

0536

BOX:

335

FOLDER:

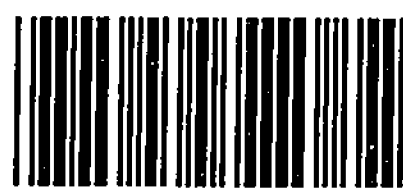
3173

DESCRIPTION:

Backwith, John

DATE:

01/31/89



3173

Witnesses:

D. A. Munnell

Counsel, of

Filed 11

day of

1889

Pleads, Not Guilty

THE PEOPLE

vs.

230 E. 1st. St.

Albany - P

John Backwith

Grand Larceny Second degree.
[Sections 528, 53, 54 Penal Code.]

JOHN R. FELLOWS,

District Attorney.

Pr. July 4/89

Pleads P.L.

A True Bill.

Wm. Woodbury
Foreman.

Wm. C. Munnell

W. C. Munnell

0537

0538

Police Court—2nd District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 151 West 29th Street, aged 39 years,
 occupation Silver Plated Goods being duly sworn

deposes and says, that on the 23rd day of January 1889 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:

Six Silver Knives and Six Silver Forks
 all of the value of Sixty Dollars
 (\$60.00)

the property of deponent

and that this deponent
 has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
 and carried away by John Beckwith (now here)
 with the intent to deprive the true
 owner of said property from the
 following facts, to wit: That on the
 aforesaid day, the said property was
 in said premises and said defendant
 was employed as a silversmith and
 therefore had access to said property
 and, at about the hour of 12 o'clock noon
 on said day, said defendant left said premises
 and soon afterwards deponent
 missed said property which he
 deponent had seen in said premises
 first previous to the time when said
 defendant went out as aforesaid.

Sworn to before me, this

188

1889

Police Justice.

0539

Deponent further says that he is informed by Officer Edward F. Brett of the 19th Police Precinct that he Brett found said property in the pawn broker's store situated at premises N^o 476 Sixth Avenue which deponent identified as being the same that was so taken stolen and carried away as aforesaid.

Deponent further says that said defendant admitted and confessed to deponent in the presence of said Officer Edward F. Brett that he, said defendant, had taken stolen and carried away said property and had pawned and pledged the same in the aforesaid pawn broker's store.

Deponent therefore charges said John Beckwith with having committed the said Larceny and asks that he may be dealt with as the law may direct.

Sworn to before me this 2^d day of January 1889

Paul A. Skinnell
151 W 29th

J. M. Patterson

Police Justice

Paul A. Skinnell

0540

CITY AND COUNTY }
OF NEW YORK, } ss.

Edward F. Brett
aged _____ years, occupation Police Officer of No. _____

19th Police Precinct Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Daniel A. Steinwell
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

24

day of

January

1887

Edward F. Brett

J. M. Patterson

Police Justice.

0541

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY,
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I have nothing to say
John Beckwith

Taken before me this

day of *January* 188*5*

John Beckwith

Police Justice.

0542

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 Jan 24 1889 John O'Connor 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 h to be discharged.

Dated 188 Police Justice.

0543

#378

Police Court---

2

144

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Daniel A. Skinnell

154 West 29 St

John Beckwith

2

3

4

Offence *See above*

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated

Jan 24

1889

J. M. Patterson

Magistrate.

Brett Hayes

Officer.

19

Precinct.

Witnesses

J. F. Bleck

19th Police Precinct

Samuel J. Lennon

No. 476 - 6th Avenue

No.

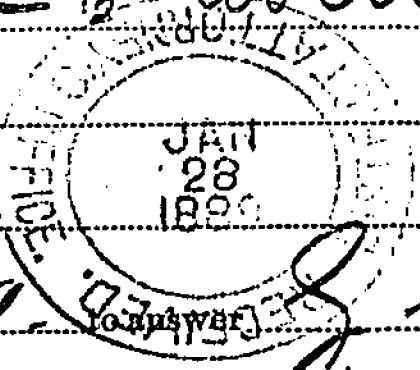
1500

Street.

\$

1500

See above
Cond



0544

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 Backwith

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

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

The said

John Backwith

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

*six knives of the value
of five dollars each,
and six forks of the value
of five dollars each*

of the goods, chattels and personal property of one

Daniel A. Skinnell

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.

John R. Fellows
District Attorney

0545

BOX:

335

FOLDER:

3173

DESCRIPTION:

Badt, Herman

DATE:

01/29/89



3173

0546

Witnesses:

John Gray

I am of opinion that a com-
plicity cannot be obtained
for a higher grade of crime
than an attempt at larceny
in the second degree &
therefore recommend
that such plea be accepted
Wm. G. Wood
Asst. Dist. Atty.

345 JB

Counsel,

Filed

Pleads,

19 May 1889
Chapman

THE PEOPLE

vs.

P

Herman Badt

Grand Larceny Second degree.

[Sections 528, 53, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Wm. G. Wood

Foreman.

Feb 18/89

Heard at H. C. Gray
Chm. Ref.

0547

Police Court

District.

Affidavit—Larceny.

City and County } ss.:
of New York,

of No.

42 2nd East St

occupation

Butcher

Street, aged

33

years,

deposes and says, that on the

12

day of

January

188

being duly sworn

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:

Seventy Five Dollars

the property of

Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Herman Badt from

the fact that on said date at about
 the hour of 9 AM of said date deponent
 saw said money lying out a
 desk in deponent's premises
 and immediately thereafter the
 defendant entered said premises
 asked some questions, stood near
 said desk and then departed
 that deponent having missed said
 amount of money suspected that
 the defendant had stolen the same
 and attempted to get an officer
 when the defendant had away
 J. Grünberg

Sworn to before me, this 14th day of January 188

 of
 Police Justice.

0548

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty
Herman Badt

Taken before me this

day of *February* 189*8*

Police Justice

0549

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

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 Jan 14 9 188 [Signature] Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0550

345 84
Police Court--- District.

THE PEOPLE &c.,
ON THE COMPLAINT OF

Julius Greenberg
422 East 80 St
Manhattan

2 _____
3 _____
4 _____

Office
Greenberg

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

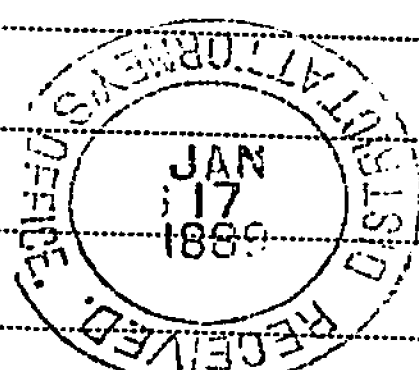
No. 4, by _____
Residence _____ Street.

Dated *Jan 14* 188 *9*
Whit Magistrate.
Barnes Officer.
By Precinct.

Witnesses _____
No. _____ Street.

No. _____ Street.

