

0645

BOX:

247

FOLDER:

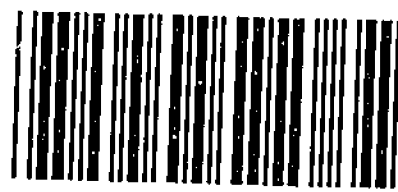
2403

DESCRIPTION:

Bropson, Henry

DATE:

02/23/87



2403

William Volkmann

Officer Carroll

# The Complete

That they be dead  
May be also. The  
A. B. C. of the  
Sept. 18, 1864, on Lawrence  
Ind. 1864

Counsel,

Filed 28

188

## Pleads

THE PEOPLE

US.

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

Henry Brown

2-2-2000

RANDOLPH B. MARTINE,

*District Attorney.*

# A True Bill.

Edward Livingston

For more...

11/17/11

0646



0647

Police Court District.

CITY AND COUNTY  
OF NEW YORK, } ss.

of No. 324 East 33rd Street,

being duly sworn, deposes and says, that  
on Monday the 14th day of February

in the year 1887 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Henry Bagnone  
(now here) who cut & stabbed  
deponent in the neck with  
a knife which he defendant  
threw & then held in his defendant's  
hand.

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 15 day  
of February 1887

W. Walcott

P. A. Duffy  
POLICE JUSTICE.

0648

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, { ss

Henry Rapson 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 Rapson

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

592 Second Avenue, 22 years

Question. What is your business or profession?

Answer.

Expressman

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 did not stop to explain -  
out in the neck

Henry Rapson

Taken before me this

15

day of March 1888

Police Justice.



0649

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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 February 15 188

John P. Duffy 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.

0650

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William Melby  
324 East 1st St  
Henry Drapson

2  
3  
4

officer  
J. J. Smith

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated February 15 1887

Duffy Magistrate.

Canhall Officer.

Precinct.

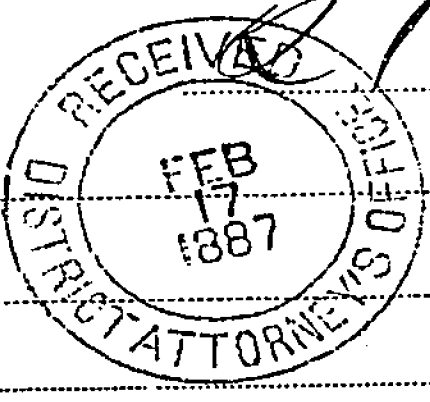
Witnesses

No. Street.

No. Street.

No. Street.

\$ 1000 to answer



G.S.  
Cm



0651

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

THE PEOPLE OF STATE OF NEW YORK,  
against

*Henry Brown*

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

*Henry Brown*

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

The said *Henry Brown*,

late 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 eighty *seven*, with force and arms, at the City and  
County aforesaid, in and upon the body of one *William Walsh*,  
in the peace of the said People then and there being, feloniously did make an assault,  
and *him* the said *William Walsh*,  
with a certain *knife* —  
which the said *Henry 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 cut, stab and wound,

with intent *him* the said *William Walsh*,  
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  
*Henry Brown* —  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows :

The said *Henry 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 *William Walsh*,  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault, and *him* the said

with a certain *knife* —  
which the said *Henry Brown*, —

in *his* right hand then and there had and held, the same being  
an instrument and weapon likely to produce grievous bodily harm, then and there  
feloniously did wilfully and wrongfully 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.

*Charles J. Martin*,  
*District Attorney*

0652

BOX:

247

FOLDER:

2403

DESCRIPTION:

Brown, Adam

DATE:

02/15/87



2403



0653

BOX:

247

FOLDER:

2403

DESCRIPTION:

Sunter, John

DATE:

02/15/87



2403

Witnesses:

*Harold Brown*

*Officer Taggart*

Counsel,

Filed

day of

1887

Pleads, *Chargwell*

THE PEOPLE

vs.

*Adam Brown*

*and*

*John Sumter*

RANDOLPH B. MARTINE,

*District Attorney.*

*Robbery, 1st degree.*  
[Sections 224 and 228, Penal Code].

A True Bill.

*Lawrence J. Munn*

*Foreman.*

*No. 2. July 17/87*

*Filed & accepted.*

*No. 1.*

*Discharged by Court.*

0654



0655

STENOGRAPHER'S MINUTES.

*Second District Police Court.*

THE PEOPLE, &c., IN COMPLAINT OF

*Maria Brown*

VS.

*Adam Brown*  
*John Smuter*

BEFORE HON.

*Samuel O'Reilly*

POLICE JUSTICE,

*Feb 2<sup>nd</sup>* 188*7*

APPEARANCES:

{ For the People, .....

{ For the Defence, .....

188

I N D E X .

WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

*Maria Brown*

*1*

*6*

*John Smuter*

*4*

*4*

*Adam Brown*

*8*

*9*

*M. J. Tracy*

Official Stenographer.

0656

2

DISTRICT POLICE COURT.

(1)

THE PEOPLE,  
ON COMPLAINT OF  
Maria Brown  
agst. Adam Brown and John Smiter  
Examination had Feb 2<sup>nd</sup> 1887  
Before Samuel O'Reilly Police Justice.

I, M. J. Treacy Stenographer of the 2 District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of Maria Brown  
Adam Brown and John Smiter  
as taken by me on the above examination before said Justice.

Dated Feb 2<sup>nd</sup> 1887

Samuel O'Reilly  
Police Justice.

M. J. Treacy  
Stenographer



0657

Feb 2<sup>nd</sup> 1884  
Second District Police Court  
Hon Daniel O'Reilly Presiding  
Maria Brown  
vs.  
Adam Brown } Robbery.  
John Smiter }

Cross Examination of Maria  
Brown being duly sworn  
deposes and says.

Q. Are you a married  
woman?

A. No Sir.

Q. How many rooms do you  
occupy in Dist 32<sup>nd</sup>?

A. Two (2) I had  
them on the 17<sup>th</sup> of January 1884

Q. Did you make a complaint  
at the Station House before the  
30<sup>th</sup> of Jan?

A. I did on the 8<sup>th</sup>  
I went to the Station House  
and described these men

1

0658

(2)

Q How often did you see him after the occurrence did take place?

A Last Saturday night between 7 and 8 o'clock he came to my door and tried the door and he came also on Sunday.

Q Did you not go to have him arrested then?

A I did, but could not find an Officer, & did not follow him.

Q This was 11, 20 o'clock P. M. when did they get in 20 minutes past 11 o'clock?

Q How long did they stay?

Q  $3\frac{1}{4}$  of an hour. Did they take the ring off your finger when they went in?

A No.

2



0659

(3)

Q How long were they in the house before they took it.

A Ten or fifteen minutes. we were struggling all the time against the wall, for  $\frac{3}{4}$  of an hour, & did not make an out cry, there were people living in the house all strangers to me, & was in the Back Room.

Q If you made an outcry you would have been heard?

A No one would have known.

Q Notwithstanding you had all the facilities of making an outcry, you did not.

A I did not.

Q On which hand did you have the ring

A The first finger of the left hand.

0660

(4)

Q Did Brown catch you  
by the hand on which the  
ring was?

A He did at first  
Q You made no resistance?  
A I did.

Q What did Smuter do?

A He took my arm  
and pulled the ring off.

Q Did they stay in the  
house after that?

A They went away; Smuter  
told me he would blow  
my brains out if I will  
say anything.

Q Did he have  
a Pistol?

A No, only the words  
he used.

Q How often have  
you seen Brown

A Half dozen times

Q Did he come to your house

A He came to ask for  
parties had moved out



(5)

he did not stay there, he asked me to have Beer, he talked about washing, about two weeks after he came in and said he was passing.

