

1113

**BOX:**

429

**FOLDER:**

3962

**DESCRIPTION:**

Blattner, George

**DATE:**

03/03/91



3962

*Paul Smith*  
*Frank C. Milled*  
Counsel,  
Filed *19* day of *March*, 1891  
Pleads, *John G. Milled*

THE PEOPLE  
vs.  
*George Blatner*  
Barthary in the Third degree.  
Manslaughter  
Manslaughter  
[Section 498, '06, 525, 521]

*John G. Milled*  
DELANEY ATTORNEY  
~~DELANEY ATTORNEY~~  
District Attorney.  
*James H. Huntington*  
*Henry E. Eddy*

A TRUE BILL.  
*Alfred C. Cameron*

Foreman.  
*Edgemoor to Med. 19, 1891*  
*W. H. Milled*  
*W. H. Milled*  
*W. H. Milled*

*Bradford M. Keever*  
*Mary Morgan*

47

The People

~~Robert 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 108<sup>th</sup> 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 19<sup>th</sup> 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 merric 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 some 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 109<sup>th</sup> 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 88<sup>th</sup> 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 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 weapon 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 109<sup>th</sup> street. I live in the rear of Mrs. M. Keever. I live in 109<sup>th</sup> street and she lives in 108<sup>th</sup> st. I live in the back part top floor. I recollect the afternoon of the 19<sup>th</sup> 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 or eighty five feet. Then you were looking a height of four stories across the yard eighty or eighty five feet? <sup>yes</sup> 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 witness. 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 Blatterer 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 19<sup>th</sup> 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, 116<sup>th</sup> and 117<sup>th</sup> streets and  
 Third Avenue. I don't know anything about this  
 burglary cross examined. 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 110<sup>th</sup> 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 109<sup>th</sup> 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 114<sup>th</sup> 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 Blatner, sworn and examined, testified. You are the wife of the defendant? Yes sir. Do you recollect a certain Thursday in February when Mrs. McKeever 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 clams 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 14<sup>th</sup> 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 dont 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 I could not hold her and we sent

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 generally go to work about five o'clock in the morning. 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 seldom. 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 - pedlar? Truck driver. Whereabouts? 147<sup>th</sup> 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 Blatner

filed

March 1891

30th

1128

Police Court - 5 District.

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

Bridget McKeever

of No. 209-E-108 Street, aged 29 years,

occupation grocer being duly sworn

deposes and says, that the premises No. 209-E-108 Street, 12 Ward

in the City and County aforesaid the said being a Five story Brick

House, 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 <sup>on the first floor</sup> in the rear of said

building

on 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 to amounting to

Forty 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

George Blattner (now here)

for the reasons following, to wit: That on said date the

doors and windows <sup>said ~~house~~ apartments</sup> 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 ~~deponent~~

she saw the Defendant go into

deponents apartments by going through the window of deponents apartments and ~~then~~ 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

Geo W McKeever

Sworn to before me this 28<sup>th</sup> day of February 1891

J. P. [Signature]

Police Justice

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

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.

No.

1 2 3 4

Dated \$ 1888

Magistrate.

Officer.

Clerk.

Witness,

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-109<sup>h</sup> 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. J. [Signature]  
Police Justice.

1131

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

*George Blattner* 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 Blattner*

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 106th St. 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 Blattner*

Taken before me this *20th* day of *September* 189*8*  
*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.....

*Leu* *Refused*  
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *Leu* 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..... *[Signature]* 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..... *[Signature]* Police Justice.

1133

Police Court,

*J*

District.

~~37~~  
262

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Bridget McKeown*  
vs. *George Blatten*

209 E 108.

*George Blatten*  
Offense

2

3

4

Dated, *July 23* 1891

*Blatten* Magistrate.

*Doyle* Officer.

*27* Precinct.

Witnesses *Maggie Morgan*

No. *202-E-109* Street.

No. Street.

No. Street.

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

*1000 Ex July 25 - 2 P.M.*

*Blatten*



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 *Graud* 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 *day* 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.

*De Lancey 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 Frazer  
Catherine 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  
D. Court Hill City

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 March 1891  
Pleads, Not guilty

THE PEOPLE

vs  
P

William Bleaming

(vs) Fleming

arr + conv.  
Sept. 24/91

DE LANCEY NICOLL

JOHN R. FELLOWS

District Attorney.

Sept 27/91

A True Bill.

Alfred [unclear]

Sept 28. 1891. W.L.  
Foreman.

Part 1 Oct 12 1891

Sept. 30 - 1891

Part 3. Oct 12/91  
Defendant discharged on his  
verbal recognizance.

Biography in the Third degree  
Betty Hargrave  
and Perjury

[Section 498, 506, 52, 54, 55, 56, 57]

COURT OF GENERAL SESSIONS.

