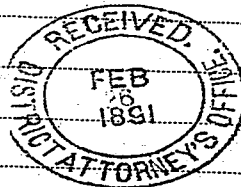
Street.

No.

Street.

\$1000.00 to answer

Am *James* *P.H.*



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against
George P. Downyer
and
William Miller

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

George P. Downyer and William Miller

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

The said George P. Downyer and William Miller, both

late of the Seventh Ward of the City of New York, in the County of New York
aforesaid, on the twenty fourth day of February in the year of our Lord one
thousand eight hundred and ninety - one, with force and arms, in the
night - time of the same day, at the Ward, City and County aforesaid, the
dwelling-house of one a certain building, to wit: the

store of one John J. Jackson

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 John J. Jackson, in the
said store 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.

SECOND COUNT—

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

George P. Downmyer and
William Miller
 of the CRIME OF *Petit* LARCENY, committed as follows:

The said

George P. Downmyer and
William Miller, both

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

the sum of one dollar
and twenty cents in money, lawful
money of the United States and of
the value of one dollar and twenty
cents

of the goods, chattels and personal property of one

store
 in the dwelling house of the said

John J. Jackson
John J. Jackson

in the store

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

Wm. Lancy Nicoll,
District Attorney.

1208

BOX:

429

FOLDER:

3962

DESCRIPTION:

Brady, Peter

DATE:

03/03/91



3962

Witnesses;

Edw. Casper

Counsel,

Filed

3 day of *March* 189*1*

Pleads,

W. H. Smith

THE PEOPLE

vs.

Peter Brady

Burglary in the Third degree.

[Section 408, Penal Code.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Alfred L. Landon

Foreman.

March 24/91

Robert H. Ruyter

Sam. C. W. Pitt

1210

Police Court—5 District.City and County } ss.
of New York, }Edward Rossart
of No. 68 Suffolk Street, aged 31 years,occupation Night Watchman being duly sworndeposes and says, that the premises No. North side of 90th Street, 12 Wardin the City and County aforesaid the said being a Brown StoneFive Story Flat

and which was occupied by deponent as a

and in which there was at the time a human being, by name

attempted to bewere BURGLARIOUSLY entered by means of forcibly breaking theGlass of the Window of on the basement flooron the 19 day of February 1891 in the day time, and the

following property feloniously taken, stolen, and carried away, viz:

A Quantity of Carpenter's toolsValued at Four hundredDollarsthe property of Hummel & Russet and in the care and custody

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 byPeter Brady (now here)for the reasons following, to wit: on said date aboutthe hour of Five o'clock P.M. deponentsaw that the doors and windows of saidhouse were securely locked and fastenedand the said window was intact.about 5.30 o'clock P.M. deponent saw theDefendant forcibly raising the saidwindow in the basement floor of saidbuilding, and caused his arrest.Edward RossartDeponent to before me
this 20 day of February 1891

Police Justice

of Deponent

attempted to be

1211

Sec. 198-200.

5-

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Peter Brady

Taken before me this

20

day of

Myron H. Black

Police Justice.

12 12

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

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

Dated, July 20 1891 W. A. Velde Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

12 13

233

Police Court, 9th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward Ross
68 Suffolk St
Peter Brady

1
2
3
4

Officer William Kelly
Barry

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated, Feb 20 1891

William Magistrate.

Dugan Officer.

27 Precinct.

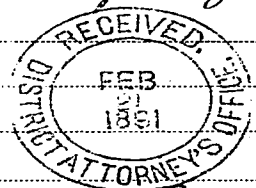
Witnesses W. Hoffert

No. N.S. 90th St 200th E of 2nd St Street.

No. Street.

No. Street.

\$ 200 to answer G.S.



Chm
Bur

12 14

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Peter Brady

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

Peter Brady

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

The said

Peter Brady

late of the *Twelfth* Ward of the City of New York, in the County of New York
aforesaid, on the *nineteenth* day of *February* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
day time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *a certain building to w^{ch} the building*
of one Edward Rossert

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 *Edward Rossert in the said*
building 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.

De Lancey Nicoll,
District Attorney.

12 15

BOX:

429

FOLDER:

3962

DESCRIPTION:

Braunstein, Elias

DATE:

03/20/91



3962

Witnesses

Isabel
Chas E Gaef

Counsel,

Wm S. Brewster

Filed,

Dec 1st 1897

Pleaded,

Not Guilty

THE PEOPLE,

vs.

B

Elias Braunstein

ADULTERATED MILK.

(Chap. 183, Laws of 1883, Section 1, as amended
by chap. 577, Laws of 1886, Section 1; Section 186,
Sanitary Code, and Section 575 of the N. Y. City
Consolidation Act of 1882.)

Herby counsel and desire that
this case against me be sent to the
Court of Special Sessions for trial
and final disposition.

Wm S. Brewster

JOHN F. FELLOWS

District Attorney.

A True Bill.

Dec 28/97

Wm S. Brewster

Foreman.

12 17

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Elias Braunstein

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

Elias Braunstein

(Chap. 183, Laws of 1885, § 1, as amended by Chap. 577, Laws of 1890, § 1.)

The said

Elias Braunstein

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

seventh day of *November* in the year of our Lord

one thousand eight hundred and ~~eighty~~ *ninety*, at the City and County aforesaid,

did unlawfully expose for sale three quarts of unclean, impure, unhealthy, adulterated

and unwholesome milk (the same not being skimmed milk produced in the said County),

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.