Q. How long did he stay there?

A. 10 or 15 minutes.  
Q. He asked me to have Beer. When again did he call?

A. About 3 or 4 weeks after.  
Q. He was to your house half dozen times before this occurrence?

A. Yes sir.  
Q. You never did any washing for him?

A. I did not.  
Q. Was it in the night he came to your house?  
A. No, Day.

5

C

Q What time?

A Some time I would see him in the after noon 3 or 4 o'clock.

Q What resistance did you make to these men when they took the ring?

A All I could, I fought as hard as I could, they had me against the wall, I did not "holter".

Q Was Dr. Winter under the influence of liquor?

A I think they smelted as if they had been drinking, they did not look like drunk.

Sworn to before me  
this 2<sup>nd</sup> day of Feb 1884

Police Justice  
Motion to Quash, denied



7

John Smuter of 123 West 29  
St, being duly sworn deposes  
and says,

Q You heard this  
Charge made against you?  
Had you ever been acquainted  
with this woman here?

A I never saw her  
in my life.

Q She states that on  
the 4<sup>th</sup> of January you went  
into her house and took  
a ring from her purse?

A Not that I recollect,  
I went into 225, I remember  
no more till I got home, I  
never stole a ring or caught  
this woman by the arm.  
Sworn to before me  
this 2<sup>nd</sup> day of Feb 1884

Police Justice

7

8

William Brown of No.  
223 West 39<sup>th</sup> St. being  
fully sworn deposes and  
says; I know the Com-  
plainant Mrs Brown 6  
or 7 Months, I have  
visited her house; I had  
connection with her 4 or  
5 times.

Q Did you pay  
her?

A Yes Sir.

Q On the 14<sup>th</sup> of Jan 1884  
did you recollect going  
there?

A We both were under  
the influence of liquor

Q This Complainant says  
you robbed her of a ring?

A I never took a  
ring from her.

Q How long did you  
stay there?

A Half an hour

Q Everything passed off



9

Q Pleasantly?

A Yes Sir, I was sitting in a chair all the time I was there, and I never put a hand on her that night, never touched her; I did not see her after the 14<sup>th</sup> of January 1887 to my knowledge; I did not go to her house.

Q Did you go there since to get some one to do your washing?

A I went for her; I was never charged with such an offence in my life; I went to the house to have connection with her; I always paid for it. I went to her on the 2<sup>nd</sup> day of Feb-1887

Police Justice

Filed in One Thousand  
Dollars each to answer.

0666

Police Court— 2 District.

CITY AND COUNTY }  
OF NEW YORK, } ss

Maria Brown

of No. 243 W 32d

Street, Aged 28 Years

Occupation Laundress

being duly sworn, deposes and says, that on the

7 day of January

1887,

at the 20<sup>th</sup>

Ward of the City of New York,

in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

One gold ring set with blood stone  
of the value of thirty dollars

of the value of

DOLLARS,

the property of a man named Henry first name unknown  
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 force and violence as aforesaid byAdam Brown and John Sumter (now here)  
Deponent says that at the hour of 10.20  
P.M. on said date she heard some person  
a knock at her door and deponent  
opened it and said defendants came  
in my room and said good evening  
it was very cold. Deponent says, she  
replied to said defendants sit down  
and then yourself out. Deponent says  
that after they were there about fifteen  
minutes she informed them that she  
was tired and wanted to go to  
bed and ~~made~~ requested them to

day of

Sworn to before me, this

1888

Police Justice



0667

leave when said Brown asked deponent to let him see the ring and deponent refused and said Brown caught hold of her by the arm and attempted to take said property from her finger. That deponent resisted and said Buster came to the assistance of said Brown and caught hold of my other arm and took said ring from my finger and both ran out of my room. That deponent thereafter followed them and saw them enter premises No 235 West 32d Street in said City. Deponent further says that said Buster previous to leaving said premises after taking said property said to said deponent if you say anything about this he would shoot deponent and shook his fist in her face.

Brown to before me  
this 31 day of Jan'y 1887

Heru Brown

Dated 1887  
guilty of the offence mentioned, I order it to be discharged.  
Police Justice.

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

Dated 1887  
to bail to answer by the undertaking hereto annexed.

I have admitted the above named  
Police Justice.

Dated 1887  
of the City of New York, until he give such bail.

Hundred Dollars and be committed to the Warden and Keeper of the City Prison

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—ROBBERY.

vs.

1  
2  
3  
4

Dated

1887

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0668

Sec: 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, { ss

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

Question What is your name?

Answer

*John Sunter*

Question. How old are you?

Answer

*26 years*

Question. Where were you born?

Answer.

*Scotland*

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

Answer.

*103 W 39th St*

*8 mo*

Question What is your business or profession?

Answer

*Stone setter*

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

Answer.

*I am not-guilty and demand an Examination*

*John Sunter*

Taken before me this *3* day of *June* 188*7*

188

Police Justice.



0669

Sec: 198-200.

2

District Police Court.

CITY AND COUNTY { ss  
OF NEW YORK,

Adam Brown being duly examined before the undersigned, 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 Adam Brown

Question. How old are you?

Answer 34 years

Question. Where were you born?

Answer. Scotland

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

Answer. 123 W 39th St 3 weeks

Question. What is your business or profession?

Answer Carpenter

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

Answer. I am not guilty and demand an Examination  
Adam Brown

Taken before me this

31

day of

May

1887

Police Justice.

0670

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 Defendants

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, 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 Febry 2 1887

Sam'l C. Keill 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.



0671

The Justice presiding  
will hear and determine  
this case by reason of  
my absence

Samuel C. Kelly  
Police Justice

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court-- 2

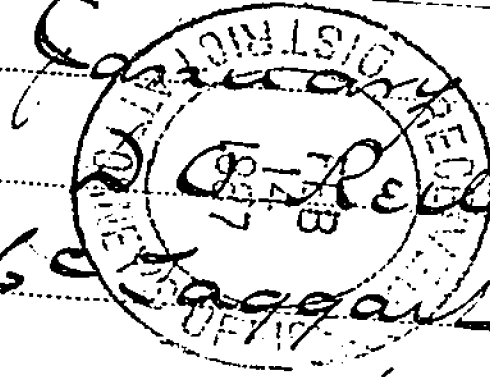
1887 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Maria Brown  
243<sup>rd</sup> West 32  
1 Adam Brown  
2 John Hunter  
3  
4

Offence Robbery

Dated



31 1887

Magistrate.

Officer.

20 Precinct.

\$2500 & February 1, 2 P.M.  
No. " 3 " Street.

No. Street.

No. Street.

\$1000 to answer

COMMITTED,

0672

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Adam Brown  
and John Smith

The Grand Jury of the City and County of New York, by this indictment, accuse Adam Brown and John Smith of the CRIME OF ROBBERY in the *first* degree, committed as follows:

The said Adam Brown and John Smith, both —

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *seventh* day of *January*, in the year of our Lord one thousand eight hundred and eighty *seven*, in the *night* time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one *Maria Brown*, in the peace of the said People, then and there being, feloniously did make an assault, and

one *finger ring of the value*  
*of thirty dollars,*

of the goods, chattels and personal property of the said *Maria Brown*, from the person of the said *Maria Brown*, against the will, and by violence to the person of the said *Maria Brown*, then and there violently and feloniously did rob, steal, take and carry away, *(each of them the said Adam Brown and John Smith, being then and there aided by an accomplice actually present, to wit: each of the other)*

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.

