

0432

**BOX:**

436

**FOLDER:**

4021

**DESCRIPTION:**

Birkenfeld, Rudolph

**DATE:**

05/29/91



4021

POOR QUALITY  
ORIGINAL

0433

Witnesses;

August Allmon

off Garrison Reals.

Sanitary Squad

Katie Allmon.

Counsel,

Filed

day of

1891

Pleas

Atty.

THE PEOPLE

Burglary in the second degree.

[Section 497 Penal Code.]

1911  
2nd  
1911

Rudolph Binkfeld

P

DE

JOHN R. FELLOWS

District Attorney.

Revy

A True Bill

W. L. Bidmon

Part III June 21/91 Foreman.

Pleas - Entry 3rd day.

Elmira Ref. B.M.

POOR QUALITY  
ORIGINAL

0434

Police Court— District.

City and County } ss.:  
of New York,

of No. 36 First Avenue Street, aged 39 years,

occupation Shoe Dealer being duly sworn

deposes and says, that the premises No. 36 First Ave Street, 17th Ward

in the City and County aforesaid the said being a four story brick

building and which was occupied by deponent as a dwelling place

and in which there was at the time 2 human beings by name Katie Harman

and deponent

were BURGLARIOUSLY entered by means of forcibly prying open

a door leading from the hall into

a rear room and entering therein

with intent to commit a felony

on the 26th day of May 1889 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

a quantity of Clothing and  
Jewelry of the amount  
and value of Two hundred  
dollars (\$200.00)

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

Rudolph Birkenfeld  
(man here)

for the reasons following, to wit:

That at about 2<sup>30</sup>  
P.M. of said date deponent  
saw defendant forcibly enter  
said premises and when he saw  
deponent he (defendant) ran  
out of said premises and deponent  
pursued him and caused his  
arrest. Deponent thereafter  
discovered that a portion

0435

Sworn to before me  
this 29<sup>th</sup> day of May, 1891  
John H. Ryan  
Police Justice

August alternative.

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\_\_\_\_.

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

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

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

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

Police Justice.

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

*THE PEOPLE, &c.,*  
*on the complaint of*

vs.

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

Office—BURGLARY.

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

Magistrate.

Officer. \_\_\_\_\_

Clerk. \_\_\_\_\_

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

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

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

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

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

\_\_\_\_\_ to answer General Sessions.

POOR QUALITY  
ORIGINAL

0436

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

3 District Police Court.

*Rudolph Pinkusfeld* 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~~ *him*, that the statement is designed to enable ~~him~~ *him* if he see fit to answer the charge and explain the facts alleged against ~~him~~ *him*, that he is at liberty to waive making a statement, and that ~~his~~ *his* waiver cannot be used against ~~him~~ *him* on the trial.

Question. What is your name.

Answer. *Rudolph Pinkusfeld*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *No 190 1/2 Chrysch St Newark*

Question. What is your business or profession?

Answer. *Waiter*

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*  
*Rudolph Pinkusfeld.*

Taken before me this

day of

1897

Police Justice.

0437

POOR QUALITY ORIGINAL

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

Police Court---  
District, 7/3

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles Altman*  
*36 Street Avenue*  
*Brooklyn*

Offence *Burglary*

Dated *May 27* 1891

Magistrate *Robert*

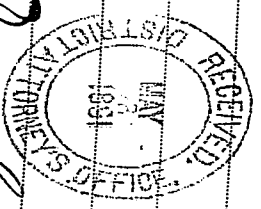
Officer *Stevie*

Witness *Samuel Boyd*

Witness *Statis Stratton*

No. *36 Street Ave* Street

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



No. *1000* Street

To Justice *John*

*John*

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* 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 *May 27* 1891 *John 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.

POOR QUALITY  
ORIGINAL

0438

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Rudolph Birkenfeld*

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

*Rudolph Birkenfeld*

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

The said

*Rudolph Birkenfeld*

late of the *Seventeenth* Ward of the City of New York, in the County of New York  
aforesaid, on the *Twenty sixth* day of *May*, in the year  
of our Lord one thousand eight hundred and eighty ~~ninety one~~, 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 *August Altmann*

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

*the said August Altmann*

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

*August Altmann*

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.*

0439

**BOX:**

436

**FOLDER:**

4021

**DESCRIPTION:**

Bleamings, William

**DATE:**

05/26/91



4021

0440

**BOX:**

436

**FOLDER:**

4021

**DESCRIPTION:**

Rich, William

**DATE:**

05/26/91



4021

0441

**BOX:**

436

**FOLDER:**

4021

**DESCRIPTION:**

Winters, Charles

**DATE:**

05/26/91



4021

Witnesses;

Off<sup>r</sup> John Loney  
W. H. Hest

As to the deft Rich  
I am of opinion that  
no conviction can be had  
as the complainant  
has known nothing  
of the facts and the  
Officer Cardener is  
slight, and inasmuch  
as the two defts Blumery  
& Miller have both pleaded

guilty as the persons who  
committed the offense, I  
therefore recommend that  
the indictment as to deft  
Rich be dismissed

W. H. Hest  
June 19/91  
Deputy Dist. Atty.

269  
A. J. M. M. L. X

Counsel,  
Filed 16 days of May 1891  
Reads, 1st Chapter of

THE PEOPLE  
vs.  
William Blumery,  
William Rich  
and  
Charles Winters  
[Section 498, 506, 528, 531, 552]

JOHN R. FELLOWS,  
District Attorney.  
James H. Hest  
Indictment returned  
June 19/91

A True Bill.  
W. S. 3 sentences on other indictment  
W. S. Hildner  
Foreman.

James H. Hest  
June 19/91  
Deputy Dist. Atty.  
Per 3 on the

0442

POOR QUALITY  
ORIGINAL

Court of  
General Sessions  
The People  
vs

Charles Winters

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.

100 EAST 23<sup>d</sup> STREET,

New York, May 24 1891

CASE NO. 56699 OFFICER Hunt  
DATE OF ARREST Mar 18<sup>th</sup> 191  
CHARGE Burglary  
AGE OF CHILD 14 years  
RELIGION Protestant  
FATHER Alfred  
MOTHER Rosie

RESIDENCE 320 West 26<sup>th</sup> street  
AN INVESTIGATION BY THE SOCIETY SHOWS THAT

Charles was  
arrested on June 24<sup>th</sup> 1890 for larceny.  
at the 4<sup>th</sup> Dist. Police Court boy was  
held in \$300. bail for trial at special  
sessions.

June 27<sup>th</sup> 1890 at the Court of special  
sessions. before Judges Helbreth, Smith,  
and Wilde, boy was discharged. thereon  
boy was taken before Justice Gorman, at  
Dist. Police Court; and on his father's  
affidavit: boy was committed to the New  
York Catholic Protectory.

August 28<sup>th</sup> 90 boy was arrested for  
Assault. but Complaint was changed  
to disorderly Conduct; before Justice Gorman  
at 2<sup>d</sup> Dist. Police Court. boy was discharged.  
parents are respectable, and boy has  
a good home.

All which is respectfully submitted,

To Dist. Attorney.

O. H. Jones Secy  
Supt

POOR QUALITY  
ORIGINAL

0444

<i>Book of</i>	<i>General Sessions</i>	<i>vs</i>	<i>Charles Miller</i>
<i>The People</i>			
<i>Penal Code, or</i>			<i>Henry</i>

Report of the New York Society  
for the Prevention of Cruelty  
to Children.

ELBRIDGE T. GERRY,  
President, &c.,

100 East 23d Street,  
NEW YORK CITY.

POOR QUALITY  
ORIGINAL

0445

Police Court—2 District.

City and County } ss.:  
of New York,

Edmund Williams

of No. 410 6th Avenue Street, aged 29 years,  
occupation Real Estate business

deposes and says, that the premises No. 261 West 22nd Street,  
in the City and County aforesaid, the said being a three story brick

Dwelling  
and which was occupied not by deponent as a dwelling  
and in which there was at the time no human being, by name

were BURGLARIOUSLY entered by means of forcibly pulling up  
the grating of the front cellar

on the 6th day of April 1891 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

a quantity of  
lead pipe and gas fittings of the  
value of about one hundred dollars

the property of N. estate of N. Central Trust Co., in deponent's charge  
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 Bleamings, William Rich  
and Charles Winter

for the reasons following, to wit: Deponent kept the said  
premises closed and locked, and deponent  
is informed by George M. Stone (now dead) who  
is in deponent's employment, that he saw the  
said premises securely locked and closed  
about the 2nd day of April (1891) and the said  
property was then in said house, and that on  
the 6th day of April or thereabouts he  
went to said house and found the

POOR QUALITY  
ORIGINAL

0446

seen door open and the said property  
now missing, and defendant is in-  
formed by Policeman John Carey of the  
16th Precinct that upon the arrest of  
the defendants on the 18th day of  
May the defendant O'Leary  
confessed that he had committed  
said burglary, and implicated the  
other defendants; and all of the  
defendants admitted and confessed  
in deponents presence and in  
the presence of the said Carey  
that they had committed said  
burglary.

Sworn to before me this 20th day

May 1897

Edmund Williams

Police Justice

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Degree.

Burglary

28.

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No.

Street.

POOR QUALITY  
ORIGINAL

0447

CITY AND COUNTY }  
OF NEW YORK, } ss.

George M. Stone  
aged 16 years, occupation Clark of No. 82 W 2-65 St  
Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Edmund Williams,  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 20 } Geo M Stone  
day of May 1890, }

W. M. Malarone  
Police Justice.

(3092)

CITY AND COUNTY }  
OF NEW YORK, } ss.

John Carey  
aged \_\_\_\_\_ years, occupation Police of No. 16 W Ducent  
Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Edmund Williams,  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 20 } John Carey  
day of May 1890, }

W. M. Malarone  
Police Justice.

(3092)

POOR QUALITY  
ORIGINAL

0448

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*William Bleamings* 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.

*William Bleamings*

Question. How old are you?

Answer.

*18 years*

Question. Where were you born?

Answer.

*MS*

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

Answer.

*345 West 9th St*

Question. What is your business or profession?

Answer.

*Coal 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.

*We were just inside and  
found some brass there and  
sold it.*

*William Bleamings*

Taken before me this

*20*

day of *May*

*1881*

*Minutator*

Police Justice.

POOR QUALITY  
ORIGINAL

0449

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK }

*Charles Winter* 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 Winter*

Question. How old are you?

Answer.

*14 years*

Question. Where were you born?

Answer.

*MS*

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

Answer.

*32 West 26 St - 4 mo*

Question. What is your business or profession?

Answer.

*clock Engraver*

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 Winter*

Taken before me this

*20*

day of

*May*

1897

*Wm. M. Anderson*

Police Justice.

POOR QUALITY  
ORIGINAL

0450

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*William Rich* 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty - I did  
not steal anything. The  
other boys did.*

*J Wm. Rich*

Taken before me this 20

day of May 1891

*Wm. Rich*

Police Justice.

POOR QUALITY  
ORIGINAL

0451

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

Police Court... 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Edward Williams  
4110 1st Avenue  
Wm. O'Leary  
Wm. Rich  
Charles Winter  
Offence Burglary

Dated May 20 1882

de Hahon Magistrate.

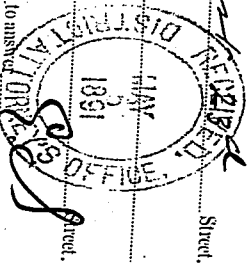
Carry 16 Officer.

Witnesses Call Carey & Lavin  
16 Street Precinct.

No. William A. Hunt Street.

No. 100 East 121st Street.

No. 1000 to inspect Office.



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

William O'Leary, William Rich, Charles Winter

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 May 20 1882 W. H. Hahon 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.

POOR QUALITY  
ORIGINAL

0452

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, William  
Rich and Charles Winter*

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

*William Bleamings, William Rich  
and Charles Winter*

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

The said

*William Bleamings, William  
Rich and Charles Winter, all*

late of the *Sixteenth* Ward of the City of New York, in the County of New York  
aforesaid, on the *sixth* day of *April* in the year of our Lord one  
thousand eight hundred and *ninety-one*, with force and arms, in the

*day* - time of the same day, at the Ward, City and County aforesaid, the  
dwelling-house of one *a certain building to wit: the*

*building of one Edmund Williams*

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 *Edmund Williams*

*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.

POOR QUALITY  
ORIGINAL

0453

SECOND COUNT—

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

*William Bleamings, William  
Rich and Charles Winters* —  
of the CRIME OF *Grand LARCENY in the second degree*, committed as follows:

The said *William Bleamings, William  
Rich and Charles Winters*, all

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,

*three hundred pounds of lead  
pipe of the value of ten cents  
each pound and a quantity of  
gas-fixtures (a more particular  
description whereof is to the  
Grand Jury aforesaid unknown)  
of the value of ~~one~~ seventy dollars*

of the goods, chattels and personal property of one *Edmund Williams*

in the dwelling house of the said *Edmund Williams*

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, William*  
*Rich and Charles Winters*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *William Bleamings, William*  
*Rich and Charles Winters*, all  
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,  
*three hundred pounds of lead pipe*  
*of the value of ten cents each pound,*  
*and a quantity of gas fixtures (a more*  
*particular description whereof is to*  
*the Grand Jury aforesaid unknown)*  
*of the value of seventy dollars* —  
of the goods, chattels and personal property of *Edmund Williams*

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

unlawfully and unjustly, did feloniously receive and have; (the said *William*  
*Bleamings, William Rich and Charles Winters*

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.

DAVID M. NISSEL  
JOHN R. FELLOWS,  
District Attorney.

0455

**BOX:**

436

**FOLDER:**

4021

**DESCRIPTION:**

Boynton, James W.

**DATE:**

05/20/91



4021

0456

**BOX:**

436

**FOLDER:**

4021

**DESCRIPTION:**

Boynton, James W.

**DATE:**

05/20/91



4021

POOR QUALITY  
ORIGINAL

0457

Witnesses:

Kate McCullough  
Opp<sup>r</sup> Wm E Petty  
Jl. Price.

1891  
Counsel, *A.C. a*  
Filed *20* day of *July* 1891  
Pleads *Not guilty*

THE PEOPLE  
vs.  
James W. Boynton  
Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code).

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

W. S. Widmore  
Foreman.

May 25/91

Placed in custody 2 days

S.P. 4 apd.

S U P R E M E   C O U R T   C H A M B E R S

-----  
The People &c.

v.

A l f o n s o   B r a c c o  
-----

A N D R E W S   J .

The defendant was convicted of an atrocious assault upon his father-in-law, which assault consisted in throwing vitriol in the face of the latter causing the loss of an eye, and great disfigurement of the features. Mr. Justice Ingraham declined to grant a certificate of reasonable doubt, but such certificate was afterwards granted by Mr. Justice Van Brunt. Application to bail the defendant was then made to Mr. Justice Lawrence, who denied the same. It is stated that the papers, upon which the certificate of reasonable doubt was granted, were not before Mr. Justice Lawrence, and that he was not furnished with full information as to the nature of the grounds upon which it is claimed judgment will be reversed on appeal.

Those papers have been submitted to me and I have carefully read them. The principal grounds upon which it is apparently supposed that such reversal can be obtained are that the Jury found the defendant guilty, when, upon the evidence they should have found him innocent. Under these circumstances I concur in the view

**POOR QUALITY  
ORIGINAL**

0459

2

taken by Mr. Justice Lawrence that the defendant  
ought not to be admitted to bail pending an appeal.

Motion denied.

POOR QUALITY  
ORIGINAL

0460

*Mr. Battle*  
SUPREME COURT CHAMBERS

The People &c.

vs.

Alfonso Bracco

Opinion

of

Andrews J.

*Nov 19 1884*  
*Adm. Div.*  
*5318*

POOR QUALITY  
ORIGINAL

0461

VI.

May 27/91

STATE OF NEW YORK.  
Executive Chamber,  
ALBANY.

