

0432

BOX:

436

FOLDER:

4021

DESCRIPTION:

Birkenfeld, Rudolph

DATE:

05/29/91



4021

POOR QUALITY ORIGINAL

0433

306.

Witnesses;

August Almon
Officer in Reah's.
Sanitary Squad
Katie Almon.

Counsel,
Filed 29 day of May 1891
Pleas *Atty.*

19th June 1891
Rudolph Birkfeld
Burglary in the second degree.
[Section 497 Criminal Code.]

JOHN R. FELLOWS

District Attorney.

Atty.

A True Bill.

W. L. Almon

Part II June 29/91 Foreman.
Pleas - Entry 3rd day.
Elmira Ref. PBM,

POOR QUALITY ORIGINAL

0434

Police Court District.

City and County of New York, ss.:

of No. 36 First Avenue Street, aged 37 years, occupation of a Jewellery Dealer being duly sworn

deposes and says, that the premises No. 36 First Ave Street, 1st 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 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 26 day of May 1887 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

A quantity of Clothing and Jewellery 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 (name here)

for the reasons following, to wit: That at about 2:30

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

POOR QUALITY ORIGINAL

0435

of the lock of said hall door
had been broken off by defendant
wherefore defendant charges
said defendant with burglary
said premises and prays that he
be held to answer.

Summons before me
this 24th day of May 1891
John Ryan
Police Justice

August 1891

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

Police Court, District,

THE PEOPLE, etc.,
on the complaint of

Offence—BURGLARY.

vs.

1.
2.
3.
4.

Dated _____ 1891

Magistrate.

Officer.

Clerk.

Witness.

No. _____ Street,

No. _____ Street,

No. _____ Street,

\$ _____ to answer General Sessions.

POOR QUALITY ORIGINAL

0436

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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, 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. *Rudolph Pinkusfeld*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *No 1907 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
[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0437

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

August Alton
36 Street Avenue
Russell B. Mansfield

2 _____
3 _____
4 _____
Offence *Burglary*

Dated *May 27* 1891

John J. Ryan Magistrate
William J. Ryan Officer
William J. Ryan Precinct

Witness
No. *36 Street Avenue* Street



No. *1000* Street
to answer

John J. Ryan
William J. Ryan

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 J. Ryan 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 J. Ryan* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

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 Lancy 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

POOR QUALITY ORIGINAL

0442

269
J. M. M. L. X

Counsel,
Filed 16 days of May 1891
F. H. S. 1st Deputy of

Barglary in the Third degree.
Grand Jurors in the
Records and Process
[Section 498, 506, 528, 531, 552]

THE PEOPLE

vs.

William Blaming,
William Rich
and
Charles Winters
(Defendants)

JOHN R. FELLOWS,
District Attorney.
James G. [unclear]
[unclear] [unclear]

A True Bill.
No. 3 returned on other indictment

W. S. Widmon,
Foreman.
James G. [unclear]
M. J. [unclear]
Per 3 on the

Witnesses;

Off. John L. [unclear]
W. H. [unclear]

As to the deft Rich I am of opinion that no conviction can be had as the complainant herein knows nothing of the facts and the Officer Crowder is slight, and inasmuch as the two defts Blaming & Winters have both pleaded guilty as the persons who committed the offense, I therefore recommend that the indictment as to deft Rich be dismissed.
James G. [unclear]
W. H. [unclear]
Per 3 on the

POOR QUALITY ORIGINAL

0443

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^d STREET,

New York, May 24 1891

CASE NO. 56699 OFFICER Hunt
DATE OF ARREST Mar 16th 191
CHARGE Burglary
AGE OF CHILD 14 years
RELIGION Protestant
FATHER Alfred
MOTHER Rosie
RESIDENCE 370 West 26 street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT

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

June 27th 1890 at the Court of special sessions, before Judges Helbrecht, Smith, and Wilde, boy was discharged. Thereupon boy was taken before Justice Gorman, at 2^d Dist. Police Court, and on his father's affidavit, boy was committed to the New York Catholic Protectory.

August 28th 1890 boy was arrested for assault, but Complaint was changed to disorderly conduct, before Justice Gorman at 2^d Dist. Police Court. boy was discharged. parents are respectable, and boy has a good home.

All which is respectfully submitted,

To Dist. Attorney, O. Helms Deuking
Supt

POOR QUALITY ORIGINAL

0444

*Book of
General Sessions
The People*

vs

Henry King

PENAL CODE, ^{vs}

Charles Minkler

**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 of New York, } ss.:

Edmund Williams

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

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 by deponent as a ^{not} ~~dwelling~~ and in which there was at the time ^{no} ~~a~~ human being, by name

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

on about 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 fixtures of the value of about one hundred dollars

the property of N. estate of N. Central Trust Co, in deponents 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 Bohemian John Carey of No.
16 El Precinct that upon the arrest of
the defendants on the 18th day of
May the defendant Bleamings
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

of May 1897

A. J. Malone

Police Justice

Edmund Williams

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 clerk of No.

on 502 Ave 2-65th 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 }
day of May 1890, } Geo M Stone

W. M. Malar

Police Justice.

(3692)

CITY AND COUNTY }
OF NEW YORK, } ss.

John Carey

aged _____ years, occupation Police of No.

16th Street 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 }
day of May 1890, } John Carey

W. M. Malar

Police Justice.

(3692)

POOR QUALITY ORIGINAL

0448

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. William Bleamings

Question. How old are you?

Answer. 18 years

Question. Where were you born?

Answer. US

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 Pedlar

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
W. H. ...
Police Justice.

POOR QUALITY ORIGINAL

0449

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

Charles Winter

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

Question. What is your name?

Answer. *Charles 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 26th St - 4 mos*

Question. What is your business or profession?

Answer. *clock repair boy*

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

day of

May

1897

20

W. M. ...

Police Justice.