*Charles J. B. [Signature]*  
*District Attorney*



0673

BOX:

247

FOLDER:

2403

DESCRIPTION:

Brown, Charles

DATE:

02/17/87



2403

0674

Witnesses:

Officer John Kenny  
11 to P. Precinct

113 14th March

Counsel,

J. B. Brown

Filed, 17

day of

March

1887

Pleads, Voluntary in

THE PEOPLE

vs.

B

Charles Brown

VIOLATION OF EXCISE LAW.

(Keeping Open on Sunday.)  
[Ill. Rev. Stat. (7th Edition), page 1080, Sec. 5].

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Edward Immors  
Jan 17, 1887

Foreman.  
J. B. Brown

14th March



0675

Sec. 198-200.

30 District Police Court.

CITY AND COUNTY {  
OF NEW YORK, } ss

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

Question. What is your name?

Answer

*Charles Brown*

Question. How old are you?

Answer

*48 years*

Question. Where were you born?

Answer

*Germany*

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

Answer

*40 Chrystie street 3 years*

Question. What is your business or profession?

Answer

*Solomon Keeper*

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*

*Ch Brown*

Taken before me this

1st

day of *September* 188*7*

Police Justice

0676

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 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 Feb. 1 188 7 Henry Murray Police Justice.

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

Dated Feb 2 188 7 Henry Murray 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.



0677

Arrested in custody  
of Counsel to bring  
bail

BAILED,

No. 1, by Charles Bader

Residence 124 E. 1st St. Street.

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

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

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

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

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

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

Police Court 30 District 150

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John H. H. H.  
vs.  
Charles B. B.

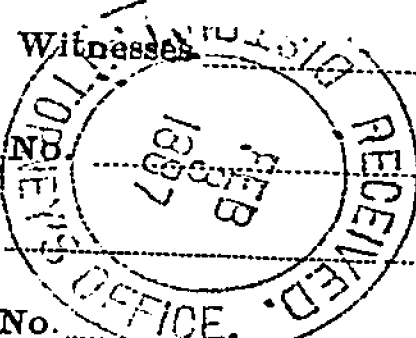
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Dated February 1st 1887

Murray Magistrate.

Blues Officer.

11 Precinct.



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

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

\$ 157 to answer C. B.

Bailed



0678

Excise Violation-Keeping Open on Sunday.

POLICE COURT- 3d DISTRICT,

City and County } ss.  
of New York,

John Koenig No. 2  
of No. 11 Prueitt Police Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 30 day  
of December 188 7, in the City of New York, in the County of New York,

Charles Brown (now here)  
being then and there in lawful charge of the premises No. 40 Chrystie  
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be  
drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of  
the statute in such case made and provided.

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

Sworn to before me, this 1 day  
of February 188 7

John Koenig  
Police Justice.

John Koenig No. 2



0679

**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 Brown*

**The Grand Jury of the City and County of New York**, by this indictment  
accuse *Charles Brown* —

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

The said

*Charles Brown,*

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

**RANDOLPH B. MARTINE, District Attorney.**

0680

BOX:

247

FOLDER:

2403

DESCRIPTION:

Brown, James

DATE:

02/16/87



2403



Witnesses:

*Martina A. Hamilton*

*Amie Moran*



*W. J. Brown*  
*B*

Counsel,

Filed

day of

*Feb*

188

Pleads

*Guilty*

THE PEOPLE

vs.

*James Brown*

*in*  
*649 E*  
*Lyons*

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

RANDOLPH B. MARTINE,

*Pr 7th St 24th St District Attorney.*

*Ind Remitted April 24th.*

A True Bill.

*William J. Morrow*  
*4th*

Foreman.

*S. P. 24th & 8th*

0681

0682

# STENOGRAPHERS' MINUTES.

*Court of General Sessions P. 2*

*The People &c.*

*vs.*

*Thomas Brown, indicted  
for assault in the 1<sup>st</sup> degree*

BEFORE

*Hon. Henry A. Eldersleepe*

*and a jury.*

*Tried Feb' 24 1887*

WITNESSES.

DIRECT.

CROSS.

RE-DIRECT.

RE-CROSS.





0683

1

Court of General Sessions Part 2.

-----  
THE PEOPLE &c. )  
- against - )  
Thomas Brown, Indicted for )  
Assault in the First Degree. )  
-----

Tried, Thursday, Feby. 24th, '83

APPEARANCES.

Assistant District Attorney Fitzgerald, for the people;  
Mr. Keller, for the Defence.

-----000-----

MARTHA HAMILTON, the complainant, being duly sworn,  
testified that she lived at 191 Bleecker Street in this,  
City, and on the 19th. of Jany. last she had just moved  
there about two weeks, and had not quite got through moving.  
She had lived before that at 176 Thompson Street. On the  
29th. day of January, the defendant, James Brown, came into  
her place. She, the complainant, never saw him before.

0684

2

He was accompanied by three other men, <sup>the name of one of</sup> ~~one of them whose~~ <sup>whom</sup> name was John Fogarty; there ~~were~~ <sup>were</sup> three altogether: When they came into the complainant's place, two other women, by the name of Annie Brown and Frances Hopkins, were in the room with the complainant. Brown and one of the other gentlemen came in first and Fogarty came in last and tried to hide his face and one of the men grabbed Annie Brown, and the other one grabbed Frankie, and Fogarty grabbed the complainant. ~~When~~ When Fogarty grabbed the complainant, he said, "Give me your money," and the complainant told him she had no money, and the defendant Fogarty was tussling with the complainant and tore off the complainant's dress and the complainant called for assistance. Fogarty bit the complainant in the hand and she held him and called for assistance and then Fogarty drew his pistol and kept hold of the complainant <sup>cut</sup> with his other hand; Fogarty then threw the complainant on the bed and she held him still. Brown then came over to the bed and broke the complainant's hold and Fogarty drew a knife and cut the complainant's hold and fogarty cut the complainant through her dress three times but it didn't touch the skin; only the clothes and her dress <sup>were</sup> ~~were~~ cut up in three different places. The complainant held on to Fogarty and they got out into the street and the two



0685

3

other men knocked the complainant down and she got up again and ran about two blocks and caught the defendant, Fogarty, in a liquor store. The defendant, Brown, was not arrested right at that moment but that same day.

-----000-----

Under cross examination, the witness testified that she never saw any of the men that assaulted her, before that day, and that she kept a room and a kitchen at 176 Thompson Street, and that it was not a "fast" house. The complainant had lived there for 5 years in this basement at 176 Thompson Street, and there were some more colored people that lived in the house. Angeline Brown and Frances Hopkins lived with the complainant some time before that; but not at the time of this occurrence. The complainant was a married woman and her husband lived with her when he was in the city. When Fogarty got there with the other two men, he asked the complainant to give him his money, and she, the complainant, did not have any money of his. The defendant, Brown, drew a revolver and held it to the complainant's head.

-----000-----

0686

4

Dr. HENRY C. CANNAILLE, being duly sworn, testified that he was a practicing physician in the City of New York and connected with St Vincent's Hospital. He dressed Martha Hamilton's wounds. She had one incised wound on the left side, about three and a half inches in length, and another one, four and a half inches long, and she had a slight wound under her chin. It was about three or four o'clock in the afternoon. In his opinion the wounds were caused by a knife or a sharp instrument of that kind.

-----000-----

Under cross examination, the witness testified that the wound could have been inflicted by a razor.

-----000-----

ANNIE BROWN, a witness called for the people, being duly sworn, corroborated the former witness, Martha Hamilton.

-----000-----

FRANCES HOPKINS, a witness called for the people, being duly sworn, also corroborated the testimony of the complainant.

-----000-----



0687

5

OFFICER WILLIAM LAMBRECHT, attached to the 15th. Precinct, testified that he arrested the defendant <sup>on the</sup> corner of McDougal and Bleecker Streets and the defendant had a pistol in his pocket and he threw it away, but he, the officer, picked it up and brought it to the station house.

