

0009

BOX:

291

FOLDER:

2770

DESCRIPTION:

Brown, Fritz

DATE:

01/20/88



2770

0010

BOX:

291

FOLDER:

2770

DESCRIPTION:

Klein, Henry

DATE:

01/20/88



2770

0011

BOX:

291

FOLDER:

2770

DESCRIPTION:

Miller, Frederick

DATE:

01/20/88



2770

POOR QUALITY ORIGINAL

0012

259 1-13-88
188 (revised)

Counsel,
Filed *Lo* day of *January* 1888
Pleads, *Chittily (vs)*

THE PEOPLE
vs.
Fritz Brown
Mary Klein
Fredrick Miller

JOHN R. FELLOWS,
RANDOLPH B. WATKINS,
District Attorney,
No. 1 Pleads
Burglary 2 & deg

A True Bill by *J. J. Kelly*
Jan 2 10 4 1888
Comptroller
Jan 23 1888
Foreman
Jan 23 1888
Foreman
Jan 23 1888
Foreman
Jan 23 1888
Foreman

Witnesses:
N. Goldstein
affirm de manu
P. J. Kelly
No 3 Pleads Burg 2 & deg
State Reformatory

Burglary in the 2nd Degree,
Sections 499, 506, 528, 530, 550.

POOR QUALITY ORIGINAL

00013

Police Court District

City and County of New York, ss.:

of No. 201 Delancey Street, aged 27 years, occupation Tailor

deposes and says, that the premises No 201 Delancey Street, in the City and County aforesaid, the said being

apartment house and the fourth floor and which was occupied by deponent as a sleeping, living and working apartment and in which there was at the time a human being, by name

his wife and child were BURGLARIOUSLY entered by means of forcibly

and breaking the wooden fastenings opening into the said apartment

on the 17th day of January 1888 in the night and the following property feloniously taken, stolen, and carried away, viz:

Coats of the value of twelve (12) dollars (\$ 12.) and two cotton in gold and silver currency of the United States, all of the total value of \$ 21.

the property of A. Silverman & Son & Deponent, in care 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

John Brown, Harry Hunt & Fred Miller (all now here)

for the reasons following, to wit: Deponent retiring for the night at eleven o'clock on the night of said date, having then locked, bolted and effectually closed his premises, Deponent awoke at about four o'clock on the night of said date and found his door and window wide open, then he notified the police, on the

POOR QUALITY ORIGINAL

0015

CITY AND COUNTY }
OF NEW YORK, } ss.

William Siegel
aged *40* years, occupation *Clothier* of No. *60 City Center* Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of *Yman Goldstein* and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this *16th* day of *Dec* 188*8* at *his* *William Siegel* mark

A. J. White
Police Justice.

POOR QUALITY ORIGINAL

0016

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK.

Fred Miller

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

Question. What is your name?

Answer. *Fred Miller*

Question. How old are you?

Answer. *17 Years of age*

Question. Where were you born?

Answer. *Germany*

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

Answer. *90 Elizabeth St (2 Months)*

Question. What is your business or profession?

Answer. *Butcher*

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

Answer. *Am not guilty*

Fred Miller

Taken before me this

[Signature]

Police Justice.

POOR QUALITY ORIGINAL

0017

Sec. 198-20a

2

District Police Court.

CITY AND COUNTY }
NEW YORK. } ss.

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

Question. What is your name?

Answer.

Henry Klein

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

Germany

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

Answer.

90 Elizabeth St 2 Months

Question. What is your business or profession?

Answer.

Bookman

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

Henry Klein.

Taken by me this

date of

[Signature]
[Signature]

188

Police Justice.

POOR QUALITY ORIGINAL

0018

Sec. 198-200

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Fritz 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 to 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. *Fritz Brown*

Question. How old are you?

Answer. *20 years of age*

Question. Where were you born?

Answer. *Germany*

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

Answer. *19 St. Paul W. Hoboken (2 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 not guilty*

Fritz Brown

Take up before me this
188
[Signature]

Police Justice.

POOR QUALITY ORIGINAL

0019

BAILIED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District

103

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William J. ...
John ...
John ...
John ...

Reference

Dated

188

Magistrate

Officer

President

Witnesses

No.

No.

No.

No.

No.



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, 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 Jan 19 1888 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.

POOR QUALITY
ORIGINAL

0020



ELMIRA, N.Y., Dec 8 1887

Z. R. BROCKWAY
General Superintendent,

Henry Klein
18420 Division A
NY

I am quite pleased that you have
finally obtained employment & greatly
hope you may now or hereafter succeed
in saving out of your wages enough
to take care of you at times
when work is not so plenty

Z. R. Brockway
General Superintendent

POOR QUALITY ORIGINAL

0021

Form No. 1.

THE WESTERN UNION TELEGRAPH COMPANY.

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after sending the message. This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above. THOS. T. ECKERT, General Manager.

NORVIN GREEN, President.

NUMBER	SENT BY	REC'D BY	CHECK
17	X/2a	10 Jan 26	

Received at the WESTERN UNION BUILDING, 195 Broadway, N. Y. Jan 26 1888.

Dated 8 Ave & 230 at
To Hon Judge Smyth
32 Chute Two
Chambers St

I am sick abed
and cannot attend Jury
duty respectfully
Kauffman Henschel
Juror

POOR QUALITY ORIGINAL

0022

The Act of 1877, Chapter 173, Section 5, is as follows, viz:

"The said Board of Managers shall also have power to establish rules and regulations under which prisoners within the Reformatory may be allowed to go upon parole outside of the Reformatory buildings and enclosure, but to remain while on Parole in the legal custody and under the control of the Board of Managers and subject at any time to be taken back within the enclosure of said Reformatory, and full power to enforce such rules and regulations, and to retake and reimprison any convict so upon Parole is hereby conferred upon said Board, whose written order certified by its Secretary shall be a sufficient warrant for all officers named in it to authorize such officers to return to actual custody any conditionally released or paroled prisoner; and it is hereby made the duty of all officers to execute said order the same as ordinary criminal process."

NEW YORK STATE REFORMATORY,
AT ELMIRA, N. Y.