POOR QUALITY ORIGINAL

0450

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

William Reich

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

Question. What is your name?

Answer.

William Reich

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

Wis

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

Answer.

359 West 25th St. 5 mos

Question. What is your business or profession?

Answer.

Paint work

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.

Wm Reich

Taken before me this

20

day of *May* 1901

Wm Reich

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 District 2

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward Williams
 4110 1st Avenue
 Mrs. Bleamings
 Mrs. Rich
 Charles Winters

Offence

Burglary

Dated May 20 1881

de Hahon Magistrate

Carry 16 Officer

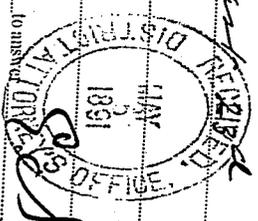
Witnesses Call Carey & Lavin Precinct

No. 16 Street Street

No. William A. Hunt Street

No. 100 East 12th Street

No. 1000 Street



Handwritten signature and notes.

692

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 Bleamings, William Rich, Charles Winters

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Two 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 1881 W. H. H. Magistrate 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.

POOR QUALITY
ORIGINAL

0454

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.

DALANCEY NISBET
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

1891

A.C. a

Counsel,

Filed

Pleds.

20 day of July 1891
Voluntary

THE PEOPLE

vs.

James W. Boynton

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

[Signature]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. S. Widmore
Foreman.

May 25/91

[Signature]

S.P. 4 yd.

Witnesses:

Kate McCullough

Opp. Wm E. Petty

U. Price.

**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. Battis
SUPREME COURT CHAMBERS

The People &c.

vs.

ALFONSO BRACCIO

Opinion

of

Andrews J.

Nov 17 1960
Handwritten notes

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
Alfous Bracco who was convicted of *assault 2^d dep*
in the county of *New York* and sentenced *Dec 30, 1891*
to imprisonment in the *State Prison* for the term of
59 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. 10th 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 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. Cowing 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 6th 1892

yours
Blasius Sullivan,
Deft's atty

To,

De Lancy 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

Honso Graeco

Storie of motion for
admission to bail
pending appeal

Blaise W. Sullivan

Def's attys

63 + 65
60th St
New York, N.Y.



To,
DeLaney & Will Co

Dist atty N.Y.C.

filed 9-21-92

(over)

The motion is
verbally argued
to Sept. 13/92
at same hour
& place
Sept. 8/92

DeLaney & Will

Dist Atty

Blaise W. Sullivan

Attys at Law

Motion to admit
to Bail on
appeal denied

Wm. Sept. 21/92

Court of General Sessions
City and County of New York.

The People vs }
 agst }
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
20th day of December 1891, he
was convicted of assault in
its 1st degree by a jury in this
Court and sentenced to five years
in State Prison and to pay a fine
of \$500⁰⁰/₁₀₀. 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 7th day of Sept 1892 }
Thomas Sullivan }
Commissioner of the }
Prison }
New York }

POOR QUALITY ORIGINAL

0469

Continued to Sept
12/92 same hour
Place by Consent
Deaney, McCall

Dist 177

Admitted until Sept
20/92 Absent Court
and place by consent
Deaney, McCall
Dist 177

Court of General Sessions
City of County of New York

The People v

agst

Alfonso Bracco

Affidavit of
Alfonso Bracco

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

Duff's atty

Filed, Sept 21/92

POOR QUALITY
ORIGINAL

0470

12-1-70
I understand that
of 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 47

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
improving.

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 Marcaccio's condi-
tion is at present very
serious.

Dr. Harvey
House Surgeon

POOR QUALITY ORIGINAL

0473

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 12th St is very sick always, and he is
not able to get up.

[Signature]

G. 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 Brace 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 Brace Defendant of No. 2813
Mott Street; by occupation a Manufacturer of Mineral Water
and Franklin Knuds of No. 718 East 146
Street, by occupation a Contractor Surety, hereby jointly and severally undertake that
the above named Alphonse Brace 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 Brace
day of January 1891. } Franklin Knuds
C. H. Meade POLICE JUSTICE.

POOR QUALITY ORIGINAL

0475

CITY AND COUNTY OF NEW YORK, } ss.

day of *January* 1897
W. H. [Signature]
Police Justice.

Sworn to before me, this

Franklin Mando
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, Stallen 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

Undertaking to appear during the Examination.

vs.

Taken the *188* day of

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 LeBarber
Police Justice*

0476

CORRECTION

0477

BOX:

436

FOLDER:

4021

DESCRIPTION:

Boynton, James W.

DATE:

05/20/91



4021

POOR QUALITY ORIGINAL

0478

1891
A.C. a
Counsel,
Filed 20 day of July 1891
Pleeds. J. J. Kelly

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

DEPARTMENT OF JUSTICE
JOHN R. FELLOWS
District Attorney.

A True Bill.

W. S. Bidmon Foreman.
J. J. Kelly
S.P. 4 yd.

Witnesses:
Kate McCullough
Offr. Wm E. Petty
H. Price.

0479

POOR QUALITY ORIGINAL

COURT OF GENERAL SESSIONS, PART I.

----- x
 :
 The People of the State of New :
 York, :
 :
 against : Before
 : Hon. Rufus E. Cowing,
 James W. Boynton. : and a Jury.
 :
 :
 ----- x

Indictment filed May 20, 1891.

Indicted for assault in the first degree.

New York, May 25, 1891.

A P P E A R A N C E S:

For the People,
 Asst. District Attorney John F. McIntyre;
 For the Defendant,
 Mr. Hugh Coleman.

KATE McCULLOUGH, a witness called for the people, sworn, testified as follows:

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).

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

**POOR QUALITY
ORIGINAL**

0482

4

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.

- 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 1st 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 off 1st Avenue and
30th 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 15th day }
May 1891 }

[Signature] Police Justice.