-----x  
 THE PEOPLE  
 VS.  
 WILLIAM BLEMINGS.  
 -----x

Sir,-

Please take notice that I will move on ~~Friday~~ *Friday*  
 October 1<sup>st</sup>th, in Part III of the Court of General Sessions,  
 for the discharge of the above named defendant on his own  
 recognizance under Section 668 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.





1142

J. J. Linsen

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 .....

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 18<sup>th</sup> 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

**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 23<sup>rd</sup> 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 Baccant*

BENCH WARRANT FOR FELONY.

Issued *Sept. 23* 1891

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

COURT OF GENERAL SESSIONS.

-----X  
THE PEOPLE  
VS.  
WILLIAM BLEMINGS.  
-----X

Sir,-

Please take notice that I will move on ~~Tuesday~~ *Friday* October 13<sup>th</sup>, 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 Procedure 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 15<sup>th</sup> 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*  
*James S. Ferris*  
*Clerk of Court,*  
*N.Y.C.*

COURT OF GENERAL SESSIONS.

PEOPLE ON MY COMPLAINT,

VERUS.

WILLIAM BLEMMINGS.

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 controlled 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. 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 copy 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. Fauter a Police Justice of the City of New York, charging Charles Marshall Defendant with the offence of Viol. Post. Stat. 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 Erastus Crawford of No. 290 W 28 St  
Street, by occupation a Real Estate Surety, hereby jointly and severally undertake that the above named Charles Marshall Defendant shall personally appear before the said Justice, at the 5 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 25 day of February 1897.

Charles J. Fauter POLICE JUSTICE.

Charles Marshall  
Erastus Crawford

1150

CITY AND COUNTY }  
NEW YORK, } ss.

*Charles W. Mander*  
Police Justice

Day of *April* 1891

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 *Four* 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 Four thousand Dollars clear of all encumbrances*  
*Ernest Crawford*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Charles Mander*

Undertaking to appear during the Examination.

Taken the *22* day of *April* 1891

Justice.

Police Court - 2<sup>d</sup> District.

City and County } ss.:  
of New York,

of No. 417 West 26<sup>th</sup> Street, aged 37 years,  
occupation Printer.

deposes and says, that the premises No 417 West 26<sup>th</sup> 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,

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

on the 15 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 Blumings  
(name)

for the reasons following, to wit: that at or about the hour  
of 9 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 14<sup>th</sup> 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<sup>th</sup> day of March 1889  
the said Blumins left a quantity  
of harness in her rooms no 308 10<sup>th</sup> Avenue  
Department. 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 departments State Department  
therefore prays that the said defendants  
may be held to answer

Subscribed before me of A. Longren  
this 15<sup>th</sup> day of March 1889

A. Longren

Notary Public

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.

1153

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

308 10<sup>th</sup> 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<sup>th</sup>  
day of March 1899 } v Catharine O'Hagan

W. J. [Signature]  
Police Justice.

1154

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*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. *47 Years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *258. 9<sup>th</sup> 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 exculpation?

Answer. *I am not guilty*

*William Bleumings*  
Mund

Taken before me this

day of *March* 1891

*W. H. Johnston*

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. Drummond 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.

Police Court--- 2 --- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Richard Hansen  
412 - W. 26th St  
William Fleamings

Offence. *Arrest*

2  
3  
4

Dated March 15 1891

M. Mahan Magistrate.

Off. Carey 16th  
25th St bet 8th & 9th Ave

Precinct.

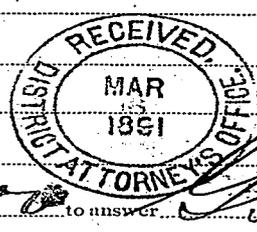
Witnesses *Sustaining Officer*

No. 308. 10th Avenue

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

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

\$ 2500 to answer



*W. Com* Buy 3  
paid  
fines

BAILED.

No. 1, by *Jacob Klugis*  
Residence *31 Greenwich Ave* 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

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 Franjin*

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

*Richard Franjin*

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*

1889  
March 14  
*June*

Counsel  
Filed *March 1891*  
Pleas, *March 13*

THE PEOPLE  
*vs.*  
*Charles Brown*  
Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code).

DE LAUNCEAU, JUDGE  
JURY FELLOWS

*March 18/91*  
*1891*  
District Attorney.

A True Bill

*Alfred [Signature]*  
Foreman.

*returned to Meck 24, 91*  
*March 24, 1891*  
*and Exhibit of Account*  
*2nd Degree, with return to Meck*  
*S.P. 2 up to 19 and.*  
*March 26*

1162

Police Court D District.