2040

PAROLE.

Name... <i>Henry J. Smith</i>	Crime... <i>Grand Larceny 1st deg.</i>
Age... <i>Montecuma (19)</i>	Date of Sentence... <i>July 16th 1885</i>
Height... <i>5' 4 3/4" 5' 5 3/4"</i>	Date when Admitted... <i>July 18th 1885</i>
Weight... <i>120 121 1/2</i>	Date of Parole... <i>November 18th 1887</i>
Complexion... <i>S. Light</i>	County... <i>S. West. York. Genl. Sessions</i>
Eyes... <i>S. Blue</i>	Court... <i>Genl. S. D. Cocumg.</i>
Hair... <i>S. Light</i>	Occupation... <i>Rev. A. binder</i>
Marks... <i>None</i>	Residence... <i>ML</i>

The Managers have confidence in you, and desiring to test your character and ability, do by virtue of the authority conferred upon them by Law, grant and order this Parole, under the following Rules and Regulations:

1. You shall proceed directly to the place of employment provided for you, viz:

as you may be able with approval of the Board of Managers
and there remain, if practicable, for at least six months from this date.



POOR QUALITY ORIGINAL

0023

- 2. In case you find it desirable to change your employer or residence, you shall first get consent of the Managers through the General Superintendent.
- 3. You shall, on the first day of every month, for a period of six months, or more, and until absolutely released by the Managers, forward by mail to the General Superintendent, a report of yourself certified to by your employer or *Mr. Commissioner 135 E 15th St* the Agent of the Managers, which report shall state whether you have been constantly under pay during the month, and if not, why not, and how much money you have earned, and how much you have expended and saved, together with a general and full statement of yourself and surroundings.
- 4. You shall in all respects conduct yourself honestly, avoiding low and evil associations, and you shall abstain from intoxicating drinks.
- 5. Soon as possible after reaching your destination, you shall report to *Samuel* show him this Parole, and write to the General Superintendent, writing afterwards on the first of every month, as before stated

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The Government of the Reformatory has a lively and friendly interest in you. You need not fear to communicate with the General Superintendent in case you lose your situation or become unable to labor by reason of sickness. During the period of this Parole, you may rely upon the aid and counsel of the Managers and Superintendent, and may find the Reformatory a desirable retreat in case of disaster.

BY THE MANAGERS.

J. M. Melway

W. C. WEY, M. D.
 M. H. ARNOT,
 JAS. B. RATHBONE,
 E. W. MITCHELL,
 W. H. PETERS. } MANAGERS.

GENERAL SUPERINTENDENT.

J. M. Melway
 188

COURT OF GENERAL SESSIONS -- PART III.

----- X
 :
 The People of the State of New York :Before
 : Hon. Frederick Smyth
 against : and a Jury.
 :
 H E N R Y K L I N E. :
 :
 ----- X

Indictment filed January 20, 1888.

New York, January 24, 1888.

Appearances:

For the People, Asst. Dist. Atty. Fitzgerald.

For the defendant, Thomas J. Sullivan, Esq.

HERMANN GOLDSTEIN, a witness for the People, testified:

I am a tailor and live at 201 De Lancoy Street; that building is a five-story brick house. I live on the fourth floor with my wife and children. On the night of the fourth of January I went to bed about eleven o'clock. There are two doors to my rooms, front and back, and there is a common hallway in that house; my apartments consist of five rooms.

Q When you went to bed were all these doors closed and locked? A Yes, sir; everything. The windows were also locked, because on that night I was particular as I had strange property in my place; the property was clothing which I was working on but had not yet finished. My wife, my child and I slept in one of those rooms on that night. My wife was sick at this time and she got up about three o'clock, and about three-quarters of an

hour after she woke me up and I found the window and the door open. Then I looked around on the rack and I saw that four coats were missing; then I looked on the table and found fifteen coats laying there all piled up; I found Two dollars missing out of my pants pocket. The coats were valued at Eighty dollars.

CHARLES B. McMANUS; a witness for the People, testified:

I am a Detective Sergeant connected with the Central Office Detective Force. About a week after the 4th. of Jan. I arrested this defendant at No. 90 Elizabeth St.; he was in company with a man named Franz Miller who is also one of the defendants under this indictment. In the house where I arrested him I found a coat which was identified by the complainant. I asked the defendant where they got that coat, and he said "We got it in De Lancey Street" and he told me that he would show me the place where they had been but he could not recollect the particular place. He brought me to another place in DeLancey Street which had also been burglarized by them. Miller told me in the presence of the defendant that he would tell me everything about this thing and said that a man named Brown should be arrested just as well as they should; Miller told me that they had sold the coats to a tailor at No. 60 Baxter Street; I went to that number and I found seven coats there which were afterwards identified by Mr. Goldstein as part of the property taken. I also found some burglars' tools

and this knife at No. 90 Elizabeth Street in the rooms where I arrested the defendant.

Q Where did you find this slung-shot ? A I found the slung-shot in the pocket of Brown, one of the defendants.

CROSS-EXAMINATION:

I found the screw-driver, the pistol, the knife and the keys at No. 90 Elizabeth Street. The lady who owns that house told me that she let the room out to the defendant and Franz Miller; they both occupied the same room; they admitted that this property belonged to them. That is, with the exception of the slung-shot which was found in Brown's pocket. This defendant told me where the burglaries had been committed and that he would take me to them.

Q Did he say that he was engaged in the burglaries ?

A Yes, sir.

D E F E N C E:

HENRY KLIME, the defendant, testified as follows:

I live at No. 90 Elizabeth Street. I am twenty and a half years old. I left the Elmira Reformatory two months ago where I had been sent from this Court. I remember the evening on which Officer McManus came to No. 90 Elizabeth Street. When he came into the room he said "Hello" to me. Fred Miller was lying in bed; McManus knew him; he searched around and searched my pockets and didn't find anything except a ten dollar bill which

was my own; he searched the room and found the knife and those other things which were produced here; I did not own any of the things; the pistol had been given to me a couple of days before by Brown who wanted the loan of fifty cents and I kept the pistol as security. I only knew this man Fred Miller about four days before I got arrested. I remember Brown and Miller and I taking a walk down Delancey Street one night about eleven o'clock. I was looking for a restaurant to get something to eat. Brown said he knew a tailor shop that he could get into, by breaking the lock; they then left me and I went back and went to sleep. I did not have anything to do with this burglary whatever.