August 3, 1894

Sir:

Application for Executive clemency having been made on behalf of  
*Alfonso Bracco* who was convicted of *assault 2<sup>d</sup> deg*  
in the county of *New York* and sentenced *Dec 30, 1891*  
to imprisonment in the *State Prison* for the term of  
*3 years & to pay fine \$500* I am directed by the Governor  
respectfully to request that, in pursuance of Section 695 of the  
Code of Criminal Procedure, you will forward to him a concise state-  
ment of the facts of the case, together with your opinion of the  
merits of the application.

~~It is requested that each letter of inquiry from~~  
the Executive Chamber should be separately answered.

Very respectfully yours,

*J. S. Williams*  
Private Secretary.

*Hon. John R. Fellows*  
*District Attorney*  
*New York City.*

**POOR QUALITY  
ORIGINAL**

0462

*Alphonse Bna*

POOR QUALITY  
ORIGINAL

0463

New York Eye & Ear Infirmary,  
SECOND AVE., COR. 13TH ST.

New York, Jan. 10 <sup>th</sup> 1898

To whom it may concern  
This is to certify that  
Louis Monticello is still under  
treatment at this infirmary  
his condition is still very  
serious although not  
at present dangerous.

The sight of the right eye  
is probably destroyed

A. B. Murray, M.D.  
Res. Surgeon

Court of General Sessions  
City<sup>and</sup> County of New York

The People vs }  
                  agst  
Alfonso Bracco }

Sir:-

Please take notice that on Thursday  
the 8th day of September 1892, at the hour  
of 11 o'clock in the forenoon thereof  
or as soon thereafter as counsel  
can be heard we will move  
before Hon Rufus B. Coving in Part  
III of said Court for the admission  
to bail of the above named de-  
fendant pending the appeal in  
his case to the General Term of the  
Supreme Court in and for the First  
Department

Dated N.Y. Sept 6<sup>th</sup> 1892

yours &  
Blasius Sullivan,  
Deft's atty

To,

De Lancey Nicoll Esq. 63 & 65 Park Row. N.Y. City  
Dist Atty N.Y.C.

POOR QUALITY  
ORIGINAL

0465

Court of General Sessions  
City & County of New York

The People vs

agst

Honors Graceo

Motion of motion for  
admission to bail  
pending appeal

Blaise & Sullivan

Depts attys

63 + 65  
DISTRICT ATTORNEY  
NEW YORK  
SEP 6 1892

To,  
DeLaney & Co  
Dist atty N.Y.C.

filed Sept 21/92

(over)

Motion is  
verbally argued  
to Sept. 13/92  
at same hour  
& place  
Sept. 29/92

DeLaney & Co

Dist Atty

Blaise & Sullivan

Attys proff.

Motion to admit  
to Bail on  
appeal denied

Wm. Sept 21/92

Court of General Sessions  
City & County of New York.

The People vs }  
                  <sup>agst</sup>  
Alfonso Bracco }

City & County of New York ss:-  
Alfonso Bracco, being  
duly sworn deposes and says:-  
that he is the defendant above  
named; that he is a manufacturer  
of Soda water and at the time of  
his arrest and conviction was  
engaged in business at no  
283 Nass Street in said City  
that his business was large  
and lucrative but that owing  
to the fact of his detention in  
prison to await the result of  
an appeal in his case and  
not being able to personally  
superintend the same he is  
suffering great losses in  
his said business and has  
reason to fear that unless he  
is afforded relief by this Court  
by being admitted to bail the  
said business will be wholly

broken up and ruined. That on the  
30<sup>th</sup> day of December 1891, he  
was convicted of assault in  
its 1<sup>st</sup> degree by a jury in this  
Court and sentenced to five years  
in State Prison and to pay a fine  
of \$500<sup>00</sup>/<sub>100</sub>. That he has appealed  
from such judgment of con-  
viction to the General Term of  
the Supreme Court and that  
said appeal is still pending.  
That subsequently to taking  
said appeal, Judge Van Driest  
of the Supreme Court granted  
a permanent stay pending  
the said appeal; that he is  
informed by his counsel that  
errors were committed upon the  
trial of his case such as he  
has good reason to believe will  
obtain for him a new trial;  
that he has always been a  
quiet peaceable and respectable  
man in this community, that  
he solemnly appeals to this  
Court to exercise its discretion  
in favor of the liberty of the  
citizen and admit him to bail.

POOR QUALITY  
ORIGINAL

0468

pending his said appeal  
that he is ready to furnish  
bail even as high as \$10.000  
should the court in its wisdom  
deem that amount necessary  
Sworn to before me  
this 7<sup>th</sup> day of Sept 1892 }  
Thomas Sullivan } Affirmo Bracco  
Commissioner of the Court  
New York

Continued to Sept

12/92 same hour

Place by Consent

Deaney McCall

Dist 177

Admitted until Sept.

20/92 Absence Lord

and places by consent

Deaney McCall

Dist 177

Court of General Sessions

City of County of New York

The People v

vs

Alfonso Bracco

Affidavit of

Alfonso Bracco

BLANK & SULLIVAN,  
COUNSELLORS-AT-LAW  
World Bldg., 2d floor Room 27.

Dated atty

Filed, Sept 21/92

POOR QUALITY  
ORIGINAL

0470

12-1-70  
I understand that Luigi  
Mastroangelo at no  
417 E 112 St is very  
ill and his sickness is  
dangerous for his  
life etc.

Lapenta St  
202 West 4th

POOR QUALITY  
ORIGINAL

0471

New York Eye and Ear Infirmary,  
Second Ave. & 18th Street.

R  
This is to certify that  
Louis Muraccio's condi-  
tion is at present very  
improved.

Dr. Harvey  
House Surgeon

POOR QUALITY  
ORIGINAL

0472

New York Eye and Ear Infirmary,  
Second Ave. & 18th Street.

R  
This is to certify that  
Louis Maraccio's condi-  
tion is at present very  
serious.

Dr. Marcus  
House Surgeon

POOR QUALITY  
ORIGINAL

0473

Dr. C. LAPENTA,  
OCULIST,

202 Mott Street.

From 8 to 10 a. m.—6 to 8 p. m.

New York. 7-2-1891

I undersigned certify that  
Mr. Luigi Mastrangelo at No. 417  
E 12<sup>th</sup> St is very sick always, and he is  
not able to get up.

*[Signature]*

*C. Lapenta M.D.*

Bellevue Hospital,  
Jan. 8, '91

The condition of  
Louis Mastrangelo  
is a serious one.

John M. Brooke M.D.

POOR QUALITY  
ORIGINAL

0474

Sec. 192.

3 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Clarence H. Meade a Police Justice  
of the City of New York, charging Alphonse Bracco Defendant with  
the offence of Assault

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 hear-  
ing thereof having been adjourned,

We, Alphonse Bracco Defendant of No. 2813  
Mott Street; by occupation a Manufacturer of Mineral Water  
and Franklin Hands of No. 718 East 146  
Street, by occupation a Contractor Surety, hereby jointly and severally undertake that  
the above named Alphonse Bracco Defendant  
shall personally appear before the said Justice, at the 3 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 twenty five  
Hundred Dollars,

Taken and acknowledged before me, this 14

day of

January 1891.

Clarence H. Meade  
POLICE JUSTICE.

Alphonse Bracco

Franklin Hands

POOR QUALITY  
ORIGINAL

0475

CITY AND COUNTY  
OF NEW YORK, } ss.

day of *January*  
*1891*  
Police Justice.

Sworn to before me, this

the within named Bail and Surety being duly sworn, says, that he is a resident and  
holder within the said County and State, and is worth *fifty* 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 *a plot of ground consisting*

*of two city lots located in the 13th Ward*  
*said city on Drake Street and Payne*  
*Street and Lane Avenue and the*  
*equity in said plot of ground is*  
*not less than forty thousand*  
*dollars*

*Franklin Mando*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear  
during the Examination.

vs.

Taken the

day of

188

Justice.

*I hereby identify*  
*said surety as the*  
*person he represents*  
*himself to be and I*  
*believe him to be*  
*the owner of the*  
*property described*  
*in this bond.*  
*Charles LeBarbier*  
*Police Building*  
*per day*

0476

**CORRECTION**

0477

**BOX:**

436

**FOLDER:**

4021

**DESCRIPTION:**

Boynton, James W.

**DATE:**

05/20/91



4021

POOR QUALITY  
ORIGINAL

0478

Witnesses:

Kate McCullough

Off<sup>r</sup> Wm E. Petty

W. E. Price

Counsel,

Filed

1891

Pleds.

THE PEOPLE

vs.

James W. Boynton

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

DEPARTMENT

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. E. Bidmon  
Foreman.

May 25/91

Placed on jury 24

S.P. 4. up.

0479

- - - - - x  
:  
The People of the State of New  
:  
York,  
:  
:  
:  
against  
:  
:  
James W. Boynton.  
:  
:  
- - - - - x

I live at No. 521 First Avenue. I am a married woman. I lived at that same address on the 25th. day of April this year. My husband is a brass finisher by occupation. On the evening of the 25th. of April last my husband and my husband's brother-in-law went visiting at No. 1750 Madison Avenue. We left our home at twenty minutes after nine and left his house at ten minutes after eleven o'clock. We took a car to the corner of 14th. St. and Avenue B on our way home. In the car was my husband, my brother-in-law, the two children and myself. That composed our party. There were also in

**POOR QUALITY  
ORIGINAL**

0480

2

the car the defendant and a woman sitting beside him who I supposed to be his wife and another respectable young woman who got out of the car at 26th. St. and First Ave. The woman who was sitting beside the defendant used some abusive language to the young woman who got out of the car. That was in the presence and hearing of the defendant. When the young woman got out at 26th. St. the indecent talk was kept up by the woman sitting next to the defendant. The conductor stepped in and said he wanted the talk stopped or she would have to get off the car. She picked up a basket and said that she had been out buying fish and she also had peanuts in her hand and she was using indecent language in the car. At 28th. St. the car was stopped and the conductor told her she must get out. At 30th. St. it was my place to get out. Myself and my husband and his brother got out at 30th. St. on different sides of the car. I had my infant four teen months old in my arms and my brother-in-law had another baby three years old in his arms. When the car started to go this prisoner jumped out to catch my husband who was in front of a lumber yard. As he rushed past me he struck me in the neck. I didn't know what happened until a few moments afterwards I felt the blood gushing down on my breast. The man then ran away to catch my husband. I could not tell you whether he caught him or not.

(The witness then exhibited the wounds on her face and neck to the Jury).

**POOR QUALITY  
ORIGINAL**

0481

3

The prisoner ran up on the East side of the Avenue and I lost sight of him.

Q You were cut with some sharp instrument ? A Yes, sir.

Q When did you next see the prisoner ? A Not for two weeks after that time -- about two weeks.

Q Where did you see him ? A In the 35th. Street Station House.

Q At whose suggestion or request did you go there ? A By an officer.

Q Now, when you went to the Station House, were there other prisoners there beside the defendant ? A Yes, sir.

Q All in one room ? A Yes, sir; all in one line.

Q And you there picked this man out as your assailant ?  
A Yes, sir.

CROSS-EXAMINATION:

Q How long had you been living at 521 First Avenue ? A Eight months.

Q What time did you leave that evening ? A Twenty minutes to nine.

Q To go where ? A To my brother-in-law's, No. 615 East 15th. St.

Q What time did you get there ? A Twenty minutes after nine.

Q Was there any beer drunk while you were there ? A Yes, there was beer there.

Q Who treated ? A My brother and brother-in-law.

Q How many times did your husband treat ? A Only three

times.

- Q What did he get each time ? A Lager.
- Q And you all partook of it ? A Yes, sir.
- Q Did you have any company in your house on that day ?  
A No, sir, not on that day. It was on a Saturday evening.
- Q Had you had anything to drink at home before you went out ? A No, sir.
- Q Had you anything to drink during the day ? A No, sir.
- Q When you got into this car, how many people were in the car ? A There was this prisoner and his wife and this young woman who got out of the car and a little child and two gentlemen sitting in the car.
- Q You and your husband got on the car together ? A Yes, sir; my husband, brother-in-law and the two children.
- Q After you got into the car, did any conversation pass between you and the prisoner or your brother-in-law or your husband and the prisoner ? A No, sir.
- Q Not a word ? A No, sir.
- Q You then say that the prisoner got out of the car, deliberately rushed for your husband and struck you while passing ? A Yes, sir.
- Q Wasn't there some giggling going on in the car between this woman who was with the prisoner and your husband and some others there ? A No, sir.
- Q Wasn't there some laughing ? A Yes, sir; there was some laughing.
- Q How far did the prisoner ride ? A About four blocks.

5

- Q You said nothing to him at all ? A No, sir.
- Q Isn't it a fact that there was a struggle between your husband and this defendant on the car ? A No, sir.
- Q Is it not a fact that there was a struggle between your husband and some one in the car, or outside of the car, and that during the struggle you got in between them and one of them in using this instrument in his own defense cut you with it ? A No, sir; that is not a fact.
- Q Was the man who used the knife drunk or sober ? A I couldn't tell you whether he was drunk or sober.
- Q Was your husband drunk ? A Yes; he could not identify

WILLIAM C. McDONALD, a witness called for the People, sworn, testified as follows:

I live at 521 First Avenue. I am the husband of the last witness. I remember Saturday, April 25. I was working all that day until 4:30 in the afternoon. On that evening I left my house and went, accompanied by my wife and children, to visit my brother-in-law. I had been drinking considerable on that evening. I cannot identify the defendant nor can I tell the details of this occurrence. I know I got off at 30th. St. My wife says that this man at the bar cut her with a razor or something but I don't remember anything about it.

CROSS-EXAMINATION:

- Q Do you remember any conversation in the car with any per-

son ? A I do not, sir.

Q Did you have a conversation in the car ? A I could not say.

Q You don't know whether you did or not ? A No, sir.

WILLIAM E. PETTY, a witness for the People, sworn, testified:

I am a Police Officer connected with the 21st. Precinct. I arrested the defendant at the bar at Flushing, Long Island on the 14th. of May. I found him in a saloon in that village. I had a conversation with him. I asked him what did he cut the woman for and he made two statements. First he said that the woman's husband insulted his wife and that he cut her, and he said afterwards that the woman's husband kicked his wife and he cut her.

Q He admitted he cut her ? A Yes, sir.

Q What did he say he cut her with ? A A razor.

Q Have you the razor ? A Yes, sir.

Q When did you first see this razor ? A On the evening of the assault.

Q Where ? A In the Station House; it was found by Officer Cameron at First Avenue and 32nd. Street.

Q Did the prisoner identify it ? A The prisoner did not identify it. He described the razor and the woman with whom he is living identified the razor.

Q Were you present when the prisoner was identified ? A No, sir.

**POOR QUALITY  
ORIGINAL**

0485

7

Q You don't know where he was identified ? A No, sir.

Q Did you go after the complainant and bring her to the Station House ? A No, sir; I believe Officer McCarty went after her.

Q Do you know what he was doing in Flushing ? A Working in a sand-pit.

By consent, a juror was withdrawn, and the defendant pleaded guilty to the crime of "Assault in the Second Degree".

POOR QUALITY  
ORIGINAL

0486

Indictment filed May 20, 1891.

COURT OF GEN'L SESSIONS, PART III.

The People of the State of New  
York,

against

James W. Boynton.

Abstract of Testimony on Trial  
May 25, 1891.

POOR QUALITY  
ORIGINAL

0487

Police Court—4 District.

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

of No. 921. 1<sup>st</sup> Avenue Street, aged 25 years,  
occupation Married being duly sworn  
deposes and says, that on the 25 day of April 1891 at the City of New  
York, in the County of New York,

He was violently and feloniously ASSAULTED and BEATEN by James Boynton  
Lucas who while on 1<sup>st</sup> Avenue and  
30<sup>th</sup> Street did cut and stab deponent  
on her neck with some sharp  
instrument thereby inflicting a  
painful and serious wound

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<sup>th</sup> day

of

May

1891

Police Justice.

POOR QUALITY  
ORIGINAL

0488

Sec. 198-200.

✓ District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*  
*James W. Bazantone*

Taken before me this

*May 18 1934*  
*John J. McGovern*  
Police Justice.

POOR QUALITY  
ORIGINAL

0489

Police Court— 4 District. 11

City and County { ss.:  
of New York.