12 18

SECOND COUNT:

(\$186, Sanitary Code

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

Elias Braunstein
 of the CRIME OF VIOLATING THE SANITARY CODE OF THE BOARD OF HEALTH OF THE
 HEALTH DEPARTMENT OF THE CITY OF NEW YORK, committed as follows:

The said

Elias Braunstein

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully keep, have and offer for sale, three quarts of milk which had been and was then and there watered, adulterated, reduced and changed by the addition of water and other substances to the Grand Jury aforesaid unknown, and by the removal of cream, against and in violation of the Sanitary Code of the Board of Health of the Health Department of the City of New York, duly adopted and declared as such at a meeting of the said Board of Health, held in said city on the second day of June, 1873, as amended in accordance with law, and particularly in violation of a certain ordinance thereof, to wit: the one hundred and eighty-sixth section of said code, which is as follows, that is to say:

"No milk which has been watered, adulterated, reduced or changed in any respect by the addition of water or other substance, or by the removal of cream, shall be brought into, held, kept, or offered for sale at any place in the City of New York; nor shall any one keep, have or offer for sale in the said city any such milk."

Which said section and ordinance above set forth was, by a certain resolution, duly passed and adopted by the said Board of Health and by said Health Department, at a meeting thereof duly held in said city on the twenty-third day of February, 1876, added to and made a part of the said Sanitary Code aforesaid, and adopted and declared to form a portion thereof, pursuant to the authority and power conferred by law upon the said Board, and which said ordinance was thereafter duly published once a week, for two successive weeks, in the *City Record*, a daily official newspaper and journal published in the said city, to wit: in the issues of such newspaper of the twenty-fourth day of February, 1876, and also of the second day of March, 1876, and which said Sanitary Code so amended and altered was then and there, at the time of the committing of the offense hereinabove alleged, in full force and operation, and was by law declared to be binding and in force in said city, and which said section and ordinance above set forth was then and there in full force and virtue, having been in nowise altered, amended or annulled by said Board of Health, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL.

JOHN R. FELLOWS,

District Attorney.

12 19

BOX:

429

FOLDER:

3962

DESCRIPTION:

Brown, Charles E.

DATE:

03/06/91



3962

Witnesses:

Charles L. Lindsey

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

Charles E. Brown

Grand Larceny Second Degree.

[Sections 528, 587, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A True Bill.

Foreman.

John H. [Signature]
Robert [Signature]
Henry [Signature]
Ed. H. [Signature]

1221

Police Court

9 District.

Affidavit—Larceny.

City and County } ss:
of New York,

Charles L. Lindsey
 of No. 85 Madison Avenue Street, aged 37 years,
 occupation Physician being duly sworn,
 deposes and says, that on the 2 day of March 189 / at the City of New York,
 in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
 the day time, the following property, viz:

One Overcoat of the value
 of forty dollars.

\$40.00 / 100

the property of Calvin Anderson M.D. and in deponent's
 care and custody

and that this deponent
 has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and
 carried away by Charles E. Brown (Purshing)

from the fact that deponent
 caught the said defendant in
 the act of feloniously taking
 stealing and carrying away the
 said property

Charles L. Lindsey

Sworn to before me this 11 day of March 189 /

Attest: J. J. Mulvaney
 189 /
 Public Justice.

1222

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Charles E. Brown 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. *Charles E. Brown*

Question. How old are you?

Answer. *37 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *239 East 22 St. 15 years*

Question. What is your business or profession?

Answer. *Printing & Letter*

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

Answer.

I am guilty

Charles E. Brown

Taken before me this

day of *July* 1897

H. H. H. H. H.

Police Justice

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

By City 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 11th March 1891 W. T. M. Mahon Police Justice.

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

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

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

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

1224

297

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Chas L. Linnell
85 Madison Ave
Chas E. Brown

Officer
McMahon
170

2
3
4

Dated *March 2* 1891
McMahon Magistrate.
Shalson Officer.
170 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

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

Handwritten signature

BAILED.

No. 1, by

Residence Street.

No. 2, by

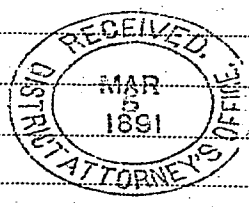
Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.



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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles E. Brown

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *Charles E. Brown*

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

The said

Charles E. Brown

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

*one overcoat of the value of
forty dollars*

of the goods, chattels and personal property of one *Calvin Anderson*

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

*De Lancey Nicoll,
District Attorney*

1226

BOX:

429

FOLDER:

3962

DESCRIPTION:

Brown, Leonard

DATE:

03/10/91



3962

Federick C Sandford

Counsel,

File:

Plenids,

THE PEOPLE

ms.

Grand Larceny, *State Degree*. [Sections 528, 530 — Penal Code].

DE LANCEY NICOLL,
~~JOHN R. FELLOWS,~~

District Attorney.

Part I. 16th March

A True Bill.

Wm. J. Green

Foreman.

March 6/91

Franklin, J. Edgar

Edw. Jackson, Jr.

26

1227

1228

Police Court

District.

Affidavit—Larceny.

City and County } ss:
of New York,of No. 16 East 68th Thurman Sanford
Street, aged 40 years,
occupation Farmer being duly sworn,deposes and says, that on the 15th day of October 1892 at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
the day time, the following property, viz:

Four Watches, One Pistol together
of the value of One Thousand dollars. and
Gold and silver money of the United
States to the amount and value of
Three hundred dollars and being of the
value of fifteen hundred dollars.
the property of William E. Sanford and in
deponent's Care and Charge

Sworn to before me this

17th day

of March 1891Wm. J. Sanford Police Justice.