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

No. 219 Sullivan Street, aged 23 years,  
occupation work in laundry 122 W. Houston St. being duly sworn  
deposes and says, that on the 7<sup>th</sup> 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  
Borem (now here) who cut deponent  
on the face with the blade of  
a razor then held in his hand

(W, 3 & 6<sup>th</sup> Sts)

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 8<sup>th</sup> day }  
of March 1891 } John Murray  
A. M. M. M. M. Police Justice.

1163

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Charles Borum 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. Charles Borum

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 Borum

Taken before me this

day of March 1891

W. P. ...

Police Justice.



1165

168 ordered 309

Police Court--- 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Murray*  
*219 Sullivan St*  
*Charles Borum*

Offence *See above*

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

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.

*Dourygan* Officer.

*15* Precinct.

Witnesses *Called to office*

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

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

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

\$ *15.00* to answer *4.3*



*Chm*

*Ans 1*

COURT OF GENERAL SESSIONS.

City and County of New York.

The People vs John Esposito. Tried before Hon. Rufus B. Cowing, 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,

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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 witness's 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 witness's 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

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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

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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. Raconte, 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 dress 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 a 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.

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

\*\*\*\*\*

The People, )  
vs. ) Before  
CHARLES BORUM. ) HON. RUFUS B. COWING,  
and a Jury.

\*\*\*\*\*

Tried March 24th, 1891.

Indicted for ASSAULT IN THE FIRST DEGREE.

Indictment filed March 12th, 1891.

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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 Bleecker 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

1178

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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.

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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

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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.

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1180

6

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,

1181

7

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.

1182

8

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 ~~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 willfully and  
feloniously did strike, beat, cut, stab and wound,  
with intent him the said John Murray thereby,  
then and there feloniously and willfully 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 Fornep  
Louis Bando

Counsel,

Filed

Pleads,

21 March 1891  
Henry Bourgran

THE PEOPLE

Burglary in the Third Degree,  
Henry Bourgran

DE LANCEY NICOLL

JOHN H. FELLOWS

Dist. Atty. District Attorney.

A TRUE BILL.

*Adrian Fornep*

Part 2 - March 25/91 Foreman.

Dist. Clerk, Burglary 3rd Deg.

Pen one m

1188

Police Court 2 District.

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

of No. 138 West 26<sup>th</sup> Street, aged 28 years,

occupation Keep saloon being duly sworn

deposes and says, that the premises No 138 West 26<sup>th</sup> Street,

in the City and County aforesaid, the said being a dwellling, 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 14<sup>th</sup> 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 here)

for the reasons following, to wit: that when 12 and 1 o'clock  
on said day in the morning  
deponent secured 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

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

Sworn to before me *J. Adrien*  
this 28<sup>th</sup> February, 1891 *33*

*J. Adrien*

*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.

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

*Henry Bugerian* 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 Bugerian*

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.  
Bugerian Henry.*

Taken before me this

day of

1889

*Grandy*  
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.....

*de feudaus*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *200* 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* 18*91* *J. H. ...* 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

279

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Adrian Stornage*  
*138 West 26th St*  
*Henry Buzorau*

*Durham*  
Offence

2  
3  
4

Dated *July 28 1891*

*Ford* Magistrate.

*Taylor* Officer.

*16* Precinct.

Witnesses *Louisa Barre*

No. *153 W. 26* Street.

*Edward Marquet*

No. *153 W. 26* Street.

*Alfred Sicaud*

No. *153 W. 26* Street.

\$ *1000* to answer

RECEIVED  
MAR 2 1891  
ATTORNEY'S OFFICE

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Mr Lewis -  
 then should be  
 a Capt. Chief  
 a "Master and"  
 also from Capt  
 Stuy. Alfred <sup>Smith</sup> <sub>Smith</sub>  
 who is a  
 Minister should be  
 Jones -  
 Jones  
 Allen 12<sup>th</sup>

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 Bouzeran*

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

*Henry Bouzeran*

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

The said *Henry Bouzeran*

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 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~~ *Adrian Fornage* in the dwelling-house of the said

*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.

*De Lancey 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*  
*Chas. Daley*

Counsel,

Filed

*3* day of *March* 1891

Pleas,

*Not guilty*

THE PEOPLE

vs.

*George P. Bowyer*  
*and*  
*William Miller*

*Burglary in the third degree and Petit Larceny*

[Section 498, Code, 525, 527]

DELANCEY WOLFE  
JOHN R. FELLOWS

District Attorney.

A True Bill.

*John C. Adams*  
*March 9 1891*  
*Foreman.*  
*Fred H. Seymour*

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 part grocery store  
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

George P. Bremer and  
William Miller both merchants,  
for the reasons following, to wit: That at about 9 o'clock  
P.M. of February 23, 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  
AM of said February 24 he saw

1200

Defendant Summers coming through said store front door and saw him immediately through entrance 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 says that they each agreed to answer and defend with as the law directs.