CROSS-EXAMINATION:

I came out of the Reformatory on the 19th. of November; I only slept at 90 Elizabeth St. for five nights. In the Police Court I said I lived at 90 Elizabeth Street for two months but that was a mistake. I learned the trade of book-binding in the Elmira Reformatory. These other men did not tell me anything much about this burglary but I understood that they were going in there to steal something and I went right back to bed. The reason I did not tell the Police anything about it was that I was afraid these men would kill me. I don't know anything about this pistol or the skeleton key or those other things which you have shown me.

**POOR QUALITY
ORIGINAL**

0028

5

ARNOLD FROHEIM, a witness for the defendant, testified:

I know this defendant but I do not remember his ever having worked for me. I am a baker at No. 351 Hudson St.

CROSS-EXAMINATION:

Q. Didn't he work for you about one week about Thanksgiving?

A. No, sir. I remember now that he worked for me about a year or two ago for two or three days.

The Jury found the prisoner guilty of burglary in the first degree.

POOR QUALITY ORIGINAL

0029

Indictment filed Jan. 20, '88

COURT OF GENERAL SESSIONS

Part III.

The People &c.

against

Henry Kline.

Abstract of testimony on
trial January 24th 1888.

POOR QUALITY ORIGINAL

0030

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry Brown, Henry Stein and Frederick Miller

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

Henry Brown, Henry Stein & Frederick Miller
of the CRIME OF BURGLARY IN THE *first* DEGREE, committed as follows:

The said *Henry Brown, Henry Stein and Frederick Miller* -

late of the *Seventh* 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-*eight*, with force and arms, about the hour of *two* o'clock in the *morning* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *Myron T. Stein* -

there situate, feloniously and burglariously did break into and enter, there being then and there some human being, to wit: *the said Myron T. Stein* -

within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said *Myron T. Stein* -

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away; *(the said Henry Brown, Henry Stein and Frederick Miller, and each of them, being then and there assisted by a confederate actually present, to wit: each by the other, and also by other persons to the Grand Jury aforesaid unknown)*

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

0031

SECOND COUNT—

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

Henry Brown, Samuel Stein & Frederick Miller

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

The said *Henry Brown, Samuel Stein and Frederick Miller, 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 *night* time of the said day, with force and arms,

Kindred coats of the value of seven dollars each, and the sum of two dollars in money, lawful money of the United States, and of the value of two dollars,

of the goods, chattels and personal property of one *Hyman Teperstein,*

in the dwelling house of the said *Hyman Teperstein. —*

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

0032

THIRD COUNT—

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

Erly Brown, Henry Klein and Frederick Miller

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

The said *Erly Brown, Henry Klein and Frederick Miller, 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, with force and arms, *knowing costs of*

the value of seven dollars each,

of the goods, chattels and personal property of one *Hyman Goldstein,*

by ~~a~~ *person or persons* to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *Hyman Goldstein.*

unlawfully and unjustly, did feloniously receive and have; the said *Erly Brown, Henry Klein and Frederick Miller*

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.

JOHN B. FELLOWS.

~~RANDOLPH B. MARTINE,~~

District Attorney.

0033

BOX:

291

FOLDER:

2770

DESCRIPTION:

Bruennt, Emil

DATE:

01/23/88



2770

POOR QUALITY ORIGINAL

0034

286

Counsel,
Filed, 23 day of Jan'y 1888
Pleads, Nicholas M.

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday.)
(III Rev. Stat., page 1889, Sec. 6)

THE PEOPLE,

vs.

B

Emil Brunner
Part 3 Feb 6/88

213 2 1 (1)

JOHN R. FELLOWS,

RANDOLPH B. MARINE,

District Attorney.

A True Bill.

Edmondson

Foreman.

Part III February 6/88
True & returned

Witnesses:

officer Meyer

POOR QUALITY ORIGINAL

0035

Excise Violation—Keeping Open on Sunday.

POLICE COURT-3 DISTRICT.

City and County } ss.
of New York, }

of No. 13 Presidents Police Street,
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 8 day
of January 1888, in the City of New York, in the County of New York,

of Emil Beum (now here)
being then and there in lawful charge of the premises No. 213 - 2
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be
drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of
the statute in such case made and provided.

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

Sworn to before me, this 8 day
of January 1888.

Emmanuel Meyer
Wm. Patchon Police Justice.

POOR QUALITY ORIGINAL

0036

Sec. 198-200

District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

Emil Bruem 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. *Emil Bruem*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer, *Hungary*

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

Answer. *213 - 2nd St 5 months*

Question. What is your business or profession?

Answer, *Saloon Keeper*

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

Answer. *I am not guilty and
Am under a trial by
jury
Emil Bruem*

Taken before me this

day of *January* 188*8*

James J. ...

Police Justice.

0037

POOR QUALITY ORIGINAL

BAILED,
 No. 1, by Harold Black
 Residence 158 Stanton
 Street _____
 No. 2, by _____
 Residence _____
 Street _____
 No. 3, by _____
 Residence _____
 Street _____
 No. 4, by _____
 Residence _____
 Street _____

Police Court 3
 District 43

THE PEOPLE &c.
 ON THE COMPLAINT OF

Frank M. ...
Emil ...

2 _____
 3 _____
 4 _____
 Offence Violation
License Law

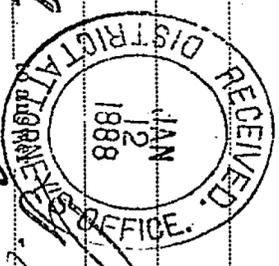
Dated January 9
 1888

Mr. Palmer Magistrate
W. ... Officer
 Precinct _____

Witnesses _____
 No. _____
 Street _____

No. _____
 Street _____

No. 110
 Street _____
Paul ...



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

Dated Jan 9 1888 J. M. Patterson Police Justice.