-----000-----

Under cross examination, the officer testified that the pistol did not fall out of the defendant's pocket, but that he, the defendant, threw it away.

-----000-----

For the defence, James Brown, being duly sworn, testified that he lived at No. 647 5th. Street, New York. On the 29th. of January he was going down Houston Street and he met Fogarty who was talking to a friend of his and they asked him to go along with them, that they had been robbed of some money. They had been robbed; Fogarty said, "If you come down there with me I will get that money." He, the defendant, said that he wanted to go home to his wife, but they insisted upon his coming with them and when they got there to this place they were assaulted and one of the women had a revolver in her hand and he, the witness, tried

0588

6

to take it from her and the trigger came down upon his finger. He had to bite her thumb to get the revolver out of her hand and then she picked up a pitcher from the table and hit this man, Fogarty, in the head with it. If he, the witness, had not taken the revolver from her she would have killed Fogarty with it. The revolver did not belong to him, the witness, but to one of the women.

-----000-----

Under cross examination, the witness testified that he went around there with the other two men because they insisted upon him going with them. Fogarty told the witness that he had lost \$31.00 in this place. He, the witness, never had a revolver in his life and he did not know the revolver was loaded. He was once arrested for petit larceny and pleaded guilty and was sentenced to the penitentiary for ten months; that was the only time he was ever convicted of any crime. He was a cigar maker by trade.

-----000-----



0689

*Filed Feb'y 24/87*  
*Court of General Sessions P. 21*

*The People*

*James*  
*Thos. Browne, indicted*  
*for Assault in the 1<sup>st</sup> degree*

STENOGRAPHERS' TRANSCRIPT.

*Filed Feb'y 24<sup>th</sup> 1887.*

0690

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

THE PEOPLE OF STATE OF NEW YORK,

against

*James Brown*

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

*James Brown* —

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

The said *James Brown*,

late of the City of New York, in the County of New York aforesaid, on the *Twenty ninth* day of *January* in the year of our Lord one thousand eight hundred and eighty-~~seven~~, with force and arms, at the City and County aforesaid, in and upon the body of one *Melinda A. Hamilton* in the peace of the said People then and there being, feloniously did make an assault, and *then* the said *Melinda A. Hamilton*, with a certain *knife* — which the said *James 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 cut, stab and wound,

with intent *then* the said *Melinda A. Hamilton*, 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 *James Brown* — of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows :

The said *James 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 *Melinda A. Hamilton* — in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *then* the said

*Melinda A. Hamilton*, — with a certain *knife* — which the said *James Brown* —

in *his* right hand then and there had and held, the same being an instrument and weapon likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully 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.



## THIRD COUNT;

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

*James Brown* —

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

The said *James 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 said *Matilda A. Hamilton*, in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and the said *James Brown*, — with a certain *knife* —

which *the* the said *James Brown* — in *his* — right hand and there had and held, in and upon the *head and neck* of *her* the said *Matilda A. Hamilton*, — then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *Matilda A. Hamilton* — against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**RANDOLPH B. MARTINE,**

District Attorney.

0692

BOX:

247

FOLDER:

2403

DESCRIPTION:

Bryers, James

DATE:

02/04/87



2403





0694

Police Court, 1<sup>st</sup> District.City and County } ss.  
of New York,

of No. 149 West 30<sup>th</sup> Street, aged 26 years,  
 occupation Street Sprinkler being duly sworn, deposes and says,  
 that on the 29<sup>th</sup> day of November 1886, at the City of New  
 York, in the County of New York,

James Bryers (nowhere), did feloniously  
 make forge and utter the annexed  
 false forged and fraudulent instrument  
 in writing purporting to be an order or  
 receipt for sprinkling street during the  
 month of October & November 1886 for the  
 sum of five dollars and did write and  
 forge to and upon said order or receipt  
 the name of Henry P. Bregier

Deponent is informed by Frederick A  
 Adams of no. 35 West Street Cashier  
 of the firm of E. Durkee & Co that on said  
 date the said defendant came to the  
 office of said firm of Durkee & Co and  
 presented the said order or receipt  
 and asked payment for the same  
 and said Adams on the presentation of said  
 receipt or order gave the said defendant  
 five dollars

Deponent further says that the signature  
 to said receipt or order is not his signature  
 but at the same is a forgery and deponent  
 never authorized the said defendant  
 to sign his name to the  
 said annexed receipt or order

Wherefore deponent prays that the said  
 defendant may be held and dealt  
 with as the law directs

Sworn to before me this 31<sup>st</sup> day of January 1887  
 Henry P. Bregier  
 Police Justice



0695

CITY AND COUNTY }  
OF NEW YORK, } ss.

Frederick A Adams  
aged 28 years, occupation Cashier of No.

35 Water Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Henry B. Bergier

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

Sworn to before me, this 3/5 day of May 1888 } Frederick A. Adams.

William R. Smith  
Police Justice.

0696

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

1st District Police Court.

James Byers 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 Byers

Question How old are you?

Answer 31 years

Question Where were you born?

Answer Ireland

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

Answer Fulton St Brooklyn 3 months

Question What is your business or profession?

Answer Clerk

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 excepting that I did obtain the money as charged

James Byers

I appear before me this 21st day of March 1887  
at New York in the County of New York  
City and County of New York, ss  
I, John J. [illegible] Justice.



0697

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*  
*John* *John* of, 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

*Jan 31* 188

*Solomon B. Smith* Police Justice.

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

Dated 188

Police Justice.

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

Dated 188

Police Justice.



0698

Police Court

154/34 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry P. Breger  
149<sup>th</sup> St.  
James Rogers

1  
2  
3  
4

Office of Henry P. Breger

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Jan 31 188

Smith Magistrate.

Oates O'Malley Officer.

154 Precinct.

Witnesses

No.

35<sup>th</sup> St.

No.

No.

\$

1000

to answer

Gov

1000



0699

New York Nov 29 1886  
Received from Messrs. Durkee & Co.  
the sum of Five Dollars  
for printing Street Directory of New York  
\$ 5.00  
Henry H. Greaves

E. R. DURKEE & CO.  
NOV 29 1886  
NEW YORK

0700

# 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 Rogers*

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

*James Rogers* —

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

The said *James Rogers*,

late of the City of New York, in the County of New York aforesaid, on the  
*Twenty ninth* day of *November*, in the year of our Lord  
one thousand eight hundred and eighty-*six*, with force and arms, at the City and  
County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly act  
and assist in the forging a certain instrument and writing, *to wit:*

*receipt for money.* —

which said forged *receipt for money* —  
is as follows, that is to say:

*New York Nov-29th 1886*  
*Received from Messrs E. & J. Dulac*  
*& Co the sum of Five (\$5) Dollars*  
*for auditing street cleaning matter*  
*of Oct & Nov*  
*\$5.00* *Henry C. Rogers*

with intent to defraud, 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.



0701

SECOND COUNT:

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

*James Dugan* —

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

The said *James Dugan*,

late of the City and County aforesaid, afterwards, to wit, on the day and in the year aforesaid,  
at the City and County aforesaid, having in *his* possession a certain forged  
instrument and writing, *to wit: a certain receipt*

*for money* —

which said forged *receipt for money* —  
is as follows, that is to say:

*New York Nov 29th 1886*  
*Received from Messrs E. R. Dutree*  
*& Co the sum of Five (5) Dollars*  
*for Squinting Street Amusement*  
*200th & 1st Ave*  
*\$ 5.00* *Samuel B. Freager*

with force and arms, and with intent to defraud, the said forged *receipt for money*  
then and there did feloniously utter, dispose of and put off as true, *the* the said  
*James Dugan*, then and there well knowing the same to be  
forged, against the form of the Statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity.