No. _____ Street.
\$ *500* to answer *G.S.*



Am *2* *money*

0551

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 5 DISTRICT.

of No. 422 B'way 80th Street, aged 33 years,
occupation Butcher being duly sworn deposes and says

that on the 12 day of January 1889

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

he caused the arrest of Herman Badt for the reason that said Badt entered Depment's store and while therein the sum of \$45 was stolen from said store and it was afterwards ascertained that said Badt had departed. Depment asks that said Badt be held to permit Depment an opportunity of getting further evidence

Sworn to before me this

of

188

day

Police Justice.

0552

Police Court, _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Julius Greenberg

vs.

Alman Bros

AFFIDAVIT.

Dated

Mar 12 188*9*

White Magistrate.

Barnett 27 Officer.

Witness, _____

Disposition, _____

Q, Am. 14/2.30

0553

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Herman Badt

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

Herman Badt

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

The said

Herman Badt

late of the City of New York, in the County of New York aforesaid, on the *twelfth*
day of *January* in the year of our Lord one thousand eight hundred and
eighty-nine, at the City and County aforesaid, with force and arms, in the
day time of the same day, divers promissory notes for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the
payment of and of the value of *seventy-five*
dollars; divers other promissory notes for the payment of money, being then and there due
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination
to the Grand Jury aforesaid unknown, for the payment of and of the value of
seventy-five
dollars; divers United States Silver Certificates of a number and denomination to the Grand
Jury aforesaid unknown, of the value of *seventy-five*
dollars; divers United States Gold Certificates of a number and denomination to the
Grand Jury aforesaid unknown, of the value of *seventy-five*
dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid
unknown, of the value of *thirty dollars*

of the goods, chattels and personal property of one

Julius Greenberg

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.

JOHN R. FELLOWS, *District Attorney.*

0554

BOX:

335

FOLDER:

3173

DESCRIPTION:

Baird, Thomas

DATE:

01/31/89



3173

0555

#184

Witnesses;

John H. Thompson
F. Cooper

Wheeler &c
45 Wm St

Counsel, 31 day of January 1889
Filed
Pleads,

THE PEOPLE

vs.

Thomas Baird

PETIT LARCENY
[Sections 528, 582 Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. B. Bradley

January 31/89. Foreman.

I Plead Guilty
Wm. B. Bradley

0556

Police Court— District.

Affidavit—Larceny.

City and County } ss.:
of New York,

John H. Thompson

of No. 354, Henry Hunt Brooklyn Street, aged 23 years,
occupation Clerk

deposes and says that on the 13 day of December 1887

in the County of New York, feloniously taken, stolen and carried away from the possession

of deponent, in the day time, the following property viz:

One Pair of Lovers of the
Value of Ten dollars

the property of J. H. Thompson and in care and
charge of the Atlas Steamship Company

and that this deponent
has a probable cause to suspect and does suspect, that the said property was feloniously taken, stolen,
and carried away by James Baer and (Merkle)

from the fact that said property
was put on board of Steamship
Atlas and this deponent has been
informed by James Cooper that
he was on board of the said Steamship
Atlas and saw the deponent place
the same in his berth in the above
property and on arrival of the said
Steamship, they went with him to a
parlor ship 157 Park Row where he
deponent saw the above property
for the sum of one dollar & 50¢ the deponent
charges the said deponent with the taking
the above property on board of

Before me, this

Notary Public

0557

Can't be a ship "Anda" bound for
Central America and bringing
Can't stolen property into this State
of New York
Dumb before me this
24 day of January 1889

J. H. Thompson

J. H. Thompson
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1889
Police Justice.

I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1889
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 1889
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

1
2
3
4

Offence—LARCENY.

Dated 1889
Magistrate.
Officer.
Clerk.
Witness,
No. Street,
No. Street,
No. Street,
to answer Sessions.

GLUED PAGE

0558

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK. } ss.

aged 55 years, occupation Cook of No.

88 Clinton Place Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of John H. Thompson
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 27
day of January 1889 by J. Cooper.

[Signature]
Police Justice.

Thos Baird

Taken before me this 27

day of January 1889

[Signature]
Police Justice.

0559

3

District Police Court.

COUNTY }
NEW YORK, } ss.

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

Question. What is your name?

Answer. *James Barrie*

Question. How old are you?

Answer. *32 Years*

Question. Where were you born?

Answer. *Glasgow*

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

Answer. *303 West 42nd*

Question. What is your business or profession?

Answer. *Cook*

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*

James Barrie

Taken before me this

day of

27

188

Police Justice.

0560

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 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 June 27 188 9

[Signature] Police Justice.

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

Dated..... 188

..... Police Justice.

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

Dated..... 188

[Signature] Police Justice.

0561

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

#386
Police Court--

138
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John H. Thompson
354th Wm St
Brooklyn
James J. Bannan

2 _____
3 _____
4 _____

Dated June 27 1889

Leff Magistrate.

Comm Officer.

C O Precinct.

Witnesses Morris Weiss

No. 88th 9th Ridge Street.

Call We & Spec

No. Seth S. Terry 45 William Street.

Frederick's Tavern

No. 88 Clinton Street.

\$ 500 to answer

A. N. Rotholz

32 Liberty St.

*Office
Manning & Co. Proprietors
into the State*

0562

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Baird

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

Thomas Baird

of the CRIME OF PETIT LARCENY committed as follows :

The said

Thomas Baird

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

*eight shoes of the value
of one dollar and twenty-
five cents each*

of the goods, chattels and personal property of one

J. W. Finke

then and there being found, then and there unlawfully 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.

0563

SECOND COUNT---

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

Thomas Baird

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

Thomas Baird

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,

*Eight shoes of the value
of one dollar and twenty-five
cents each*

of the goods, chattels and personal property of one

J. H. Finke

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before
unlawfully stolen, taken and carried away from the said

J. H. Finke

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

Thomas Baird

then and there well knowing the said goods, chattels and personal property to have been
unlawfully 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.

JOHN R. FELLOWS,

District Attorney.

0564

BOX:

335

FOLDER:

3173

DESCRIPTION:

Barbour, Hugh

DATE:

01/28/89



3173

Joseph H. Hutton
Spec'd July 20th

Counsel,
Filed *28. day of June* 188*9*
Pleads, *Spotzgerky*

THE PEOPLE

25.

Assault in the Second Degree.
(Section 218, Penal Code).

1

Stugh Barbour

JOHN R. FELLOWS,

District Attorney.

A True Bill

Wm B. Brown.
Foreman.

Part III February 4/89.

Tried and Acquired

14

0565

0566

Police Court— District—

City and County of New York, ss.:

of No. 486 7th Avenue, aged 21 years, occupation Plumber, being duly sworn

deposes and says, that on the 1st day of January 1889 at the City of New York, in the County of New York, at No 348 West 27th Street, he was violently and feloniously ASSAULTED and BEATEN by Hugh Barton,

(now here), who wilfully, maliciously and deliberately struck, deponent three times on the head, neck and left hand with a hand saw which he the said defendant then and there held in his hand.