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 Samuel Brown (nowhere)
from the fact that on said date deponent
missed said property from said
premises where the said Brown had been
employed as nurse to attend deponent's father
William E. Sanford. That said Brown on
said date left said premises and has since
failed to return. Deponent is informed by Officer
Edward W. Evans that he arrested the said
Brown and that the said Brown admitted
and confessed to him that he the said Brown
did take said and carry away said
property from said premises

W. E. Sanford

1229

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *Leonard Brown*

Question. How old are you?

Answer. *27 Years*

Question. Where were you born?

Answer. *N. Y.*

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

Answer. *529 6th Avenue. 1 Year.*

Question. What is your business or profession?

Answer. *Writer*

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

Answer. *I am not guilty.**Leonard Brown*

Taken before me this

*7th*day of *March* 189*1**H. J. Smith*

Police Justice

1230

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 Algemuns

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

Dated Nov 7 1891 W. W. W. W. W. Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

1231

316

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Municipal San. Com.
116 East 65th
Lenox Park, Brown

2
3
4

Office
Sanchez

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *March 7* 1891

McMahon Magistrate.

Crundee Officer.

Co. 11 Precinct.

Witnesses _____

No. _____ Street.

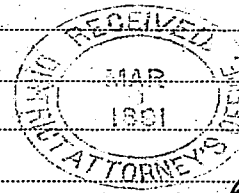
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *3000* to answer _____

Goodman & Mel 8 Jan



1232

District Attorney's Office,
CITY AND COUNTY OF NEW YORK.

Inspector *June 25* 1893
CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officer *Evans*
attached to your command in
McGee in relation to the case of
Samuel Brown
sentenced *McGee* to
years and months imprisonment by
the Reformatory by John Fitzgerald

Please ask the officer to bring such information in relation to the case, and as to the previous record of the prisoner, as he may be enabled to obtain.

Yours truly,

HENRY W. UNGER,
Deputy Assistant and Secretary to the District Attorney.

1233

District Attorney's Office.

1680

PEOPLE

vs.

Leonard Brown

Pl. vs.

the People

of the County of Los Angeles

State of California

County of Los Angeles

Wells Museum 106

106

106

106

106

106

106

106

106

1234

O. W. Sage

Sing Sing, N.Y. May 9, 1898.

Hon. Judge Fitzgerald,
New York City.

Dear Sir:-

When you read the following lines should you deem it proper to offer to aid me in any way, I can assure you that your favor will not have been improperly bestowed.

On March 1891 you, your honor, sentenced me to the Reformatory. I was paroled in May of the following year. Some weeks later I was returned and I claim I was wrongfully returned and without trial to the Reformatory. I was drafted immediately to Clinton Prison. Having a ten years sentence, of course, I had many years before me. I was soon sent outside the prison with the carpenters. Having worked outside most two months I interviewed the Warden. To my solicitation he gave me employment inside the walls again--he understood I feared to trust myself outside. About ten weeks later, however, I was assigned back to the carpenter shop and sent immediately outside again. One year past; I was continually at regular intervals outside, when I left or deserted the prison. Of course this is wholly, I admit, an unpardonable act, which there is scarcely a remedy for. Yet, while Warden Thayer would, perhaps, generously admit that the temptation was great and that he should have taken precedence of the fact that I had a long term and of my solicitation to remain inside the walls, I would nevertheless exonerate Warden Thayer of all blame. Consequently the responsibility rests on my own shoulders. I can only expect sympathy rather than support for the imprudence. Still I have been in prison a long while--no one has a better record than I except for that offense, and I have a faint hope that you, owing I was in the first place sentenced to the Reformatory and was returned there without trial while on parole, and was given no opportunity to earn a second parole from there, for these considerations I hope you sir may impose trust in me as being worthy of clemency, and recommend me accordingly to the prison authorities as deserving early release on parole.

- Leonard Brown

1235

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Leonard Brown

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by
this indictment, accuse *Leonard Brown*
of the CRIME OF GRAND LARCENY IN THE *first* DEGREE,
committed as follows:

The said

Leonard Brown

late of the City of New York, in the County of New York aforesaid, on the *15th*
day of *October* in the year of our Lord one thousand eight hundred and
ninety, at the City and County aforesaid, with force and arms, in the
day time of the same day, divers promissory notes for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the
payment of and of the value of *one hundred and fifty*

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

dollars; divers United States Silver Certificates of a number and denomination to the Grand
Jury aforesaid unknown, of the value of *one hundred and fifty*

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

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid
unknown, of the value of *one hundred dollars, four*
watches of the value of two
hundred and fifty dollars each, and one
pistol of the value of ten dollars

of the goods, chattels and personal property of one *William E. Sanford*
then and there being found,

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

DE LANCEY NICOLL,
~~JOHN R. FELLOWS~~ District Attorney.

1236

BOX:

429

FOLDER:

3962

DESCRIPTION:

Brown, William

DATE:

03/05/91



3962

Witnesses:

Counsel,

Filed

day of

Pleas,

THE PEOPLE

vs.

William Brown

DE LANCEY Mc GILL

~~JOHN R. FELLOWS~~

District Attorney.

Per *Carroll*

March 25th 1891.

A TRUE BILL.

Alfred C. Mansur

Lat 2 - March 25, 1891.

Foreman.

Find and acquitted

Accused in the proceedings
(Section 217 and 218, Code)

1238

Police Court— District.

City and County } ss.:
of New York,

of No. 121 Rorem Street, aged 25 years,
 occupation Longshoreman being duly sworn
 deposes and says, that on 22ⁿ day of July 1889 at the City of New
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

William Brown

Who did cut and stab
 deponent on the head
 with a table knife

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

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

Sworn to before me, this 24 day
 of July 1889

Charles W. Hinton Police Justice.

James Downe

1239

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

William Brown 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. *William Brown*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *31 Oak Street 2 months*

Question. What is your business or profession?