Dennis McCarthy  
of No. The 21st Precinct Police Street, aged \_\_\_\_\_ years,  
occupation Detective being duly sworn

deposes and says, that on the 25 day of April 1891 at the City of New  
York, in the County of New York, Kate McCullough

~~was~~ violently and feloniously ASSAULTED and BEATEN by one John  
Don, as deponent for good cause  
to believe and does believe, from  
the fact that the said Kate is now  
confined to Bellevue Hospital from  
the effects of a stab wound received  
on said date. Deponent further  
says that he has reason to believe  
that this defendant can be identified  
by the said Kate when arrested

Kate McCullough  
with the felonious intent to take the life of John Don, 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 27 day

of April

1891

Dennis McCarthy  
Police Justice.

POOR QUALITY  
ORIGINAL

0490

Police Court... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James McCarthy*

Offence

*Assault*

Dated 1888

Magistrate.

Officer.

Preced.

Witnesses

No. 4, by Street.

No. Street.

No. Street.

\$ to answer

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

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

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 18 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.

POOR QUALITY  
ORIGINAL

0491

JUSTICE COURT,

TOWN OF NEWTOWN.

STATE OF NEW YORK, COUNTY OF QUEENS, }  
TOWN OF NEWTOWN. }

*William E. Petty*

being duly sworn, says, that he is acquainted with the hand-writing of

*A. J. White*

the *Police Justice of the City and County of New York*

who issued the annexed Warrant, that the signature to this Warrant is in the hand-writing of said

*A. J. White*

Sworn to before me, this *13* day of

*May* 18*91*

*William E. Petty*

*John G. Scheper*

*Police Justice of the Peace  
Newtown, Queens Co.*

POOR QUALITY  
ORIGINAL

0492

Sec. 151.

POLICE COURT, 4 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 *James M. McCarthy*  
of *111 St. Prineck Place*, that on the *25* day of *April*  
18*95* at the City of New York, in the County of New York,

*Kate McCullough*  
was violently Assaulted and Beaten by *one John Doe*

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 *27* day of *April* 18*95*  
*A. J. [Signature]*  
POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

0493

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Warrant-A. & B.

*This warrant may be executed  
with the aid of officers.*

*Dated at New York May 13<sup>th</sup> 1881*

*Queen's County*

*John G. Schepers* Magistrate.  
*Justice of the Peace.*

Officer

The Defendant

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

Officer.

Dated 188

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

POOR QUALITY  
ORIGINAL

0494

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

Police Court

District.

643

THE PEOPLE,  
vs.  
ON THE COMPLAINT OF

*John A. Callahan*  
1321 1st Ave.  
*James Chapman*

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Offence *False Imprisonment*

Dated *May 15* 18*91*

*Michael*  
Magistrate

*W. C. Cauty, Jr.*  
City Officer.

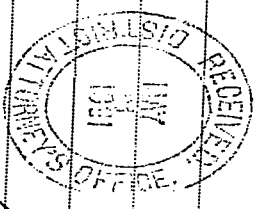
*21*  
Precinct,

Witnesses *Call Officers*

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

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

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



No. *2077*  
to answer *Call*

*Call*

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 *Edward*

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 *May 15* 188*9* *James Chapman* 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.

POOR QUALITY  
ORIGINAL

0495

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 W. Boynton*

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

*James W. Boynton*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

*James W. Boynton*

late of the City of New York, in the County of New York aforesaid, on the  
*Twenty-fifth* day of *April*, in the year of our Lord  
one thousand eight hundred and eighty*nine*, with force and arms at the City and County  
aforesaid, in and upon the body of *Kate Mc Cullough*  
in the peace of the said People then and there being, feloniously did make an assault and  
to, at and against *her* the said *Kate Mc Cullough* with  
a certain ~~sharp instrument~~ *sharp instrument* to the Grand Jury aforesaid unknown  
a certain pistol then and there loaded and charged with gunpowder and one leaden  
bullet, which the said *James W. Boynton*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,  
with intent *her* the said *Kate Mc Cullough*  
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 W. Boynton*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*James W. Boynton*

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 *Kate Mc Cullough* in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and to, at and against *her* the said  
*Kate Mc Cullough* with a certain *sharp*  
*instrument* to the Grand Jury aforesaid unknown  
a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,  
which the said *James W. Boynton*

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 shoot off and discharge, 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.

0496

**BOX:**

436

**FOLDER:**

4021

**DESCRIPTION:**

Bracco, Alphonso

**DATE:**

05/27/91



4021

POOR QUALITY  
ORIGINAL

0497

Witnesses:

Luigi Martinengo

John A. Walsh  
Abraham C. Carey  
of the parish of  
St. Michael  
Not the Recorder

Counsel,

Filed

Pleas,

day of May 1891

THE PEOPLE

vs.

34  
14 June 1891

Alphonso Bravo

Oranville, first degree, etc.  
Sec. 217 & 218, Penal Code

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. L. Skidmore

Foreman.

Part 2 - Dec. 18, 1891.

Tril and Cornish of

Account in the 2nd degree

J. M. J. P. + 1500 fm

Dec. 31, 1891

POOR QUALITY  
ORIGINAL

0498

S U P R E M E   C O U R T   C H A M B E R S

-----  
The People &c.

vs.

A l f o n s o   B r a c c o  
-----

A N D R E W S   J .

The defendant was convicted of an atrocious assault upon his father-in-law, which assault consisted in throwing vitriol in the face of the latter causing the loss of an eye, and great disfigurement of the features. Mr. Justice Ingraham declined to grant a certificate of reasonable doubt, but such certificate was afterwards granted by Mr. Justice Van Brunt. Application to bail the defendant was then made to Mr. Justice Lawrence, who denied the same. It is stated that the papers, upon which the certificate of reasonable doubt was granted, were not before Mr. Justice Lawrence, and that he was not furnished with full information as to the nature of the grounds upon which it is claimed judgment will be reversed on appeal.

Those papers have been submitted to me and I have carefully read them. The principal grounds upon which it is apparently supposed that such reversal can be obtained are that the Jury found the defendant guilty, when, upon the evidence they should have found him innocent. Under these circumstances I concur in the view

**POOR QUALITY  
ORIGINAL**

0499

2

taken by Mr. Justice Lawrence that the defendant  
ought not to be admitted to bail pending an appeal.

Motion denied.

POOR QUALITY  
ORIGINAL

0500

*Mr. Battle*  
SUPREME COURT CHAMBERS

The People &c.

vs.

Alfonso Bracco

Opinion

of

Andrews J.

*10/5/74*

POOR QUALITY  
ORIGINAL

0501

VI.

May 27/91

STATE OF NEW YORK.  
Executive Chamber,  
ALBANY.

August 3, 1894

Sir:

Application for Executive clemency having been made on behalf of  
*Alfonso Bracco* who was convicted of *assault 2<sup>d</sup> deg*  
in the county of *New York* and sentenced *Dec 30, 1891*  
to imprisonment in the *State Prison* for the term of  
*5 years & to pay fine \$500* I am directed by the Governor  
respectfully to request that, in pursuance of Section 695 of the  
Code of Criminal Procedure, you will forward to him a concise state-  
ment of the facts of the case, together with your opinion of the  
merits of the application.

~~It is requested that each letter of inquiry from~~  
the Executive Chamber should be separately answered.

Very respectfully yours,

*J. S. Williams*  
Private Secretary.

*Hon. John R. Fellows*  
*District Attorney*  
*New York City.*

**POOR QUALITY  
ORIGINAL**

0502

*Alphonse B.*

POOR QUALITY  
ORIGINAL

0503

New York Eye & Ear Infirmary,  
SECOND AVE., COR. 13TH ST.

New York, Jan. 10<sup>th</sup> 1898

To whom it may concern

This is to certify that  
Louis Monticello is still under  
treatment at this infirmary  
his condition is still very  
serious although not  
at present dangerous.

The sight of the right eye  
is probably destroyed

A. B. Sturmy, M.D.  
Res. Surgeon

Court of General Sessions  
City and County of New York

The People vs }  
                  agst  
Alfonso Bracco }

Sir:-

Please take notice that on Thursday  
the 8th day of September 1892, at the hour  
of 11 o'clock in the forenoon thereof  
or as soon thereafter as counsel  
can be heard we will move  
before Hon Rufus B. Coving in Part  
III of said Court for the admission  
to bail of the above named de-  
fendant pending the appeal in  
his case to the General Term of the  
Supreme Court in and for the First  
Department

Dated N.Y. Sept 6<sup>th</sup> 1892

yours &c  
Blasius Sullivan,  
Deft's atty

To,  
De Lancy Nicoll Esq. 63 & 65 Park Row. N.Y. City  
Dist Atty N.Y.C.

County of General Sessions  
City & County of New York

The People vs

agst

Josno Graceo

Stolice of motion for  
admission to bail  
pending appeal

Blake & Sullivan

Depts attys

63165 (10-11-12) 1892

To, DeLaney & Co  
Dist atty N.Y.C.  
files 63165-2172

Motion to  
admission  
to Sept 13/92  
at same place  
place  
Sept 9/92

DeLaney & Co

Dist atty

Blake & Sullivan

Attys pro off

Motion to admit  
to bail on  
appeal denied

Sept 21/92

Court of General Sessions  
City and County of New York.

The People vs }  
                                  <sup>agst</sup>  
Alfonso Braeco }

City and County of New York ss:-

Alfonso Braeco, being  
duly sworn deposes and says:-  
that he is the defendant above  
named; that he is a manufacturer  
of soda water and at the time of  
his arrest and conviction was  
engaged in business at no  
283 Nass Street in said City  
that his business was large  
and lucrative but that owing  
to the fact of his detention in  
prison to await the result of  
an appeal in his case and  
not being able to personally  
superintend the same he is  
suffering great losses in  
his said business and has  
reason to fear that unless he  
is afforded relief by this Court  
by being admitted to bail the  
said business will be wholly

broken up and ruined. That on the 20<sup>th</sup> day of December 1891, he was convicted of assault in its 1<sup>st</sup> degree by a jury in this Court and sentenced to five years in State Prison and to pay a fine of \$500.00. That he has appealed from such judgment of conviction to the General Term of the Supreme Court and that said appeal is still pending. That subsequently to taking said appeal, Judge Van Driest of the Supreme Court granted a permanent stay pending the said appeal; that he is informed by his counsel that errors were committed upon the trial of his case such as he has good reason to believe will obtain for him a new trial: that he has always been a quiet peaceable and respectable man in this community, that he solemnly appeals to this Court to exercise its discretion in favor of the liberty of the citizen and admit him to bail.

POOR QUALITY  
ORIGINAL

0508

pending his said appeal  
that he is ready to furnish  
bail even as high as \$10,000  
should the court in its wisdom  
deem that amount necessary  
Sworn to before me  
this 7th day of Sept 1892 }  
Thomas Sullivan } Affirmed Bracco  
Commissioner of Courts  
New York

Admitted to Sept.

12/92 same

Place by Consent

Delaney, Moll

Det. 177

Admitted until Sept.

20/92 Adams Road

and place by consent

Delaney, Moll

Det. 177

Court of General Sessions

City & County of New York

The People v

agst

Alfonso Braces

Affidavit of  
Alfonso Braces

BLAKE & SULLIVAN,  
COUNSELLORS-AT-LAW  
World Bldg., 2d floor Room, 27.

Def's attys

Filed, Sept. 21/92

POOR QUALITY  
ORIGINAL

05 10

12-1-70  
I understand that  
for that Luigi  
Mastroangelo at no  
417 E 112 St is very  
ill and his sickness is  
dangerous for his  
life etc.

J. Lapenta  
202 West 64

POOR QUALITY  
ORIGINAL

05 11

New York Eye and Ear Infirmary,  
Second Ave. & 18th Street.

R  
This is to certify that  
Louis Maurice, con-  
dition is at present very  
good.

Dr. Harvey  
House Surgeon

POOR QUALITY  
ORIGINAL

05 12

Bellevue Hospital,  
Jan. 8, '91

The condition of  
Louis Mastrangelo  
is a serious one.

John M. Brooke, M.D.

Dr. G. LAPENTA,  
OCULIST,  
202 Mott Street.

From 8 to 10 a. m.—6 to 8 p. m.

New York. 7-2-1891

I undersigned certify that  
Mr. Luigi Mastrangelo at No. 417  
E 8th St. is very sick always, and he is  
not able to get up.

G. Lapenta

G. Lapenta M.D.

POOR QUALITY  
ORIGINAL

05 13

Sec. 192.

3 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.  
OF NEW YORK,

An information having been laid before Clarence H. Meade a Police Justice  
of the City of New York, charging Alphonse Bracco Defendant with  
the offence of Assault

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 hear-  
ing thereof having been adjourned,

We, Alphonse Bracco Defendant of No. 2813  
Mott

and Franklin Haude Street; by occupation a Manufacturer/Miner/Truck  
of No. 718 East 146

Street, by occupation a Contractor Surety, hereby jointly and severally undertake that  
the above named Alphonse Bracco Defendant  
shall personally appear before the said Justice, at the 3 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 twenty five  
Hundred Dollars.

Taken and acknowledged before me, this 14 Alphonse Bracco

day of January 1891. Franklin Haude  
Clarence H. Meade POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

05 14

CITY AND COUNTY OF NEW YORK, ss.

day of *January*  
*1881*  
Police Justice.

Sworn to before me, this

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth *fifty* 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

*a plot of ground consisting of two city lots located in the 13th ward said city on Drake, Walker and Payne streets and Lane Avenue and the equity in said plot of ground is not less than forty thousand dollars*

*Franklin Mando*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear during the Examination.

Taken the

day of

188

Justice.

*I hereby identify said surety as the person he represents himself to be and I believe him to be the owner of the property described in this bond.*  
*Charles C. Barber*  
*Public Building*  
*and*

POOR QUALITY  
ORIGINAL

05 15

Police Court 3 District.

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

Louigi Mastrangelo  
of No. 417 East 12th Street, aged 44 years,  
occupation Street Sweeper being duly sworn  
deposes and says, that on the 8th day of January 1891 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Alphonse  
Bracco (now here) who wilfully and  
maliciously threw a quantity of  
vitriol from a glass which this  
deponent then and there held in his  
hand into deponent's face, burning  
deponent's face, severely, and destroying  
the right eye.  
Deponent further says that such assault  
was committed

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 2nd day } Louigi Mastrangelo  
of April 1891. } mastr

W. H. Mead Police Justice.

POOR QUALITY  
ORIGINAL

05 16

Sec. 198-200.

B District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Alfonso Bracco* 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. *Alfonso Bracco*

Question. How old are you?

Answer. *32 years old*

Question. Where were you born?

Answer. *Italy*

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

Answer. *14 Prince St 2 mos*

Question. What is your business or profession?

Answer. *Municipal Water Manufacturer*

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*

*Alfonso Bracco*

Taken before me this

*May 11 1891*  
*John J. McCall*

Police Justice.

POOR QUALITY  
ORIGINAL

0517

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 3 DISTRICT.

Michael Bisant  
of No. 14<sup>th</sup> Street, aged — years,  
occupation Police Officer

being duly sworn deposes and says  
that on the 8<sup>th</sup> day of January 1891

at the City of New York, in the County of New York he arrested  
Alphonse Braeco (nonpareil)  
upon Complaint of Louis Masstragelo  
of No 117 East 12<sup>th</sup> Street charging  
said Braeco with willfully  
throwing a quantity of Vitriol in  
said Masstragelo's face and  
causing injuries from which  
said Masstragelo is now confined  
to Bellevue Hospital and unable  
to appear in Court and make  
formal Complaint, as set forth

Subscribed before me, this

188

day

Police Justice

POOR QUALITY  
ORIGINAL

05 18

in the Certificate hereto Attached  
Department further says that said  
Massa Angelo identified said  
Praceo in his presence as the  
person who committed said  
Assault.

Michael Binnet

Sworn to before me

this 8<sup>th</sup> day of Jan'y 1891

Chas. Meach  
Police Justice

District,

Police Court--

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.  
Alphonse Praceo  
3 yrs. Italy  
253 Mott St

Dated Jan'y 8 1891

Magistrate.