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

Dated January 9 1888 J. M. Patterson 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 _____ 1888 _____ Police Justice.

**POOR QUALITY
ORIGINAL**

0038

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
Plaintiffs

against

Emil Brienn
Defendant.

The Grand Jury of the City and County of New York. by this indictment accuse the above named defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

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

John R. Fellows,

~~RANDOLPH B. MARTINE, District Attorney.~~

0039

BOX:

291

FOLDER:

2770

DESCRIPTION:

Bruns, Charles

DATE:

01/24/88



2770

POOR QUALITY ORIGINAL

0040

WITNESSES:

Officer Cover

11

Thereby consent that this case be transferred to the Court of Special Sessions for trial and final disposition.

John J. Kelly 1888

Charles Burns

308

Counsel,

Filed *24* day of *Jan* 1888

Pleads *Not Guilty*

Violation of Excise Law.
(Selling on Sunday)
[III Rev. Stat. (7th Edition), page 1983, Sec. 21, and page 1989, Sec. 5.]

THE PEOPLE,

vs.

B

Charles Burns

John J. Kelly
John J. Kelly
John J. Kelly

JOHN R. FELLOWS,
RANGELPH B. MARTINE,

District Attorney.

Feb 20 1888 and *affidavit*

A True Bill.

Edmond E. ...

Foreman.

John J. Kelly

**POOR QUALITY
ORIGINAL**

0041

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

Plaintiff's

against

Charles Bruus

Defendant.

The Grand Jury of the City and County of New York, by this indictment, accuse the above named defendant of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows :

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *eighth* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight* at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit : One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

James Bowen

and to certain other persons whose names are to the Grand Jury aforesaid unknown, 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 defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said defendant, late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

John R. Fellows,
~~RANDOLPH B. MARTINE,~~

District Attorney.

0042

BOX:

291

FOLDER:

2770

DESCRIPTION:

Bulard, Henry

DATE:

01/12/88



2770

POOR QUALITY ORIGINAL

0043

70 134 Complaint

Counsel,
Filed 12 day of June 1888
Pleads *Not Guilty*

Ch. H. ...
THE PEOPLE
vs.
H
Henry Buland
[Sections 224 and 229, Penal Code].
Robbery, second degree.

JOHN R. FELLOWS,
~~RANDOLPH B. MARINE,~~
District Attorney.

A True Bill.
[Signature] Foreman.
[Signature] Jury 17/88
[Signature] Pleads Guilty 20
Jury - Suspended.
Feb 17/88 *[Signature]*

Witnesses:
Officer Jaggar

Translation

Paris Febr. 2^d 88.

Mr. the President of the "Société
française de bienfaisance"

at New York

I have received from Mr. Eugene
de Kœnel son a letter, praying me,
kindly to give you some informa-
tion about his conduct and about
his circumstances in life.

As, when I received the letter,
I was at Lyons, I have been able
to get very positive information,
being much astonished that Mr.
Eug. de Kœnel was in New York.

I have found his wife in a
sad situation, and on this subject
I ask you kindly to inform her
husband, with all consideration
possible, that since his depart
his poor wife has altered and
what is more, she will soon be
mother.

Mr. Polosson, chief physician
at the hospital in Lyons has told
me, that she was in the last stage
of sickness.

The sight which I had before

the eyes was heart breaking, she had just received a letter from her husband, which informed her that he had not yet got any work, - I believe that it is this which has caused to hasten the afore, said.

He has a little daughter of 15 or 16 months, but I believe that the parents of Mam. Rosalie de Koinel have the intention to take her to them.

Although this marriage was not sanctioned by the father of Koinel, the son has always been on good terms with them.

The Koinel family, ^{which} is known to me for nearly 30 years, is of a great honorableness and Mr. Eugene de Koinel the son has always walked in the footsteps of his ancestors as to his behaviour and his honesty.

He has served France during 5 years, he has even received an honorable decoration for an act of saving life.

After his discharge he was

employed, during 2 years by Messrs
Clement & Co, and when he had
to leave his employ in the month
of September 1887 it was on account
of the dissolution of the firm
of Clement; it was in the be-
ginning of December when he
left for America. -

I can further testify that
Mr. Eugene de Koënel has never
undergone any condemnation and that
he enjoyed a good reputation
amongst all persons who had
the advantage of knowing him.

If you could obtain the employ-
ment he wants, I should be very
happy; but I believe that you
would do better to make him
take the first steamer which
departs, if he will see his wife
once more, who asks for him
all day long.

Will you communicate these sad
news to Mr. de Koënel and assure
him of my profound sympathy.

Receive, sir, the assurance of my
sincere consideration.

A. Valentin
Deputy

**POOR QUALITY
ORIGINAL**

0047

P. S.

Mr. Eugene de Koenel has 2 scars
on the index and on the little-finger
of the right hand.

POOR QUALITY
ORIGINAL

0048

Lyon le 1^{er} Janvier 1888

Monsieur

M. Boujire de Lorient me prie de
vous remercier de la lettre du 27 décembre
d'un artifice constatant que les heures
chez moi depuis la libération du service
militaire. N'est donc de mon devoir
spécialement de vous recommander
mois de vous le recommander. J'ai
sollicité un emploi dans une maison
de New York. J'ai toujours été
de sa conduite et je suis sûr
que c'est un bon et honnête homme.

Recevez mes salutations de cœur.

Très respectueusement

Le maître en assistance de l'École
de la République de Lyon.

POOR QUALITY ORIGINAL

0049

Certificat

Je certifie que Monsieur Eugène de Koënel a été employé dans notre usine de soieries comme sous-directeur du 1^{er} Mai 1875 au 25 Septembre 1877. Je certifie en outre que j'ai toujours été satisfait de M^r Eugène de Koënel tant pour sa moralité et probité que pour son intelligence et son zèle. J'ai vu la mention de M^r de Koënel et j'ai vu devant M^{rs} Berruyer maire et Mosely Lafite manufacturier. Lyon le 1^{er} Février 1888

Clement père

Nous certifions que M^r Eugène de Koënel est de bonne vie et mœurs et que sa conduite a toujours été digne d'éloge.