POOR QUALITY ORIGINAL

0488

Sec. 198-200.

✓ District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question. What is your name?

Answer. *James Bazantou*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *Hats*

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

Answer. *Fleushing R.D.*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty*

James W. Bazantou

Taken before me this

James W. Bazantou

Police Justice.

POOR QUALITY ORIGINAL

0489

Police Court - 4 District. 11

City and County of New York ss.:

The 2^d 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 Dow, as deponent by 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 ~~her~~, or to do her 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 J. McCarthy Police Justice

POOR QUALITY ORIGINAL

0490

Police Court... District

THE PEOPLE, Ac.,
ON THE COMPLAINT OF

Samuel McLaughlin

1
2
3
4

Offence
Assault

Dated 1898

No. 2, by
Residence
Street

No. 3, by
Residence
Street

No. 4, by
Residence
Street

No. 5, by
Residence
Street

No. 6, by
Residence
Street

Magistrate

Officer

Precedent

Witnesses

No. Street

No. Street

No. Street

No. Street

\$ to answer

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. } No. 2

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. Sheper 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 *125* *St. Princes St.* Street, that on the *25* day of *April* 18*86* 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*86*
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 court of distress.*

Dated at New York May 13th 1881

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

Police Justice

The within named

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. 433

THE PEOPLE, et al.,
ON THE COMPLAINT OF

Robert M. Callahan
1521 4 Ave
James Depardon

Offence *felony assault*

Dated *May 15* 1891

W. S. Paulk Magistrate

W. S. Paulk, John Pitt Officers

Witnesses *Carl Stephens* Precinct, 21

No. _____ Street _____

No. _____ Street _____

No. *2077* Street _____
DO ANSWER *Ans*

W. S. Paulk

RECEIVED
MAY 15 1891
CLERK'S 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 *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* 1889 *James Depardon* 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~~ *one*, with force and arms, at the City and County aforesaid, in and upon the body of one *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 ~~pistol~~ *sharp instrument to the Grand Jury aforesaid unknown* then and there loaded and charged with gunpowder and ~~one~~ *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~~ *strike, stab, cut and wound* 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 ~~pistol~~ *sharp instrument to the Grand Jury aforesaid unknown* 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~~ *strike, stab, cut and wound* against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

0496

BOX:

436

FOLDER:

4021

DESCRIPTION:

Bracco, Alphonso

DATE:

05/27/91



4021

POOR QUALITY ORIGINAL

0497

*Le Bogert
C. J. P.*

Counsel,
Filed *1891* day of *May*
Pleads, *W. H. E. S. 20/1*

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

THE PEOPLE

vs.

34
14 June 1891
Alphonso Brown

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. L. Skidmore

Foreman.

Sept 2 - Dec. 18, 1891.

trial and Commitment of

Account in the 2nd degree

J. M. J. P. 47500 fm

Dec. 30/91

Witnesses:

Luigi Malinbergelo

*Alfred W. ...
Alfred ...
of the ...
first ...
W. L. Skidmore*

W. L. Skidmore

**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. Ball
SUPREME COURT CHAMBERS

The People &c.

vs.

Alfonso Bracco

Opinion

of

Andrews J.

Mr. Ball

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^d 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 Bro

POOR QUALITY
ORIGINAL

0503

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

New York, Jan. 10th 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. Anthony, M.D.
Res. Surgeon

POOR QUALITY
ORIGINAL

0504

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 6th 1892

yours vs
Blasius Sullivan,
Deft's atty

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

County of General Sessions
City of County of New York

The People vs

agst

Sponso Traceo

Stices of motion for
admission to bail
pending appeal

Blair & Sullivan

Defts attys

6316
SEP 13 1892
DISTRICT CLERK

To,
De Landy Howell Coy

Dist atty N.Y.C.

filed Sub 217

(over)

The motion
was admitted
to Sept. 13/92
at same hour
& place
Sept. 9/92

De Landy Howell

Dist Att

Blair & Sullivan

Attys proff

Motion to admit
to bail on
appeal denied

By
Sept 21/92

Court of General Sessions
City and County of New York.

The People vs }
 ^{agst}
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
30th day of December 1891, he
was convicted of assault in
its 1st degree by a jury in this
Court and sentenced to five years
in State Prison and to pay a fine
of \$500⁰⁰. 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

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ORIGINAL

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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 }
Commissioner of Courts }
New York }
Jefferson Bracco

Court of General Sessions
City & County of New York

The People v
Agst

Alfonso Bracco

Affidavit of
Alfonso Bracco

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

Def's attys

Filed, Sept 21/92

Admitted to Sept
13/92 same name
Place by Consent
DeLaney, Merrill

Det 177
Admitted until Sept
20/92 same name
and place by consent
DeLaney, Merrill
Det 177

POOR QUALITY
ORIGINAL

05 10

12-1-70
I understand that
of that Luigi
Mastroangelo at
417 E 112 St is very
ill and his illness is
dangerous for his
life.

Lapienta
202 West 64

POOR QUALITY
ORIGINAL

0511

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

R
This is to certify that
Louis Muraccio, con-
dition is at present very
poor.

Dr. Harvey
House Surgeon

POOR QUALITY
ORIGINAL

0512

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. 12th St. is very sick always, and he is
not able to get up.

G. Lapenta

G. Lapenta M.D.

POOR QUALITY ORIGINAL

0513

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 hearing thereof having been adjourned,

We, Alphonse Bracco Defendant of No. 2813 Mott

Street; by occupation a Manufacturer of Machinery and Franklin Haude 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. Alfonso Bracco Franklin Haude } Clarence H. Meade POLICE JUSTICE.