Answer. *Wife's house*

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

Answer. *I am Ismely**William Brown*

Taken before this

24

1891

day of

Charles D. ...

Police Justice.

1240

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

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

Dated *February 24* 18*91*, *Charles W. Smith* Police Justice.

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

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

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

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

1241

#6 Bellmont

287

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Dornes
121 Roosevelt St.
Waltham Mass

1 _____
2 _____
3 _____
4 _____
Offence _____

Dated *Feb 24* 189*9*

James Dornes Magistrate.
Samuel Griffin Officer.
John Precinct.

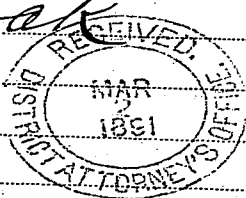
Witnesses *Richard Quishner*
No. *31 Oak* Street.

No. _____ Street.

No. _____ Street.

\$ *5.00* to answer *G. S.*

Case
Asst. 1



BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

1242

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

William Brown

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

of the crime of Assault in the first degree

committed as follows:

The said

William Brown

late of the City of New York, in the County of New York, aforesaid, on the
twenty-second day of February in the year of our Lord one thousand
eight hundred and eighty-nine, at the City and County aforesaid,

with force and arms in and upon the body
of one James Downes in the face of the
said People then and there being, feloniously
did make an assault, and him, the said
James Downes with a certain knife which
the said William Brown in his right hand
then and there had and held, the same being a
deadly and dangerous weapon, then and there
wilfully and feloniously did strike, beat, cut,
stab and wound, with intent him the said James
Downes thereby then and there feloniously and
wilfully to kill, against the form of the Statute

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

Second Count.

And the Grand Jury aforesaid, by this indictment further accuse the said William Brown of the Crime of Assault in the second degree, committed as follows:

The said William Brown, late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said James Downes in the peace of the said People then and there being, feloniously did wilfully and wrongfully assault and him the said James Downes, with a certain knife which he the said William Brown in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case made and provided and against the peace of the People of the State of New York and their dignity.

Wm. Laurence Nicoll,

District Attorney.

11

1244

BOX:

429

FOLDER:

3962

DESCRIPTION:

Brunk, Ernest

DATE:

03/16/91



3962

Witness

[Signature]

Counsel,

Filed

May 16, 1887

Pleads

[Signature]

THE PEOPLE

vs.

B

Ernest Brunk

VIOLATION OF EXCISE LAW.
(Selling without License.)
[U.S. R. S. (7th Ed.) page 1381, § 13, and
of 1883, Chap. 340, § 5].

DE LANCEY NICOLL,

JOHN R. PELLOWS,

District Attorney.

A True Bill.

[Signature]

Part 3. May 16, 1887 Foreman
With agreed on by
from record was
and not ready for

1246

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Ernst Brunk 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. *Ernst Brunk*

Question. How old are you?

Answer. *59 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *New Jersey 5 years*

Question. What is your business or profession?

Answer. *Barstender*

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

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

Taken before me this

day of *June* 1938*H. J. Nicholson*

Police Justice

1247

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

defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *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 *June 1* 18*90* *W. T. Murnahan* Police Justice.

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

Dated *June 1* 18*90* *W. T. Murnahan* Police Justice.

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

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

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

1248

BAILED

No. 1

Residence

Christian Steensen
26 New Norway Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

Selling without License
Police Court---858
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

George Cullum

vs.

1 *Ernst Brunk*

2

3

4

Offence

Dated

*June 1 1890**W. C. Buchanan*

Magistrate.

Cullum

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

100

to answer.

Bailed

Police Justice

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

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

Ernest Brunks

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

(III. Revised
Statutes, [7th
edition] p. 1081
Section 13).

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

The said *Ernest Brunks*

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

one George Cullum and to

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

(Laws of 1883,
chapter 340 sec-
tion 5).

SECOND COUNT—

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

Ernest Brunks

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

The said *Ernest Brunks*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, and at the premises there situate, known as
number *ninety eight, James Street,*

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

one George Cullum and to

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

De Lancey McColly
District Attorney

125 1

BOX:

429

FOLDER:

3962

DESCRIPTION:

Buckley, James

DATE:

03/05/91



3962

Witnesses:

Henry Carter
L. Book

Counsel,

Filed

5 day of March 1891

Pleas,

THE PEOPLE

vs.

F

James Buckley

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

DE LANCEY NICOL

JOHN R. FELLOWS

District Attorney.

A True Bill.

Adm. Cameron

Foreman.

March 11/91

Readed H. R. R. 3 day

March 11/91

1253

Police Court—14 District.City and County } ss.:
of New York,of No. 1489 Avenue A Street, aged 35 years,
occupation Grocer being duly sworndeposes and says, that the premises No. 1489 Avenue A Street, 19 Ward
in the City and County aforesaid the said being a five story brickdwelling ~~apartment~~ ^{part} and which was occupied by deponent as a grocery store and living
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 window of the living apartment leading from the yard of the premises into the said living apartment which are in the rear of the store on the 22 day of February 1889, in the day—time, and the following property feloniously taken, stolen, and carried away, viz:Three gold fudge rings, one gold necklace and locket, one pair of gold earrings, one pair of bracelets, one pair of gold sleeve buttons, one gold brooch pin, and one diamond ring
altogether of the value of about one hundred dollarsthe property of Deponent and his wife
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 byJames Buckley, known here,

for the reasons following, to wit:

that at about the hour of 3.30 O'clock PM on said date Deponent locked and securely fastened the doors and windows of his premises and went out with his wife. The said property was in a bureau drawer which was locked. They did not come back about the hour of 9.45 O'clock PM Deponent returned and found that

the premises had been entered as aforesaid and the said property missing. Dependent is now informed by Louis Dock that he, Dock bought a quantity of jewelry from the defendant on the 20th day of February 1891, which property dependent fully and positively identified as his. Wherefore dependent charges the defendant with Burglariously entering the premises as aforesaid and feloniously taking, stealing and carrying away the said property and prays that he be held and dealt with as the law directs

Shown to before me
this 26th day of February 1891 } Henry Corcoran

John Ryan

Police Justice

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

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

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—BURGLARY.