Said deponent was thus assaulted as aforesaid by said defendant.

with the felonious intent to take the life of deponent, 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 3 day

of January 1889

Police Justice

John Sherry

0567

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

of 1st Precinct Police Police Officer being duly sworn deposes and says

that on the 1st day of January 1889

at the City of New York in the County of New York he arrested

Hugh Barber. (now here) on
complaint of John Slichting of
No. 486 10th Avenue. who charged
the said Barber with assaulting
him by striking him Slichting on
the head with a saw. cutting his
head severely from the effects of
said assault he Slichting is now
confined in Roosvelt Hospital and
unable to appear in Court. Wherefore
deponent prays the said Barber may

Subscribed before me this 1st day of January 1889

Notary Public

0568

be held to await the result of the
injuries of the said John Ricketts

Sworn to before me
this 2^d day of July 1889

J. G. Duffy
Notary Public

Lawrence Fay

Police Court-- District.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

vs.
Hugh Barber

Dated July 2^d 1889

Magistrate.

Lawrence Fay
Officer.

Witness,

Held to await
result of
injuries

Disposition,

0569

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY
OF NEW YORK,

Hugh Barber 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. *Hugh Barber*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *340 West 37th Street New York 2 years*

Question. What is your business or profession?

Answer. *Carpenter*

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

Answer. *I am Not Guilty.*

Hugh Barber

Taken before me this

day of *March* 1938
Police Justice

0570

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

Defendant

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

Dated *May 31* 188*9* *Wm. J. Duffy* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0571

304 38
Police Court---2--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Slitting
486 vs. 10 & ave
High Barber

2

3

4

John Slitting
Barber

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *May 3* 188

W. J. Fay Magistrate.

20 Officer.

Precinct.

Witnesses *Mrs. Isabella Barbour*

No. *Jane Dowd* Street.

All at 340 W. 27th St.

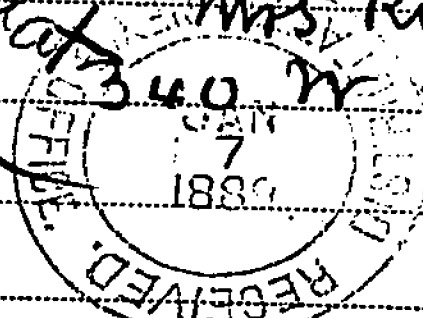
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *1000* to answer *G.*

Can over



0572

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Hugh Barbour

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

Hugh Barbour

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

The said

Hugh Barbour

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

John S. Licting
in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make an assault; and the said *Hugh Barbour*

with a certain

saw which *he* the said
Hugh Barbour

in *his* right hand then and there had and held, the same being then and there
a weapon and an instrument ~~and weapon~~ likely to produce grievous bodily harm,
him, the said *John S. Licting* then

and there feloniously did wilfully and wrongfully strike, beat, *cut*
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.

0573

SECOND COUNT—

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

Hugh Barbour

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

The said

Hugh Barbour

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

John Slitting

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said *Hugh Barbour*

the said

with a certain

which

the said

in

his right hand then and there had held, in and upon the head, neck and hand of *him* the said *John Slitting*

then and there feloniously did wilfully and wrongfully strike, beat, *cut* ~~bruise~~ and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *John Slitting*

Slitting to the great damage of the said *John Slitting* against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0574

BOX:

335

FOLDER:

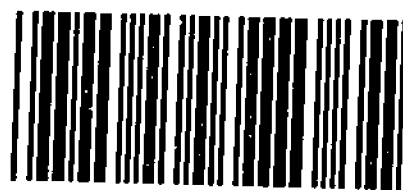
3173

DESCRIPTION:

Barnes, Thomas

DATE:

01/28/89



3173

Witnesses:

Edward F. Brett

318

Counsel,

Filed day of May 1889

Pleads

Criminally

THE PEOPLE

vs.

Thomas Barnes.

B

POOL SELLING.

(Section 551, Penal Code and Chap. 479, Laws of 1887, §§ 4 and 7.)

Pr. Incl. 5/89.
Ind. Jury discharged 6/6

RANDOLPH B. MARTINE,
Pr. Incl. 8/89 District Attorney
Bail docket

A True Bill.

Thos. B. Woolley

Foreman.

14.5/89 M.D.
Part 2 Number 5 at
dft. as per page 102.

The case having been
tried the jury disagree,
standing six to five
Aft. discharged
in his own acquittal
Dated 8 mch 1889

W.F.B.

05 75

0576

Sec. 193-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

Thomas Barnes 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.

Thomas Barnes

Question. How old are you?

Answer.

22 years old

Question. Where were you born?

Answer.

New York City

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

Answer.

157 E. 99 St. Mo

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
and demand a trial by jury
Thomas Barnes*

Taken before me this
day of

4

Police Justice

0577

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

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

Dated July 8 1889 J. H. Duffly Police Justice.

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

Dated July 8 1889 J. H. Duffly Police Justice.

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

Dated _____ 188 _____ Police Justice.

0578

#500 bail for exp
Jan 8. 2.20 PM

BAILED, *Wm Lovell.*
No. 1, by *Wm Lovell*
Residence *11. W 82* 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

Edward F. Butt
vs.
Amos Bonus

2 _____
3 _____
4 _____

Offence *Registering*
in horse races

Dated *Jan 4* 188 *9*
Duffy Magistrate.
Butt and Hayes Officer.
19 Precinct.

Witnesses _____

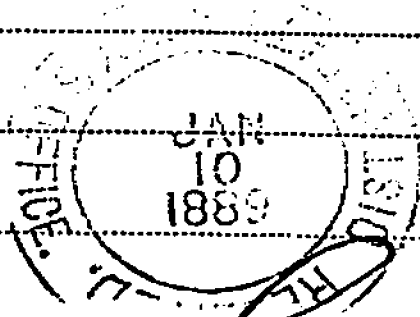
No. _____ Street.

No. _____ Street.

No. *100* Street.

\$ *500* to answer

Bailed



0579

Sec. 192.

2 District Police Court..

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Patrick J. Duffy a Police Justice
of the City of New York, charging Thomas Barnes Defendant with
the offence of no Pool Law

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, Thomas Barnes Defendant of No. 151

9 7th Street; by occupation a Clerk
and William L. Orr of No. 131 W. 32

Street, by occupation a Real Estate dealer Surety, hereby jointly and severally undertake that
the above named Thomas Barnes Defendant

shall personally appear before the said Justice, at the 2 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of five
Hundred Dollars.

Taken and acknowledged before me, this 4
day of July 1888
Patrick J. Duffy POLICE JUSTICE.

Thomas Barnes
William L. Orr

0580

CITY AND COUNTY } ss.
OF NEW YORK, }

Sworn to before me, this
day of May 188
Justice

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 Ten 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 house and lot of

land no 238. W 5th St.
Worth \$50,000

William L. Ford

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear
during the Examination.

188

day of

Taken the

Justice.

0581

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, DISTRICT.

19th Precinct Police Officer, aged years,
occupation Police Officer (being duly sworn deposes and says
that on the 4th day of January 1889

at the City of New York, in the County of New York at the premises
No 29 West 28th Street Thomas Barnes
(now here) did unlawfully receive from
deponent the sum of five dollars as a bet or
wager. and received the same giving
deponent the ticket he has annexed on an
certain horse called Vets. which said
horse is advertised to start in a race or
trial of speed and power of endurance
between horses at a race course in
Clifton New Jersey in violation of Section
251 of the Penal Code of the state of New York
Edward L. Brett

Sworn to before me, this

day of January

1889

day

Police Justice.