Lyon le 1^{er} Février 1888.

Mosely Lafite manufacturier



Un: par nous maire du 4^e arr^t de Lyon pour la légalisation des signatures ci dessus nous confirmons l'honorabilité de Monsieur de Koënel Eugène.
Lyon le 1^{er} Février 1888.
Le maire, Berruyer

Lyons the 1st of Febr. 1888.

Sir:

Mr. Eugene de Koënel informs me through a letter of the 19th past that he wants a certificate, stating that he has worked with me since his discharge from the army. It is therefore my duty, although retired from business since some months to recommend him to you, as he seeks employment in a concern in New York. I have always been satisfied with his conduct, and I can assure you that he is an honest man.

Receive my devoted regards.

Edouard de Koënel
(senior)

Inclosed a certificate from two manufacturers in Lyons.

Certificate
I certify that Mr. Eugene de Koënel has been employed in our silk factory as assistant superintendent from the 1st of May 1885 to the 25th of September 1887. I certify further that I always have

Translation

been satisfied with Mr. Eugene de
Kœinel as well to his morality
and honesty as to his intelligence.

Made at the mayors office of
the 4th district of Lyons and be-
fore Mr. Bourrier, mayor and
Morely-Lapute, manufacturer.

Lyons Febr 1st 1888.

Clement, father -
(senior)

We certify that Mr. Eugene de
Kœinel's manner of living and morals
are good and that his conduct
always has been worthy of praise.

Lyons Febr 1st 1888.

Morely-Lapute, manufacturer

Seen by us, mayor of the 4th
district of Lyons for legalisa-
tion of the signatures above;
we confirm the honorableness
of the named Eugene de Kœinel

Lyons Febr 1888:

The mayor, Bourrier

L. S.

Stirling, le 11 Février 88

Attestation

Nous, soussignés, certifions que le nommé:
Eugène de Koënel, notre compatriote n'est pas
coupable du fait qui l'a conduit en prison.

Nous attestons que pendant le temps que nous
l'avons connu tant à Lyon qu'à Stirling il a
toujours eu une conduite honorable et que nous
l'avons toujours considéré comme un honnête
homme.

Nous sollicitons et nous demandons sa liberté au
nom de sa chère femme et de son cher enfant, espé-
rant que les jours qu'il a passés en prison lui
serviront de leçon pour l'avenir.

Fait à Stirling, le 11 Février 1888

Chailloud & Monier. G. Biennet.
Painet & Laurenceau & Allou & G. Hotel

I testify hereby that above signatures
are correct

J. Rammer, Supt
of the Chapman's Mill Works.

POOR QUALITY
ORIGINAL

0053

Stirling Febr. 4th 88

Certificate

We undersigned, certify, that the person named Eugene du Koinet, our compatriot is not accustomed to do, what has brought him into prison.

We attest that during the time we have known him, both at Lyons and at Stirling, he has conducted himself honorably and that we have always considered him an honest man.

We solicit and request his liberty in the name of his dear wife and his dear child, hoping, the days which he has passed in prison may serve him as a lesson for the future.

Made at Stirling the 4th of Feb 1888.

Chailoud. V. Monin. G. Etienne
Garnet. y Laurencin. A. Albany & Hotel

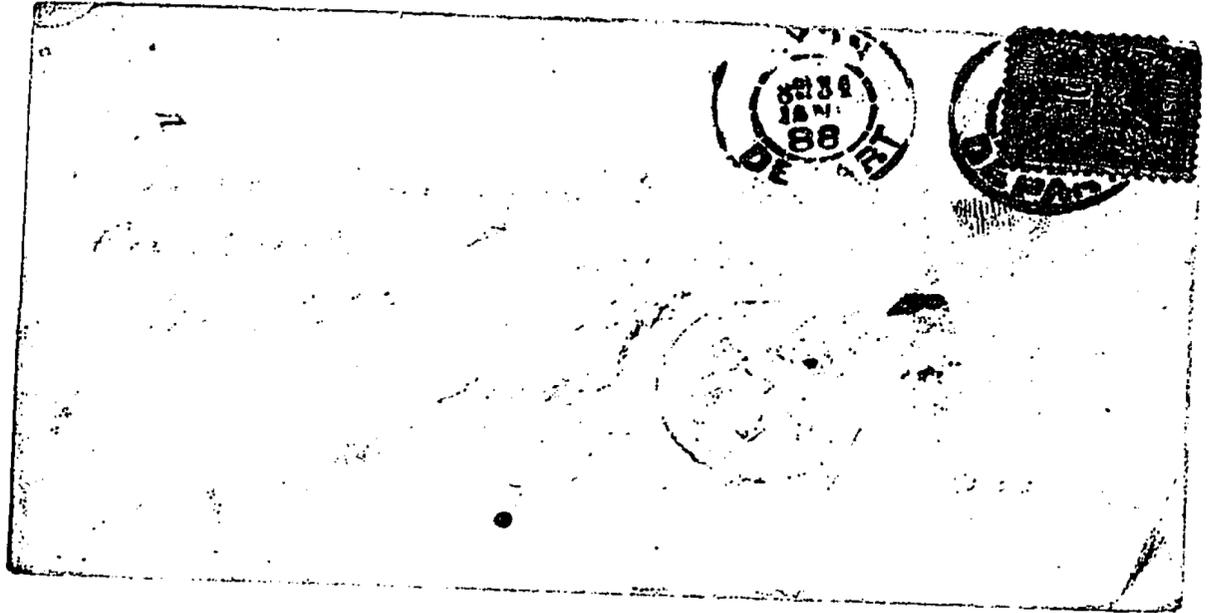
I testify hereby that above signatures are correct.

J. Kammer, Supt.
of Leblaffanger's Lin. Works

translation

**POOR QUALITY
ORIGINAL**

0054



POOR QUALITY
ORIGINAL

0055

Paris le 2 Janvier 88

Monsieur le Président de la Société Française
de Bienfaisance de New York

J'ai reçu de M. Eugène de Kœnig les
votre lettre me priant de bien vouloir vous donner
quelques renseignements sur sa conduite passée et
sur son état actuel.