1
2
3
4

Dated

1888

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

1255

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 36 years, occupation Jeweller of No. 302 East 83

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

Sworn to before me this

day of

188

Louis Boeck

John H. Ryan

Police Justice.

1256

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

4 District Police Court.

James Buckley 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. *James Buckley*

Question. How old are you?

Answer. *22 years old*

Question. Where were you born?

Answer. *New York City*

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

Answer. *No 217 East 84th St. Three years*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I have nothing to say at present**James Buckley*

Taken before me this

day of

James Buckley
James Buckley
James Buckley

Police Justice.

1257

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.....

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

Dated *July 11* 18*91* *John Hegan* Police Justice.

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

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

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

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

1258

Police Court---

278
District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Henry Cordes
1458 Avenue C
James Buckley

2

3

4

Offence

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated

February
1891

18

Magistrate.

Officer.

Precinct.

Witnesses

Louis Brock
307 East 83
Nicholas W. Golden

No.

1454
18th Avenue

No.

\$

1000

to answer



13m 33.5H
972
Henry

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

James Buckley

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

James Buckley

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

The said

James Buckley

late of the *nineteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *twenty-second* day of *February* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
day time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *Henry Cordes*

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 *Henry Cordes*

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.

SECOND COUNT—

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

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

The said

James Buckley

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

one finger-ring of the value of twenty-five dollars, three other finger-rings of the value of five dollars each, one necklace of the value of fifteen dollars, one locket of the value of fifteen dollars, one pair of earrings of the value of ten dollars, one pair of bracelets of the value of ten dollars, one pair of sleeve buttons of the value of five dollars, and one breast-pin of the value of five ten dollars

of the goods, chattels and personal property of one *Henry Cordes*

in the dwelling house of the said

Henry Cordes

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

THIRD COUNT—

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

James Buckley —

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

The said

James Buckley

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

on finger-ring of the value of twenty-five dollars, three other finger-rings of the value of five dollars each, one necklace of the value of fifteen dollars, one locket of the value of fifteen dollars, one pair of earrings of the value of ten dollars, one pair of bracelets of the value of ten dollars, one pair of sleeve-buttons of the value of five dollars, and one breast-pin of the value of ten dollars,

of the goods, chattels and personal property of

Henry Cardes

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

Henry Cardes —

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

James Buckley —

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.

De Lancey Nicoll
JOHN R. FELLOWS,

District Attorney.

1262

BOX:

429

FOLDER:

3962

DESCRIPTION:

Burns, James

DATE:

03/18/91



3962

Witnesses:

Robt J. J. J. J.

Counsel,

Filed

Pleads

day of March 1881

THE PEOPLE

vs.

James Burns

T. A.

Grand Larceny, (From the Person.)
[Sections 528, 530 Penal Code]

DE LANCEY NICOLL,

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Alfred J. J. J.

March 23/91

Foreman

Open Verdict

1264

Police Court

2

District.

Affidavit—Larceny.

City and County } ss:
of New York, }

of No. 291 West Houston Bernard Jurgensmeyer
 occupation Cabinet Maker Street, aged 36 years,
 being duly sworn,
 deposes and says, that on the 10th day of March 1891 at the City of New York,
 in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
 the night time, the following property, viz:

of the value of One plated watch chain
Three dollars.

the property of deponent

and that this deponent
 has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and
 carried away by by James Burns (now here) for the
reason that James Burns met deponent on
West Houston Street and after walking a short
distance with deponent the said Burns put
his hand in deponent's pocket and feloniously
extracted the said property from his pocket.
Deponent then called Officer Gallagher of the
8th Precinct and caused deponent's arrest.
Officer Gallagher informs deponent that he found
the chain on the sidewalk where deponent claims
the said Burns took the same away from him.

Bernard Jurgensmeyer

Sworn to before me, this

of

March

1891

day

Minister

Police Justice.

1265

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 31 years, occupation Police Officer of No.

8th Police Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Bernard Furzenmeyer

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

Sworn to before me, this 11th
day of March 1897

Edward J. Gallagher

W. J. Furzenmeyer

Police Justice.

1266

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK }

2 District Police Court.

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

Question. What is your name?

Answer. James Burns

Question. How old are you?

Answer. 38 Years.

Question. Where were you born?

Answer. Ireland

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

Answer. 25 Watts Street. 18 Months

Question. What is your business or profession?

Answer. Longshoreman

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

his
James X Burns
mark

Taken before me this

day of

1891

J. J. Mulvaney

Police Justice

1267

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

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

Dated March 11th 1891 D. J. [Signature] Police Justice.

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

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

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

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

1268

Bernard Jurgensmeyer

BAILED, March 16/91

No. 1, by Louis H. Viemester

Residence 1416 West Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

27/ ordered
Police Court--- 2 District. 334THE PEOPLE, &c.,
ON THE COMPLAINT OFBernard Jurgensmeyer
2917 W. Houston
James Burns1
2
3
4

Offence Larceny

Dated March 11th 1891
Magistrate.Sallyer
Officer.
Precinct.Witnesses Edward J. Sallyer
No. 8 Police Precinct Street.Complainant sent to the
No. house of detention in default
of \$100. Bail

No. Street.