Summons before this court of City 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. I have admitted the above named to bail to answer by the undertaking hereto annexed. Dated 1891 Police Justice.

Police Court, District,

THE PEOPLE, &c., on the complaint of

Offence—BURGLARY.

vs.

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 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 27th day of July 1890, } Patrick J. Foley

Wm. Murray  
Police Justice.

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK

*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. *George P. Bowmyer*

Question. How old are you?

Answer. *37 years*

Question. Where were you born?

Answer. *Paltamores*

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

Answer. *Reynolds*

Question. What is your business or profession?

Answer. *Butcher*

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

Answer. *I am not guilty*

*George P. Bowmyer*

Taken before me this *10th* day of *July* 188*7*  
*John J. Brown*  
Police Justice.

1203

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*William Miller* 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 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 Ludlow St. Brooklyn*

Question. What is your business or profession?

Answer.

*Shirtings 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  
day of *July* 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. Summers 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 17* 18*91* *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 he to be discharged.

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

1205

263

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James J. [unclear]*  
*Geo. B. [unclear]*  
*Wm. Miller*

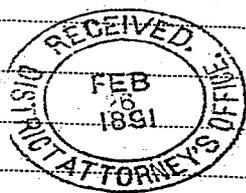
*[Signature]*  
Office

3  
4  
Dated *July 24* 1891

*Murray* Magistrate.  
*Golyet* Officer.

Witnesses *Said Officer*

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



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

*Am* *[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  
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. Bowmyer and William Miller*

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

The said *George P. Bowmyer 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

*John J. Jackson*

in the ~~dwelling house~~ *store* of the said

*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

*Bill found*  
*Chas. W.*

Counsel,  
Filed *3* day of *March* 18*97*  
Pleas, *Ally*

THE PEOPLE  
vs.  
*P*  
*Peter Brady*  
[Section 498, *Gen. Stat.*]  
*Burglary in the Third degree.*

*John R. Fellows*  
JOHN R. FELLOWS,  
District Attorney.

Witnesses:  
*Elias Casert*

**A True Bill.**  
*Alfred L. ...*  
*Foreman.*  
*March 27/97*  
*Robert P. ...*  
*Em. C. ...*

1210

Police Court - 5 - District.

City and County of New York, ss.:

Edward Rossart

of No. 68 Suffolk Street, aged 31 years,

occupation Night Watchman being duly sworn

deposes and says, that the premises No. North side of 90<sup>th</sup> Street, 12<sup>th</sup> Ward

in the City and County aforesaid the said being a Brown Stone

Five 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 be were BURGLARIOUSLY entered by means of forcibly breaking the

Glass of the Window of on the basement floor

on 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 tools  
valued at Four hundred  
Dollars

the 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 by

Peter Brady (now here)

for the reasons following, to wit: on said date about

the hour of Five o'clock P.M. deponent saw that the doors and windows of said house were securely locked and fastened and the said window was intact.

about 5.30 o'clock P.M. deponent saw the

Defendant forcibly raising the said window in the basement floor of said building, and caused his arrest.

Edward Rossart

Received to before me this 20 day of February 1891

Police Justice of

deponent attempted

1211

Sec. 198-200.

5-

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*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.

*Peter Brady*

Question. How old are you?

Answer.

*27 years.*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*35 E 75<sup>th</sup> St. All my life*

Question. What is your business or profession?

Answer.

*Brick-layer*

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*  
*Peter Brady*

Taken before me this

*20*

day of *September*

*M. J. 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

*Refeudant*

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* 189

*M. 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.

Police Court, 9<sup>th</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Edward Ross*  
*of Suffolk St*  
*Peter Brady*

*Officer William Kelly*  
*Burgamy*

1  
2  
3  
4

BAILED,

No. 1, by.....  
Residence..... Street.

No. 2, by.....  
Residence..... Street.

No. 3, by.....  
Residence..... Street.

No. 4, by.....  
Residence..... Street.

Dated, July 20 1891

William Magistrate.

Dugan Officer.

27 Precinct.

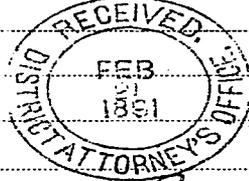
Witnesses W. Hoffert

No. N.S. 90<sup>th</sup> St Street.

No. .... Street.

No. .... Street.

\$ 200 to answer G.S.



*Chm*  
*Burgamy*

**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  
*a certain building to w<sup>ch</sup> the building*  
dwelling house of one *of one Edward Rosser*

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 Rosser 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

*Witnesses*  
*John A. Gaef*

Counsel,

*John S. Brantley*

Filed,

*Dec 28* day of *Jan* 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 consent and desire that  
this case against me be sent to the  
Court of Special Sessions for trial  
and final disposition.