On me rap. de sa lettre, me trouvant à Lyon
j'ai pu prendre des informations très précises car
j'étais fort connu que M. Eug. de K. fut à New York
j'ai trouvé sa femme dans une triste situation
et à ce sujet j'ai prié de bien vouloir avertir son
mari avec tout les ménagements possibles que depuis
son départ sa pauvre femme est allée de plus en plus
être la seule d'être mère.

M. Polsson médecin en chef de l'Hôpital de
Lyon m'a précisé qu'il était à sa dernière extrémité.
Le spectacle que j'avais sous les yeux
de son mari qui le pressentait qu'il n'avait pas
encore du travail, je vois que c'est ce qui contribue
à hâter le dénouement.

Il a une petite fille de 17 à 18 mois mais je
crois que les parents de M^{me} Rosalie de Kœnig ont
l'intention de la prendre avec eux.

Quoiqu'un mariage ne fut pas sans les
convenances du père de Kœnig, le fils a toujours été dans
de bons termes avec eux.

POOR QUALITY ORIGINAL

0056

La famille de Koënel que je connais depuis
plus de 30 ans, jouit d'une grande honorabilité
et M^r Eugène de Koënel fils a toujours marché
sur les traces de ses ancêtres par sa conduite
et sa probité.

Il a servi la France pendant 5 ans et a
même reçu une distinction honorifique pour
un acte de bravoure.

A sa libération il a été employé pendant
2 ans chez M^r Clement & C^{ie} et si il a quitté
son emploi au mois de septembre 1887 c'est
la suite de la dissolution de la Société Clement
c'est au commencement de l'été qu'il est parti pour
l'Amérique.

Je puis encore vous affirmer que M^r Eugène
de Koënel n'a jamais subi de condamnation
et qu'il jouit d'une bonne réputation de toute
les personnes qui ont eu l'avantage de le connaître.

Si vous pouvez lui faire obtenir l'emploi
qu'il sollicite j'en serais très heureux mais
je crois que vous seriez mieux de l'engager
à prendre le premier bateau en partance
s'il veut encore revoir sa femme qui lui
demande à chaque instant du jour.

Je vous prie de lui adresser cette lettre nouvelle
après de M^r de Koënel et lui transmettre mes
profondes sympathies.

Recevez Monsieur l'assurance de ma
haute considération.

G. Valentini
Directeur

M^r Eugène de Koënel
à son point d'arrivée

POOR QUALITY ORIGINAL

0057

*Monsieur le President de la Societe Francaise
de l'Industrie*

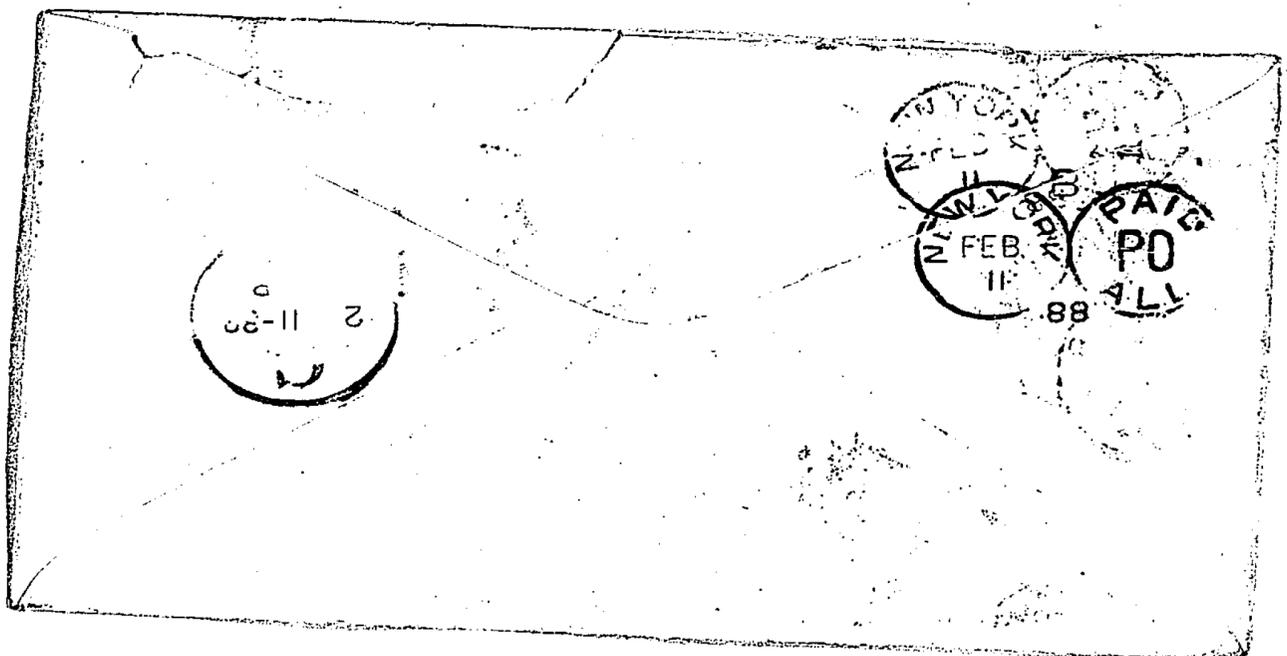
*West 531 18th St
New York*

New America



POOR QUALITY ORIGINAL

0058



Court of General Sessions

The People }
vs. }
Henri Bulard. }

City & County of New York ss:
Edmond Hurstel
being duly sworn says that - he is
the 1st Vice President of the French
Benevolent Society of the City of New
York, that Messrs Couderc Brothers together
with deponent are the attorneys for
said Society & said Hospital, and as
such attorney deponent has been requested
by said Society to inquire into the
character of the prisoner & if satisfactory
assurances of his previous character
& the charge - to intercede in his behalf
that it appears that the prisoner
was charged with an attempt to
snatch a pocketbook from the hands
of a woman in the street, that the
prisoner is a native of France, ^{them} only
three days in this City, unable to
speak or understand a word of
the English language, and without
any financial resources whatsoever
& had been without any food for

thirty-six hours, and that in consequence of such hunger, & in a moment of despair, and as I believe, of temporary insanity, the act of taking the pocket-book, was committed, he immediately however returned the pocketbook to the person from whom it was taken and fainted in the street, & there arrested & taken to the Jefferson market Police Court; these facts I have learned after ~~a~~ full ^{and} careful examinations of the prisoner at several interviews, and which from the positive verification of all other statements made to me as to his previous life character, occupations etc I do verily believe to be true - and from all my interviews with the prisoner I found him to be perfectly truthful he never having made to me a contradictory statement - That the prisoner did not deny the charge & pleaded guilty before this Court. That the act was committed on the 24th day of December 1887, ever since which time he has been in custody in the Jefferson market Prison & Tombs prison - And during

the whole of his imprisonment he has shown great remorse and expressed the utmost contriteness for his momentary crime.