POOR QUALITY ORIGINAL

0514

CITY AND COUNTY OF NEW YORK, } ss.

day of *Jan*
1891
Police Justice

Sworn to before me, this

Franklin Mando

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, Kalleck 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.
Underlying to appear during the Examination.

Taken the *188* day of *1888* Justice.

*I hereby identify said Mando 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
Police Justice*

POOR QUALITY ORIGINAL

05 16

Sec. 198-200.

B

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *Alfonso Bracco*

Question. How old are you?

Answer. *33 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

Wm. J. McCall
1851

Police Justice

POOR QUALITY ORIGINAL

0517

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 3 DISTRICT.

Sworn to before me, this

188

day of

Police Justice

Michael Biscont
of No. 14th Street, aged _____ years,
occupation Police Officer being duly sworn deposes and says
that on the 8th day of January 1889
at the City of New York, in the County of New York he arrested

Alphonse Braeco (nonhere)
upon Complaint of Louis Masstragelo
of No 117 East 12th 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

POOR QUALITY ORIGINAL

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in the Certificate hereto Attached
Department further says that said
Mastrangelo identified said
Pracco in his presence as the
person who committed said
Assault. Michael Binnet

Sworn to before me
this 8th day of July 1891

Chas. J. Meach
Police Justice

Police Court-- District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Alphons Pracco
3 yrs. Italy
250 Mott St

Dated July 8 1891

Magistrate

Witness
Prisco
114th Street

March 20. 1891

\$2,500 bail for 6 m

Disposition, Committed
without bail to await
the result of inquest
Grand Jury
Pracco

POOR QUALITY ORIGINAL

0519

BAILED

No. 1, by

Philip Schuyler

Residence

530 W 57th St

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court...

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jugie Mantorony

477 339 129th St
Apt 111
Apt 111
Apt 111

1
2
3
4
5
6
7
8
9

Offence Assault Felony

Dated

May 6 1891

Magistrate

Michael Bunker

Witnesses

Rosa Mattona

No. 301 Elizabeth

Mary Jones

No. 411 E 113

Mary Gulya 613

No. 21508

to answer

Wm. Davis



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 O. W. Mead Police Justice.

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

Dated May 12 1891 O. W. Mead 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 1891 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

Adriano Bracco

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

Indictment accuse

Adriano Bracco

of the crime of

Assault in the 2nd degree,

committed as follows:

The said

Adriano Bracco,

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

day of

in the year of our Lord one thousand

eight hundred and eighty

, at the City and County aforesaid,

*in and upon one Luigi Martonago,
then and there being, willfully and
deliberately did make an assault,
and a quantity of a certain corrosive
of this common name as it is
called, to, at, against and upon him
the said Luigi Martonago, then and
there willfully and deliberately did
cast and throw, and then the said
Luigi Martonago, with the said
of which, as cast and thrown as
aforesaid, in and upon the head and*

POOR QUALITY ORIGINAL

0522

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 ninety one~~ with force and arms, at the City and County aforesaid, in and upon one

Simon Mathreaga,

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 his commonly known as it is~~
~~in the Co. of, against and upon him the said~~
with a certain Simon Mathreaga which ~~then~~ the said
~~and there feloniously did wilfully and wrongfully~~
~~cast and throw, and in the said Simon Mathreaga~~
~~into the said Simon Mathreaga as aforesaid,~~
right hand then and there had and held, the same being then and there

~~Simon Mathreaga~~ and an instrument and weapon likely to produce grievous bodily harm, in and upon

~~Simon Mathreaga~~ the said Simon Mathreaga — then

and there feloniously did wilfully and wrongfully strike, beat ~~Simon Mathreaga~~ 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

Alphonso Grasso —

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

The said *Alphonso Grasso,*

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 *Giugli Matrangola,* —

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said *Alphonso Grasso,* the said *Giugli Matrangola,* —

with a certain *quantity of a certain poisonous fluid* which ~~came~~ *the said* ~~man~~ *as it is called,* —

in ~~right hand then and there had held, in and upon the ~~head and face~~ of ~~him~~ the said *Giugli Matrangola,* —~~

then and there feloniously did wilfully and wrongfully ~~strike, beat~~ *bruise* and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *Giugli Matrangola,* to the great damage of the said *Giugli Matrangola,* 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

0526

15-1
J. W. Nicoll
P. No. 7749 18/91
(653)

Counsel,
Filed
Pleas
THE PEOPLE
Plead
George Brennan
19/91

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL,
FORNATE
MAY 23 1892
V. E. Woodman
F. E. Woodman
March 18/91
D. J. Woodman
March 18/91

(50)
Witnesses:
Anthony Comstock
Alphonso J. Janso
Agnes Thomas

May 24/91
Spent by a jury on the
pleas of former acquitted
and jury found a verdict
for the people.
Dund 1st
Dund 92

Spent by jury on the
pleas of former acquitted
of for acquittal
Should recommend the
discharge upon his own
pleas. It is the opinion
of the jury 5 to 0 (7) for
acquittal. No further
complaint. The complainant
March 18/91 Woodman
& Co.

POOR QUALITY ORIGINAL

0527

Special Sessions Court,
City, County & State of New York.

.....	X	
	X	
PEOPLE	X	
	X	
versus	X	DELEP.
	X	
GEORGE BRENNAN	X	
	X	
.....	X	

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 BRENNAN 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 42nd 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**

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his own volition dismiss on the ground ^{2.} 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. 3 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. Schumann, 64 Mo. 338.

State vs. Coss, 74 Mo. 312.

State vs. Beegard, 78 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

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"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.
- Polansky 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 vitiate the character of the count."

Cor. 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."