**RANDOLPH B. MARTINE,**

**District Attorney.**

0702

BOX:

247

FOLDER:

2403

DESCRIPTION:

Burmus, Jacob

DATE:

02/02/87



2403



0703

#354

Witnesses:

Mario Leary

Counsel, *Garvey*  
Filed, *July* day of *July* 1887  
Pleads, *McKinnley*

THE PEOPLE

vs.

*Jacob Burns*

*April 1/87*

*Discharged on his own recognizance*

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*Chas. B. Holscher*

Foreman.

Upon examination, I am of opinion that the testimony of the witness herein would be sufficient to prove the charge of false pretences, with intent to defraud, of said Jacob Burns, from the affidavit of A.D. Carl Chifflet, facts annexed, that it is impossible to secure the attendance of witness competent to prove said charge, not being impleadable, without such testimony, being out a case on behalf of the People, and coming to that the defendant herein be discharged on his own recognizance.

*April 1, 1887.*

*Randolph B. Martine*  
District Attorney

Grand Larceny, second degree [Sections 528, 584 Penal Code].

0704

Police Court—1st District.

Affidavit—Larceny.

City and County }  
of New York, } ss.of No. 356 Broome Street, aged 63 years,  
occupation Cap maker being duly sworndeposes and says, that on the or about month of March 1885 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:Eight dozen of men's winter caps  
of the value of forty three dollars  
743<sup>00</sup>/<sub>100</sub>the property of Deponentand that this deponent  
has a probable cause to suspect and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Jacob Burnius (now here)for the following reasons to wit: That  
on or about said date, said defendant  
came to deponent who was then living  
at No. 10 Norfolk street, and represented  
to deponent that he was a buyer  
for the House of Smedley Brothers  
a large firm in Philadelphia Pa.  
and brought from deponent the afore-  
described property for said firm, and said  
defendant promised to pay deponent  
for said property in ten days -  
That deponent believing the representations  
so made to him by said defendant to  
be true delivered to said defendant



0705

Said property. That said defendant has never paid for said property, nor has any payment been received by deponent for said property. That deponent has not seen said defendant until the 28<sup>th</sup> January 1887. when deponent caused the arrest of said defendant.

Wherefore deponent charges said defendant with the larceny of said property through false and fraudulent representations as aforesaid.

his  
Merris & Levy  
mark

Osworn to before me  
this 29<sup>th</sup> day of January 1887.

P. H. Ruffey  
Police Justice

0706

Sec. 198-200.

1st District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Jacob Burmus 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

Jacob Burmus

Question How old are you?

Answer

61 years

Question. Where were you born?

Answer.

Berlin Russia

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

Answer.

175 Forsyth street And about twenty

Question What is your business or profession?

Answer

Cap maker

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

Answer.

I am not guilty

Jacob Burmus

Taken before me this

day of

188

Police Justice.



POOR QUALITY  
ORIGINAL

0707

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 Aug 24 188 \_\_\_\_\_ Police Justice.

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

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

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

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



0708

Police Court

10130 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Morris Levy

356 vs.

Jacob Rums

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

188

Magistrate.

Officer.

Precinct.

Witness

No.

Street.

No.

Street.

No.

Street.

\$

to answer





0709

My Mother  
good Carder

B. W. & Sons  
of New York

to Stearns & Sons

Fine Fur  
Manufacture

Augustus P.  
B. W. & Sons

Franklin of S. B. & Sons

to Stearns & Sons  
Manufacture

Shirts. To make  
Chuck Steel

Dreyfus B. W. & Sons

W. B. & Sons  
Spurs made

to Stearns & Sons  
B. W. & Sons

Samuel Connors  
92 to 94 Green

man. Carder  
Cape

0710

at Dubb Exp  
Est B. W. in  
Montgomery St

J. D. Brooker

Wash Celler

391 B. W.

Mr Caldwell  
Late.

Caldwell Taylor  
W. E. Street

Levi J. Phillips  
Real Estate  
Frie Str.

Isidor Strach  
Rutger  
Place 11.



0711

Mr. David H. Allen  
District Attorney  
I would like to have  
the following witnesses at my trial

Respectfully Yours

Jacob Barinas

I would like to have my old Boston  
Merchants at the trial

0712

POOR QUALITY  
ORIGINAL

*Dist. Attorney*

*County or Federal*



0713

Noar & Livingston,

Hats, Caps, Straw Goods, &c.,

No. 1415, Market Street,

Philadelphia, Feb 10<sup>th</sup> 1887

A. B. Parker Esq. Dear Sir,

In reply

to your favor of yesterday would say.  
that we have been conducting the  
Hat business since 1884 having bought  
stock of the Estate of Smedley Bros.  
Nor James Smedley & son both being  
deceased, - can't say that Jacob Burm's  
ever acted, in the capacity of buyer, for  
Smedley Bros -

Yours Very Respectfully

Noar & Livingston

We commenced Jan 1<sup>st</sup> 1884

0714

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

People  
vs.  
Jacob Huxman

New York, Seby- 17, 1937.

Hess. Door & Division

No. 415 Market Street,  
Philadelphia.

Gentlemen :

Yours of the 10th inst. in above case, duly received.

It is necessary to complete the People's proof therein that some one should testify, that the defendant, Huxman was not employed in March, 1935, as a buyer for the firm of Snedley Bros., as the firm had gone out of existence in 1934; and as you appear to have been their successors, none will be so competent to testify to said fact as one of your firm.

I would thank you to inform me whether one of you gentlemen will appear to testify thereto some day during the next three weeks. Kindly inform me also what day will be most convenient for you. -- Your expenses to and from this city will be defrayed by this office.

Yours respectfully,

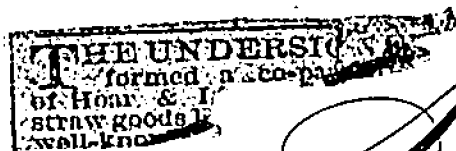
*A. D. Parker,*  
*Chief Clerk,*



0715

1891

0716



Hoar & Livingston,

Hats, Caps, Straw Goods, &c.,

No. 1415, Market Street,

Philadelphia, July 18<sup>th</sup> 1887

A. D. Parker Esq

Dear Sir

Your favor

to hand, & in reply would say that it seems impossible for either of us to be in N. Y. to testify as to Jacob Bernis being employed with Smedley Bros in 1885 & to settle that matter, we enclose you notice of our Copartnership - which commenced Jan 1<sup>st</sup> 1884 - ending Jan 1<sup>st</sup> 1888. The firm of Smedley Bros being entirely out of business, both being deceased, & trust said notice will establish, beyond a doubt, the above facts.

Yours &c

Hoar & Livingston



0717

*District Attorney's Office  
City & County of  
New York*

New York, Feby. 19, 1887.

People  
v  
BURNES

Hess, Rear & Livingston.

416 Market Street,

Philadelphia, Penn.

Gentlemen:

I am in receipt of yours of the 19th, informing me that it will be impossible for either of you to testify as to Jacob Burnes being employed by Snedley Bros. of your city, in 1885, and inclosing notice which shows that your firm succeeded to their business in 1884, they going out of business at that time, and both members of that firm being deceased.

I think you misunderstood my request. These are the very facts to which I wished testimony, and the slip you inclosed would not be such testimony. If it be established that Snedley Bros. went out of business in January 1884, and have not been in it since, it is manifest that Burnes, the defendant, could not be in their employ as a buyer in 1885, and I know of no other testimony that would establish that fact except that of one of you gentlemen.