That on or about the 17th day of January 1888 the prisoner was brought before Hon: Judge Geldersleeve presiding at trial term of this Court, when this deponent appeared in his behalf, & stated to the Hon Judge Geldersleeve ~~that~~ that on behalf of the said French Benevolent Society, sentence was requested to be suspended, as it becometh the prisoner to be worthy of the merciful consideration of the Court, by reason of the distressing circumstances under which the act was committed, the past good character of the prisoner and of his family connections, and account of ~~the~~ it being his first criminal offense, & that said Society offered to return said prisoner to his native country at its expense, whereupon the Hon. Judge, remanded the said prisoner for sentence, & gave the deponent and said society an opportunity to ascertain from Lyons, France whether the statements so made were true; that deponent therefore in behalf of said

Society, caused several letters to be written to several persons mentioned & referred to by the prisoner, in his statement & deponent, and answers thereto have just this day been received -

And it appears therefrom that - all his statements made to me as aforesaid without a single exception ~~to~~ have proved to be absolutely true and without any qualification whatever. That the prisoner is 26 years of age well educated, has served 5 years in the French army in Algeria & in the campaign agst Tonquin, China, that he has been decorated by the late President Grévy of France, for having saved from drowning the ~~lives~~ lives of two women and a child in Oran in the Province of Algeria. That after his discharge from the army he served for two years as an assistant manager or superintendent in one of the largest silk factories of Lyons France, & that he left that employment ~~to~~ only by reason of the closing up of the works, as the certificate annexed will show

That the prisoner is a married man and has in France a wife, one child, a daughter, of the age of about two years, his wife is now enceinte & expects shortly to be confined, that she is now sick in a hospital at Lyons, and the physician in charge advised Senator Valentini, whose certificate is also annexed, that there is no hope of recovery, from her present sickness & advises her husband (the prisoner) if he desires to see his wife alive, ~~that~~ to return to France by the first steamer

That the prisoner's father has served in an honorable capacity in the French army for thirty (30) years and is now of the age of 73 years that his character & standing is unblemished, that his mother is still living at the age of sixty-eight and is respected by the whole community, that he has two sisters both of whom are married, and their husbands are honorably employed.

That on account of the honorable standing of himself and his family the prisoner when arrested gave an alias name to wit "Henri Bulard," whereas his real name, by him stated

at my first interview, and shown by the annexed certificates is "Eugene de Koenele"

That at the time of the prisoner's arrest, by reason of his short residence in this City, he was not aware of the French Benevolent Society to which he could apply for relief

The annexed certificates are from the Mayor of the 4^e Arrondissement of Lyons, France, from the Silk Mill Co of Lyons, in which he was employed, from Mouly & Lafite also silk manufacturers of Lyons. from A. Valentin Senator, acquainted with the family of the prisoner for the past 50 years, and from seven persons who knew him at Lyons and came over with him on the steamer and now employed at Sterling New Jersey.

Although your deponent is not a practitioner in the criminal courts of this City, yet by reason of his connection with the said Society the case of this unfortunate prisoner was brought to his attention, and deponent became convinced that the prisoner was worthy of his services in the matter

and which are rendered entirely gratuitous; that deponent was impressed by the frank statements and answers which the prisoner gave to the numerous questions of deponent, & this was an additional inducement which caused deponent to endeavor to obtain the annexed certificates.

Now it is submitted by deponent in behalf of the said Society & in behalf of the prisoner, that the prisoner by reason of his decorations by the late President Grevy of France for the meritorious act of saving three lives and by reason of his honorable service in the Army of his native country, of his previous excellent character, by reason of the honorable position of his parents, their advanced age, & the sickness of the prisoner's wife without hope of recovery, and by reason of the excellent testimonials herewith respectfully presented by reason of the distressing circumstances of the prisoner at the time of the offense and that the complainant lost nothing by his act, his subsequent confinement of nearly two months, and from his honest remorse and complete contrition & repentance of the

POOR QUALITY ORIGINAL

0068

said offence that this case should
preeminently call from your Honor
that Justice be tempered with Mercy
and that the sentence ~~be~~ be
suspended upon the ~~the~~ French
Benevolent Society agreeing to care
for the prisoner and return him to
his home & family in France by
the first available steamer -

If this can be accomplished I will
feel that I have been very well
compensated for all my services in
this matter -

Inwitness whereof I have hereunto
signed my hand and seal this
17th day of February 1888.

Edmond Hurstet.

John Bullwinkel
NOTARY PUBLIC, KINGS CO.
CERTIFICATE FILED IN N. Y. CO.

POOR QUALITY ORIGINAL

0067

*Court of
General Sessions.*

People vs

W.

Ferris Bulard

Affidavit

Testimonials etc

W. C. C. C.

EDMOND HUERSTEL
COUNSELOR AT LAW
290 BROADWAY
NEW YORK

POOR QUALITY ORIGINAL

0068

Police Court - 2nd District.