- Cor. vs. Harrison, 2 Kingd. & Wells 31.
- Cor. vs. White, 17 N. Y. 308.
- Cor. vs. Brown, 1 Mich. 88.
- State vs. Brown, 17 N. Y. 313.
- Pro. vs. Harman, 1 Mich. 80.
- State vs. White, 1 N. Y. (C. C.) Div. 1 to 4 pp 610 & 613

One WICKED was a book for publishing a part in
 later a book was published "The Book of the
 Pleasure". The indictment contained three counts. The
 second count alleged that the said WICKED knowingly, unlaw-
 fully, wickedly, maliciously, and shamelessly did utter,
 publish and deliver to A. S. a certain lewd, wicked, 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 was improper to be placed upon the Record, wherefore the Juries aforesaid do not set aside the same in this indictment. The defendant after conviction moved an arrest of judgment, claiming that ⁱⁿ some of the counts no part of the book, which is alleged to be a libel, is set forth therein.

The Court held:

"The counts are valid counts in this indictment and are not defective, for it is not necessary that a charge book or picture should be placed upon the Records of the Court, which would be done if the description in these counts is insufficient. This would be to require that the public itself should give the necessary publicity to the county in order to publish it. These counts being good, it is unnecessary to give an opinion upon the others", etc.

Com. vs. Hollis, 17 Mass. 237.

In Pennsylvania, one STEPHEN H. ... were arrested for exhibiting an obscene picture. The indictment reads,

"Unlawfully, with intent to defame and to bring into reproach and to bring to the contempt of the public mind, a certain book, written, published, printed, and sold and painted, representing a man in an obscene, audent and indecent posture with a woman, to the manifest corruption 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."

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 sanctity 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 Bengt. Rules, 81 & 103.

These were the words of Chief Justice Tinsman, 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

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"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 to be sent 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 ^(of the People) 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. 7.

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 ^{of the} special
"language, or if the case be 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, 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 3993, to describe

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8.
"the particular book, paper, pamphlet, e to., so as to iden-
"tify the same, and then allege, in the language of the
"Statute, that it was of the character there described. Con-
"sequently, 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 ad-
"dress of a certain person, (naming it and him,) an Envelope
"then and there containing a printed advertisement and a
"written letter, which together were accompanied by a notice
"giving information, etc., 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~~ ^{United States} and I have had many cases, and I have
had hundreds of copies of this character.

In the celebrated case of United States vs. D. H. Beuret
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 depos-
"ited 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 there-
"of,

"WHEREFORE, the Jurors aforesaid do not set forth the

POOR QUALITY ORIGINAL

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

G. Prickett,
Box 202,
Granville, N. Y.

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

"A certain publication of an *indecent* character."

It was argued by counsel for the defendant that the
indictment was insufficient, as the book which has been
set forth in this indictment, or that at
least the publication of this book, or of any version or in-
terpretation thereof, could not be a crime. This was
based on the view that the defendant had a right to send a
parcel of books to the defendant or all the facts con-
stituting his alleged offense.

and the Court:

Count of the

"In the second indictment, the defendant had information
"given to him as to the offense charged, by the date of the
"writing, by the date 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 has information of the
"nature and cause of the accusation. The weight of authori-

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"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 16 R

This case was first brought before the Circuit
Court, of which the Honorable Samuel M. Tenenbaum 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-
"gment upon the same must be denied."

But if all of these cases could not be regarded as
authoritative, 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 Grand Jury of the County
against Frazier, as I may have shown the Court that the
voluntary action of the Grand Jury is not subject to review and
reversal.

The indictment in the Miller case reads as follows:

"The Grand Jury of the County of New York, by
"this indictment, accuse ALBERT MILLER of the crime of sell-
"ing an innocent and chargeable slave man, convicted as follows
"That said ALBERT 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

POOR QUALITY
ORIGINAL

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Brief ~~copy~~

People

vs.

George Burman,

Special Services Court.

Ray Thompson

before

James

W. J. [unclear]

POOR QUALITY ORIGINAL

0540

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

Dated 22 May 1891

[Signature]
Police Justice.

Dept. of Justice
DISTRICT ATTORNEY'S OFFICE,
City of New York.

Office of the District Attorney
City of New York.
THE PEOPLE, &c.,
ON THE COMPLAINT OF
Anthony Comstock
93 Park Row
George Brennan
[Signature]
Attorney for Defendant

Dated May 15 1891
Witnesses John James
Agnes James
436 W. 42nd Street

No. \$500.00 bail
Street, E. 42nd

No. 10 beretina Street,
to the Genie Service
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 ^{Three} *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 *W. C.*

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. W. General

The People

Plaintiff

against

George Brennan

Defendant

copy

Notice of Motions

JORDY & McLAUGHLIN,

Attorneys for

Def
No. 280 BROADWAY, New York City

Due and timely service of cop. of the

within

hereby admitted

this day of

is

Attorney

To D & Launcey Powell
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

*obscenity 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, for sale
and there inducing 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
induced in the said envelope, a certain
obscene, lewd and indecent paper and*

POOR QUALITY ORIGINAL

0544

writing, which said paper and initials
of Greene, Tread and indeed that the
same would be sufficient to be sent
there, and improper to be spread upon the
records thereof, and for the regard of
justice do 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.

D. Danvers Hill,

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

1454

Witnesses:

Officer Collins
16th Prec.

Wm. Landon
a known
Saulter S.P.

MS

Counsel,
Filed
Pleads,

✓ *[Signature]*
day of
1897

THE PEOPLE

vs.

[Signature]
John Brown

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

DE LANCEY NICOLL,
District Attorney.

A True Bill.

[Signature]
Foreman.
[Signature]
H. G. S. S. P.

POOR QUALITY ORIGINAL

0548

Police Court 2 District. * 1 Affidavit—Larceny.

City and County } ss:
of New York, }

Lena Frick

of No. 506 West 24th Street, aged 38 years,
occupation House Keeper being duly sworn,

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 housekeeper

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 the said Brown leave said premises with said property in his possession.

Lena Frick

Sworn to before me, this 28 day

of April 1897
W. W. ...
Police Justice.