0582

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Barnes.

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

Thomas Barnes

of the CRIME RECORDING AND REGISTERING A BET AND WAGER, committed as follows:

The said

Thomas Barnes

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *fourth* day of *January* in the year of our Lord one thousand eight hundred and *eighty-nine*, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did unlawfully record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between one

Edward F. Brett

and divers other persons to the Grand Jury aforesaid unknown, upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Neto* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *Clifton* in the State of *New Jersey* and commonly called the *Clifton* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the said bet and wager so as aforesaid then and there made upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

0583

Second Count.—And the Grand Jury aforesaid, by this indictment, further accuse the said

Thomas Barnes

of the CRIME OF POOL SELLING, committed as follows:

The said

Thomas Barnes

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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold, to one *Edward J. Brett*, and to divers other persons, to the Grand Jury aforesaid unknown, a certain pool upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Neto* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *Clifton* in the County of *New Jersey* and commonly called the *Clifton* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid at the place and race track aforesaid (a more particular description of which said trial and contest, and of the pool upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE,

District Attorney.

0584

BOX:

335

FOLDER:

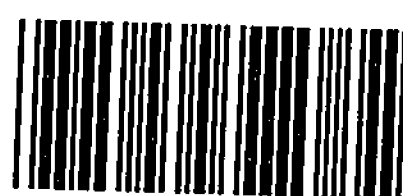
3173

DESCRIPTION:

Barry, James

DATE:

01/08/89



3173

Witnesses;

Wm. P. Thompson
Officer Moody

21
Counsel, W. H. Johnson.
Filed 8 day of Aug 1889
Pleads, Not Guilty

THE PEOPLE

vs
James Barry

Grand Larceny, & 1st Degree.
(From the Person.)
[Sections 528, 530 — Penal Code].

JOHN R. FELLOWS,

District Attorney.

Part 3 County of Cook
A True Bill.

Wm. H. Johnson

Foreman.

Part III January 11/89.

Wid and convicted

Reid Larceny.

Per. Six ms.

0586

Police Court—1st District.

Affidavit—Larceny.

City and County } ss.:
of New York, }William P. Thompson
of No. 81 Vanderbilt Ave. Brooklyn Street, aged 36 years,
occupation Salesman being duly sworndeposes and says, that on the 13th day of December 1888 at the City of NewPerson of deponent, in the night time, the following property viz:

Good and lawful money to the
amount and value of Two Dollars
and a pocket knife of the value
of fifty Cents, in all of the value
of Two Dollars and fifty Cents

the property of deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by James Barry, now here,
and another man unknown to

deponent, from the fact that de-
ponent met said Barry and said
other man in a saloon on the
corner of Madison and Oliver Streets,
at about the hour of 11 o'clock P.M.
that after drinking with them
deponent and said Barry and
said other man went out and
stood on the walk. That while
standing there deponent felt
a hand in deponent's breast pocket
where said money then was, and
just then officer Molloy, then

Subscribed and sworn to before me this

1888

Police Justice

0587

present arrested Barry. That said
officer informs deponent that he
saw Barry insert one of his hands
into the left side pocket of the
coat then upon deponent's person.
That said officer further informs
deponent that the pocket knife
now shown him, said officer,
found in the possession of Barry,
and deponent identifies said knife
as the one so stolen from deponent.

Given to depose me this
14th day December 1888

W P Thompson

J M Patterson Police Justice

Dated 1888 Police Justice.

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

There being no sufficient cause to believe the within named

Dated 1888 Police Justice.

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 1888 Police Justice.

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

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

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

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

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

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—LARCENY.

1
2
3
4

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$

to answer

Sessions.

0588

CITY AND COUNTY }
OF NEW YORK, } ss.

Bernard J. Molloy
aged 26 years, occupation Police officer of No.

H. D. Prueitt Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Wm. P. Thompson
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 14th day of December 1888 } Bernard J. Molloy

J. M. Patterson
Police Justice.

0589

Sec. 198-200.

1 A District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. James Barry

Question. How old are you?

Answer. 21 years of age

Question. Where were you born?

Answer. Ireland

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

Answer. Stomper "Colorado," Brooklyn
Batlin

Question. What is your business or profession?

Answer. Fireman

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 Barry

Taken before me this

14th

day of August 1888

John D. McClellan
Police Justice.

0590

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.....

James Barry
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 Dec 18th 1888 *J. M. Platt* *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 h to be discharged.

Dated..... 188..... *Police Justice.*

0591

Police Court--- 1956 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wm. P. Thompson
81 Vandebilt av
Brooklyn
James Barry

Offence
James Barry
the person

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *Dec. 14* 188 *8*
Patterson Magistrate.
Molley Officer.
H Precinct.

Witnesses *Bernard J. Molloy*
No. *H* Precinct Police Street.

No. *Ex Dec 16* Street.

No. *9/10* Street.

No. *Dec 18* to answer

2 1/2 P. M.
1000. To Mrs. G. S.
Comm

0592

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 Barry

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

James Barry
of the CRIME OF GRAND LARCENY in the

first degree, committed as follows:

The said

James Barry

late of the City of New York, in the County of New York aforesaid, on the *thirteenth* day of *December* in the year of our Lord one thousand eight hundred and eighty-*eight*, in the *night* time of the said day, at the City and County aforesaid, with force and arms,

one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination and value of *two* dollars — ; *one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of *two* dollars — ; *one* United States Silver Certificate of the denomination and value of *two* dollars — ; *one* United States Gold Certificate of the denomination and value of *two* dollars — ;

two promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination and value of *one* dollar each; *two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of *one* dollar each; *two* United States Silver Certificates of the denomination and value of *one* dollar each; *two* United States Gold Certificates of the denomination and value of *one* dollar each; *divers* coins

of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *two* dollars and *one* pocket-knife of the value of *fifty* cents —

of the goods, chattels and personal property of one *William P. Thompson* on the person of the said *William P. Thompson* — then and there being found, from the person of the said *William P. Thompson* 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.

John R. Fellows,
District Attorney.

0593

BOX:

335

FOLDER:

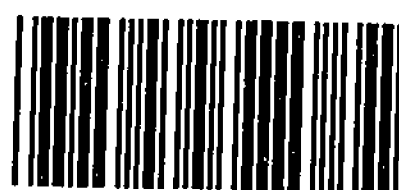
3173

DESCRIPTION:

Barry, Maurice

DATE:

01/16/89



3173

Witnesses:

John J. Greeney
John Michael Greeney
Stephen Grandon
358 Madison St.

Geo. Amersbach of
R.R. Apr. 18/87.
Henceence to Pen for
1897

for

22-7-18
10/12/18
Counsel,
Filed
Pleads

16 Jan 1889
day of
Chiquely

THE PEOPLE
57. How
26. How
P
Warrice Barry
Mr. Barry to 1889.
Jury convicted.

John R. FELLOWS, *

District Attorney.

John R. FELLOWS
Feb. 6/87
A True Bill.