I shall defer to your convenience in the matter within the time specified, and as I stated, your expenses will be defrayed by this office.

0718

*District Attorney's Office  
City & County of  
New York*

(3)

I shall esteem it a favor to hear from you at your earliest convenience.

Yours respectfully,

Chief Clerk.



0719

Carple

vs.

Jacob Bernus

0720

-----X  
The People &c.

vs.

Jacob Burmus.

Grand Larceny.  
---

-----X  
City and County of New York, SS:

A. D. Parker, being duly sworn deposes and says:  
I am Chief Clerk in the Office of the District Attorney  
of this County. The larceny in this case consisted in the  
defendant's obtaining from complainant certain goods upon  
the alleged false pretence that the defendant was a buyer  
for the house of Smedley brothers, a firm alleged to be  
doing business in the City of Philadelphia, Pa.. There  
being no proof of the falsity of said statement on the  
part of defendant, I, upon the 9th of February, mailed to  
said Smedley Brothers at 415 Market Street in said city of  
Philadelphia, a letter requesting the attendance of one of  
said firm competent to testify whether or no said defend-  
ant was, at the time of the said alleged statement on his  
part, in the employ of said firm. Upon the 10th of  
February ult. I received in reply a letter from said last  
mentioned address, signed "Hoar & Livingston" informing me  
that the members of the firm of Smedley Brothers were  
deceased, and that they, said Hoar & Livingston, had con-  
ducted said business since the first of January, 1884,  
having bought stock of the estate of said firm. As the  
alleged false pretence was stated in the complaint herein  
to have been made in the month of March, 1885, I endeavored



0721

thereafter by letter of 17th and 19th ult. directed to  
the same address, to procure the presence of some one of  
said firm of Hoar & Livingston, competent to testify to  
the fact that the said firm of Smedley Brothers had not  
done business since the first of January, 1884, but have  
not been able to secure such testimony. *The correspondence  
passing between said Hoar & Livingston & myself is hereto annexed.*  
Sworn to before me this

30th day of March, 1887.

*W. D. Barker*

*Wm. H. Southerland*

*Notary Public (47)*

*N. Y. Co.*

0722

THE PEOPLE OF THE STATE OF  
NEW YORK,

*against*

*Jacob Burman*

*Opposition*

RANDOLPH B. MARTINE,  
DISTRICT ATTORNEY,  
No. 32 CHAMBERS STREET,  
NEW YORK CITY.



0723

**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 J. Sumner*

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

*James J. Sumner*

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

The said *James J. Sumner*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the  
*21st* day of *March*, in the year of our Lord  
one thousand eight hundred and eighty-*five*, at the City and County aforesaid,  
with force and arms,

*ninety-six bags of the value*  
*of fifty cents each.*

of the goods, chattels and personal property of one *Morris Levy*

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.

*Handy B. B. B. B. B.*

District Attorney.

0724

BOX:

247

FOLDER:

2403

DESCRIPTION:

Burns, John

DATE:

02/17/87



2403



Witnesses:

John Backe

Officer Mayhew

Mr. Backe

Counsel,

Filed 17 day of Feb 1887

Pleads, Not guilty

THE PEOPLE

vs.

John Burns

By Martin

Burglary in the Third Degree.

Section 498.

RANDOLPH B. MARTINE,

Pr Feb 27/87 District Attorney.

pleads at 10 days 3d  
City Prison 10 days.

A True Bill.

Edward J. Manning

Foreman

71 00 12

0725

0726

Police Court— 3<sup>d</sup> District.

City and County } ss.:  
of New York,

of No. 106 Delancy Street, aged 72 years,  
occupation none being duly sworn

deposes and says, that the premises No. 106 Delancy Street, 10 Ward  
in the City and County aforesaid the said being a five story brick  
Building and which was occupied by deponent as a dwelling  
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking  
and destroying the lock on the  
belland doors of four warehouses

on the 31 day of January 1887 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

Two wash Tubs of the  
value of two dollars & 25<sup>cts</sup>

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

for the reasons following, to wit:

That the deponent came  
into said cellar at the hour of  
8 o'clock P.M. on said day and  
found said cellar doors broken  
open and said deponent was  
lying on the floor in front of  
said doors, and the deponent caused  
the defendants arrest.

John Becker

Subscribed & sworn to before me this 1<sup>st</sup> day of February 1887  
John Becker



0727

Sec. 198-200.

30 District Police Court.

CITY AND COUNTY { ss  
OF NEW YORK,

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

Question What is your name?

Answer

*John Burns*

Question. How old are you?

Answer

*38 years*

Question. Where were you born?

Answer.

*Glen Cove Long Island*

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

Answer.

*89 Broadway two days*

Question What is your business or profession?

Answer

*Liquor dealer*

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

Answer.

*I don't know anything about it I was drunk at the time.*

*John Burns*  
*et al*

Taken before me this

day of *Dec* 188*8*

Police Justice.

0728

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

John Burns  
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 Feb. 1 1888 James Murray 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.



0729

Police Court 141 District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

*James J. Smith*  
*1106 1/2 Delaware*  
*John J. Smith*

2

3

4

Offence *Drunk*

BAILED,

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

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

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

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

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

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

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

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

Dated *February 1* 188 *7*

*Murray* Magistrate.

*Mayforth* Officer.

*11* Precinct.

Witnesses \_\_\_\_\_

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

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

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

\$ *1000*



*(Odm)*

0730

District Attorney's Office.

*Part Two*

PEOPLE

vs.

*John Burns*  
*Feb. 25*

*Pers. Schaaf*  
*Feb. 23*  
*Counsel*

*P66*



0731

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Burns*

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

*John Burns* —

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

The said *John Burns*,

late of the — *South* — Ward of the City of New York, in the County of New York, aforesaid, on the *twenty first* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*seven*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *dwelling house* of one

*John Sedad*, —

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 Sedad*, —

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.

*Randolph B. Martin*  
District Attorney

0732

BOX:

247

FOLDER:

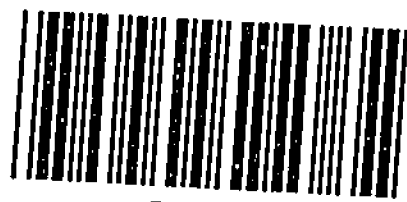
2403

DESCRIPTION:

Burns, Samuel F.

DATE:

02/04/87



2403



Witnesses:  
Charles Whiffen  
J. C. Kattorn

\$391 B

Counsel,  
Filed 4 day of July 1887  
Pleas, Magistry

THE PEOPLE

vs.

B

Samuel J. Dunn

ASSAULT IN THE THIRD DEGREE.

(Section 219, Penal Code.)

RANDOLPH B. MARTINE,

*District Attorney.*

A True Bill.

Chas. D. Branch

Per III July 9/87 Foreman  
*Ind. Requested.*

0733

0734

Sec. 198—200.

CITY AND COUNTY  
OF NEW YORK, ss.

District Police Court.

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

Question. What is your name?

Answer. *Samuel F. Burns*

Question. How old are you?

Answer. *34 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *78 B'xth Avenue, 20 years*

Question. What is your business or profession?

Answer. *Restaurant Keeper*

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. *Am not guilty, admits inflicting of a blow done in self defence after having been assaulted by the complainant while in an irritated condition and after refusal by the complainant to leave defendant promises after having been ordered to do so.*

*Samuel F. Burns*

Taken before me this

29<sup>th</sup> day of

August 1887

Police Justice.