POOR QUALITY ORIGINAL

0549

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *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. *Writer.*

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

Answer. *I am guilty.*

John Brown

Taken before me this

day of

April

1891

H. P. ...

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 --- 2 --- District.

560

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

1 Mrs. Wick
 576 West 34th St
 2 John Brown

Offence Larceny
 Felony

Dated April 28 1891

Magistrate
 John H. Collins

Witnesses
 No. 1 Joseph H. Collins
 No. 2 16th Precinct Street

No. 3 David Smith
 Street

No. 4 748 1st Avenue Street

No. 5 157th Street
 No. 6 157th Street

No. 7
 No. 8

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 *W. M. ...* 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 Lancy Nicoll
District Attorney*

0552

BOX:

436

FOLDER:

4021

DESCRIPTION:

Brull, Louis

DATE:

05/15/91



4021

POOR QUALITY ORIGINAL

0553

Witnesses:

Offr Peter W. Parker
H. Priest

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~~ ~~recognition~~

Sept 24. 1891.

Samuel M. Davis
Clerk.

1471
Wm. Friend

Counsel
Filed, *Wm. Friend*
Plends, *Wm. Friend*
1891

THE PEOPLE,
vs.

Louis Brill

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

JOHN R. FELLOWS,

District Attorney.

July 27/91
Sept 18, 1891. (1111)

A True Bill.

W. L. Shidmore

Sept 24 - Sept 24, 1891
Foreman.
In Presence 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. ...

**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 7th 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.
M. Lowenstein

POOR QUALITY ORIGINAL

0556

Court of General Sessions.

```

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

```

City and County of New York, SS:-

Thomas Smith, 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:- *Thomas 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. ...

J. M. Callahan
Notary Public
N.Y.C.

**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, ^{and} ~~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 }
23rd day of September, 1941 } Max Lowenstein
J. M. Callahan
Notary Public
N.Y.C.

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 *and that his average purchases are from 5,000 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

avers 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 vs. -

against

Louis Brill.

Defendants and Certificate.

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 of New York } ss.

of No. 560 Water Street, aged 34 years, occupation Boat Steeper 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 premises Nos. 380 & 382

Water Street in said City were burglariously entered by William Jolly, Joseph Donegan, Joseph Moore and Henry Moore as described in the annexed affidavit and complaint - Dependent is informed by Peter D. Barta and Joseph McCreary of the 4th Precinct Police that said defendants 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 - Dependent 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 Brull's possession. Dependent 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 dependent charges said Louis Brull with unlawfully receiving and purchasing the aforesaid property he well knowing that the same had been feloniously stolen.

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

Question. What is your name?

Answer. *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* 189*7*

Police Justice

[Signature]

POOR QUALITY ORIGINAL

0567

CITY AND COUNTY } ss.
OF NEW YORK,

aged 30 years, occupation *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* 188*7*

James M. Carey
James M. Carey
Police Justice.

CITY AND COUNTY } ss.
OF NEW YORK,

aged 39 years, occupation *Officer* of No.

Officer 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* 188*7*

Peter D. Carter
Peter D. Carter
Police Justice.

POOR QUALITY ORIGINAL

0568

Police Court...

1st District

607

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Richard W. Youngkin
500 Water St
John Brill

offence Receiving and
purchasing stolen property

RAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

E. Hooper Magistrate

John M. Brennan Officer

Witnesses

No. 1

John D. Barker

No. 2

Wm. H. Brennan

No. 3

Henry W. Brennan

John M. Brennan

Sylvester W. Brennan

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 Two 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 6th 1891 E. Hooper Police Justice.

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

Dated May 6th 1891 E. Hooper 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 May 6th 1891 E. Hooper 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

Sybilster W. Leabe

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 W. Conning* and
Judge of our said Court, this *22nd* 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. White

Dated

Sept. 22nd 1897

ATTACHMENT FOR A CONTEMPT

POOR QUALITY ORIGINAL

0572

Clerk of Court.

John Sparks

BY THE COURT.

eight hundred and ninety-one
in the year of our Lord, one thousand
of *Sept.*
Judge of our said Court, this
day
and

WITNESS, Hon. *John R. ...*

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

Henry Jones

That you attach and take the body of

WE COMMAND YOU, and each of you,

GREETING :

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

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

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 Moses

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. *Jufus P. Corning* and
Judge of our said Court, this *22nd* 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

0574

New York General Sessions of the Peace.

THE PEOPLE
OF THE STATE OF NEW YORK

against

Henry Moses

Dated *Sept. 22nd* 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~~ *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 Mc Loughlin* 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 Mc Loughlin*

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.

0576

BOX:

436

FOLDER:

4021

DESCRIPTION:

Brunel, Frederick G.

DATE:

05/05/91



4021

GLUED PAGE

0577

John Vincent

Counsel,
Filed *5* day of *May* 188*7*
Placed *St. Paul, Minn.*

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

THE PEOPLE

vs.

F

Frederick J. Brunel

Edw. Samsay Nicol
JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. E. Kidman

Part II May 27/91 Foreman.
Indictment dismissed

After an examination of this case I have come to the conclusion that the defendant ought to be discharged. The history of the transaction of the defendant is that by the witness the defendant sold the story of the bank upon which the other was drawn. I am sure that the defendant acted as criminal intent.

The character is fully shown by affidavits, files, etc. to be of the fact that the complainant has been fully paid & desires to withdraw the complaint, as shown by his own statement filed herein.

I therefore recommend the dismissal of this indictment, May 26th, 1891.

Wm. M. Davis

Att.

N.Y. General Sessions

The People vs
agst
Frederick G. Brunnell }

City & County of New York, ss
George F. Dodge, being duly sworn
says that he resides at Orange N.J. 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 al-
ways believed him to be a person of good char-
acter and has found him straightforward, hon-
est 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 reengaged
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 }
11th day of May 1891 }

George F. Dodd

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

N.Y. General Sessions

The People vs
agst.
Frederick C. Bunnell }

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.