Present  
144th Precinct  
Officer.

Witness,

March 20. 1891

\$2,500 bail for 4 mos

Disposition, Committed  
without bail to await  
the result of inquest  
Barnard for 10 days  
for 10 days for 10 days

POOR QUALITY  
ORIGINAL

0519

BAILED  
No. 1, by Philip Dechant  
Residence 530 W 57 St.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court...

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Luci Mantaracy  
447-339  
Alphonse Duco

Offence Assault Felony

Dated

May 6

1891

Witness

No.

301 Elizabeth

Street

Witness

Rosa Marano

Street

Witness

Mary Jones

Street

Witness

411 E 113

Street

Witness

Mary Gulya 417 E 113

Street

No.

21508

Street

No.

41508

Street

No.

41508

Street

No.

41508

Street

No.

41508

Street

No.

41508

Street

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

Alfred Dunch

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 May 6 1891 Alfred Dunch Police Justice.

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

Dated May 12 1891 Alfred Dunch 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.

POOR QUALITY  
ORIGINAL

0520

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Alfonso Bracco*

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

Indictment accuse *Alfonso Bracco* -

of the crime of *Assault in the 2nd degree,*

committed as follows:

The said *Alfonso Bracco,*

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

*eight* day of *January* in the year of our Lord one thousand  
eight hundred and eighty *ninety-one*, at the City and County aforesaid,

*in and upon one Luigi Martanago,  
then and there being, willfully and  
 feloniously did make an assault,  
and a quantity of a certain corrosive  
of this commonly known as acid of  
nitric, to, at, against and upon him  
the said Luigi Martanago, then and  
there willfully and feloniously did  
cast and throw, and ruin the said  
Luigi Martanago, with the said acid  
of nitric, so cast and thrown as  
aforesaid, in and upon the head and*

Grace of him the said Ding-Monhanga  
 then and there willfully and feloniously  
 did harm and wound, the same being  
 and means, and force as were likely  
 to produce the death of him the  
 said Ding-Monhanga, with intent  
 him the said Ding-Monhanga thereby  
 then and there willfully and feloniously  
 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 Alphonse Brown

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

The said Alphonse Brown,

late of the City and County of New York, on the eight day of  
January, in the year of our Lord one thousand eight hundred and  
eighty-nine with force and arms, at the City and County aforesaid, in and upon one

Simon Mathanaga,

in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make an assault; and the said a quantity of a certain

concrete of fluid consistency known as oil of  
nitric, to, at, against and upon him the said

with a certain Simon Mathanaga which then the said  
and there feloniously did wilfully and wrongfully  
cast and throw, and him the said Simon Mathanaga  
into the said oil of nitric, as aforesaid,

in his right hand then and there had and held, the same being then and there

a pepper and an instrument and weapon likely to produce grievous bodily harm, in and upon

the head and face of the said Simon Mathanaga — then

and there feloniously did wilfully and wrongfully strike, beat, bruise and wound,  
bruise 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.

POOR QUALITY  
ORIGINAL

0523

~~First~~  
SECOND COUNT—

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

~~Alphonse Bracco~~ —

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

The said ~~Alphonse Bracco~~.

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 ~~Giuseppe Matranga~~. —

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said ~~Alphonse Bracco~~, the said ~~Giuseppe Matranga~~. —

with a certain quantity of a certain poisonous fluid which came from the said ~~man~~ or ~~side of~~ ~~in~~ ~~right hand~~ then and there had held, in and upon the

~~head and face~~ of ~~him~~ the said ~~Giuseppe Matranga~~, —

then and there feloniously did wilfully and wrongfully strike, beat ~~him~~ —  
bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said ~~Giuseppe Matranga~~, to the great damage of the said ~~Giuseppe Matranga~~, 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 E. Fellows~~  
JOHN E. FELLOWS,

District Attorney.

0524

**BOX:**

436

**FOLDER:**

4021

**DESCRIPTION:**

Brennan, George

**DATE:**

05/18/91



4021

0525

Witnesses:

Anthony Comstock

Alphonso J. Jones

Agnes Turner

May 24/92

Spent in a jury on the  
Plea of former acquittal  
and jury found a verdict  
for the People.

June 1st

June 9/92

Spent 8 days in  
for acquittal

Spent 12 hours the 13th day  
discharge upon his own Plea  
I am satisfied no conviction can  
be obtained. I find the defendant  
guilty of the jury 8 to 2 (7) for  
acquittal no further testimony can  
be obtained. The Complaints author-  
conclude form me in this conclusion.  
March 12/92 Whitcomb  
et al.

15-1  
J. W. Nicoll  
13 W. May 18/91  
(653)

Counsel,  
Filed  
Pleas  
THE PEOPLE  
vs.  
George Brennan  
B #A

George Brennan  
June 19/91  
DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.  
JAMES I. May 23. 92  
V. J. Shadmore  
Foman.  
March 11/92  
J. D. O'Neil  
May 1/92

0526

15-1  
J. W. McClellan  
P. M. May 18/91  
(653)

Counsel,  
Filed  
Pleas  
THE PEOPLE  
Plead  
US  
May 19/91

George Brennan  
Plead  
May 19/91

DE LANCEY NICOLL,  
District Attorney.

May 19/91  
Sent to the Court for review  
of the bill by request  
of the defendant.

A TRUE BILL.  
For a Bill  
May 23/91

W. E. Woodman  
Foreman  
May 23/91  
Charles J. ...  
May 23/91

May 23/91

(30)

Witnesses:  
Anthony Comstock  
Alphonso J. James  
Agnes Thomas

May 24/91  
Spent by a jury on the  
pleas of former acquittal  
and jury found a verdict  
for the People.

Spent 1st  
Spent 2nd  
Spent 3rd  
Spent 4th  
Spent 5th  
Spent 6th  
Spent 7th  
Spent 8th  
Spent 9th  
Spent 10th  
Spent 11th  
Spent 12th  
Spent 13th  
Spent 14th  
Spent 15th  
Spent 16th  
Spent 17th  
Spent 18th  
Spent 19th  
Spent 20th  
Spent 21st  
Spent 22nd  
Spent 23rd  
Spent 24th  
Spent 25th  
Spent 26th  
Spent 27th  
Spent 28th  
Spent 29th  
Spent 30th  
Spent 31st

Spent 32nd  
Spent 33rd  
Spent 34th  
Spent 35th  
Spent 36th  
Spent 37th  
Spent 38th  
Spent 39th  
Spent 40th  
Spent 41st  
Spent 42nd  
Spent 43rd  
Spent 44th  
Spent 45th  
Spent 46th  
Spent 47th  
Spent 48th  
Spent 49th  
Spent 50th  
Spent 51st  
Spent 52nd  
Spent 53rd  
Spent 54th  
Spent 55th  
Spent 56th  
Spent 57th  
Spent 58th  
Spent 59th  
Spent 60th  
Spent 61st  
Spent 62nd  
Spent 63rd  
Spent 64th  
Spent 65th  
Spent 66th  
Spent 67th  
Spent 68th  
Spent 69th  
Spent 70th  
Spent 71st  
Spent 72nd  
Spent 73rd  
Spent 74th  
Spent 75th  
Spent 76th  
Spent 77th  
Spent 78th  
Spent 79th  
Spent 80th  
Spent 81st  
Spent 82nd  
Spent 83rd  
Spent 84th  
Spent 85th  
Spent 86th  
Spent 87th  
Spent 88th  
Spent 89th  
Spent 90th  
Spent 91st  
Spent 92nd  
Spent 93rd  
Spent 94th  
Spent 95th  
Spent 96th  
Spent 97th  
Spent 98th  
Spent 99th  
Spent 100th

POOR QUALITY  
ORIGINAL

0527

Special Sessions Court,

City, County & State of New York.

..... x  
P E O P L E x  
..... x  
versus x  
..... x  
G E O R G E F R E E M A N x  
..... x  
..... x

B R I E F .

The Complaint in the above entitled case read as follows:

"On, or about, the 11st. day of January 1881 at the  
"City and County of New York, GEORGE FREEMAN did unlawfully  
"write, make, utter, give away, and publish, a certain ob-  
"scene, lewd, and indecent Paper and Writing, which said  
"Paper and Writing was then and there so obscene, lewd, and  
"indecent, as to be offensive to the Court, and improper  
"to be spread on the Records of the Court,

"WHEREFORE, the same is omitted from this Complaint,  
"which said Paper and Writing was then and there enclosed in  
" sealed Envelope and addressed as follows, to wit:

"Miss Agnes Tamm,

"438 West 4th St. Street,

"City,

"against the peace and dignity of the People of the State of  
"New York, and against the form of the Statute of the said  
"State of New York in such case made and provided."

The aforesaid Complaint, the Presiding Justice did by

**POOR QUALITY  
ORIGINAL**

0528

his own volition dismiss on the ground <sup>2.</sup> that no offence was stated therein and there was nothing before the Court, and to correct said wrong impression, the following facts are respectfully submitted for the consideration of the Court:

First, This Complaint states a Statutory offence in the the language of the Statute.

"The offence is Statutory, and an indictment which avers "the offence as the Statute defines it, is sufficient."

Peo. vs. Phelps, 77 N. Y. 334.

Pickett vs. Peo. 8 Wm.

Peo. vs. James E. Kelly, 3 N. Y. Crim. Reports, 274.

"The offence being purely Statutory and as the Statute defines the offence, no better definition can be asked than "the language of such Statute."

State vs. Presbury, 13 Mo. 342, 343.

"Where the Statute creates an offence, it is always safe "for the Pleader to charge it in the language of the Statute."

State vs. Schwabach, 64 Mo. 330.

State vs. Coss, 74 Mo. 312.

State vs. Boegard, 72 Mo. 322.

"Where the Statute in defining an offence enumerates a "series of acts, either of which separately or altogether may "constitute the offence, all such acts may be charged in a

POOR QUALITY  
ORIGINAL

0529

"in a single count in the indictment."

3.

Pro. vs. Frank, 23 Cal. 507.

Pro. vs. Robert Dunn, N. Y. Reports.

Pro. vs. Kelly, N. Y. A. Crim. Reports, 174.

Polensky vs. Pro., 73 N. Y. 80.

"Obscene language need not be sworn upon as a fact."

"The words of an obscene libel may be omitted if they are so  
"foul" as to make the hearing of the count."

Gen. vs. Barker, 1 Mich. (Crim.) 88.

"If obscene libel is omitted, it must be averred that  
"it is too gross to be inserted in the indictment."

Gen. vs. Harrison, 2 Mich. & Wells 31.

Gen. vs. Wilson, 17 Mich. 100.

Gen. vs. Carlson, 1 Mich. 82.

State vs. Brown, 17 Mich. 113.

Pro. vs. Harrison, 1 Mich. 80.

State vs. Brown, 1 Mich. 113. (Crim.) Div. 1 to 1 pp 610 & 613

One PHILIP WHEAT was indicted for publishing a card in  
State vs. Brown, 1 Mich. 113. (Crim.) Div. 1 to 1 pp 610 & 613  
of  
"Pleasure". The indictment contained three counts. The  
second count alleged that the said WHEAT knowingly, unlaw-  
fully, wickedly, maliciously, and shamelessly did utter,  
publish and deliver to A. D. a certain card, titled, infamous  
and indecent book, entitled, etc., which said book is so lewd  
wicked and indecent that the same would be offensive to the

4.

Court here and improper to be placed upon the Record, wherefore the Juries aforesaid do not set forth the same in this indictment. The defendant after conviction, moved an arrest of judgment, claiming that <sup>in</sup> count of the indictment no part of the book, which is alleged to be a libel, is set forth in vein.

The Court held:

"The counts in this indictment are  
"not defective, for it is not necessary that each  
"word, look or picture should be set forth upon the Records  
"of the Court, which need be done if the description in these  
"counts is insufficient. This would be to require that  
"the public itself should give evidence contrary to  
"the policy in order to punish it. These counts being good,  
"it is unnecessary to give an opinion upon the others", etc.  
Com. vs. Holmes, 17 Mass. 187.

In Pennsylvania, one STEPHEN and others were indicted  
for exhibiting an obscene picture. The indictment reads,  
"Unlawfully, unlawfully and against the peace and dignity of the  
"said Commonwealth, to persons, to the highest degree of  
"known, a certain book, written, calculated, atrocious, and  
"obscene painting, representing a man in an obscene, audent  
"and indecent posture with a woman, to the manifest corrup-  
"tion and subversion of youth, and other citizens of this  
"Commonwealth, to the evil example of all others in like  
"case offending, and against the peace and dignity of the  
"Commonwealth of Pennsylvania."

5.  
The Defendants suffered a verdict to pass against them, and then made a motion in arrest of judgment on the ground ~~that~~ among others, that the indictment does not charge anything to have been committed or omitted contrary to the Common Law, or any Statute or Act of Assembly.

The Court held that the description was sufficient, saying,

"We do not know that the Picture had any name, and therefore it might be impossible to designate it by name. What then is expected? Must the indictment describe minutely the attitude and posture of the figures? I am for paying some respect to the exactness of our records. These are circumstances which may be well omitted. Whether the picture was really indecent the jury might judge from the circumstances, or if necessary, from inspection. The Witnesses could identify it. I am of opinion that the description is sufficient."

Com. vs. Inartless, 2 Sergt. Rules, 81 & 103.

These were the words of Chief Justice Tindal, and were sustained by his Associates.

It was objected by Counsel for the defence that the indictment was so indefinite that the defendant could be liable to punishment twice for the same offence.

Says the Court:

"As to the Defendant being twice punished for the same offence, I see no danger whatever. If one obscene, scandalous Picture alone had been exhibited to view, a conviction or acquittal on the present indictment may be pleaded

POOR QUALITY  
ORIGINAL

0532

6.  
"in bar to a future prosecution. If more than one such  
"picture has been exhibited they may prove the truth of  
"their plea, of autrefois convict, or acquitt, by showing  
"the evidence of the specific charges made against them  
"on their trial.

An indictment was filed in the United States Court,  
which was not only sustained, but is supported by a practice  
of more than fifty years in the United States Court in this  
City and elsewhere. This indictment reads as follows:

"did unlawfully and knowingly deposit in the mail of  
"the United States for delivery, a certain obscene, lewd,  
"and indecent Writing, which said Writing is so lewd, ob-  
"scene and indecent that the same would be offensive to the  
"Court here and improper to be placed on the records to proof,

"UNLAWFUL, the Jurors do not set forth the core in this  
"indictment, which said Writing was then and there enclosed  
"in an Envelope bearing an address and direction in the  
"words and figures following; that is to say,

"Miss Agnes Davis,

433 West 42nd Street,

City,

against the <sup>(of the People)</sup> peace of the United States and their dignity,  
"and contrary to the form of the Statute of said United  
"States in such case made and provided."

It will thus be made apparent to the Court, that the  
Complaint in this case is directly in line of the precedence

POOR QUALITY  
ORIGINAL

0533

of fifteen years' standing in the courts of this City.<sup>7</sup>

Says the United States Circuit Court for the Northern District of Illinois, where a man was indicted for sending obscene matter through the mail, (It was objected to the various counts of the indictment, that they did not set forth in language what ~~xxxx~~ was contained in the Book, in the Letters, or in the Circulars)

The Court said:

"It is said that whether a Book, or Letter, or  
"Circular is within the terms of the law is a conclusion,  
"and the Court must be permitted to judge by use <sup>of the</sup> ~~of the~~ special  
"language, or in the case of a picture or representation, or  
"article, by a copy or description of the same. I think  
"this objection is not well taken. The object of the law  
"is to exclude certain articles from the mail. If a Book,  
"Pamphlet, Representation, or Article, it is sufficient as to  
"that to describe it so as to identify it, or by stating  
"to whom it was addressed, and then to allege that it is  
"within the terms of the statute, as that it is an obscene  
"Book, pamphlet, page or print, picture, or otherwise, or an  
"indecent thing. This is a rule that has been established  
"by the Supreme Court of the United States in relation to  
"offences against the statute which prohibits interference  
"with, or the opening of letters entrusted to the mail by  
"persons other than those to whom they are addressed.  
(U. S. vs. Mills, 7 Pet. 133;) so that I think it is suf-  
"ficient in an indictment under Section 3393, to describe

POOR QUALITY  
ORIGINAL

0534

8.  
"the particular book, paper, pamphlet, &c., so as to identify the same, and then allege, in the language of the Statute, that it was of the character there described. Consequently, a count which declares that the Plaintiff in error caused to be deposited in a Post-Office of the United States, (naming it), for mailing and delivery to the address of a certain person, (naming it and him,) an Envelope then and there containing a printed advertisement and a written letter, which together were then and there a notice giving information, &c., was sufficient."