0735

161 West 49th St  
Sec. 151.

Police Court 1 District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*  
OF NEW YORK, } *of New York, or any Marshal or Policeman of the City of New York, GREETING:*

Whereas, Complaint in writing and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by Charles N. Rippe  
of No. 140 West 45th Street, that on the 19 day of January  
1887 at the City of New York, in the County of New York,

he was violently Assaulted and Beaten by Samuel F. Burns

in his store's Complaint with his fist

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to  
answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him  
forthwith before me, at the 4 DISTRICT POLICE COURT, in the said City, or in case of my absence  
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to  
be dealt with according to law.

Dated at the City of New York, this 21 day of January 1887

John R. Smith  
POLICE JUSTICE.



0736

44 + 45 25  
Police Court 6<sup>th</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Arrested Jan. 22<sup>d</sup> 1887  
Samuel F. Burns 34  
783 Sixth ave. W. St.

Warrant A. & B.

Dated \_\_\_\_\_ 188

Magistrate

Foley Officer.

The Defendant Samuel F. Burns  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

Cornelius Foley Officer.

Dated Jan. 22<sup>d</sup> 1887

This Warrant may be executed on Sunday or at  
night.

Police Justice.

having been brought before me under this Warrant, is committed for examination to the  
WARDEN and KEEPER of the City Prison of the City of New York.  
Dated \_\_\_\_\_ 188

The within named

Police Justice.



0737

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

*Samuel H. Burns*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Three* 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 *January 22<sup>d</sup>* 188

*Solomon B. Smith* Police Justice.

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

Dated *January 22<sup>d</sup>* 188

*Solomon B. Smith* 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.



0738

Police Court <sup>4<sup>th</sup> 103</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Charles W. Rippey  
140 West 4<sup>th</sup>  
Samuel F. Burns

2

3

4

Office

Dated

January 22<sup>d</sup> 1887  
Hon. Smith

Magistrate.

Officer.

Precinct.

Witnesses

Wm. H. 443 Bedford Ave.oklyn  
No. 1258 1887

No.

Street.

No.

Street.

\$

to answer

See List Inside  
Bailed

BAILED,

No. 1, by

Samuel F. Burns

Residence

703 2<sup>nd</sup> Avenue

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.



0739

Police Court— District.

CITY AND COUNTY } ss.  
OF NEW YORK,

Charles N. Kippen  
of No. 140 West 45<sup>th</sup> Street, aged 39 years,  
occupation Broker being duly sworn, deposes and says, that  
on the 19 day of January 1884 at the City of New York,  
in the County of New York,

he was violently ASSAULTED and BEATEN by Samuel F. Russo  
who struck & deponent several  
blows in the face with his  
closed hands

without any justification on the part of the said assailant

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

Sworn to before me, this 21

day of January 1884

Charles N. Kippen,  
Police Justice



0740

Police Court, \_\_\_\_\_ District.

THE PEOPLE, &c.,

on the complaint of

Chas. H. Kipper

vs.

Samuel Burns

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

Offence—Assault & Battery

Dated \_\_\_\_\_ 188

James D. Smith Magistrate.

Officer.

Clerk.

Witnesses, \_\_\_\_\_

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

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

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

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

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

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

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

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

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

There being no sufficient cause to believe the within named \_\_\_\_\_

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

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



0741

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Samuel S. Burns*

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

*Samuel S. Burns*

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

The said *Samuel S. Burns*,

late of the First Ward of the City of New York, in the County of New York  
aforesaid, on the *fourteenth* day of *January*, in the year of our Lord  
one thousand eight hundred and eighty-*seven*, at the Ward, City and County  
aforesaid, in and upon the body of one *Charles M. Hippen*,  
in the peace of the said people then and there being, with force and arms, unlawfully  
did make an assault and *injure* the said *Charles M. Hippen*,  
did then and there unlawfully beat, wound and illtreat, to the great damage of the  
said *Charles M. Hippen*, against the form of the statute  
in such case made and provided, and against the peace of the People of the State of  
New York, and their dignity.

RANDOLPH B. MARTINE,

District Attorney.

0742

BOX:

247

FOLDER:

2403

DESCRIPTION:

Butler, William

DATE:

02/24/87



2403



0743

Witnesses:

Henry Griffin  
Harry S. Ryan  
Officer Chapman

101  
Counsel,  
Filed  
Pleads,  
28th July 38.  
1887

THE PEOPLE  
vs.  
William Butler  
Burglary in the Second Degree.  
[Sections 495, 506, 528, 495, 532]

RANDOLPH B. MARTINE,  
District Attorney.

Pen one year

A True Bill.

James Gleason  
Park St. March 27 Foreman.

Indictment  
Benjamin W. 3rd day.

Benjamin W. 3rd day.  
1887

0744

Police Court—4th District.City and County } ss.:  
of New York,of No. 433 East 18th Street, aged 28 years,occupation Driver being duly sworndeposes and says, that the premises No. 433 East 18th Street, Wardin the City and County aforesaid the said being a tenementand which was occupied by deponent as a dwelling

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

were BURGLARIOUSLY entered by means of forcibly breaking  
a lock & bursting in the  
door of deponent's apartment  
in said premises

on the 15 day of February 1887 in the day time, and the  
 following property feloniously taken, stolen, and carried away, viz:

Two white shirts, one shawl; one  
cloak and pair of trousers  
rather property of the value  
of about fifteen dollars \$15.00

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 Butler

for the reasons following, to wit:

That deponent is in-  
formed by Mary Ellen Ryan  
that she (Mary Ellen) at the  
time mentioned saw defendant  
anater person unknown to her  
in deponent's apartment in said  
premises while the door of said  
apartment was broken and  
that deponent at the time men-



0745

- times saw defendant & a  
unknown person in front  
of the door of said apartments

Henry R. Griffin.

Sworn to before me  
this 16<sup>th</sup> day of February 1887  
J. H. Griffin  
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 1887  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1887  
There being no sufficient cause to believe the within named  
guilty of the offence mentioned, I order he to be discharged.  
Dated 1887  
Police Justice.

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—BURGLARY.

1.  
2.  
3.  
4.

Dated

1887

Magistrate.

Officer.

Clerk.

Witnesses.

No.

Street.

No.

Street.

No.

Street.

to answer General Sessions.

0746

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 12 years occupation School girl of No. 437 East 1st Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Mary Guessen  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 16

day of February 183

Mary Ryan

Wm. Duffy  
Notice Justice.



0747

Sec. 198-200.

CITY AND COUNTY { ss  
OF NEW YORK, -

*L.P.* District Police Court.

*William Butler* 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 Butler*

Question. How old are you?

Answer

*27 years*

Question. Where were you born?

Answer.

*U.S.*

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

Answer.

*224 East 79th Street Manhattan*

Question What is your business or profession?

Answer

*Brass finisher*

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.*

*Wm Butler*

Taken before me this

day of *September* 188*8*

*[Signature]*  
Police Justice.

0748

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 \$80 ~~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 16 188 P. G. Beatty 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.



0749

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Henry Kniffen  
433 E 18th St  
William Butler

2  
3  
4

Dated February 16 188

Kniffen Magistrate.

William Butler Officer.

18 Precinct.

Witnesses Mary Ellen Ryan

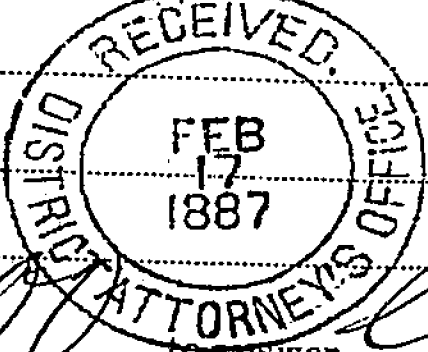
No. 433 E 18th Street.

No. Street.

No. Street.

No. Street.