*Wm. J. McCullough*  
District Attorney.

Dated *28* day of *Jan* 1897

A True Bill.

*Alfred J. Cannon*  
Foreman.

**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.) of a MISDEMEANOR, committed as follows:

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.

## 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

*Pera*

Counsel,

Filed

6 Day of March 1891

Pleas,

*Guilty*

THE PEOPLE

vs.

*Charles E. Brown*

Grand Larceny Second Degree. [Sections 528, 587, Penal Code.]

DE LANCEY NICOLL,  
District Attorney.

*Ed. P. Coffey*

Witnesses:

*Charles L. Lindsey*

A True Bill.

*Ed. P. Coffey*  
*Ed. P. Coffey* Foreman.  
*Ed. P. Coffey*  
*Ed. P. Coffey*

1221

Police Court

9

District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

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.

$\$40 \frac{00}{100}$

the property of Calvin Anderson <sup>W.D.</sup> 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 <sup>(purchase)</sup>

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

of March 189 / day

Attest  
Public Justice

1222

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *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 27 St 15 years*

Question. What is your business or profession?

Answer. *Printing & Engraving*

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. M. Mahoney*

Police Justice

1223

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.....

*D. Spurr*  
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 7* 18*91* *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.

1224

297

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Chas L. Linnell*  
*85 Madison Ave*  
*Chas E. Brown*

*Officer C. W. ...*  
*... ..*

2  
3  
4

Dated *March 2 1891*

*Mc ...* Magistrate.

*Spencer* Officer.

*190* Precinct.

Witnesses

No. Street.

No. Street.

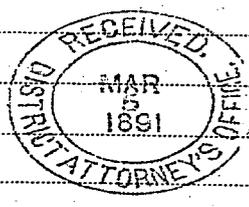
No. Street.

No. Street.

No. Street.

\$ *1000* to answer *4-8*

*... ..*



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 *Salvin 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

1227

Witness;

Federic C. Sanford

131 Jan 2nd 1891

Counsel,  
Filed  
Plaints,  
City of Wash. 1891

THE PEOPLE

vs.

Leonard Brown

Grand Larceny, ~~State Degree.~~  
Sections 528, 530 — Penal Code.

DE LANCEY NICOLL,  
JOHN R. FELLOWS

District Attorney.

Part. I. 16<sup>th</sup> March

A True Bill.

Edmund Cameron

Foreman.

March 6/91

Present by 1 day

Edmund Cameron  
No. 20

1228

Police Court

*L*

District.

Affidavit—Larceny.

City and County } ss:  
of New York,

of No. *16 East 68th* Street, aged *40* years,  
occupation *Farmer.*

deposes and says, that on the *15th* day of *October* 189*2* 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* 189*1*  
*Wm. M. ...*  
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 (Crown)*  
from the fact that on said date deponent  
missed said property from said  
premises where the said Brown has 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. Everett* 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 OF NEW YORK, ss.

*Samuel 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. *Samuel 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.*

*Samuel Brown*

Taken before me this *7th* day of *March* 189*7*  
*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 Algenon

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 Nov 4 1891 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 Sanitation*  
*116 East 65th*  
*Lenox Park*

Office  
*Sanitation*

2  
3  
4

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.

*Cummins* Officer.

*Co. 11* Precinct.

Witnesses .....

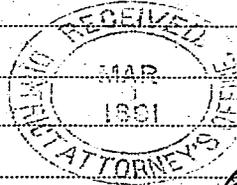
No. .... Street.

No. .... Street.

No. .... Street.

\$ *3000* to answer

*300 bond 3, Mar 8, 1891*



1232

**District Attorney's Office,**

CITY AND COUNTY OF NEW YORK.

Inspector *June 15* 1893  
CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officer *Evans*  
attached to your command in  
*Meigs* in relation to the case of  
*Samuel Brown*  
sentenced *Meigs* to  
*years and months* imprisonment by  
*the Refractory by James 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

vs.

State of California

County of Los Angeles

City of Los Angeles

Walls Museum

Los Angeles

California

Los Angeles

California

Los Angeles

California

Los Angeles

California

Los Angeles

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

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

\$200.00

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:

Witness signature lines



*Handwritten initials/signature*

Counsel,  
Filed *25* day of *March* 18*91*  
Pleas, *Attorney*

*Account in the bridge*  
*(see page 217 and 218 back)*

THE PEOPLE  
vs.

*William Brown*

DE LANCEY Mc GILL  
~~JOHN R. FELLOWS~~  
District Attorney.

*Perthell*  
*March 25 1891.*  
A TRUE BILL.

*Alfred C. ...*

*Just 2 - March 25, 1891.*  
*Find and acquitted*  
Foreman.