U. S. vs. Bates, 10 Fed. Rep. p 94.

This rule is the approved rule in all of the Courts of the United States. I have had many cases, and I have had hundreds of cases of this character.

In the celebrated case of United States vs. D. H. Bennett who was indicted for depositing certain lewd and lascivious books in the mails, the first count of the indictment was as follows:

"Did unlawfully, knowingly deposit or cause to be deposited for mailing and delivery, a certain obscene, lewd, and lascivious book called, 'Cupid's Joker, or The Finding Forces of Conjugal Life', which said book is so obscene, lewd, and lascivious, that the same must be offensive to the Court here, and improper to be placed on the Records thereof,

"WHEREFORE, the Jurors aforesaid do not set forth the

POOR QUALITY  
ORIGINAL

0535

"the same in this indictment, which said book was then and  
"there annexed in a paper wrapper, which said wrapper was  
"then and there addressed and directed as follows:

G. Brackett,

Box 208,

Granville, N. Y.

"The second count was in almost the same form and language,  
except that the book was described as,

"A card in publication of <sup>indecent</sup> or matter."

It was argued by counsel for the defendant that the  
indictment was insufficient, as the book had never been  
set forth in any words in such indictment, or that at  
least the indictment was not sufficient to inform the defendant of the  
nature of the charge, or to enable him to prepare his defense. This was  
based on the view that the indictment was not a bill of particulars  
and that it failed to set forth the nature of the offense, or to  
enable the defendant to prepare his defense.

And the Court:

"In the second count of the indictment, the defendant had information  
"given to him as to the offense charged, by the date of the  
"indictment, by the title of the book, and by the address of the  
"wrapper. The indictment stated the reason for not setting  
"forth the book, that it was too obscene and indecent to set  
"forth. A copy of the book with a designation to the ob-  
"scene passages would have been obtained before the  
"trial by asking for a bill of particulars. The defendant  
"was not deprived of the right. He had information of the  
"nature and cause of the accusation. The weight of authori-

POOR QUALITY  
ORIGINAL

0536

"ty as well as of reason, is in favor of the sufficiency of  
"the present indictment. See U. S. vs. Foote, 15 of Blatch.  
"C. C.R., 418."

*U. S. vs. D. M. Bennett 16 Blatch R*

This case was afterwards brought before the Circuit  
Court, of which the Honorable Samuel Blatchford was of the  
Supreme Court *of the United States* delivered the opinion, in which the action of  
the lower Court was sustained in every particular. The  
decision closes with,

"After careful consideration of all the points presented  
"we are unanimously of opinion that the action for a new  
"trial to set aside the verdict, and for an arrest of judi-  
"cament upon the same must be denied."

But if all of these cases could not be regarded as  
authorities, I respectfully present the celebrated case of  
The People of the State of New York vs. August Miller, as a  
full justification for the action of the Court of the County  
against Graham, as showing that when the Court took the  
voluntary action of the Grand Jury as a basis for their  
decision.

The indictment in the Miller case reads as follows:

"The Grand Jury of the City and County of New York, by  
"this indictment, accuse AUGUST MILLER of the crime of sell-  
"ing an innocent and defenseless person, as follows

"That said AUGUST MILLER, late of the County and of the  
"City of New York, in the County of New York, aforesaid, on  
"the twenty-second day of October, in the year of our Lord

11.  
"one thousand eight hundred and eighty-three, at the ward,  
"city and county, aforesaid, unlawfully did sell to one  
"JOSEPH A. BRITTON a certain indecent and obscene photograph,  
"representing a nude female in a lewd, obscene, indecent,  
"scandalous and lascivious attitude and posture, 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.

"And the Court duly returned, by the said Court,  
"Further recited the said ALBERT BARNETT of the county of New York,  
"in his possession, when asked to sell, several obscene  
"photographs, committed as follows:

"To a said ALBERT BARNETT, of the said city and county  
"aforesaid, aforesaid, to wit, on the 1st day of the year  
"aforesaid, did sell to said ALBERT BARNETT, said BARNETT and  
"BARNETT, said BARNETT, a certain obscene photograph, said  
"female figure in a lewd, obscene, indecent, lascivious,  
"lewd, obscene, indecent, lascivious attitude and posture, with  
"intent to sell the same for profit, scandalous, obscene  
"and indecent photograph of a female figure, 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.

This complaint to the Hon. the Court of the County of New York  
of Albany, aforesaid, by unanimous decision and approval  
of said Court.

I respectfully submit that the Complaint against E. D.  
BARNETT which this Court dismissed, was a proper Complaint, and

0538

12.

I have noted that the above-mentioned subject-  
 1504 on the part of the Court in regard to these complaints,  
 to be if in some cases it is not at all clear and  
 sufficient, it is not at all clear.

[illegible]

Anthony Comstock.

POOR QUALITY  
ORIGINAL

0539

Brief ~~copy~~

People

vs.

George Burman,

Special Services Unit.

Lay Test  
before Grand

Jury  
12-2-64

POOR QUALITY  
ORIGINAL

0540

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 22 May 1891

Police Justice.

DEPT. OF JUSTICE  
DISTRICT ATTORNEY'S OFFICE

City of New York

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Anthony Constantine

93 Park Row

George Brennan

att. 1/1/91

Rem to the Court of Special Sessions for trial by request of Counsel for Defendant

George Brennan

Dated May 15 1891

Witnesses  
John James  
Agnes James

No. 436 W. 42nd Street

No. \$500.00 bail

Street, E.H.

No. 106 West 10th Street

to the General Sessions

papers not sufficient

to give this Court

jurisdiction —

POOR QUALITY  
ORIGINAL

0541

COURT OF GENERAL SESSIONS.

-----o  
: THE PEOPLE :  
: VS :  
: GEORGE BRENNAN :  
: -----o

SIR:-

PLEASE TAKE NOTICE, that I will move in Part <sup>Three</sup> *Three*  
of the Court of General Sessions, for the dismissal of  
the indictment in the above entitled action and for such  
other and further relief as to the Court may seem just,  
on Thursday December 21st. 1893.

Dated New York December 20th. 1893.

Yours respectfully

JAMES W. MCLAUGHLIN

Counsel for Defendant *Mc*

No. 280 Broadway,

New York City, N.Y.

To

DeLancey Nicoll Esq.

District Attorney New York County.

POOR QUALITY  
ORIGINAL

0542

STATE OF NEW YORK,  
STATE AND COUNTY OF NEW YORK, } ss. :

\_\_\_\_\_ being duly  
sworn, says that he resides at No. \_\_\_\_\_ Street, in the City of  
New York; that he is \_\_\_\_\_ years of age; that on the \_\_\_\_\_ day of \_\_\_\_\_  
18 \_\_\_\_\_, at Number \_\_\_\_\_ in the City of  
New York, he served the within \_\_\_\_\_ on  
the \_\_\_\_\_ by leaving a copy thereof with \_\_\_\_\_

Sworn to before me this  
day of \_\_\_\_\_

189 \_\_\_\_\_

*J. J. General*

*The People*

Plaintiff

against

*George Brennan*

Defendant

*Copy*

*Notice of Motion*

*JURDY & 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 De laury M. M. M.*  
*District Attorney*

POOR QUALITY  
ORIGINAL

0543

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 Brennan*

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

Indictment accuse

*George Brennan*

of the crime of

*knowing and publishing and  
disseminating and indecent papers and writings,*  
committed as follows:

The said

*George Brennan,*

late 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~~ *ninety-one*, at the City and County aforesaid,

*did unlawfully utter and publish, say, then  
and there in writing the same in a certain  
envelope bearing an address and direction  
in the words and figures following, to wit:  
to wit:*

*"Miss Agnes James*

*436 West 42nd St.,*

*City."*

*and sending and causing the same to be sent  
to and delivered to one Agnes James, as  
indicated in the said envelope, a certain  
disseminating, sending and indecent papers and*

POOR QUALITY  
ORIGINAL

0544

writing, which said paper and writing is  
not true, tend and incite that the  
same would be offensive to the court  
there, and improper to be spread upon the  
records thereof, wherefore the Respondent  
desires to not set forth the same in  
this indictment; 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.

Deaneville,

District Attorney

0545

**BOX:**

436

**FOLDER:**

4021

**DESCRIPTION:**

Brown, John

**DATE:**

05/01/91



4021

0546

**BOX:**

436

**FOLDER:**

4021

**DESCRIPTION:**

Brown, John

**DATE:**

05/01/91



4021

POOR QUALITY  
ORIGINAL

0547

# 1457

Witnesses:

Officer Collins

16<sup>th</sup> Prec.

Officer Landon

a.k.a. in

Newton S.P.

17

Counsel,

Filed

Pleads,

1897

THE PEOPLE

vs.

John Brown

[Sections 528, 537 — Penal Code.]  
Grand Larceny Second Degree.

DE LANCEY NICOLL,  
District Attorney.

A True Bill.

Conrad G. Sullivan  
Foreman.  
May 14 1897  
Heard in Court  
H. G. S. Davis S.P.

POOR QUALITY  
ORIGINAL

0548

Police Court

2 District.

Affidavit—Larceny.

City and County } ss:  
of New York,

of No. 506 West 24<sup>th</sup> Street, aged 38 years,  
occupation House Keeper

deposes and says, that on the 27 day of April 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 day time, the following property, viz:

One gold watch, one chain  
and pocket, one gold and diamond ring, one  
over coat, one revolver, one suit of clothes, one  
hat, and one hat together of the value of (\$75.)  
Seventy Five Dollars

the property is in care and charge of deponent as  
House Keeper

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 John Brown (now here) from the fact  
that on said date deponent missed said  
property from said premises and saw  
that said Brown leave said premises  
with said property in his possession.

Lina Frick

Sworn to before me, this

28 day

of April 1897

Attest

Police Justice.

POOR QUALITY  
ORIGINAL

0549

Sec. 198—200.

CITY AND COUNTY } ss.  
OF NEW YORK,

2 District Police Court.

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

Question. What is your name?

Answer. John Brown

Question. How old are you?

Answer. 39 years

Question. Where were you born?

Answer. Germany.

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

Answer. 208 Bowery - about 3 months

Question. What is your business or profession?

Answer. Waiter.

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.

John Brown

Taken before me this

day of

April

1911

Police Justice.

POOR QUALITY  
ORIGINAL

0550

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

Police Court---

District.

560

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

1 John Brown  
2  
3  
4

Offence Larceny  
Felling

Dated

April 28

1891

Residence

Magistrate

Officer

No. 3, by

Colino

Officer

Residence

16

Precinct

Witnesses

Joseph H. Colino

Officer

No. 4, by

16th Precinct

Street

No. 4, by

David Smith

Street

No. 4, by

748 1st Avenue

Street

No. 4, by

1500 1st Avenue

Street

No. 4, by

1500 1st Avenue

Street

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

Defendant

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

Dated April 28 1891 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.

POOR QUALITY  
ORIGINAL

0551

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 Brown*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse

*John Brown*

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

The said

*John Brown*

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

*one watch of the value of twenty dollars,  
one chain of the value of five dollars, one  
locket of the value of five dollars, one  
finger ring of the value of twenty dollars,  
one overcoat of the value of ten dollars,  
one coat of the value of eight dollars,  
one vest of the value of three dollars,  
one pair of trousers of the value of  
four dollars, one pistol of the value of  
two dollars and one hat of the value  
of three dollars,*

of the goods, chattels and personal property of one

*Lena Truck*

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.

*Re Lancelotti  
District Attorney*

0552

**BOX:**

436

**FOLDER:**

4021

**DESCRIPTION:**

Brull, Louis

**DATE:**

05/15/91



4021

POOR QUALITY  
ORIGINAL

0553

Witnesses:

Offr Peter W. Parker  
4. pres.

In my opinion the evidence  
in this case is insufficient  
for conviction. The deft  
has a good character  
(See aff's filed herein).  
I recommend the dismissal  
of this indictment  
discharge of the  
prisoner.  
Sept 24. 1891.

Samuel M. Davis  
Aust.

Counsel  
Filed, *for* *Oct 1891*  
Plends, *Myrtle St*

THE PEOPLE,

vs.

Louis Brill

RECEIVING STOLEN GOODS.  
(Section 550, Penal Code.)

JOHN R. FELLOWS

District Attorney.

July 27/91 Recd.  
Sept 18, 1891. 171111

A True Bill.

W. L. Hudson

Sept 2 - Sept. 24, 1891. Foreman.  
for District of District Attorney  
Indictment dismissed

**POOR QUALITY  
ORIGINAL**

0554

THE  
NEW YORK SMELTING & REFINING CO.,

(INCORPORATED IN NEW JERSEY.)

METAL.

MANUFACTURERS, SMELTERS AND DEALERS.

TELEPHONE CALL, CORTLANDT 3815.  
OFFICE & WORKS:  
COR. JANE AND WEST STREETS.

New York, Sept. 22nd., 1891.

To whom it may concern:-

We have known the bearer of this letter, Mr. Louis Brull, for a number of years, during which time we have done considerable business with him, both in buying goods from him and selling to him, and have always found him to be very honorable, reliable and trustworthy.

Yours very truly,

THE NEW YORK SMELTING & REFINING CO.  
*M. L. Brull*

**POOR QUALITY  
ORIGINAL**

0555

B. LOWENSTEIN.

M. LOWENSTEIN.

**The Nassau Smelting & Refining Works,**

B. LOWENSTEIN & BRO., Prop's.

NEW & OLD METALS.

BABBIT METAL & SOLDER.

METAL DROSS OF ALL KINDS BOUGHT.

540, 542 & 544 West 16th Street.  
NEAR NORTH RIVER.

New York, Sept 7<sup>th</sup> 1891

To whom it may concern!  
This is to certify that we have  
known the bearer hereof Mr  
Louis Bull for a great number  
of years, have done business  
with him in purchasing &  
selling him his wants & know  
him to be honest & enterprising  
hard working man steady  
& sober during our acquaintance

B. Lowenstein & Bro.

Court of General Sessions.

-----X  
THE PEOPLE ETC. )  
: )  
- agst - : )  
: )  
LOUIS BRULL. : )  
: )  
-----X

City and County of New York, SS:-

T h o m a s S m i t h, being duly sworn, deposes and says, that he resides at No. 266 Stuyvesant Avenue, in the City of Brooklyn, and is engaged in business as a wholesale rag and metal dealer, at No. 75 Pike Slip, in the City of New York, and that he has been engaged in such business, in said City of New York, for over thirty years.

Deponent further says, that he has known and has done business with the defendant, Louis Brull, for more than ten years last past, and that he knows him to be a wholesale dealer in old metals, and that he has always found him to be thoroughly honest and reliable in all his transactions.

Deponent further says, that he knows the defendant to be an honest, sober and industrious man of business, and he knows a great many other people who know the defendant, and deponent's opinion, as well as the opinion of all who know the defendant, is, that he is an honest respectable and reliable man, and a peaceful and law-abiding citizen.

POOR QUALITY  
ORIGINAL

0557

Deponent further says, that, during all the time that he has known the defendant, he has never heard of his being arrested, or being charged with the commission of any criminal offense, and deponent positively and solemnly avers, that the defendant's reputation, to the best of deponent's knowledge, is and always was of the very best.

Sworn to before me this

22nd day of September, 1891.

)  
:o:-  
)

*Wm. Smith*

*Moses S. Sneed*

*Notary Public  
N.Y. Co.*

Court of General Sessions.