\$ 1000 to answer



1269

CITY AND COUNTY } ss.
OF NEW YORK.

POLICE COURT, 2 DISTRICT.

Edward J. Gallagher
 of No. 8th Police Precinct Street, aged 31 years,
 occupation Police Officer being duly sworn, deposes and says
 that on the 11th day of March 1891
 at the City of New York, in the County of New York Defendant arrested

James Burns upon the complaint of
 Bernard Jurgnomeyer for Grand Larceny.
 Defendant believing the said Jurgnomeyer
 to be a material witness and fearing the
 said Jurgnomeyer can not be found when
 wanted. Defendant prays that the said
 Jurgnomeyer may be committed to the house
 of detention as a witness.

Edward J. Gallagher

Sworn to before me, this

1891

11thJ. McQuade
Police Justice.

1270

Police Court, 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward J. Gallagher

vs.

Bernard Jurgensmayer

AFFIDAVIT.

Dated, March 11th 1891

M. M. M. M. Magistrate.

Officer.

Witness,

Disposition

1271

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Burns

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

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

The said

James Burns

late of the City of New York, in the County of New York aforesaid, on the *tenth*
day of *March* in the year of our Lord one thousand eight hundred and
~~eighty-ninety-one~~, in the *right* time of the said day, at the City and County
aforesaid, with force and arms,

*one chain of the value
of three dollars*

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

De Launcey Nicoll
District Attorney

1272

BOX:

429

FOLDER:

3962

DESCRIPTION:

Burton, William H.

DATE:

03/05/91



3962

Witnesses:

Morris Hodes

Counsel,

Filed

day of March 1891

Pleads,

Not guilty

THE PEOPLE

vs.

William H. Burton

Burglary in the Third degree.
Second degree.
[Section 498, 526, 527, 528, 529]

DELANEY HOLL

JOHN H. KELLY

District Attorney

Com. app. by Court find
defendant insane &
commit to Hudson R.
A True Bill. Hospital for
Crazy Poor and at
Albany Prison

April 29, 1891

Witnesses:

Handwritten signatures and notes at the bottom of the page.

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

-----X
The People of the State of New York :
against :
William H. Burton. :
-----X

To the Hon. James Fitzgerald,
Judge of the Court of General Sessions,
and to said Court:

We, DR. CLARENCE S. ELBACH and JOHN H. ROGAN, Commissioners appointed in the above action by an order of this Court dated March 25th, 1891, to examine the above named defendant, William H. Burton, as to his sanity at the time of the examination and to report the fact to this Court, DO RESPECTFULLY REPORT:

That we first duly qualified in the manner required by law and the rules and practice of this Court.

That we were attended by the defendant in person and by Edmund E. Price, Esq., his counsel, and heard the proofs offered and caused the same to be reduced to writing and here-to annex the same as part of this our report, and from such proofs and ^{an} examination of the said defendant we find the following facts:

That William H. Burton, the defendant in this action, is now confined in the City Prison awaiting trial on an indictment for burglary in the third degree, filed March 5th, 1891, that said defendant is suffering from general paresis

of the insane, that he does not appreciate the charge made against him, and that he is mentally incapable of advising his counsel as to any defence he may have to said charge.

As a conclusion upon the foregoing facts we are of the opinion that the said defendant, William H. Burton, is insane at the date of this examination, and is mentally incapable of advising with his counsel, as to his defence, upon the trial of the said indictment pending against him, and that the mental condition of the said defendant will never improve sufficiently to warrant this Court in placing him on trial upon said indictment.

All of which is respectfully submitted.

Dated New York, April 21st, 1891.

Charles S. Elbert
John H. Rogan
Commissioners



1272

BOX:

429

FOLDER:

3962

DESCRIPTION:

Burton, William H.

DATE:

03/05/91



3962

Witnesses:

Monroe Hodges

Counsel,

Filed

day of

March 1891

Pleads,

THE PEOPLE

vs.

William H. Burton

Burglary in the Third degree.
Second degree
[Section 498, 496, 494, 493]

DE LANCEY HICOLL,
JOHN R. FERGUSON

District Attorney

Comp. app. by Court find
defendant insane &
conv. to Hudson R.
A True Bill. Hospital for
Albany, N.Y.

Albany, N.Y. April 29, 1891

John R. Ferguson

Notary

John R. Ferguson
Notary Public
Albany, N.Y.

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

The People of the State of New York
against
William H. Burton.

To the Hon. James Fitzgerald,
Judge of the Court of General Sessions,
and to said Court:

We, DR. CLARENCE S. EL~~EB~~ASH and JOHN H. ROGAN, Commissioners appointed in the above action by an order of this Court dated March 25th, 1891, to examine the above named defendant, William H. Burton, as to his sanity at the time of the examination and to report the fact to this Court, DO RESPECTFULLY REPORT:

That we first duly qualified in the manner required by law and the rules and practice of this Court.

That we were attended by the defendant in person and by Edmund E. Price, Esq., his counsel, and heard the proofs offered and caused the same to be reduced to writing and here-to annex the same as part of this our report, and from such proofs and ^{an} examination of the said defendant we find the following facts:

That William H. Burton, the defendant in this action, is now confined in the City Prison awaiting trial on an indictment for burglary in the third degree, filed March 5th, 1891, that said defendant is suffering from general paresis

of the insane, that he does not appreciate the charge made against him, and that he is mentally incapable of advising his counsel as to any defence he may have to said charge.

As a conclusion upon the foregoing facts we are of the opinion that the said defendant, William H. Burton, is insane at the date of this examination, and is mentally incapable of advising with his counsel, as to his defence, upon the trial of the said indictment pending against him, and that the mental condition of the said defendant will never improve sufficiently to warrant this Court in placing him on trial upon said indictment.