Thos B Woodley

Foreman.

2. 11/17/87
for

0594

0595

Police Court 1st District.

City and County } ss.:
of New York,

of No. 240 Water Street, aged 38 years,
occupation Manufacture of copperware being duly sworn

deposes and says, that the premises No. 240 Water Street,
in the City and County aforesaid, the said being a five story brick

building, the ground floor
and which was occupied by deponent as a salesroom for copperware
and in which there was at the time a human being, by name

attempted to be
were BURGLARIOUSLY entered by means of forcibly removing a

wire screen on a window leading
into said premises, and breaking the

glass in said window

on the 29th day of December 1888 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of copperware
and nickel-plated ware valued
at one hundred dollars

the property of The Messrs Sweeney Brothers, deponent being
a co-partner 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

Maurice Barry (now here)
for the reasons following, to wit: on the said date de-
ponent saw that the doors and
windows of said premises were
securely locked and fastened
and the said screen was in proper
position, and having found the
said screen removed and the said
glass in said window broken, he
is informed by Stephen Brandon

0596

(here pruned, that he Grandon hearing the sound of breaking glass, saw this defendant near the said window said Grandon further says that there was no one but the defendant near the said window when he heard said sound. He pruned is further informed by Officer Neville (here pruned) that the Neville heard the sound of breaking glass and saw this defendant walking away from said window. Said Neville further says that there was no one else on the block at the time but the defendant.

Sworn to before me this 31st day of December 1888 John J. Sweeney

J. M. Murphy

Police Justice

Police Court District.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

Degree
Burglary

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0597

CITY AND COUNTY }
OF NEW YORK, } ss.

Stephen Grandon
aged 32 years, occupation Clerk. of No.

358 Madison Street, being duly sworn deposès and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this 31 day of December 1888 } *Stephen Grandon*

J. Mumford
Police Justice.

0598

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Neville
aged 28 years, occupation Police Officer of No.

44 1/2 Primer Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

day of December 1888

G. Munro Ford

Police Justice.

Michael Neville

0599

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Maurice Barry.

Question. How old are you?

Answer.

57 years.

Question. Where were you born?

Answer.

Ireland.

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

Answer.

6 Hague Street. 7 years.

Question. What is your business or profession?

Answer.

Laborer.

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

Answer.

*I am not guilty
Maurice Barry
man*

Taken before me this

day of *February* 188 *87*

W. H. M. B. B. B.

Police Justice.

0600

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.....

Heffernan
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 *Dec 31* 188 *f. J. Murphy* 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 h to be discharged.

Dated.....188.....Police Justice.

0601

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

126
Police Court---

10
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John W. Wrenney
240 Water
Maurice Barry

2 _____
3 _____
4 _____

Offence
Attorney

Dated *Dec 31* 188

Ford Magistrate.

Smith Officer.

L Precinct.

Witnesses *Officer*

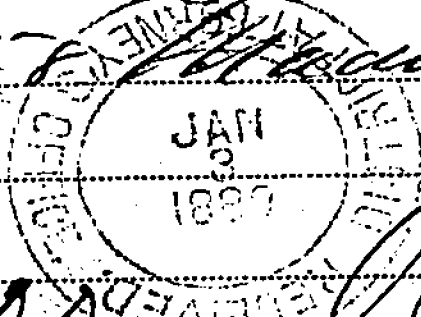
No. _____ Street.

Stephen Grandon

No. *358* *Madison* Street.

No. _____ Street.

\$ *1000* to answer



John W. Wrenney
240 Water
Maurice Barry

0602

THE PEOPLE
x.
MAURICE BARRY.

0603

COURT OF GENERAL SESSIONS OF THE PEACE.

In and for the City and County of New York.

-----X
People
vs.
Maurice Barry,
Indictment filed, *Jan 16, 1889*
Indicted for burglary in
the third degree.
-----X

JOHN J. SWEENEY, the complainant, testified, that he lived at 193 Second Avenue. He was a manufacturer of copper and brass work at 240 Water Street. He secured the doors of his place of business at six o'clock on the afternoon of December 29th, 1888, and went home. There were two windows to his place of business facing on Water Street. They were secured by an iron screen. His store contained a stock of copper, brass and tin ware valued at over a thousand dollars. At about eleven o'clock on the following day (Sunday) a messenger came to his house, and he went to his store and found that the screen was torn open upon one window and the glass brok-

0604

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2-1
en. The hole in the screen was about eight or ten inches in length. The glass was cracked, but the glass had not fallen out. He did not miss any of his property. The screen was of iron wire an eighth of an inch thick and about an inch square, and there was about an inch between the cross-bars. The glass was broken just beneath the hole in the screen. He saw the defendant under arrest when he reached his store, but he had never seen him before. He heard the defendant say that he did not commit the burglary.

Under cross-examination, the witness testified that there were coffee urns and other copper ware in the window that was broken, but the opening was not large enough to let any of the urns out.

OFFICER MICHAEL NEVILLE testified that he belonged to the Fourth Precinct; that the premises of the complainant were in the Fourth Ward of the City of New York. He saw the defendant at about half past nine o'clock in the evening of December 29th, 1888. He, the witness, was on post in Water Street. A citizen told him something, and in consequence of what the citizen told him ran towards the complainant's store. On the way to the

0605

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store he heard the sound of breaking glass, and when he got to the store he found the defendant within eight or ten feet of the broken window. There was nobody on the block except the defendant, the witness and another officer. He, the witness, asked the defendant what he was doing there, and the defendant said he was just going through Beekman Street, and he, the witness, arrested him. The citizen who gave the alarm was named Stephen Grandon.

Under cross-examination, the officer testified that the complainant's premises were between Beekman Street and Peck Slip. The defendant was going towards Beekman Street when he, the witness first saw him. The defendant had passed 240 Water Street about five or ten feet. He, the witness came from Peck Slip and was about seventy-five feet from the store of the complainant when he heard the sound of breaking glass. He believed he was in front of No. 246 Water Street at the time. He tried the doors of the store and they were secure. The defendant was perfectly sober.

STEPHEN GRANDON testified that he lived at 358 Madison Street and that he was a clerk at the Grand Cen-

0606

4

tral Depot in the offices of the New York Central & Hudson River Railroad. He and a friend were going through Front Street on the night in question, when he heard the crash of glass. When they were almost immediately opposite the complainant's place of business they heard the crash of glass. Then he, the witness, hurried along to tell the officer who was standing at the corner of Peck Slip and he accompanied the officer towards the complainant's store. As he was accompanying the officer he again heard the sound of breaking glass and saw the prisoner about five or ten feet from the complainant's store. When he heard the first crash of breaking glass he looked across the street and saw a man standing in front of the complainant's store with his back to it. No one else was on that side of the street. It took him probably two minutes to go and inform the officer, and he kept the man who was standing in front of the complainant's store in sight all the time. He believed that the defendant was the man that he saw in front of the store, and kept him in sight until the officer arrested him.