-----\*  
THE PEOPLE ETC. )  
                  ; )  
          - agst -   ; )  
                  ; )  
LOUIS BRULL       ; )  
                  ; )  
-----\*

City and County of New York, SS:-

J a c o b   B u t c h e r,   being duly sworn, deposes and says, that he resides at No. 266 South First Street, in the City of Brooklyn, and is engaged in business as a plumber and gas-fitter, at No. 756 Sixth Street, in the Eleventh Ward, in the City of New York, and that he has been engaged in said business, in the same Ward, in said City of New York, for upwards of forty years last past.

Deponent further says, that he has known the defendant for the past eighteen years, both before and after he entered into business;;that he knows the defendant to be a thoroughly honest, reliable and straightforward young man, honest in all of his business transactions, and deponent has done business with the defendant for more than five years last past.

Deponent further says, that he knows the defendant to be a sober, industrious and respectable man of business, and he knows a great many other people who know him; and in the opinion of this deponent and many others who know the defendant and have communicated their opin-

**POOR QUALITY  
ORIGINAL**

0559

ions to deponent, the deponent solemnly and sincerely avers, that the defendant is a gentleman, in every sense of the word, and a peaceful and law-abiding citizen.

Deponent further says, that during the past eighteen years, he has never heard of the defendant being arrested or being charged with the commission of any offense, and deponent positively swears, that, to the best of his knowledge and belief, the character and reputation of the defendant is and always was of the very best.

Sworn to before me this )  
22nd day of September, 1891. )

:- Jacob B. Butler

John Callahan  
Notary Public  
N.Y. 60

POOR QUALITY  
ORIGINAL

0560

Court of General Sessions.

-----X  
THE PEOPLE etc.

-agst-

LOUIS BRULL  
-----X

City and County of New York, SS:-

Max Lowenstein, being duly sworn, deposes and says, that he is a brother-in law of the above-named defendant, and resides at No. 971 Second Avenue, in the City of New York. That he is employed by the defendant in his business, which is that of a wholesale dealer in metals, at No. 85 Pike Slip, in the City of New York. That on the 2nd day of May, 1891, that being the day on which the defendant is alleged to have received stolen property, ~~although~~ deponent and the defendant were at the latter's place of business all day, <sup>and</sup> ~~that~~ no metal of any kind was bought from any person on that day; ~~and~~ that the defendant purchases metal in large quantities only, and from parties who are engaged in the wholesale business and that he never purchases metal from private parties, and that his average purchases are from 5 to 7,000 pounds per week. Deponent further says that if any goods were purchased on the day in question, deponent would have known of it, as he was at said place of business all that day, and deponent solemnly avers that no metal or other goods were bought from any parties on that day, and that

POOR QUALITY  
ORIGINAL

0561

the defendant, to the best of deponent's knowledge and belief, is absolutely innocent of the crime with which he stands charged.

Deponent further says that the defendant has never been arrested before in his life; that he has known him for the past 12 years; that his reputation for honesty respectability and integrity, has always been of the very best.

Sworn to before me this }  
23<sup>rd</sup> day of September, 1941 } Max Lowenstein  
Jm Callahan  
Notary Public  
N.Y.C.

POOR QUALITY  
ORIGINAL

0562

Court of General Sessions.

-----x  
THE PEOPLE etc.

-agst-

LOUIS BRULL  
-----x

City and County of New York, SS:-

L o u i s B r u l l, being duly sworn, deposes and says, that he is the defendant in the above-entitled action, and resides with his wife and family, at No. 971 Second Avenue, in the City of New York; that his business is that of a wholesale dealer in metals, and that his place of business is situated at No. 85 Pike Slip, in the City of New York.

Defendant further says that he has been engaged in the wholesale business alone, and that he never ~~as that, which average purchases are from \$7,000 to \$7,000 pounds per week~~ buys metal from private parties. That on the 2nd day of May, 1891, both defendant and his brother-in-law, Max Lowenstein, were at the said place of business all day, that defendant did not buy any lead on that day, nor did his brother-in-law, as defendant has been informed and verily believes.

Deponent further says that he has never been arrested before in his life, and that he has never before been charged with the commission of any crime or criminal offense, and that he has never been guilty of any offense against the law. ~~That~~ Deponent solemnly and sincerely

POOR QUALITY  
ORIGINAL

0563

avens that he is not guilty of the crimes charged against him herein. Deponent has been engaged in said business for upwards of nineteen years, and he has never before been into any trouble of this kind; that he has always tried to lead an honest and straightforward life, and earn a decent and respectable living. That he has always maintained a reputation for honesty and respectability.

Sworn to before me this  
23rd day of September, 1891.

)  
:  
)

Louis Brill

J. Callahan  
Notary Public  
N.Y.C.

POOR QUALITY  
ORIGINAL

0564

*N.Y. General Sessions Court.*

*The People v.*

*against*

*Louis Brill.*

*Defendants and Appellants.*

LEVY, FRIEND & HOUSE,

*Defendants - ATTORNEYS,*

25 CHAMBERS ST., NEW YORK.

Due and timely service of a copy of the within

is hereby admitted,

this \_\_\_\_\_ day of \_\_\_\_\_ 189

Attorney for

Sir:-

Please take notice, that the within  
is a true copy of an  
in this action, this day duly filed  
and entered, in the office of the  
Clerk of this Court.

Dated, N. Y., 189

Yours &c.,

LEVY, FRIEND & HOUSE,

Att'ys for

To

Esq.,

Attorney for

POOR QUALITY  
ORIGINAL

0565

Police Court 1st District.

City and County } ss.  
of New York.

of No. 560 Water Street, aged 34 years,  
occupation Boat Cleaner being duly sworn, deposes and says,  
that on the Second day of May 1891, at the City of New  
York, in the County of New York, the forerunner was 380 & 382

Water Street in said City were burglariously  
entered by William Jolly, Joseph Donegan,  
Joseph Moore & Henry Moore as described  
in the annexed affidavit and complaint -  
Deponent is informed by Peter D  
Bartu & ~~James~~ Mc Grovey of the  
4th Precinct Police that said defend-  
-ents acknowledged and confessed that  
they committed the aforesaid act and  
thereafter disposed and sold the  
property to Louis Brull of No 84  
Pike Slip for the sum of one dollar  
and fifty cents - Deponent says that  
he is informed by said officers that  
they went to the aforesaid place and  
found part of the property described  
in the affidavit charging said Jolly  
and others with said crime in his  
said Louis Brulls possession  
Deponent says that the defendants  
who are charged with committing the  
aforesaid act and disposing and  
selling of the property to said Brull  
are minors

Wherefore deponent charges said  
Louis Brull with unlawfully receiv-  
ing and purchasing the aforesaid property  
he well knowing that the same had  
been feloniously stolen

Brought before me  
this 6 day of May 1891

Richard B. McLaughlin

Police Justice

POOR QUALITY  
ORIGINAL

0566

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

Louis Brill 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. Louis Brill

Question. How old are you?

Answer. 32 years

Question. Where were you born?

Answer. France

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

Answer. 971 Second Ave Three months

Question. What is your business or profession?

Answer. Purchaser of old metals

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  
Louis Brill

Taken before me this  
day of May 1891

Police Justice

POOR QUALITY  
ORIGINAL

0567

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 30 years, occupation

James McCreary  
Officer

of No.

4th Precinct  
Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of

Richard B McLaughlin

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

Sworn to before me, this

day of

May

1888

James D. Carter

Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 39 years, occupation

Peter D. Carter  
Officer

of No.

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

Richard B McLaughlin

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

Sworn to before me, this

day of

May

1888

Peter D. Carter

Police Justice.

POOR QUALITY  
ORIGINAL

0568

Police Court...

1st

Dis...

607

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Richard H. Long  
560 Madison St  
John Brill

Offence Receiving and  
purchasing stolen property

Dated

June 6

1891

E. Hogan Magistrate

John H. Brennan Officer

Witnesses

John H. Brennan

Street

No.

John H. Brennan

Street

No.

John H. Brennan

Street

No.

John H. Brennan

Street

No.

John H. Brennan

Street

No.

John H. Brennan

Street

No.

John H. Brennan

Street

No.

John H. Brennan

Street

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named 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 June 6th 1891 Police Justice.

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

Dated June 6th 1891 Police Justice.

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

Dated June 6th 1891 Police Justice.

**POOR QUALITY  
ORIGINAL**

0569

## ABSTRACT OF LAWS AND ORDINANCES

### Regulating Junk Shops in the City of New York.

The Acts of the Legislature empower the Mayor, Aldermen and Commonalty of the City of New York to pass such ordinances from time to time as they may deem necessary for regulating dealers in second-hand furniture, metal, clothes, etc., also, persons keeping junk shops and dealing in old iron, brass, copper, junk, etc., etc., such persons to obtain license from the Mayor. Sections twenty and twenty-one of Chapter XL of the Laws of 1833 are, by law, made to apply to second-hand dealers and junk-shop keepers offending against such ordinances. It is required by law also, that persons so licensed shall give a bond for the observance of the laws and ordinances.

The Ordinances of the Common Council provide and direct: The Mayor may license persons to be dealers in junk, old rope, old iron, brass, copper, etc., etc., such persons to give a bond in the penal sum of two hundred and fifty dollars, conditioned for a faithful observance of the Ordinances of the Common Council.

Junk Dealers must keep a record of every article purchased, the name and residence of the person from whom bought, price paid, and day and hour of such purchase; such book to be open to examination by the Mayor, Aldermen, Police Justices, and Superintendent of Police, and to any person authorized in writing by either of them; and any article or thing purchased and required to be shown to either of these official persons, or to any person by either of them authorized must be exhibited on demand, so that the same may be identified if having been lost or stolen. No goods, article or thing must be purchased from any minor person, apprentice or servant, the dealer knowing or having reason to believe such to be the case; nor shall any article or thing be purchased by any licensed dealer after sunset and before seven o'clock in the morning. Every license must specify the place for carrying on said business, and will expire the Second Monday in May following the granting thereof, unless sooner revoked—the Mayor having power to revoke the same at any time.

Persons who may carry on said business of buying and selling junk, rags, or old rope, paper or bagging, old iron, brass, copper, tin, empty bottles, slush or lead, without a proper license, or at any other place than as designated in the license, or after license having been revoked, become liable to a fine of twenty-five dollars for every offense. No article or thing purchased by a dealer shall be altered, defaced or mutilated, or be offered for sale in any other form or condition than as bought, under a penalty of one hundred dollars; and if any dealer shall have any article or thing in his possession which shall have been advertised as lost or stolen, information must be given at the office of the General Superintendent of Police. No licensed junk-shop keeper shall receive or hold a license as a pawnbroker, or dealer in second-hand articles, nor receive any article or thing as a pledge or pawn; nor buy or sell any article of gold or silver, or wearing apparel, or household furniture, or any implement, tool or utensil, in a sound, unbroken or undamaged condition; nor advance any money on security of any such article or thing. No junk-shop keeper shall keep any cart or boat without having the same duly licensed by the Mayor, and his name at length, and the street and number of his place of business, and number of his license must be plainly painted on both sides of any cart or barrow, and of any boat so used by him.

The letters and figures must not be less than two and a half inches in length.

Whenever any person holding license removes his place of business immediate notice must be given at the Mayor's office, and the lettering, etc., on carts or boats, be made to conform to such change.

(1121.)

POOR QUALITY  
ORIGINAL

0570

STATE OF NEW YORK, }  
CITY AND COUNTY OF NEW YORK, } ss.

**THE PEOPLE** of the State of New York, to the Sheriff, Deputy  
Sheriffs, and Policemen of the City and County of New York,  
GREETING :

**WE COMMAND YOU**, and each of you,  
That you attach and take the body of

*Sylvester McCabe*

who stands charged before our Justices of our Court of  
General Sessions of the Peace, in and for the said City  
and County, with a Contempt, in refusing or neglecting to obey a Subpœna, issued out  
of the Court and duly served on him, to attend as a witness, and him forthwith  
bring before our said Justices, to be dealt with according to law.

WITNESS, Hon.  *Rufus B. Connor*  and  
Judge of our said Court, this  *22<sup>nd</sup>*  day  
of  *Sept.*  in the year of our Lord, one thousand  
eight hundred and ninety-one

BY THE COURT.

*John Sparks*

Clerk of Court.

POOR QUALITY  
ORIGINAL

0571

New York General Sessions of the Peace.

THE PEOPLE  
OF THE STATE OF NEW YORK

against

*Sylvester W. Lake*

Dated

*Sept. 22<sup>nd</sup>* 1897

ATTACHMENT FOR A CONTEMPT

POOR QUALITY  
ORIGINAL

0572

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, ss.

**THE PEOPLE** of the State of New York, to the Sheriff, Deputy  
Sheriffs, and Policemen of the City and County of New York,  
GREETING :

**WE COMMAND YOU**, and each of you,  
That you attach and take the body of  
*Henry Jones*  
who stands charged before our Justices of our Court of  
General Sessions of the Peace, in and for the said City  
and County, with a Contempt, in refusing or neglecting to obey a Subpoena, issued out  
of the Court and duly served on him, to attend as a witness, and him forthwith  
bring before our said Justices, to be dealt with according to law.

WITNESS, Hon. *John A. Boring*  
Judge of our said Court, this *22<sup>nd</sup>*  
day of *Sept.* in the year of our Lord, one thousand  
eight hundred and ninety-*one*

BY THE COURT.  
*John Sparks*  
Clerk of Court.

POOR QUALITY  
ORIGINAL

0573

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss.

**THE PEOPLE** of the State of New York, to the Sheriff, Deputy  
Sheriffs, and Policemen of the City and County of New York,  
GREETING :

**WE COMMAND YOU**, and each of you,  
That you attach and take the body of

*Henry Knox*

who stands charged before our Justices of our Court of  
General Sessions of the Peace, in and for the said City  
and County, with a Contempt, in refusing or neglecting to obey a Subpœna, issued out  
of the Court and duly served on him, to attend as a witness, and him forthwith  
bring before our said Justices, to be dealt with according to law.

WITNESS, Hon.

*Rufus B. Corning*  
Judge of our said Court, this

of *Sept.*

eight hundred and ninety-*one*

and  
day

in the year of our Lord, one thousand

BY THE COURT.

*John Sparks*

Clerk of Court.

POOR QUALITY  
ORIGINAL

0574

New York General Sessions of the Peace.

THE PEOPLE  
OF THE STATE OF NEW YORK

against

*Henry Moses*

Dated *Sept. 22<sup>nd</sup>* 189*1*

ATTACHMENT FOR A CONTEMPT

POOR QUALITY  
ORIGINAL

0575

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

Louis Brill

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

Louis Brill

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

The said

Louis Brill

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

five hundred pounds of lead  
pipe of the value of ten cents  
each found

of the goods, chattels and personal property of one Margaret McLaughlin  
by William Jolly, Joseph Donagan, Joseph Moore and Henry Moore and  
by - certain other persons to the Grand Jury aforesaid unknown, then lately  
before feloniously stolen, taken and carried away from the said Margaret McLaughlin

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

Louis Brill

then and there well knowing the said goods, chattels and personal property to have been  
feloniously stolen, taken and carried 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.

05 76

**BOX:**

436

**FOLDER:**

4021

**DESCRIPTION:**

Brunel, Frederick G.

**DATE:**

05/05/91



4021

GLUED PAGE

0577

After an examination of this case  
I have come to the conclusion  
that the defendant ought to be  
discharged. The history of the trans-  
action of the <sup>money</sup> ~~complaint~~ <sup>by the</sup> the  
defendant with the <sup>money</sup> ~~by the~~ the Bank  
upon which the <sup>money</sup> ~~other~~ was drawn  
convinces me that the defendant  
acted as criminal intent.

The character is fully shown  
by affidavits, files down to be  
of the but ~~the~~ complainant  
has been fully paid & desires  
to withdraw the complaint, as  
shown to his own statement to  
file herein.

I therefore recommend the  
dismissal of this indictment,  
May 26th, 1911.

Vermon M. Davis  
Art.

John Vincent

Counsel,  
Filed 5 day of Aug 1897  
Pleas, John Vincent

THE PEOPLE

vs.