\$ to answer



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

The People vs  
William Butler  
<sup>against</sup>

City and County of New York: ss

James Seenan being  
duly sworn, deposes and says, That  
he resides at Number 253 East 62<sup>nd</sup>  
Street in the City of New York. That he  
is engaged in business now, and has  
been so engaged for about six years  
last past on his own account as a  
mason and Stone Cutter in said City,  
and has a place of business on Third  
Avenue between 62<sup>nd</sup> and 63<sup>rd</sup> Streets.

Deponent further says that he has  
known the above named William Butler  
for about four years last past.

That in the month of November  
last, deponent engaged said William  
Butler to work for deponent in re-  
-pairing and setting stone, and  
intended to keep him so employed,  
but after working two or three weeks,  
he just set in and the work on  
the same of every.



that account- was discontinued, and said Butler was laid off.

That the said William Butler was a good, sober, steady, workman, while in defendant's employment; and defendant never saw him drunk or under the influence of liquor.

That his general Character for honesty, has been good during all the time that defendant has known him as aforesaid.

Defendant further says that said William Butler resided with his mother, who is a highly respectable, honest, industrious, woman, and that he has never to defendant's knowledge or belief, been guilty of a charge with crime of any kind, until the present charge for which he has been tried was made against him, and defendant was greatly surprised and astonished when he heard of the present charge, and of the said Butler drinking to such an extent on the day of his arrest.

Given & sworn to this 22<sup>nd</sup> day of March 1887.

A. D. Parker  
Notary Public  
N.Y.C.

James Sedman

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

The People vs  
<sup>against</sup>  
William Butler

City and County of New York  
John Russell being duly  
sworn says that he resides at Number  
569 Broome Street in the City of New  
York and have so resided for the last  
twenty years. That he has known the  
above named William Butler and  
his family and during all of said  
time and never knew him to be  
guilty of or charged with crime until  
he heard of the present charge upon  
which he was convicted.

Deponent further says that said  
William Butler's General Character <sup>and honesty</sup> has  
been good during all of said time  
and he verily believes that if out  
of the present trouble he will in fu-  
-ture avoid low Company and  
intoxicating drink and be a good  
industrious young man and a good  
member of Society.



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Deponent further says that the  
mother of the said William lost  
her husband about 24 years ago and  
remained a widow ever since and  
is one of the best and most industrious  
women in this City to the  
knowledge of Deponent and this  
young man William is the only  
child she has living.  
Sworn before me this

22<sup>nd</sup> day of March 1887

M. D. Shanley

Notary Public  
N. Y. C.

John Russell

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

The People vs  
<sup>against</sup>  
William Butler

City and County of New York.

Patrick Stevens, being duly sworn, deposes and says that he resides with his family at Number 168 East 38<sup>th</sup> Street in the City of New York, That he has known the above named William Butler for about ten years, last past; That he never saw him under the influence of liquor during said time except on one occasion and then it was hardly noticeable, and never knew of said Butler being guilty of committing Crime of any kind until the present Charge for which he was convicted was made, against him.

That defendant is acquainted with the widow Butler said William's Mother, who is a very respectable and industrious woman. That defendant



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was surprised very much when he  
heard of the Charge preferred against  
said William Butler, as he could not  
believe from the manner in which  
he was brought up and the res-  
pectability of his family, that he  
would be guilty of Crime of any  
kind.

Done wherefore me this  
22<sup>nd</sup> day of March 1884

A. D. Parker

Notary Public  
Ky. Co.

Patrick Novins

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Com of General Session

The People &

against

Warren Butler

Applicant - of James  
Deenan & others



0757

COURT OF GENERAL SESSIONS

Part III.

The People of the State of New York

against

William Butler

Charge: Burglary  
in the second de-  
gree.

Before: Judge Cowing and a Jury.

New York, March 15th 1887.

HENRY GRIFFIN, the complainant, testified:

I reside at 433 East 17th Street. On February 15th 1887, I lived at the same place. I missed on that date, two white shirts, a shawl, and a clock. When I came home from work at five o'clock in the afternoon I found one of the staples that held the pallock on my door drawn. I locked the door at eleven o'clock that day. I saw the prisoner, Butler, standing partly in front of my door and partly in front of the door next to it. Another man was standing in front of the other door pretending to knock at it. I notified that the landlord of the house that my rooms had been broken into. I afterwards recovered the goods in a pawn shop in 3rd Avenue between 24th and 25th Street.

MARY E. RYAN, a witness, testified:-

I live at No. 433 East 17th Street. I lived there on February 15th 1887. On that day I saw the prisoner, Butler, in Mr. Ryan's room, which is next door to the room of Mr. Griffin, the complainant. I came downstairs about half past four. I saw this man at the door; he stepped aside when he saw me. I waited down-

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stairs looking at what he was doing . I saw him break Mr. Griffin's door. The other man with him was knocking at Mr. Ryan's door. Then I went down on the street, and I saw this prisoner come down with a bundle under his arm and a clock. I am sure this is the same man . I am positive he is the man I saw breaking in the door. He had on a short coat, black pants, and white hat with deep mourning on it.

The prisoner was ordered to put his hat on by the Court, which he did, and it was a white hat with mourning on it .

That is the same hat he had on that day .

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WILLIAM BUTLER, the defendant, testified:-

On February 15th 1887, I came down to see Ryan who lives in this house. He was sick. I left that house at 11 o'clock and went to the Cooper Union. My friend, who was with me, asked me to go and spend the afternoon with Ryan, which we did. About six o'clock I started to go home. I forgot my overcoat and went back to Ryans. I was standing at Griffin's door and the other man with me knocked at Ryan's door. He could not get in . Griffin came up and went into his room. We started to go and it began to rain. I wanted my overcoat. I returned and met Ryan's wife and she opened the door for me. I then went down to get some beer and the officer arrested me . I swear positively that I did not break into Griffins room.



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JEREMIAH RYAN, a witness for defendant, testified:-

I reside at No. 433 East 17th Street. On the 15th of February I saw the prisoner in my house from nine o'clock in the morning to 11 o'clock. He came back and remained with me until near six o'clock. I went to sleep. They came back again and could not get in. The officer arrested him in my place. The door could not have been broken in without my hearing it.

PATRICK SHANAHAN, witness, testified:-

I know this defendant Butler. His character is good.

INDICTMENT FILED *February 24, 1887.*

COURT OF GENERAL SESSIONS  
Part III.

The People of the State of  
New York,

against

William Butler

Witnesses

Henry Griffin  
Mary E. Ryan  
William Rutler  
Jeremiah Ryan  
Patrick Shanahan

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**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*William Butler*

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

*— William Butler —*

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

The said *William Butler*,

late of the *Eighteenth* Ward of the City of New York, in the County of New York  
aforesaid, on the *Eighteenth* day of *February*, in the year  
of our Lord one thousand eight hundred and eighty-*nine*, with force and arms, about the  
hour of *three* o'clock in the *day* time of the same day, at the Ward,  
City and County aforesaid, the dwelling house of one

*Henry R. Fiddler*,

there situate, feloniously and burglariously did break into and enter, there being then and there some  
human being, to wit:

within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels  
and personal property of the said *Henry R. Fiddler*,

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,

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SECOND COUNT—

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

— William Butler —

of the CRIME OF ~~GRAND LARCENY, IN THE~~ <sup>CRIME</sup>

DEGREE, committed as follows :

The said William Butler,

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

Two shirts of the value of one  
dollar each, one shawl of the  
value of five dollars, one coat  
of the value of three dollars,  
and one pair of trousers of  
the value of seven dollars.

of the goods, chattels and personal property of one ~~Henry R. Fugate~~

in the dwelling house of the said

~~Henry R. Fugate~~, —

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.

Randolph B. Martin,  
District Attorney