Under cross-examination the witness testified that Water Street was pretty dark at that time, and he and his

0607

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friend were on the opposite side of the street from the complainant's store. He saw the defendant's face as the defendant was facing him at the time that he stood with his back to the complainant's store, and he was quite sure that the defendant was the man. He had never seen the defendant before that night to his knowledge.

For the Defense, Maurice Barry testified that he lived at 27 Dover Street, he had lived there since the death of his wife, about three years before his arrest. He worked as a 'longshoreman. On the night of his arrest, he came from Pier 11 East River, where he had been at work loading a lighter with iron. He and two other men were engaged in this work. He got through work about half past eight. He and his two fellow workmen, after they knocked off work, went into a saloon to get a glass of beer, and as he was walking along with his hands in his pockets the officer came up and asked him where he was going, and he said that he was going about his business. Then the officer arrested him, and another officer came up and the first officer gave him into the custody of the second officer and went away. He was gone about fifteen minutes and returned and said,

0608

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"Yes, there is a window broken down here," and the other officer said, "What are you going to do?" He said, "I will have to take this man in; he is the only man I see around here," and then he, the defendant, was taken to the Oak Street station, and the Sergeant said, "What is the matter with you, Barry?" They knew him in the station house because he had been arrested a good many times for being drunk.

Under Cross examination, the defendant testified that he had not been sent to the Penitentiary for stealing matting, but he had been in the Penitentiary for fighting. Judge Gildersleeve had not sentenced him to the Penitentiary for stealing matting, but he was sentenced for six months for fighting and breaking a man's arm. He had not pleaded guilty on the 2d of April, 1887, of petit larceny in stealing two and a half pairs of men's shoes, valued at \$30, belonging to Louis Carl, of 123 Nassau Street, and he was not sentenced to the Penitentiary for one year. Mr. Berlinger was not assigned as his counsel at that time. He did not remember Officer John F. Mitchell. He did not live in 1887 at

0609

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343 Water Street.

In Rebuttal, Officer John F. Mitchell testified that he belonged to the 6th precinct. He knew the defendant, and attended as a witness in the Court of General Sessions in a case in which the defendant was the defendant upon the charge of burglary in the third degree, grand larceny in the second degree, and receiving stolen goods. In April, 1887, or thereabouts, he remembered that the defendant had pleaded guilty to petit larceny and had been sentenced to the Penitentiary for one year for stealing two and a half pairs of shoes from Louis Carl at 123 Nassau Street.

Under Cross examination the officer said that he could not be mistaken as to the identity of the defendant. He found the defendant trying to sell the shoes in Baxter Street at a quarter to twelve at night, and found the complainant's name in the shoes. Judge Gildersleeve sentenced the defendant to the Penitentiary.

LOUIS CARL testified that he was a shoe dealer at 123 Nassau Street. The wire screen of his window was pried off and the glass was broken, and two and a half pairs of shoes were taken out. He remembered the ar-

06 10

8

raignment of the defendant in the General Sessions in April, 1887 upon the charge of committing the burglary, and he heard him plead guilty to petit larceny, and heard him sentenced to the Penitentiary. The stolen shoes were valued at \$30.

The defendant, being recalled to the stand by his counsel, repeated his denial as to the previous conviction.

06 11

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Maurice Barry

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

Maurice Barry

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

The said

Maurice Barry

late of the *Eleventh* Ward of the City of New York, in the County of
New York, aforesaid, on the *twenty ninth* day of *December* in the year of
our Lord one thousand eight hundred and eighty *eight*, with force and arms, at the Ward,
City and County aforesaid, a certain building there situate, to wit: the *room* of one

John J. Sweeney

attempt to
feloniously and burglariously did break into and enter, with intent to commit some crime therein,
to wit: with intent, the goods, chattels and personal property of the said

John J. Sweeney

in the said *room* 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.

John R. Feltows,
District Attorney.

06 12

BOX:

335

FOLDER:

3173

DESCRIPTION:

Battaglio, Rocco

DATE:

01/23/89



3173

Witnesses;

Mr. Neatung
Officer Mr. [Signature] (173)

Counsel, *23* day of *Jan* 188*9*
Filed
Pleads *Chattel - no*

THE PEOPLE

vs.

P

Rocco Battaglio

*Pr July 19/89
tried & acquitted*

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

JOHN R. FELLOWS,

District Attorney.

*Book 2 July 18 at [illegible]
replied [illegible]*

A True Bill.

Geo. B. [illegible]
Foreman.

06 13

06 14

Police Court— 3 — District.

Affidavit—Larceny.

City and County } ss.:
of New York,

of No. 10 Washington
occupation—Laborer

James Deating
Street, aged 17 years,
being duly sworn

deposes and says, that on the 13 day of January 1889 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the night time, the following property viz:

One silver Watch with silk chain and ivory
Chain attached, all of the value of Ten
dollars

the property of Mary Deating deponent's Mother

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 Rocco Batalio (name)

from the fact that said defendant attempted
to take said and carry away said property
that was contained in the pocket of the
vest then and there worn by deponent in
the Museum in Grand Street between
Essex & Ludlow Streets in said City

James J. Deating

Sworn to before me, this 14 day

of January 1889

James J. Deating

Police Justice.

06 15

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

3

District Police Court.

Rocco Batalio

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.

Rocco Batalio

Question. How old are you?

Answer.

33 years

Question. Where were you born?

Answer.

Italy

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

Answer.

211 Mott St 9 mos -

Question. What is your business or profession?

Answer.

Fruit dealer

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

Answer.

I am not guilty

Rocco Battaglio

Taken before me this

day of

188

Police Justice

06 16

James Keating being only
ever deposed and says

Q.

Where do you say this
occurred?

A.

In the Grand
St. Museum, about
half past eight o'clock

Q.

What part of
the Theatre of Museum
did it occur?

A.

He followed me
from the top, to the
bottom floor

Q.

Was the performance
going on?

A. It began about
half past eight

Q.

Had the Perfor-
-mance commenced when
this occurred?

A.

Yes Sir, I was
looking at the animals
on the top floor.

Q.

Was there a large

06 17

2

Q. Crowd there?
A. Yes Sir.
Q. How could you recognize this one man in so large a crowd of people pushing you?

A. He was near me and I had my hand in my pants pocket and I saw his hand on my watch chain and he pulled back his hand and then I nudged my Brother to look behind and he saw him too, he followed me since I came in and I called the attention of "John" and asked him to take him out.

Q. Is the party you call "John" here?

2

06 18

(3)

Q. A. I never saw him before
What occurred after
that?

A. He ran up stairs
and tried to get away and
one man ran him down
stairs again, the keeper
of the Box and the other
fellow was at the head
of the stairs, and one
man went for a
policeman and then
the defendant went
out and I after him.

Q. Did you say that he
was pushing you?

A. Yes Sir. And he
had his hand on my
vest, and my Brother saw
him too.

Q. You did not
see him take the watch?

A. He attempted to

(3)

06 19

(4)

Q Take it out of my pocket
Have you your proper
= by now?