2

Frederick J. Brunel

[Section 528, and 531, Penal Code].  
(False Pretenses).  
LARCENY,

DeSansey Nicol,  
JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. L. Kidman

Forb. May 27/91 Foreman.  
Indictment dismissed

N.Y. General Sessions

The People vs  
agst  
Frederick C. Brummell }

City & County of New York, ss

George F. Dodge, being duly sworn says that he resides at Orange N.Y. and has an office in Newark, N.J. for the transaction of business relating to real estate owned by himself and the members of his family which is the only business in which he is engaged. That he knows the defendant and has been acquainted with him for upwards of two and a half years and during that period has always believed him to be a person of good character and has found him straightforward, honest and trustworthy. That he has never heard anything derogatory to the defendants character aside from the charge in this case and notwithstanding the charge made against him I would trust him and would recommend him to others if he were engaged in business. That during the period of his acquaintance with defendant he has never heard any one acquainted with defendant speak badly about him and the defendant

POOR QUALITY  
ORIGINAL

0579

seemed always to be popular with those who knew him. That deponent has found the defendant to be a person of very even disposition, good natured, active and attentive to his business and very industrious and a hard worker. That he does not believe the defendant to be vicious or that he would intentionally injure another. That deponent has always esteemed the defendant very highly and the charge in this case would not alter his opinion of the defendant.

Sworn to before me this }  
11<sup>th</sup> day of May 1891

George F. Dodd

Chas. O. Sanders,  
Commissioner of Seeds,  
N.Y. City.

My General Sessions

The People vs  
against  
Frederick C. Brummell }

City and County of New York ss

John Firth being duly sworn  
says that is the resident partner at No  
513 Bway N.Y., of the firm of William Firth  
Sons & Co., Bradford Eng. and has known  
the defendant for upwards of five years  
and during the period of his acquaintance  
with defendant has never known or heard  
any thing derogatory to his character  
but has always believed him to be a person  
of good character and entitled to credit  
That defendant has, during the period above  
stated, trusted the defendant with property  
of considerable value and in all his dealings  
with defendant has always found him  
trustworthy and honest and never had any  
reason to regret having placed any  
confidence in him.

Sworn to before me this }  
9<sup>th</sup> day of May 1891

Chas C. Sanders

Commissioner of Trade, N.Y.C.

John Firth

N.Y. General Sessions

The People ss  
agst.  
Frederick C. Brummell }

City and County of New York ss

Alexander Grant, being duly sworn says that he is a Counsellor at Law of the State of New Jersey and resides in Newark N.J. and has my office at 802 Broad St. That he is well acquainted with the defendant above named and has known him for upwards of 12 months. That he has been in frequent business intercourse with defendant and in all his transactions with him defendant has found him honest and trustworthy and of a high moral character and has never known or heard of anything derogatory to his character. That on the occasion of his first meeting defendant he was particularly impressed with the high moral sense exhibited by defendant and that defendant cultivated the acquaintance of defendant for the reason that he found him more than a man of ordinary moral sense.

Deponent further says that he has trusted

POOR QUALITY  
ORIGINAL

0582

the defendant and would now trust him and  
believes that he would not betray any one's  
confidence and would live up to any prom-  
ise he might make, as he has always done with  
deponent.

That deponent is acquainted with Mr  
Isiah Ball of Orange, N.J. and knows  
the defendant to have been employed by  
him and during such employment the  
defendant possessed the confidence of Mr  
Ball and was always very highly spoken  
of by him.

Subscribed and sworn to before me this } Alexander Grant.  
9<sup>th</sup> day of May 1891  
Chas. C. Sanders,  
Commissioner of Deeds,  
N.Y. City

N.Y. General Sessions

The People vs  
agst

Frederick G. Bannell

City and County of New York, ss

Arthur C. Burr being duly sworn says That he is a salesman with John S. Cutter & Co., of 44 East 14<sup>th</sup> St. N.Y. City and reside at 76 Horatio Street. That he is well and intimately acquainted with the defendant and has known him for upwards of two years and during the period has associated with him and with his friends. That during the period of his acquaintance with defendant he has never heard anything derogatory to his character but on the contrary every one acquainted with him, known to deponent, have always spoken very highly of defendant. That among his associates the defendant has always been highly esteemed and then considered trustworthy and honest. That in all of deponent's dealings with defendant he has always found him honorable and straightforward and deponent believes him now to be honest and would

not hesitate to trust him every way and believes that he would live up to any promises he might make. That he believes him to be a person of good moral character and aside from the charge against him in this case, has never heard or known him to be guilty of any questionable transaction or offense and if defendant had been deponent believes he would have heard about it

Deponent further says that all of the defendants associates have been persons of good character and that defendant has been, during deponents acquaintance with him, regular and steady in his habits.

Sworn to before me }  
this 7<sup>th</sup> day of May 1891 }

Arthur C. Burr.

Chas. D. Sanders,

Commissioner of Seeds,  
N.Y. City

My General Sessions

The People &  
against  
Frederick C. Brunnell }

City and County of New York ss.

Charles Widmer, Jr. being duly sworn says that he is a Clerk in the office of the Mutual Life Insurance Company at No 32 Nassau Street N.Y. City, and resides at 297 West 116<sup>th</sup> Street. That he is well and intimately acquainted with the above named defendant and has known him for upwards of two years and during the period has associated with him and with his friends and during the period of his acquaintance has never heard anything derogatory to his character, but on the contrary everyone acquainted with him, known to deponent, has always spoken highly of defendant and among his associates defendant has always been highly esteemed and considered honest and trustworthy. That in any of his dealings with deponent, he has always found the defendant honorable and straightforward, and deponent now be-

believes him to be honest and would not  
hesitate to trust him in every way and  
has no doubt that he would live up to  
his promises. That he believes defendant  
to be a person of good moral character  
and aside from the charge against him  
in this case, has never heard of or known  
him to be guilty of any questionable  
transaction or offense and that during  
his acquaintance with defendant depo-  
nent has always found him reliable  
and regular and steady in his habits  
Deponent further says that all of defen-  
dant's associates and companions have  
been and are persons of good reputation  
and that if there had been any thing a-  
gainst defendant deponent believes he  
would have heard about it.

I sworn to before me  
this 7<sup>th</sup> day of May 1891 } Chas. M. Adams Jr.  
Chas. O. Sanders  
Commissioner of Deeds  
N.Y. City

N.Y. General Sessions

The People vs

— agt —  
Frederick G. Brunnell

City and County of New York, ss

James J. McKeon being duly sworn says That he is a salesman with Rogers, Peet & Co, at No 259 Broadway N.Y. City and resides at East Orange, New Jersey. That he is well and intimately acquainted with the defendant herein and has known him for about three years and during the period of his acquaintance with defendant has been frequently in his company and of his companions. That he has always found the defendant to be a person of good moral character, upright, truthful and honest in all his dealings and his associates were always persons of good character. That deponent has never during the period of his acquaintance, heard anything derogatory to defendant's character but on the contrary every one with whom deponent is acquainted and to whom the defendant is known have always spoken well of the defendant

POOR QUALITY  
ORIGINAL

0588

and among all defendants acquaintances known to deponent, the defendant has been highly esteemed. That deponent believes the defendant to be trustworthy and deponent would now be willing to trust him with any amount of money and would give him his utmost confidence and I am confident that I have never known the defendant to commit any wrong or be guilty of any questionable transaction and do not believe that he has ever heretofore been guilty of any offense and if he had been deponent has no doubt that he would have heard of it.

Subscribed before me  
this 7<sup>th</sup> day of May 1891

Chas. Sanders

Commissioner of Deeds,  
N.Y. City

James F. McSherry

POOR QUALITY  
ORIGINAL

0589

NY Sup. Ct.

The People vs.

against

Frederick G. Brunell

Defendant  
as to character &c

John Vincent,  
Attorney for Defendant  
Mutual Life Ins. Building,  
32 Nassau Street,  
New York City.

Due and timely service of a copy of within is hereby ad-  
mitted this ..... day of ..... 188

G. D. Tucker, Attorney, 61 Nassau St., N. Y.

POOR QUALITY  
ORIGINAL

0590

Police Court 2 District.

Affidavit—Larceny.

City and County } ss:  
of New York, }

Frank S. Millaud  
of No. Marlborough Hotel Broadway, aged 37 years,  
occupation Cashier, being duly sworn,  
deposes and says, that on the 30<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 day time, the following property, viz:

Good and lawful money of the  
United States of the value of  
Forty dollars.

the property of

C. A. Blanchard and co-  
partners and in care 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 Frederick G. Bunnell for the

reasons that on said day and  
previous thereto the defendant  
was a guest at the above hotel  
and on said day the defendant  
presented the annexed check  
to deponent as cashier of said  
hotel and requested deponent  
to cash it. Deponent believing  
that the defendant as the maker  
of said check was entitled to  
draw on the drawer for the  
sum specified therein, gave  
the defendant said sum of forty  
dollars the alleged face value

Sworn to before me, this

of

189

day

Police Justice.

POOR QUALITY  
ORIGINAL

0591

of the check. Deponent caused said check to be presented at the Bank upon which the same had been drawn and it has been returned protested for the reason that the defendant had no funds in the hands of the drawee to meet the payment thereof. That said fact was well known to the defendant for the reason that the defendant has drawn a number of similar checks upon the same drawee which are now in the hands of deponent's firm and have been dishonored.

Wherefore deponent charges the defendant with intent to defraud by the color or aid of said check obtained said money when he knew that he was not entitled to draw upon the drawee and deponent asks that the defendant be arrested and dealt with as the law directs.

Sworn to before me }  
the 13<sup>th</sup> April, 1891 } Frank S. Willard.  
N.T. Mahon }

Police Justice

059.2

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Frederick G. Brunel being duly examined before the under-  
signed 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.

Answer.

*Answer.*

*Answer.*

*Answer.*

*Answer:*

*Answer.*

Answer. I am not guilty; I demand  
an examination.

Frederick Brunel

*Taken before me this*

2

day of April, 1881

*Police Justice*

POOR QUALITY  
ORIGINAL

0593

Sec. 151.

Police Court 2 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:

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 Frank J. Willard of No. Marlborough Hotel Street, that on the 30 day of March 1891 at the City of New York, in the County of New York, the following article to wit:

good and lawful money of the United States  
of the value of Forty Dollars Dollars,  
the property of in care and charge of defendant complainant  
w as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Fredrick B. Brunel

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 every of you, to apprehend the body of the said Defendant and forthwith bring me before me, at the 2 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 13 day of April 1891

H. T. McMahon POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

0594

Police Court ..... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated ..... 188

..... Magistrate

*Sheldon*

..... Officer.

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

..... Officer.

Dated ..... 188

This Warrant may be executed on Sunday or at  
night.

..... Police Justice.

Dated ..... 188

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.

The within named

Police Justice.

0595

Police Court.....2.....District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Frank S. McLean

Fred. V. Brown

**BAILED,**

No. 1, by.

### Residence

No. 2, 1911

Residence ...

No. 3, 54...

Residence ..

No. 4, by ...

Residence .....

..... 1991

Attestation  
Magistrate.

*William F. Hend Officer.*

..... Precinct.

Witnesses Mr. Ford

No. *Cherry* Street.

**Abstract**

No. .... Street.

.....

Street. 752-00

25th Nov 1901

1

*ma*

*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.....*

different

And 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 April 30 1891 W. M. Malone Police Justice.

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

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

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

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

POOR QUALITY  
ORIGINAL

0596

UNITED STATES OF AMERICA, } ss.  
State of New Jersey,

—(CHECK)—

On the *third* day of *April* in the  
year of our Lord One Thousand Eight Hundred and Ninety-one at the  
request of *The Orange National Bank*, I, WILLIAM READ HOWE, Notary Public,  
duly appointed, commissioned and sworn, residing in the City of *Orange*  
and State of *New Jersey*, did present the original check  
hereunto annexed, (the same bearing date on *March 30<sup>th</sup> 1891* and  
purporting to have been made by *F. D. Brunel*,  
to the order of *C. A. Blanchard & Co.*,  
for *Forty* *00*  
*100* Dollars.)  
unto *George P. Kingsley, Esquire, Treasurer of the Orange Savings BANK*,  
where the same was made payable,

and of him demanded payment; whereupon, he refused to pay the same; saying  
that the drawer thereof was not there, and had left no funds there for that purpose.

Whereupon, I, the said Notary, at the request aforesaid, did PROTEST, and  
by these presents do publicly and solemnly PROTEST, as well against the Drawer  
and Endorsers of the said check as against all others whom it doth or  
may concern, for exchange or re-exchange, and all costs, charges, damages and  
interest already incurred and to be hereafter incurred, for want of payment of  
the same.

Thus Done and Protested, in the City of *Orange*, aforesaid,  
in the presence of *JOHN DOE* and *RICHARD ROE*, witnesses.

IN TESTIMONIUM VERITATIS,

*Wm Read Howe*

NOTARY PUBLIC.

POOR QUALITY  
ORIGINAL

0597

J. H. Brunel

For

The Orange National Bank.

April 3rd, 1891.

Check \$ 40. —

Protest, . . . . . 1.38

Postage and Notices, . 14

144 \$41.44

06

Blake & Freeman,  
COUNSELLORS AT LAW,  
ORANGE, N. J.

McIntosh 1.50

POOR QUALITY  
ORIGINAL

0598

District Attorney's Office.

PEOPLE

vs.

*Brumel*

*Perit 3 Calendar*

*May 27/91*

*MD*

*Orange, N. J. March 30th 1891*

*New York,*

*Orange Savings Bank N. J.*

*Pay to the order of E. A. Blanchard & Co*

*Forty 00/100*

*Dollars.*

*\$40 00/100*

*J. G. Brumel*

POOR QUALITY  
ORIGINAL

0599

~~Orange N.J.~~ ~~New York~~ March 30 1891

Orange Savings Bank N.J.  
Pay to the order of C. A. Blanchard & Co  
Forty  $\frac{0}{100}$  Dollars.

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

J. G. Brunel

N. J. ROONEY, BROADWAY, COR. 25TH ST., N. Y.

**POOR QUALITY  
ORIGINAL**

0600

*Chas. H. Blanchard & Co.  
Merchants*

*[Signature]*

Nov. 13 1897

ACCOUNTS  
Cashier  
NATIONAL BANK

My General Sessions

The People vs  
agst  
Frederick G Brunell }

State of New Jersey }  
County of A. ss.

Wm A. Rode being duly sworn says  
That he resides at Orange N.J. and is  
the Secretary in the Orange Savings  
Bank. That he is acquainted with Freder-  
ick G Brunell and knows that said Brunell  
has drawn checks on said Bank and that if  
said Brunell had sent sufficient money  
to said Bank to cover amounts of checks  
drawn the Bank would pay the checks  
when presented and that in case sufficient  
money had not been received at the time  
check was presented the same would be  
held until 10 o'clock of the following day  
to enable the drawer of such check to  
send money sufficient to meet same.

Sworn to before me this }  
1<sup>st</sup> day of May 1891 } Wm A. Rode

Geo. P. Kingsley  
Notary Public

Orange N.J.

N.Y. General Sessions

The People vs  
agent  
Frederick G. Brunell }

City & County of New York, vs.

Frederick G. Brunell the defend-  
ant above named being duly sworn says,  
That he is a native of Canada and has  
been in the United States for upwards  
of the six years last past. That he has  
been and was, when arrested on the charge  
herein, actually engaged in the real estate  
business in New York, and at Orange N.J.  
up to within a few months, at which place  
he resided for five years last past. That the  
most of his business transactions were  
in New Jersey in the vicinity of Newark  
and the Oranges. That deponent has been in  
the habit of drawing checks on the Orange  
Savings Bank and always had sufficient  
money there or sent sufficient to meet the  
checks he had drawn on the Bank and  
such checks were always paid. That at  
the time he drew the check <sup>in this matter</sup> and had it  
cashied by Messrs Blanchard & Co, on whose  
behalf the complaint herein was made,

he was engaged in a real estate transaction of considerable magnitude and out of which he reasonably and truly expected to realize a large sum of money, some Three hundred dollars, and it was deponent's intention and he firmly expected to be able to send money to the Bank to meet all outstanding checks. That deponent never intended to defraud Mess Blanchard & Co., as the statements made by deponent at the time the check herein was cashed by them deponent sincerely believed and expected he could carry out and perform his part and that the check would be paid when presented to the Bank. That he has made every effort to make reparation to Mess Blanchard & Co., and has discharged all debts, claims and demands that they had against deponent and if deponent had an opportunity he would try to make amends for any damage they had sustained on account of deponent's.