1230

Police Court— District.

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

James Downe  
of No. 171 Rorem Street, aged 25 years,  
occupation Longshoreman being duly sworn  
deposes and says, that on 22<sup>nd</sup> 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

10 of 10  
0100

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 } James Downe  
of July 1889 }  
Charles W. Linton Police Justice.

1239

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*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 guilty*

*William Brown*

Taken before me this 24th day of June 1891  
*Charles J. ...*  
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 Downes  
121 Roosevelt St.  
Waltham Mass

Offence  
J. A. Adams

1  
2  
3  
4

Dated July 24 1891

Franklin Magistrate.  
Samuel Griffin Officer.  
Precinct.

Witnesses  
No. 31 Oak Street.



No. Street.

No. Street.  
\$ 5.00 to answer G.S.

Carroll  
Adams

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~~ ninety-one, 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 hit 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. Lawrence Nicoll,

District Attorney.

1244

**BOX:**

429

**FOLDER:**

3962

**DESCRIPTION:**

Brunk, Ernest

**DATE:**

03/16/91



3962

213

Witness  
*[Signature]*

Counsel,  
Filed *[Signature]* 1887  
Pleads *[Signature]*

VIOLATION OF EXCISE LAW.  
(Selling without License.)  
[Ill. R. S. (7th Ed.) page 1981, § 13, and  
of 1883, Chap. 340, § 5].

THE PEOPLE

vs.  
B

*Ernest Brunk*

DE LANCEY NICOLL,

~~JOHN R. FELLOWS,~~

District Attorney.

A True Bill.

*[Signature]*

Part 3, May 16, 1887  
With *[Signature]* Foreman  
from *[Signature]* Court  
and *[Signature]* Clerk

1246

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Ernst Brunck* 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. *Ernst Brunck*

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. *Business*

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 Brunck*

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. M. Mator* Police Justice.

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

Dated *June 1* 18*90* *W. T. M. Mator* 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

Selling without License <sup>858</sup>  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*George Callum*

vs.  
1 *Ernest Brunk*

2

3

4

Office  
*Police*

Dated *June 1* 18*90*

*W. Crutcher* Magistrate.

*Callum* Officer.

*4* Precinct.

Witnesses

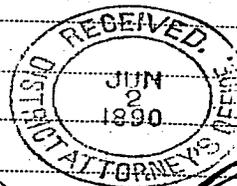
No. Street.

No. Street.

No. Street.

\$ *100* to answer.

*Callum*



BAILED

No. 1 *Christian Steeneken*  
Residence *26 New Courthouse* Street.

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

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

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

1249

Excise Violation—Selling Without License.

POLICE COURT—

1<sup>st</sup> DISTRICT.

City and County } ss.  
of New York, }

of the 11th Precinct George Cullman Street,  
of the City of New York, being duly sworn, deposes and says, that on the Sunday day  
of June 1890, in the City of New York, in the County of New York, at  
No. 98 James Street,

Ernst Brunk (now here)  
did then and THERE SELL, CA USE, suffer and permit to be sold, under his direction and authority,  
strong and spirituous liquors, wines, ale and beer, being intoxication liquors, in quantities less than  
five gallons at a time, to be drunk in the house or premises aforesaid WITHOUT HAVING A  
PROPER LICENSE THEREFOR contrary to and in violation of the statute in such case made  
and provided. Said defendant sold deponent one  
glass of Beer for which deponent paid  
said defendant five cents

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

Sworn to before me, this 1 day }  
of June 1890 } George Cullman  
A. M. Madaleno 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*

(All Revised Statutes, [7th edition] p. 1981 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 1888, chapter 340 section 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 Mcnelly*  
*District Attorney*

1251

**BOX:**

429

**FOLDER:**

3962

**DESCRIPTION:**

Buckley, James

**DATE:**

03/05/91



3962

6/21 Sunday X

Counsel,  
Filed 5 day of March 1891  
Plends, Attorney 6

THE PEOPLE  
vs.  
James Buckley  
Plaintiff in the Third degree.  
vs.  
Defendant in the Third degree.  
[Section 498, etc., 225, 211, 1891.]

DE LANCEY NICOLL  
JOHN R. FELLOWS

District Attorney.  
Pub. F. 11/15

A True Bill.

Alfred J. Cannon

March 11/91 Foreman.