A. Yes Sir.

Sworn to before me }
this 14th day of Jan 889 }
Police Justice

~~~~~  
Rocco Catalio the Defendant  
being duly sworn deposes  
and says,

Q Did you ever  
see the complainant  
before?

A. No Sir.

Q You were in the Museum

A. Yes Sir

Q How came you to go  
there?

A. I saw four (4)  
little horses attached to a  
carriage and they

4



0620

5

Stopped & in front of the  
Museum and I then went  
in the Museum, out of  
curiosity.

Q. You went in to  
see the performance?

A. Yes Sir,  
Q. What is your business?

A. I am in the  
Lumber business.

Q. Was there a large  
crowd there, in the  
Museum?

A. There was, I  
paid ten cents to get in.  
I went up stairs as  
far as the top floor to  
see the animals, a lady  
was after me, and  
pushed me and I put  
out my hands so as to  
avoid striking the lady.

Q. Did you go on a  
different floor to see all

3

0621

6

Q That was going on?  
A I was  
first on the second floor  
and from there I went  
to the top floor and then  
I came down to the  
first floor. There was  
a crowd of boys before  
me and behind me.

Q Did  
you attempt to take  
anything from this boy  
the defendant?

A No Sir.  
Q Had you ever been at  
that Museum before?

A That was the  
first time I went there,  
I happened to pass and  
seeing the little horses  
in front, I went on.

Q How long have  
you been in the  
Lemon business?

6

0622

(4)

A Nine (9) months and  
I have been here ten (10)  
years. The Lemons are  
grown on my family  
ground and we sent to  
me

Spore before me }  
this 14<sup>th</sup> day of Jan 1889 }  
Police Justice

Court - You are cited in one  
thousand (\$1000) Dollars to  
Answer.

M. J. Keacy  
Stenographer

0623

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 Byndan

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 14 Jan 188 9 Sam'l C. McCall 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 h to be discharged.

Dated 188 Police Justice.



0624

Jan 50  
Police Court---

3

86 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James O'Leary  
10 Washington St  
Rocco Batsch  
Battaglio

Offence Assault on  
Lawrence from the gun

BAILED,

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

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

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

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

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

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

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

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

Dated Jan 14 1889

D O Reilly Magistrate.

Harper Officer.

11 Precinct.

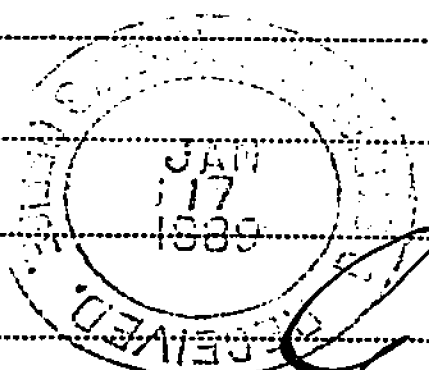
Witnesses Maurice O'Leary

No. 10 Washington Street.

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

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

\$ 1000 to answer



Stop  
\$2.11  
penalty

0625

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Rocco Battaglio

The Grand Jury of the City and County of New York, by this indictment, accuse  
Rocco Battaglio  
of attempting the crime of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said

Rocco Battaglio,

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

one watch of the value  
of seven dollars, one chain  
of the value of one dollar  
and one charm of the value  
of two dollars

of the goods, chattels and personal property of one James F. Keating  
on the person of the said James F. Keating  
then and there being found, from the person of the said James F. Keating  
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.

John R. Fellows  
District Attorney

0626

**BOX:**

335

**FOLDER:**

3173

**DESCRIPTION:**

Bergonzen, Bernardo

**DATE:**

01/15/89



3173

Witnesses:

Adolph W. Muechler  
John B. Ryerson 2nd

Counsel,

Filed

1889

day of May

Pleads,

Guilty.

THE PEOPLE

vs.

16. Butler

Bernardo Bergonzoni

Grand Larceny, 3rd degree.  
[Sections 528, 53 & Penal Code.]

JOHN R. FELLOWS,

District Attorney.

Pl. day 17/89  
pleads for P.L.

Pen 3 mo

A True Bill.

RBM

Geo. T. Woodruff  
Foreman.

0627



0628

Police Court— / District.

Attempt  
Affidavit—Larceny.City and County } ss.:  
of New York,

*Adolph Michaelson*  
 of No. *529* *Greenwich* Street, aged *35* years,  
 occupation *Gentlemen's furnishing goods* being duly sworn  
 deposes and says, that on the *25<sup>th</sup>* day of *December* 188*8* at the City of New  
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
 of deponent, in the *night* time, the following property viz: *A quantity*  
*of gentlemen's furnishing goods*  
*of the value of about fifty*  
*dollars*

the property of *deponent and William Wolff*  
*his co-partner*

and that this deponent  
 has a probable cause to suspect, and does suspect, that the said property was *attempted to be* feloniously taken, stolen,  
 and carried away by *Bernardo Bergonger* (now here)  
 for the reason that on said day the  
 said property was in a show case  
 standing in front of the above premises  
 and deponent is informed by Officer  
*Ira B. Ryerson* (now here) of the *2<sup>nd</sup>*  
*Precinct Police*, that he *Ryerson*  
 saw the defendant in company with  
 two other men standing near said show  
 case and saw the defendant attempt  
 to pry open said show case with  
 an iron instrument. Deponent has  
 since ~~seen~~ inspected said show case  
 and said show case has marks  
 upon it which deponent believes

Sworn to before me, this

188

day

Police Justice.

0629

have been made by some sharp instrument  
Wherefore deponent charges the said  
defendant with attempting to break  
open said show case and attempting  
to take, steal and carry away said  
property.

Sworn to before me }  
this 23<sup>rd</sup> December, 1888 } *Adolph Minkson*

*Sam'l C. Bullock*  
*Police Justice*

Dated \_\_\_\_\_ 188\_\_\_\_  
guilty of the offence within mentioned, I order h. to be discharged.  
Police Justice.

There being no sufficient cause to believe the within named  
Dated \_\_\_\_\_ 188\_\_\_\_  
Police Justice.

I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated \_\_\_\_\_ 188\_\_\_\_  
Police Justice.

Dated \_\_\_\_\_ 188\_\_\_\_  
of the City of New York, until he give such bail.  
I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

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

|                                         |                 |
|-----------------------------------------|-----------------|
| Police Court, _____ District.           |                 |
| THE PEOPLE, &c.,<br>on the complaint of |                 |
| Offence—LARCENY.                        |                 |
| 1. _____                                |                 |
| 2. _____                                |                 |
| 3. _____                                |                 |
| 4. _____                                |                 |
| Dated _____ 188____                     | Magistrate.     |
| _____                                   | Officer.        |
| _____                                   | Clerk.          |
| Witnesses, _____                        | _____           |
| No. _____                               | Street, _____   |
| No. _____                               | Street, _____   |
| No. _____                               | Street, _____   |
| No. _____                               | Sessions.       |
| No. _____                               | to answer _____ |

0630

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Ira B. Ryerson*  
aged *27* years, occupation *Police officer* of No.

*2<sup>nd</sup> Precinct Police* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Adolph Michaelson*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

*23*  
*December* 188*8* *Ira B. Ryerson*

*James H. [Signature]*

Police Justice.

0631

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Bernard Bergonzer* 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. *Bernardo Bergonzer*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *35 Baxter St. 3 years*

Question. What is your business or profession?

Answer. *I work at stockings*

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**B. Bergonzer*

Taken before me this