All of which is respectfully submitted.

Dated New York, April 21st, 1891.

Charles S. Elbert
John H. Rogan
Commissioners

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

-----X
The People of the State of New York :
against :
William H. Burton. :
-----X

MINUTES OF PROCEEDINGS before CLARENCE S. ELSBACH *M.D.*
and JOHN H. ROGAN, Esqs., Commissioners appointed by his Hon-
or, Judge Fitzgerald, to examine the defendant in the above
entitled action as to his sanity at the time of the examina-
tion.

On March 30th, 1890, notice of hearing before the
commission on the 2nd day of April, 1891, at 3 P. M. at the
Tombs was served upon the District Attorney, and Edmund E.
Price, Esq., counsel for the defendant.

On April 2nd, 1891, Commissioners attended at the
Tombs.

Present:

Both Commissioners, the defendant William H. Burton,
and Edmund E. Price, defendant's counsel.

The District Attorney was not represented. The
commission examined the defendant.

On April 6th, 1891, the commission notified the Dis-
trict Attorney in writing that a hearing was had as above
stated, and that no one appeared before the commission to rep-
resent the people; and requested the District Attorney to

cause the defendant to be examined by an expert, and to have such expert testify before the commission.

On April 8th, 1891, the District Attorney notified one of the Commissioners verbally that he would submit the question as to the sanity of the defendant to the judgment of the commission, without submitting any evidence on behalf of the people.

On April 17th, pursuant to notice served on the District Attorney and the prisoner's counsel the commission attended at the Recorder's Chambers.

Present:

Both the Commissioners and Dr. Matthew D. Field, an expert.

Neither the District Attorney nor the prisoner's counsel were present.

MATTHEW D. FIELD, a witness called, being duly sworn, testified as follows:

I am a physician and have been since 1879. I have made a special study of mental diseases since 1882, having occupied the position of Examiner for the Department of Public Charities and Corrections since November, 1882; I am a lecturer on mental diseases at the New York Polyclinic. They told me at the Tombs that Judge Fitzgerald wanted me to examine the defendant in this case. On March 30th and April 11th I saw the defendant William H. Burton, aged 39, widower, occupation painter, indicted for burglary. I discovered that his speech was very indistinct and rolling, and that he had tremors of the hand and lips, that his muscular reflexes were

much exaggerated, that the lines of expression were weak. He talked almost continually in a rambling, disconnected and very extravagant strain. The statements were never the same. They gave rise to such expressions as these: "I am worth twelve million of dollars; I rode Flora Temple at New Orleans, and they gave me fourteen millions as a present for winning; I built Morristown, Pennsylvania; I built 26,000 houses; I always put up a million dollars when I race; I can whip Sullivan; I have got money in every bank in the country; I will ride every horse that Daly has got this summer and we are going to Paris; I will be like Barnum some day; I will be the King of Paris, and I will be the king of this country; I built up this whole country; I have been under the water for three months at a time; I am taking money from the rich and giving it to the poor; I can go out here to-night and get fifteen million dollars; I will just go by and cut the glass and take out all the money and get a horse and take it away; I have killed millions of eels and sharks; I am going to be the world's greatest man, you will see my picture all over the world; I can open any safe in America; I often do and get a million dollars; I take all the boys I can find and make barbers of every one of them and then make a hundred dollars a day, now, you wouldn't believe that, would you?" Those are as near as I could take down his statements. Of course that is not all his statement because I could not write as fast as he would talk. I would jot them down as he would utter them. All this was stated without any questions being asked. He just rambled on.

Q. You would ask him a question and his answer would be foreign to the question? A. Yes, sir. On the second day he was about in the same way, only even more extravagant. He said: "They sent me here for nothing; I am going to sue this place for twelve million dollars. I own the World Building and I am going to move down there to-night; I will get \$12,000. a day. That will be a pretty good lot, won't it. I have got two places now and I get forty-five million dollars a day. I was born the day before St. Patrick, 1852, and I am 26 years old. I wish they would let me take those two wagons there." In addition to this I made inquiry of the keepers at the prison and found that he had been in an excited state ever since his admission, going about interfering with things and talking in the same extravagant manner. If crossed he became excited and wanted to fight, and at one time they tell me he vaulted over a railing. He was constantly getting out and making trouble for them in the prison.

In conclusion I would say that my diagnosis is that the man is suffering from general paresis of the insane, that the physical evidences are in perfect accord with the subjective symptoms, and the actions as observed by myself and those described by the keepers at the Tombs. My opinion is that the man does not appreciate the charge against him, and is mentally incapable of advising his counsel as to any defense, if he has any.

Q. Is he liable to remain in that condition? A. Yes, sir; cases of this kind progress to death, except that they sometimes have remissions of marked improvement, but the progress

is towards dementia and paralysis. He will never get well.

Sworn to before us the
17th day of April 1891

Clarence S. Elsbach

John H. Rogan
Commissioner

COURT OF GENERAL SESSIONS OF THE PEACE.

The People

vs.

William H. Burton.

City and County of New York, ss.:

I, CLARENCE S. ELSBACH, Commissioner appointed in the above entitled action by an order of this Court, made and entered on the 25th day of March, 1891, to examine the above named defendant, William H. Burton, as to his sanity at the time of the examination, DO SOLEMNLY SWEAR that I will faithfully and fairly hear and determine the question referred to me and make a just and true report thereon according to the best of my understanding.

Sworn to before me this)
25 day of March, 1891.)

Clarence S. Elsbach
Morris Brodsky
Notary Public
City of New York

COURT OF GENERAL SESSIONS OF THE PEACE.