Charles H. Perry Esq

March 11/91

Witnesses:  
Henry Carter  
L. Book

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 sworn

deposes and says, that the premises No. 1489 Avenue A Street, 19 Ward  
in the City and County aforesaid the said being a five story brick

dwelling ~~apartment~~ <sup>part</sup> 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, 1899, 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  
all together of the value of about  
one hundred dollars

the 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 by  
James Buckley, from 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. She  
said property was in a bureau drawer  
which was locked. They deponent came  
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 admitted 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

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

John Ryan  
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 hereunto annexed.  
Dated \_\_\_\_\_ 1891  
There being no sufficient cause to believe the within named guilty of the offense therein mentioned, I order he to be discharged.  
Dated \_\_\_\_\_ 1891  
Police Justice

Police Court, \_\_\_\_\_ District,  
THE PEOPLE, do.,  
on the complaint of \_\_\_\_\_  
vs. \_\_\_\_\_  
1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Dated \_\_\_\_\_ 1891  
Magistrate \_\_\_\_\_  
Officer \_\_\_\_\_  
Clerk \_\_\_\_\_  
Witnesses, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
§ \_\_\_\_\_ to answer General Sessions.

1255

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Louis Boek*

aged 36 years, occupation Jeweler 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 36 day of May 1897 Louis Boek

John Ryan  
Police Justice.

1256

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*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

*April 1911*

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.....

*Defendant*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *100* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *July 11* 18*91* *John J. Ryan* 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

278

Police Court--- 14 District

THE PEOPLE, &c.,  
BY THE COMPLAINT OF

*Henry Cordes*  
*1457 Avenue C*  
*James Buckley*

*Am. Gray*  
Offence

2  
3  
4

BAILED.

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated *February* 18*91*

*Reynolds* Magistrate.  
*Campbell Carter* Officer.

*25* Precinct.

Witnesses *Louis Brock*

*307 East 83* Street.

*Nicholas N. Golden*

No. *1454 - 18th Avenue* Street.

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

\$ *1000* to answer

RECEIVED  
MAR 2 1891  
DISTRICT ATTORNEY'S OFFICE

*13m 33 5H*  
*17 2 5H*  
*Reyn*

**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*

*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,

*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 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.

*Dechancey Nicoll*  
**JOHN R. FELLOWS,**  
District Attorney.

1262

**BOX:**

429

**FOLDER:**

3962

**DESCRIPTION:**

Burns, James

**DATE:**

03/18/91



3962

Witnesses:

*Robt J. Jarmey*

*W. J. Jarmey*  
Counsel,  
Filed  
Pleads

*W. Jarmey*  
day of *March* 188*1*

THE PEOPLE

vs.

*James Burns*  
*H.A.*

Grand Larceny, *3rd* Degree,  
(From the Person.)  
[Sections 528, 530 Penal Code]

DE LANCEY NICOLL,  
JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Alfred J. Jarmey*

*March 23/91*

Foreman

*Chas. H. Jarmey*

1264

Police Court 2 District.

Affidavit—Larceny.

City and County } ss:  
of New York, }

of No. 291 West Houston Street, aged 36 years,  
occupation Cabinet Maker being duly sworn,  
deposes and says, that on the 10<sup>th</sup> 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 water 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 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 8<sup>th</sup> 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  
Inspector  
Police Justice.

1265

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Edward J. Gallagher*

aged 31 years, occupation Police Officer of No.

8<sup>th</sup> Police Precinct

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

*Bernard Furznessmeyer*

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

Sworn to before me, this 11<sup>th</sup>

day of March 1897

*Edward J. Gallagher*

*W. J. ...*

Police Justice.

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK }

James Burns 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 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 March

1891

H. Pringle

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 11<sup>th</sup> 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

334

Police Court-- 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Bernard Jurgensmeyer  
2917 W. Houston St

1. James Burns

2.

3.

4.

Offence *Armed*  
*Carrying*

Dated *March 11<sup>th</sup>* 189*1*

*W. M. Wilson* Magistrate.

*Sullivan* Officer.

*8* Precinct.

Witnesses *Edward J. Gallagher*

No. *8* Precinct Street.

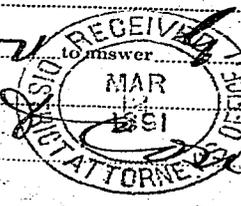
*Complainant sent to the*

No. *house of detention in default* Street.

*of \$100. Bail*

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

\$ *1000* to answer



*Bernard Jurgensmeyer*

BAILED, *March 16/91*

No. 1, by *Louis H. Viemerster*

Residence *1416 West* Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

1269

CITY AND COUNTY OF NEW YORK, ss.

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 11th day of March 1891

11th  
1891  
J. Macpherson  
Police Justice



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 Laucey Nicoll  
District Attorney*

1272

**BOX:**

429

**FOLDER:**

3962

**DESCRIPTION:**

Burton, William H.

**DATE:**

03/05/91



3962

Witnesses:

Maria Hoden

Counsel,

Filed

day of March 1891

Pleas,

Not guilty

THE PEOPLE

vs.