*23*

day of

*December**1888**Paul C. Smith*  
Police Justice.



0632

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

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

*Dated Dec 23 1888* *J. J. [Signature]* *Police Justice.*

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

*Dated.....188.....* *Police Justice.*

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

*Dated.....188.....* *Police Justice.*

0633

Police Court---

1971 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Adolph Michaelson  
227 Greenwich St  
Bernardo Bergonzer

2

3

4

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

Dec 23

188

O'Reilly

Magistrate.

Ryerson

Officer.

2

Precinct.

Witnesses

Call the officer

No.

Street.

No.

Street.

No.

Street.

\$

1000

to answer

COMMITTED.

0634

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Bernardo Berenguer*

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

*Bernardo Berenguer* of the

crime of attempting to commit  
of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed  
as follows:

The said *Bernardo Berenguer*,

late of the City of New York, in the County of New York aforesaid, on the 22nd  
day of December, in the year of our Lord one thousand eight hundred and  
eighty-eight, at the City and County aforesaid, with force and arms,

did enter goods, chattels and personal  
property of the kind commonly  
called gentlemen's furnishing goods,  
to a quantity and description to  
the Grand Jury aforesaid unknown,  
of the value of fifty dollars,

of the goods, chattels and personal property of one

*David Richardson*,

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.

*John A. Adams*  
*John A. Adams*

0635

**BOX:**

335

**FOLDER:**

3173

**DESCRIPTION:**

Bierwirth, Charles

**DATE:**

01/28/89



3173



0636

Witnesses:

Mrs. Schmalholz

292

Counsel,

Filed

Pleads,

1889  
City of  
Cincinnati

THE PEOPLE

vs.

R

Charles Bierwinthe

Grand Larceny Second degree.

[Sections 528, 73 (Penal Code).]

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Wm. B. Worley

Foreman.

July 5/89.

Wm. B. Worley

S. P. 3 1/2

0637

Police Court—2 District.

Affidavit—Larceny.

City and County } ss.:  
of New York,of No. 73 Third Avenue Sheedee Schmalholz Street, aged 49 years,  
occupation Butcher being duly sworndeposes and says, that on the 20<sup>th</sup> day of July 1888 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:

Gold and silver money to the  
amount and value of fifty dollars  
and fifty-eight cents

the property of deponentand that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Charles Biermer.

Now here, for the reasons following  
to wit: That said deponent  
was then the Book-keeper of  
deponent. That on or about  
said day one Frank Charles  
said deponent's Collector the  
sum of money aforesaid, and  
the said deponent entered  
in deponent's books the said  
sum as having been paid.  
That said money was not  
paid over to deponent but  
was retained and withheld

Subscribed before me this

of

1888

Police Station

0638

from deponent by said deponent  
and, as deponent believes, appropriated  
to his own use. That deponent  
has examined the books  
of deponent, kept by said deponent,  
and has found entries of  
money received in deponent's  
business to the amount in  
all of over thousands and dollars  
which money deponent never  
received.

Sworn to before me this Thurs day  
19<sup>th</sup> of January 1888

Wm. H. McQueen Police Justice

Dated \_\_\_\_\_ 188\_\_\_\_  
guilty of the offence mentioned, I order he to be discharged.

There being no sufficient cause to believe the within named  
Dated \_\_\_\_\_ 188\_\_\_\_  
Police Justice.

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

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

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

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

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

THE PEOPLE, &c.,  
on the complaint of \_\_\_\_\_

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

Office—LARCENY.

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

Officer \_\_\_\_\_  
Clerk \_\_\_\_\_

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

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

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

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

0639

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*Charles Bierwirth*

Question. How old are you?

Answer.

*41 years of age*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*332 West 41<sup>st</sup> St. 3 weeks*

Question. What is your business or profession?

Answer.

*Book-keeper*

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

Answer.

*I am not guilty. I  
have nothing else to  
say at present.*

*Charles Bierwirth*

Taken before me this

day of *June* 188*9*

*John J. Sullivan* Police Justice.



0640

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 Thirty Hundred Dollars, and and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated January 19 188 9 Donatien 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 h to be discharged.

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

0641

Depts Witnesses

{ Peter Lissner  
% Wm Ottman & Co  
Hudson Market  
John Schopf  
% David Kell  
W Wash Market or  
New Market

BAILED, Hs Chariton  
No. 1, by 159 E. 90 St  
Residence \_\_\_\_\_ Street.

No. 2, by John - the driver  
Residence \_\_\_\_\_ Street.

No. 3, by Snodgrass the  
Complainant  
Residence \_\_\_\_\_ Street.

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

292 102  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Thos Schmalholz  
73 1/2 3<sup>rd</sup> ave  
Chas Bierwerth

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

Office  
J. McCony  
Jelmy

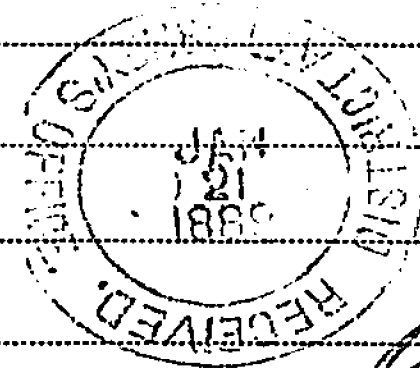
Dated January 19<sup>th</sup> 1889  
Patterson Magistrate.  
Mulvey & Mulvey Officer.  
C. G. Precinct.

Witnesses Frank Schuler  
No 445-6<sup>th</sup> Ave. Street.

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

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

\$ 1000 to answer G. S.  
Comm



0642

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

THE PEOPLE OF THE STATE OF NEW YORK,  
*against*

*Charles Bierman*

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

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

The said *Charles Bierman*.

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

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

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

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

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid  
unknown, of the value of *Twenty dollars and sixty*  
*eight cents,*

of the goods, chattels and personal property of one *Benjamin*  
*Edmunds*, 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.

JOHN R. FELLOWS, *District Attorney.*

0643

Second COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further  
accuse the said Charles Bierman  
of the same CRIME of Grand LARCENY, in the  
second degree, committed as follows:

The said Charles Bierman,  
late of the City of New York, in the County of New York aforesaid, on the  
thirtieth day of July— in the year of our Lord  
one thousand eight hundred and eightyeight, at the City and County aforesaid, being  
then and there the clerk and servant of one

Frederic Schmaltz.

and as such clerk and servant then and there having in his possession,  
custody and control certain moneys, goods, chattels and personal property of the said

Frederic Schmaltz.

the true owner thereof, to wit: the sum of fifty  
dollars and sixty eight cents  
in money lawful money of  
the United States and of the  
value of fifty dollars and  
sixty eight cents,

did afterwards, to wit:  
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,  
feloniously appropriate the said sum of money

to his own use, with intent to deprive and defraud the said Frederic  
Schmaltz.

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and  
personal property of the said Frederic Schmaltz.

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

JOHN R. FELLOWS, District Attorney.