Sworn to before me this } Alexander Grant.
9th day of May 1891
Chas. C. Sanders,
Commissioner of Seeds,
N.Y. City

N.Y. General Sessions

The People vs
agent

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 14th St. N.Y. City and resides 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 by them 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

POOR QUALITY
ORIGINAL

0584

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 7th day of May 1891 }

Arthur C. Burr.

Chas. Sanders,

Commissioner of Seeds,
N.Y. City

NY General Sessions

The People &
against
Frederick C. Brunwell }

City and County of New York vs.

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 NY City and resides at 297 West 116th 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 any thing 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-

POOR QUALITY
ORIGINAL

0586

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 7th day of May 1891 } Chas. M. Adams Jr.
Chas. P. Sanders
Commissioner of Deeds
N.Y. City

N.Y. General Sessions

The People vs

— agt —
Frederick G. Bunnell

City and County of New York, ss
James J. McKean 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 ac-
quainted 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, up-
right, truthful and honest in all his deal-
ings and his associates were always per-
sons of good character. That deponent has
never during the period of his acquaint-
ance, heard anything derogatory to de-
fendants character but on the contrary
every one with whom deponent is acquaint-
ed 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.

Sworn to before me
this 7th day of May 1891

Chas. Sanders

Commissioner of Deeds,
N.Y. City

James F. Weston

POOR QUALITY ORIGINAL

0589

<i>My. Seal. Sess. Court.</i>	<i>The People vs. against Frederick G. Brunell</i>	<i>Affidavits as to character vs</i>	<i>John Vincent, Attorney for defendant Mutual Life Ins. Building, 32 Nassau Street, New York City.</i>	Due and timely service of a copy of within is hereby ad- mitted this day of 188
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G. D. Tucker, Stationer, 61 Nassau St., N. Y.

POOR QUALITY ORIGINAL

0590

Police Court 2 District. Affidavit-Larceny.

City and County } ss:
of New York, }

Frank S. Millard
of No. Marlborough Hotel Broadway Street, aged 37 years,
occupation Cashier being duly sworn,
deposes and says, that on the 30th 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. Brunel for the
reasons that on said day and
previous thereto the deponent
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

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 13th April, 1891 } Frank S. Willard.

N.T. Wadhwa

Police Justice

POOR QUALITY ORIGINAL

0592

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Frederick G. Brunel 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.

Frederick G. Brunel

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

Canada

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

Answer.

148 West 45th Street; 3 weeks

Question. What is your business or profession?

Answer.

Real estate agent

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 demand
an examination.*

Frederick G. Brunel

Taken before me this

22

day of *April* 1891

W. M. ...

Police Justice.

POOR QUALITY ORIGINAL

0593

Sec. 151.

Police Court 2 District.

CITY AND COUNTY OF NEW YORK, } ss. *In the name of the People of the State of New York; To the Sheriff of the County 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 G. 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.

POOR QUALITY ORIGINAL

0595

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

Police Court... *W 2* District... *576*

THE PEOPLE, etc.,
 ON THE COMPLAINT OF

Frank S. Mollard
Fred. G. Bennett

Office *Craud Larceny*

Dated *April 22* 189*1*

Wm. M. Mollard Magistrate.
Richard S. Keast Officer.
E. P. Precinct.

Witnesses *Mr. Tanager*
 No. *2500* Street *4.8*
 No. *2500* Street *4.8*
 No. *2500* Street *4.8*

2500 Street *4.8*
2500 Street *4.8*
2500 Street *4.8*

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

defendants

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *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* 189*1* *W. M. Mollard* 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

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 30th 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

F. H. Spruell

For

The Orange National Bank.

April 3rd, 1891.

Check \$ 40. —

Protest, 1.30

Postage and Notices, . . 14

144 \$41.44

'06

W. H. Spruell

W. H. Spruell

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

McCluskey 150

POOR QUALITY ORIGINAL

0598

District Attorney's Office.

PEOPLE

vs.

Brumel

Rent 3 Calendar

May 27/91

MD

Orange, N. J. March 30th 1891

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

~~New York~~ ^{Orange N.J.} March 30 1891

Orange Savings Bank N.J.
Pay to the order of C. A. Blanchard & Co
Forty ⁰⁰/₁₀₀ Dollars.

\$ 40 ⁰⁰/₁₀₀

J. G. Brunel

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

POOR QUALITY ORIGINAL

0600

C. J. Blanchard & Co
Merchants

[Signature]

ACCOUNTS
Cashier
NATIONAL BANK

1881

My General Sessions

The People vs
agst
Frederick G. Brunell }

State of New Jersey }
County of S. } 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 amount 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 }
1st day of May 1891 } Wm. A. Rode

Geo. P. King
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, ^{in this matter} 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 21st day of April 1891 and since that date has been in actual custody and confined in prison.

Sworn to before me this }
13th day of May 1891 }
} Fred. W. Brunel

James W. Brinck

Commissioner of Deeds
New Jersey

2nd Dist Police Court
The People
agst
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.

Sakd N.Y. 20th April 1891

Frank S. Willard
Charles A. Blanchard & Co.

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

On this 30th 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 ^{personally} duly acknowledged that they executed the same.