William H. Burton

Burglary in the Third degree.  
Grand Jurors  
[Section 498, 526, 528, 531]

DELANEY HULL

JOHN P. KELLY

Disinterested Attorney

Comp. app. by Court find  
defendant insane &  
sent to Hudson R.

A True Bill.

Respectful for  
Alfred Cannon

April 29, 1891

Handwritten signatures and notes, including "I hereby certify" and "Notary Public"

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 <sup>an</sup> 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.

*Clarence S. Elbert*  
*John H. Rogan*  
Commissioners



1272

**BOX:**

429

**FOLDER:**

3962

**DESCRIPTION:**

Burton, William H.

**DATE:**

03/05/91



3962

*Bill ordered O.P.A.*

Witnesses:

*Monro Hoden*

Counsel,

Filed

day of

*March 1891*

Pleas,

*W. J. Burton*

THE PEOPLE

vs.

*William W. Burton*

*Burglary in the third degree.  
Second degree.  
Section 498, 496, 495, 493.*

**DELANEY HULL**  
**JOHN R. FOLEY**

District Attorney

*Compl. app. by Court find  
defendant insane &  
conv. to Hudson R.*

**A True Bill.**

*Subscribed for  
Alfred Cannon*

*April 29, 1891*

*John W. Burton*

*John W. Burton  
District Attorney  
Hudson County, N.J.*

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

We, DR. CLARENCE S. ELBASH and JOHN H. ROGAN, Com-  
missioners appointed in the above action by an order of this  
Court dated March 25th, 1891, to examine the above named de-  
fendant, William H. Burton, as to his sanity at the time of  
the examination and to report the fact to this Court, DO RE-  
SPECTFULLY 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 <sup>an</sup> examination of the said defendant we find the fol-  
lowing facts:

That William H. Burton, the defendant in this action,  
is now confined in the City Prison awaiting trial on an in-  
dictment 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 :  
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MINUTES OF PROCEEDINGS before CLARENCE S. ELSBACH *W.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 ~~ed~~ 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

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

Sworn to before us the  
17<sup>th</sup> day of April 1841

Clarence S. Edwards

John H. Ryan  
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 ...*  
*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 )  
 30<sup>th</sup> day of March, 1891. )

*John H. Rogan*

*Matthew  
 C. W. Court*

—  
Court of General Sessions

—  
The People

v.

William H. Burton

—  
Commissioners' Bath

—  
Jan. 7th 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. Elshack  
John H. Ryan  
Comrs*

*Report herein of  
Commissioners Confirmed  
J. H.*

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 31 1891

Mark Fuller Esq.  
Notary Public

Dear Sir:

In reply to the  
request of your letter of the 27th inst. you  
was kindly referred to the  
Withheld W. B. ...  
in the City ...  
general ...  
to find ...  
immediately ...  
portion of ...  
general, ...  
...  
...  
...

1206



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

*Dr. Thomas S. Clarke  
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, the 25<sup>th</sup> 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  
vs.  
William A. Burton deposed - (An indictment for Perjury, filed 11th Dec. 1891)

It appearing to this 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 deposition,

It is therefore ordered that D. 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 the minutes  
J. M. Allen  
Clerk

1200

New York General Sessions of the Peace.

THE PEOPLE

OF THE STATE OF NEW YORK.

against

*William M. Jackson*

Dated *March 10<sup>th</sup> 1890*

ORDER OF COURT.

Police Court— District.

Affidavit—Larceny.

City and County }  
of New York, } 55.

of No. 381 Grand Avenue 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, <sup>00/100</sup>)

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 27 day of February 1897  
John J. O'Brien  
Police Justice.

1290

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged John J. Quinn years, occupation Police Officer of No. 100

Central Office Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Morris Hodes

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

Sworn to before me, this 28 day of July 1890, } John J. Quinn

John J. Quinn  
Police Justice.

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Wm. H. Burton* 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. *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 C* *One year*

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*

*Wm. H. Burton*

*[Signature]*

Taken before me this 28th day of July 1887  
Police Justice.

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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 July 28 1891 [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.

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Police Court---3 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Maria Keady*  
*381 Grand St*  
*Wm H Burton*

Offence *Grand Larceny*

2  
3  
4

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*1*

*Murray* Magistrate.

*C. Quinn* Officer.

*Co.* Precinct.

Witnesses *Call Hall Officer*

No. .... Street.

No. .... Street.

No. .... Street.

\$ *2000* to answer *Yes*



*Cum* *Aug 3* *9 1/2*

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 N. Burton

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

William N. Burton

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

The said William N. 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 N. Burton*

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

The said *William N. 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

*Morris Hodes*

*store*

in the dwelling house of the said

*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.

*Wm Lancy Nicoll*  
*District Attorney.*

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**END OF  
BOX**