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

vs.

William H. Burton.
 -----X

City and County of New York, ss.:

I, JOHN H. ROGAN, Commissioner appointed in the above entitled action by an order of this Court, made and entered on the 25th day of March, 1891, to examine the above named defendant, William H. Burton, as to his sanity at the time of the examination, DO SOLEMNLY SWEAR that I will faithfully and fairly hear and determine the question referred to me and make a just and true report thereon according to the best of my understanding.

Sworn to before me this)
 30th day of March, 1891.)

John H. Rogan

John H. Rogan
Clk Court

1283

—
Court of General Sessions

—
The People

v.

William H. Burton

—
Commissioners' Office

—
Jan. 30-1891

COURT OF GENERAL SESSIONS
OF THE PEACE.

The People of the State of
New York

against

William H. Burton.

COMMISSIONERS' REPORT AND
TESTIMONY.

Dr. Clarence J. Elwell
John H. Ryan
Comrs

Report herein of
Commissioners Confirmed
J. H. Ryan

1284

1285

Department of
PUBLIC CHARITIES AND CORRECTION,

Office of City Prison, Corner of Franklin and Centre Streets,

HENRY H. PORTER, Pres't.
CHARLES E. SIMMONS, M. D., } Commissioners.
EDWARD C. SHEEHY,

CHARLES OSBORNE, Warden.

New York, March 31st 1891

Mark Twain Esq.
Notary at Law

Dear Sir:

In reply to the
request of your letter of the 27th inst. you
may rest assured that I have
within the last few days - not only
in the City, but also in the
general public mind, and I
to find that the same is
increasing, and I am sure
from the fact that the
general public, and I am sure
will be of great service
to the City of New York.

1286



*Court of General Sessions,
Judge's Chambers,
32 Chambers Street.*

*Dr. Horace S. Elbert
John H. Rogers*

At a Court of General Sessions of the Peace,
 holden in and for the City and County of New York, at the
 City Hall of the said City, on *Wednesday* day, the *25th*
 day of *March*, in the year of our Lord One Thousand
 Eight Hundred and *ninety one*,

PRESENT.

The Honorable *James Fitzgerald*
 of the City of New York, } *Justice of the*
Sessions.

The People
v.
William A. Burton *depr.* *An indictment for Burglary, third*
degree - Filed 11th S. (1891)

Appearing to the Court that the defendant
now confined in the City Prison, awaiting
trial on said indictment, is reported
to be insane, and not competent to
make a defense,

It is therefore ordered that
D^r Clarence J. Elsbach and
John A. Rosan Esq., be and they
are hereby appointed as Commissioners
to examine the said William A.
Burton as to his sanity at the time
of the examination - and report the
fact to this Court.

Attest Extract from minutes
W. A. Rosan
Clk

1288

New York General Sessions of the Peace.

THE PEOPLE

OF THE STATE OF NEW YORK.

against

James M. Gordon

Dated *March 10, 1898*

ORDER OF COURT.

1289

Police Court—

District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No. 381 Grand Morris Stokes Street, aged 32 years,
 occupation Jeweller being duly sworn
 deposes and says, that on the 27 day of February 1897 at the City of New
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession
 of deponent, in the night time, the following property, viz:

Seven gold watches all
together of the value of Three
hundred and fifty dollars
(\$350.00)

the property of

deponent

and that this deponent
 has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
 and carried away by William H. Burton

(now here) for the reason that said
 property was located in a tray
 in the show window of the above
 numbered store. That while deponent
 was standing in said store he heard
 a crash at said window and upon
 going to the front of said store he saw
 defendant with drawing his arm
 from the hole broken in said window
 with the tray containing said property
 in his hand. Deponent is informed by
John J. O'Brien of the Central Office
 that he saw defendant break said show
 window and immediately thereafter arrested
 defendant with said property in his
 possession.

Morris Stokes

Sworn before me, this 28 day of February 1897

of New York
Police Justice.

1290

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation _____ of No. _____

_____ Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of _____

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

Sworn to before me, this _____ day of _____ 1890, }

Police Justice.

1291

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

District Police Court.

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

Question. What is your name.

Answer. *Wm. H. Burton*

Question. How old are you?

Answer. *38 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *No 35 Avenue* *Bay View*

Question. What is your business or profession?

Answer. *Painter*

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

Answer.

I am guilty

W. H. Burton

[Signature]

Taken before me this

28

day of

Sept

1887

Police Justice.

1292

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty 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 28 1889 [Signature] 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.

1293

282

Police Court---3 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary Stacey
381 Grand St
W H Burton

2
3
4

Office *Grand Jury*

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *July 28* 188*9*

Murray Magistrate.

Prin Officer.

Co. Precinct.

Witnesses *Call Sail Office*

No. Street.

No. Street.

No. Street.

\$ *2.00* to answer *Yes*

Cure *Aug 3*
9/1



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

William H. Burton

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

William H. Burton

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

The said

William H. Burton

late of the *Thirteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *twenty-seventh* day of *February* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
night - time of the same day, at the Ward, City and County aforesaid, the
~~dwelling house of one~~ *a certain building, to wit:*

the store of one Morris Hodes

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 *Morris Hodes in the said*
store 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.

SECOND COUNT—

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

William H. Burton
 of the CRIME OF *Grand LARCENY in the second degree*, committed as follows:
 The said *William H. Burton*

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

ten watches of the value of thirty-five dollars each

of the goods, chattels and personal property of one

store
 in the dwelling house of the said

Morris Hodes
Morris Hodes

in the store

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

He Lancy Nicoll
District Attorney.

1296

**END OF
BOX**