That deponent never defrauded any body intentionally or worked them an injury and wrong and had he for one moment thought he would not have money in the Bank in time to meet the check given to

Mess Blanchard & Co, he can truthfully say he would not have drawn it and asked them to cash it.

That most all of deponent's friends and acquaintances in this country live in and around Newark, N.J. and he feels keenly the unfortunate position in which he is placed in a strange place among strange people. Deponent further says that he has never been convicted of any crime and that this is the first time he has been arrested and that he was arrested on the charge herein on the 21<sup>st</sup> day of April 1891 and since that date has been in actual custody and confined in prison.

Sworn to before me this } 13<sup>th</sup> day of May 1891 }  
13<sup>th</sup> day of May 1891 }  
James W. Brinck

Commissioner of Deeds  
N.Y.C.

2<sup>nd</sup> Dist Police Court  
The People  
vs  
Fred G. Brummell

The defendant in the above matter having made full restitution to the undersigned, the complainant herein desires to withdraw his charge against the defendant and respectfully requests that the prosecution of the defendant be abandoned and that he may be discharged from custody.

Sdhd NY 20<sup>th</sup> April 1891

Frank S. Willard  
Charles A. Blanchard & Co.

State of New York  
City and County of New York } ss.

On this 30<sup>th</sup> day of April A.D. 1891 before me personally came Frank S. Willard and Charles A. Blanchard to me known and known to me to be the same person described in and who executed the foregoing instrument and duly acknowledged that they executed the same.

Chas. O. Sanders

Commissioner of Sdhd NY C.

POOR QUALITY  
ORIGINAL

0606

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

THE PEOPLE OF THE STATE OF NEW YORK,  
AGAINST

*Frederick F. Brunel*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Frederick F. Brunel*

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

The said *Frederick F. Brunel*,

late of the City of New York, in the County of New York aforesaid, on the *Twentieth*  
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, with intent to  
deprive and defraud *Charles A. Blandford and Charles H. Jones*  
*business in and by the firm, name and*  
*style of R. A. Blandford and Company*

of the proper moneys, goods chattels and personal property hereinafter mentioned, and of  
the use and benefit thereof, and to appropriate the same to his own use, did then and  
there feloniously, fraudulently and falsely pretend and represent to *the said*  
*Charles A. Blandford and Charles H. Jones*,

That a certain paper writing in the words  
and figures following to wit:

*Orange N.Y. March 30-1891*  
*Orange Savings Bank N.Y.*  
*Pay to the order of R. A. Blandford & Co*  
*Twenty five* Dollars  
*\$25.00*  
*F. F. Brunel*  
which the said *Frederick F. Brunel* then  
and there produced and delivered to the

POOR QUALITY  
ORIGINAL

0607

said Charles A. Blandhard and Charles H. Ayer, was then and there a good and valid order for the payment of money and of the value of forty dollars.

And the said Charles A. Blandhard and Charles H. Ayer then and <sup>there</sup> believing the said false and fraudulent pretenses and representations so made as aforesaid by the said Fredericka E. Bunnell —

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said Fredericka E. Bunnell, the sum of forty dollars in money, lawful money of the United States of America and of the value of forty dollars.

of the proper moneys, goods, chattels and personal property of the said Charles A. Blandhard and Charles H. Ayer. —

And the said Fredericka E. Bunnell — did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and personal property, from the possession of the said Charles A. Blandhard and Charles H. Ayer, — by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said Charles A. Blandhard and Charles H. Ayer, — of the same, and of the use and benefit thereof, and to appropriate the same to her own use

Whereas, in truth and in fact, the said paper writing which she the said Fredericka E. Bunnell so or otherwise then and there produced and delivered to the said Charles A. Blandhard

POOR QUALITY  
ORIGINAL

0608

and Charles H. Ayres, was not then and there a good and valid order for the payment of money and was not of the value of forty dollars, or of any value, but was wholly worthless.

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said Frederick B. Bunnell — to the said Charles A. Blandford — ~~was~~ and ~~were~~ Charles H. Ayres, were — then and there in all respects utterly false and untrue, as — he — the said Frederick B. Bunnell — at the time of making the same then and there well knew.

And so the Grand Jury Aforesaid, do say that the said Frederick B. Bunnell — in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said Charles A. Blandford and Charles H. Ayres, — then and there feloniously did STEAL, against the form of the Statute in such case made and provided, and against the peace and dignity of the said people.

JOHN R. FELLOWS,

District Attorney.

0609

**BOX:**

436

**FOLDER:**

4021

**DESCRIPTION:**

Buckley, Frederick

**DATE:**

05/12/91



4021

POOR QUALITY  
ORIGINAL

0610

Counsel,  
Filed  
Pleads,

12 May 1897

THE PEOPLE

vs.  
[Sections 511 and 521, Penal Code.]  
(Endorsement, etc.)

Frederick Buckley

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. S. Skidmore

Foreman.

May 13/97

Hands Guilty of Law

24th 6th St. S. P. A.

Witnesses

A. W. Stewart  
Albert J. Jamieson  
Off. Chas. B. Kempf  
Other Corinelly  
Kewals, a  
Beuch Warrant  
from Kempf Co.  
On Landon Charge  
fr

POOR QUALITY  
ORIGINAL

0611

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss:

POLICE COURT, 2 DISTRICT.

of No. 925 Broadway Street, being duly sworn, deposes and says,  
that on the 1st day of May 1891  
at the City of New York, in the County of New York, Frederick Brueckley

(now here) did make and forge  
and have in his possession with intent  
to utter and pass the same, a certain  
false and fraudulent instrument of  
writing hereto annexed, purporting to  
be a check drawn by J. Mac Arthur  
M. D. to the order of R. Hudnut for  
thirty five dollars, on the Fifth National  
Bank. Deponent is informed by  
Albert J. Gammes now here, that on  
said date about 4:30 P. M. on said  
date the defendant asked him to  
cash a check for \$35 for Mr. Hudnut.  
Deponent soon afterwards saw the  
defendant loitering near Mr. Gammes  
store and then Deponent arrested  
the defendant, and they the  
defendant surrendered the said  
check and admitted to Deponent  
that he wrote it. The endorsement on  
said check is an imitation of the  
handwriting of R. Hudnut, who is  
deponent's employer, and Mr. R.  
Hudnut has no account in said  
bank, and the name of J. Mac  
Arthur M. D. signed to said check  
is ~~fictional~~ fiction.

Sworn to before me this 3rd day

of May 1891

Brudmalone

Police Justice.

A. W. Stewart

POOR QUALITY  
ORIGINAL

06 12

CITY AND COUNTY }  
OF NEW YORK, } ss.

Albert J. Jammer  
aged 36 years, occupation Inspector of No.

909 Broadway Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Amos W. Stewart

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

Sworn to before me, this 7

day of May

1899

[Signature]

[Signature]

Police Justice.

POOR QUALITY  
ORIGINAL

06 13

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Fredrick Buckley* 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. *Fredrick Buckley*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *222 E 12th 9 months*

Question. What is your business or profession?

Answer. *dry goods*

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*  
*Fred Buckley*

Taken before me this

day of May

1891

Police Justice.

POOR QUALITY  
ORIGINAL

0614

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

Police Court... 2  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Coror W. Stewart  
925 Broadway  
Frederick Buckley

1  
2  
3  
4

Offence Forgery

Dated

May 9 1881  
Al Hutor  
Kend

Officer

Witness

Alfred J. Hammer  
19  
908 Broadway

No.

Street

No.

Street

No.

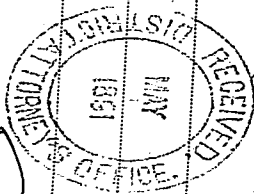
Street

No.

Street

No.

Street



Ston

For 25 cents  
Endorsement

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

Frederick Buckley

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 May 9 1881 Al Hutor 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.

POOR QUALITY  
ORIGINAL

06 15

J. H. BRESLIN & BRO.

GILSEY HOUSE, BROADWAY AND 29TH STREET,

No. 98

New York, 30 Apr

1881

Sixth National Bank

Pay to the order of R. Hudson

Thirty Five

Dollars.

\$ 35 <sup>00</sup>/<sub>100</sub>

J Mac Arthur M D.

POOR QUALITY  
ORIGINAL

06 16

R. Hubbard

POOR QUALITY  
ORIGINAL

0617



R. Hudnut,  
Chemist,

925 Broadway only.

New York.

March 13/91

To Presiding Judge  
Hon. Mr.

It is the earnest  
desire of Mrs R  
Hudnut that you will  
do all in your power  
are as far as consistent  
with Justice, to make  
the sentence of Fred  
Bursley, who will  
be brought before  
you on the charge  
of attempted murder.

POOR QUALITY  
ORIGINAL

06 18

preference by Mr. Hudson  
though myself Mr. Lewis,  
his manager.

Then an adverse  
extenuating circumstances  
committee with his case  
this a young man, of  
good family, away  
from his home, short  
of money, unable  
to obtain employment,  
and his first offense,  
he promises to reform.

He has not yet  
the action of a criminal  
and in fact a good

deal of compassion  
for him.

By kindly using  
all the leniency in  
your power you will  
confer a great favor  
upon Mr. & Mrs. Hudson.

Very Resp

R. Hudson

Per Hudson

manager

9 20 18

POOR QUALITY  
ORIGINAL

06 19



R. Hudnut,  
Chemist,  
925 Broadway only.

New York,

March 13/91

Clerk of Grand Jury

Dear Sir,

We have  
kindly had this  
letter delivered to  
the Judge who  
tries the case of  
Fred Buckley for  
forgery, it  
is a matter

POOR QUALITY  
ORIGINAL

0620

importance and  
you will confer  
a great favor by  
delivering to him as  
soon as possible

Very Resp.

R. H. H. H.  
per H. H.

925 Broadway

Chas. H.

POOR QUALITY  
ORIGINAL

0621

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Frederick Buckley*

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

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

The said

*Frederick Buckley*

late of the City of New York, in the County of New York aforesaid, on the *first*  
day of *May* in the year of our Lord one thousand eight hundred and  
*ninety-one*, at the City and County aforesaid, having in *his* custody a certain  
instrument and writing, *to wit: an order for the payment*  
*of money, of the kind called bank cheques*  
which said *bank cheque*, — is as follows, that is to say:

*No. 98*

*New York, 30 April 1891*

*Sixth National Bank*

*Pay to the order of R. Hudnut*

*Thirty Five Dollars*

*\$35.00*

*J MacArthur M.D.*

the said

*Frederick Buckley*

afterwards, to wit: on the day and in the year  
aforesaid, 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 forging on the  
*back* of the said *bank cheque*  
a certain instrument and writing commonly called an *Endorsement* which said forged  
instrument and writing commonly called an *Endorsement* is as follows, that is to say:

*R. Hudnut*

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.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Frederick Buckley*  
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said *Frederick Buckley*  
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 instrument  
and writing, to wit: an order for the payment  
of money, of the kind called bank cheques  
which said *bank cheque* is as follows, that is to say:

No. 98 New York, 30 Apr 1891  
Sixth National Bank  
Pay to the order of R. Hudnut  
Thirty Five Dollars  
\$35.00 I Mac Arthur M.D.

on the *back* of which said *bank cheque* there was then and  
there written a certain forged instrument and writing commonly called an *Endorsement*  
of the said last-mentioned *bank cheque* which said forged  
instrument and writing, commonly called an *Endorsement* is as follows,  
that is to say:

*R. Hudnut*

with force and arms, the said forged *Endorsement* then and there feloniously did  
*Frederick Buckley* utter, dispose of and put off as true, with intent to defraud, *he* the said  
and that the said *Endorsement* then and there well knowing the premises,  
was 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.

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

0623

**BOX:**

436

**FOLDER:**

4021

**DESCRIPTION:**

Buckley, Jeremiah

**DATE:**

05/21/91



4021

POOR QUALITY  
ORIGINAL

0624

Witnesses:

Wm John J. Lynch  
4 Pres

Dep Pres  
Dennis A. Dean  
for Pres, in  
at. S. S.

Counsel, *S*  
Filed *2*  
Pleads,

day of *May* 189*9*

THE PEOPLE

vs.

*II*

*Jeremiah Buckley*

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

BEFORE ME, J. L. NICOLL

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. L. Skidmore  
Foreman.

*May 21/91*  
*Heatherly*  
*H. H. H. & W. H. H.*

POOR QUALITY  
ORIGINAL

0625

Police Court First District.

City and County } ss.:  
of New York,

of the Fourth Precinct Police John Lynch Street, aged 29 years,  
occupation Police officer being duly sworn  
deposes and says, that on 19 day of May 1891 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Jeremiah Buckley  
(murderer) Deponent says that about the  
hour of 8 a.m. on said date he  
saw defendant standing in Park  
Row near James Street in said  
City with a crowd of persons  
assembled around him and he  
said defendant was acting in a  
turbulent manner. Deponent says  
that he requested said defendant  
to go home and immediately said  
defendant pulled a pistol from his  
loaded with powder and ball  
from his hip pocket and pointed  
the same at deponent. That said  
deponent snatched said pistol from  
defendants hand and took him in  
custody and while on the way to the  
Station House said defendant struck him  
on the neck with his fist and threw him  
down. That said act was committed with

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 18 day }  
of May 1891 }

James J. Kelly Police Justice.

John J. Lynch

POOR QUALITY  
ORIGINAL

0626

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

1 District Police Court.

*Jermann Buckley* 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.

*Jermann Buckley*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*18 Oak Street 22 years*

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 am not guilty*  
*Jermann Buckley*

Taken before me this

day of

*May*

1891

*P. J. C. Kelly*  
Police Justice.

POOR QUALITY  
ORIGINAL

0627

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

Police Court---

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Lynch*

*John Lynch*

*John Lynch*

*John Lynch*

*John Lynch*

*John Lynch*

*John Lynch*

*John Lynch*

*John Lynch*

*John Lynch*

*John Lynch*

Offence *fel*  
*Assault*

Dated *May 18th*  
*1891*

*John Lynch*  
Magistrate

*John Lynch*  
Officer

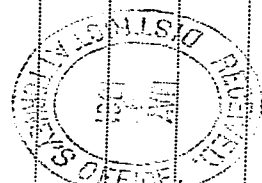
*John Lynch*  
Precinct

*John Lynch*  
Street

*John Lynch*  
Street

*John Lynch*  
Street

*John Lynch*  
Street



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

*John Lynch*  
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 *May 18th* 18*91* *John Lynch* 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.

POOR QUALITY  
ORIGINAL

0628

Jeremiah Brockley  
Arrested for F. P.  
on Nov 11<sup>th</sup> /86

Was Tried and Found  
Guilty by a jury on  
Dec 16<sup>th</sup> /86

And Sentenced by  
Judge Geldersloep,  
Part 1. General Sessions  
to 3 years in State Prison

Edward Brett

POOR QUALITY  
ORIGINAL

0629

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Jeremiah Buckley*

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

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

The said

*Jeremiah Buckley*

late of the City of New York, in the County of New York aforesaid, on the  
*nineteenth* day of *May*, in the year of our Lord  
one thousand eight hundred and eighty ~~nineteen~~ *one*, with force and arms, at the City and County  
aforesaid, in and upon the body of one *John Lynch*  
in the peace of the said People then and there being, feloniously did make an assault and  
to, at and against *him* the said *John Lynch*  
a certain pistol then and there loaded and charged with gunpowder and one leaden  
bullet, which the said *Jeremiah Buckley*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge *the same*,  
with intent *him* the said *John Lynch*  
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

*Jeremiah Buckley*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*Jeremiah Buckley*

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 Lynch* in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and to, at and against *him* the said

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,  
which the said *Jeremiah Buckley*

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 shoot off and discharge *the same*, 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.