Chas. O. Sanders

Commissioner of Seeds N.Y. City

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 G. Conrad

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

Frederick G. Conrad

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

The said *Frederick G. Conrad*,

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
~~eighty~~ *eighty-one*, at the City and County aforesaid, with force and arms, with intent to

deprive and defraud *Charles A. Blandford and Charles*
H. Cooper, proprietors, then and there doing
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. Cooper,

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

Orange N.Y. March 20 - 1891
Orange Savings Bank N.Y.
Pay to the order of R. A. Blandford & Co
Twenty
\$40.00
F. G. Conrad

which the said *Frederick G. Conrad* then
and there produced and delivered to the

POOR QUALITY ORIGINAL

0607

said Charles A. Blandford and Charles H. Ayres, 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. Blandford and Charles H. Ayres then and ^{there} believing the said false and fraudulent pretenses and representations so made as aforesaid by the said Fredericka G. 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 G. 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. Blandford and Charles H. Ayres. —

And the said Fredericka G. 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. Blandford and Charles H. Ayres, — by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said Charles A. Blandford and Charles H. Ayres, — 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 G. Bunnell so or otherwise then and there produced and delivered to the said Charles A. Blandford

POOR QUALITY ORIGINAL

0508

and Charles W. 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.

[Large handwritten scribble or signature]

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

And so the Grand Jury Aforesaid, do say that the said Frederick G. Samuel — in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said Charles A. Standard and Charles W. 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
JOHN R. FELLOWS,

District Attorney.

0609

BOX:

436

FOLDER:

4021

DESCRIPTION:

Buckley, Frederick

DATE:

05/12/91



4021

POOR QUALITY ORIGINAL

0610

Counsel,
Filed *12 May 1899*
Pleads,

THE PEOPLE
vs.
Frederick Buckley
[Sections 511 and 521, Penal Code.]
(Endorsement, etc.)

[Signature]
JOHN R. FELLOWS,
District Attorney.

A True Bill.

W.S. Wideman
Foreman.
[Signature]
Head Juror
24th Street, N.P.A.

Witnesses

A.W. Stewart
Albert J. Gammes
Off. Chan. Kempf
John Corinckly
Edward A.
Beuch Warrant
Franklin Co.
Ed. Lavinier Chape
FR

POOR QUALITY ORIGINAL

0611

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

POLICE COURT, 2 DISTRICT.

Aaron W. Stewart

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, Frederic Buehly

(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 hereunto 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 ~~factitious~~ fictitious.

Sworn to before me this 3rd day

of May 1891

Frederic Buehly

A. W. Stewart

Police Justice.

POOR QUALITY ORIGINAL

06 12

CITY AND COUNTY }
OF NEW YORK, } ss.

Albert J. Jamies

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 Arthur 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

Al Jamies

W. J. ...
Police Justice.

POOR QUALITY ORIGINAL

0613

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *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

H. B. ...

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 _____

Police Court... 2 District.

581

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Coror W. Stewart
925 Broadway
Frederick Buckley

1 _____
 2 _____
 3 _____
 4 _____
 Offence Forgery

Date May 9 1891

Al Hektor Magistrate.
Kent Officer.

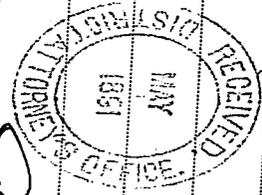
19

Witness Alfred J. Hammer
Precinct.

No. 909 Broadway
Street.

No. _____
Street.

No. 2502
to answer J. J. [Signature]



Ston
Has 25 [Signature]
Endowment

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 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 9 1891 [Signature] Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY ORIGINAL

06 15

J. H. BRESLIN & BRO.

GILSEY HOUSE, BROADWAY AND 29TH STREET,

No. 98

New York, 30 April

1881

Sixth National Bank

Pay to the order of R. Hudson

Thirty Five

Dollars.

\$ 35 ⁰⁰/₁₀₀

J Mac Arthur M.D.

**POOR QUALITY
ORIGINAL**

06 16

R. Hubert

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 my Mrs R
Hudnut that you will
do all in your power
and as far as convenient
with Qualini, to make
the sentence of Fred
Bursley, who will
be brought before
you on the charge
of assault.

POOR QUALITY
ORIGINAL

06 18

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

Then an adverse
extraordinary 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 proposes to reform.

He has not yet
the virtue of a criminal
and in fact a great

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

Res. Agent

manager

9 20 18

POOR QUALITY
ORIGINAL

0619



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, as
a matter

POOR QUALITY
ORIGINAL

0620

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

Dear Respt.

R. H. Anderson

per friend

925 Broadway

Chicago

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.

POOR QUALITY ORIGINAL

0622

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 cheques* is as follows, that is to say:

No. 98 New York, 30 April 1891
Sixth National Bank
Pay to the order of R. Hudson
Thirty Five Dollars
\$35.00 J 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 Hudson*

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

Counsel, *W*
Filed *May* 189*9*
Pleads,

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

THE PEOPLE

vs.

Jeremiah Buckley

BEFORE ME, J. NICOLL

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. L. Skidmore
Foreman.

May 1899

Wm. H. ...

H. H. ...

Witnesses:

Wm. John Lynch
4 P. 1899

Wm. H. ...

Wm. H. ...

W. 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 } John J. Lynch

James C. Kelly Police Justice.

POOR QUALITY ORIGINAL

0626

Sec. 198-200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Jeremiah 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
Jm Buckley*

Taken before me this

day of

May

1887

P. J. C. Buckley
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, v.c.,
ON THE COMPLAINT OF

John Lynch

John Michael Buckley

1 _____
2 _____
3 _____
4 _____
Offence *fel assault*

Dated *May 18th* 1891

Wm. Kelly Magistrate
Wm. Kelly Officer
4th Precinct

Witnesses _____
No. _____ Street _____
No. _____ Street _____



No. *15001* to answer *R. B.*

Connecticut

654

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 _____

DeFunck

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* 1891 *Wm. Kelly* 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 Ford, Va.
on Nov 9th /86

Was Tried and Found
Guilty by a jury on
Dec 6th /86

And Sentenced by
Judge Geldersleepe,
Wash. D. C. General Sessions
to 3 years in States 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-nine, 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 John Lynch

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, 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.