CITY AND COUNTY OF NEW YORK, ss

Mary A. O'Arbigne of No 124 West 11th Street, Aged 40 Years Occupation Widow being duly sworn, deposes and says, that on the 23rd day of December 1887, at the 15th Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

One pocket-book containing gold and lawful money of the United States to the amount and

of the value of 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 force and violence as aforesaid by

Henry Bulard, now here, from the fact that while deponent was in Cth Avenue on the corner of 11th Street the said deponent approached deponent and seized violently from deponent's left wrist, and while so proceeding deponent in said manner did forcibly wrench said pocket book out of the left hand of deponent and run away with the same.

Mary A. O'Arbigne

Sworn to before me, this 24th day of December 1887
M. P. ... Police Justice

POOR QUALITY ORIGINAL

0069

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Henry Bulard*

Question. How old are you?

Answer. *28 years of age*

Question. Where were you born?

Answer. *France*

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

Answer. *I have been here 2 days from Chicago*

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 may think will tend to your exculpation?

Answer. *I took it because I was hungry and was without food for 2 days.*

Bulard Henry

Taken before me this

24

day of *September* 188*8*

Wm. J. ...

Police Justice.

POOR QUALITY ORIGINAL

0070

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court-- 2-11-1884 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Maxwell Robinson
1124 5th St. N.Y.C.
Henry Bulard

1
2
3
4

Offence

Robbery

Dated

December 24th 1883

W. Patterson Magistrate.

J. J. Jaggart Officer.

Witnesses

James Jaggart
15 West 11th St.

No.

Street.

No.

Street.

1500
District Attorney's Office.



Grand

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

Henry Bulard

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Fifteen 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. 24th 1883 W. Patterson Police Justice.

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

Dated 1883 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 1883 Police Justice.

POOR QUALITY ORIGINAL

0071

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry Buland

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

of the CRIME OF ROBBERY in the Second degree, committed as follows:

The said Henry Buland,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the Twenty Third day of December, in the year of our Lord one thousand eight hundred and eighty seven, in the time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one Mary A. D'Antiqua, in the peace of the said People, then and there being, feloniously did make an assault, and did send United States Treasury notes of a number and denomination to the Grand Jury aforesaid unknown, of the value of five dollars, and did send a number and denomination to the Grand Jury aforesaid unknown, of the value of four dollars, and did send United States Silver Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of five dollars, and did send a number and denomination to the Grand Jury aforesaid unknown, of the value of five dollars, of the goods, chattels and personal property of the said Mary A. D'Antiqua, from the person of the said Mary A. D'Antiqua, against the will, and by violence to the person of the said Mary A. D'Antiqua, then and there violently and feloniously did rob, 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. Edwards, District Attorney

0072

BOX:

291

FOLDER:

2770

DESCRIPTION:

Burghard, Frederick Jr.

DATE:

01/11/88



2770

0073

POOR QUALITY ORIGINAL

#1176
Judge Leominster

Counsel,
Filed 11 day of Jan'y 1888

Pleas'd *Ch. Guilty*
for the same to proceed

(MISAPPROPRIATION)
[Sections 528 and 531 of the Penal Code]

THE PEOPLE

vs
John R. Fellows

vs
John R. Fellows

JOHN R. FELLOWS.

RANDOLPH B. MARINE,

District Attorney.

A TRUE BILL.

John R. Fellows

Foreman,
Part #1 January 18/88

Pleas'd Guilty
John R. Fellows

Witnesses:

John R. Fellows

John R. Fellows
that for price
made

**POOR QUALITY
ORIGINAL**

0077

my life before, and I have had thousands of dollars pass through my hands, and the complainant herein is the only person I have ever converted or appropriated money of, which came into my possession.

I have been in prison since the 30th day of December 1887, and I most solemnly promise, that if I am permitted my liberty, I will be in the future ^{be} an honest, upright man and citizen. I have had enough of prison life, to last me more than my natural life God knows, and have suffered more agony of mind than I can express in words.

After I collected the money from Tiffany & Co., for which I have been indicted, I spent a portion of it, and not being able at the time to make it good, I concealed the fact of the collection, intending to make it good out of my salary, and some commissions due from another source, which I have not received, and may not as matters now look. Finding myself unable to pay it, I made a statement of what I had done, as I have aforesaid stated.

Sworn to before me this
16 day of January, 1888:

Clarence F. Swartz

NOTARY PUBLIC
KINGS COUNTY
CERTIFICATE FILED IN N. Y. CO.

Frederick Burghard Jr

City and County of New York, s.s.:--

I, Louis Bauer, being duly sworn, say: That I have heard read the affidavit of Frederick Burghard Jr., in this proceeding, in which I am the complainant, and particularly that part of it relating to his employment with me and Oscar Pusch, and that the same is true of my own knowledge.

That during all the time he worked for me, I found him, until this time, a sober, industrious person, and most attentive to his business and duties, and I never observed him, or knew of his going into bad company, or of being extravagant in his habits.

Within in the past year he got married, and it is my belief, that his household expenses were not as economically administered as they should have been, otherwise the wrongful act would not have been perpetrated by him.

He has during the time he has been in my employ collected for me large sums of money, and could, if he had been so disposed, had taken greater and larger sum of money from me.

I have great consideration for him, from the fact, that he sent me word of his converting my money, and did not run away to avoid arrest. I am acquainted with his Sister Mrs. Oscar Pusch and her husband, and know him to be a young man of good family connections.

I most cheerfully join herein, in asking the Court to extend mercy and consideration toward the young man, believing as I do, that he has suffered already a very great punishment for his breach of duty toward me, and ask that the sentence be

POOR QUALITY ORIGINAL

0079

suspended upon him if, the Court should feel that it cannot discharge him altogether.

Louis Lauer

Sworn to before me this
14th day of January 1888

:
:
:
:

John Jewellman
Notary Public.
N.Y. City & County

POOR QUALITY ORIGINAL

0080

City and County of New York, ss.:

I, *John F. Hahn* being duly sworn, say: That I am a member of the firm of Friel & Hahn, doing business at No. 891 Third Avenue, in this City; that I am personally acquainted with Frederick Burghard, Jr., the defendant in this proceeding; that during portions of the years 1882 and 1883, and for about a period of one year, he was in the employ of my firm as shipping clerk, and I had occasion to observe the manner in which he performed his duties; that I found him honest, truthful, industrious, and attentive to the duties of his position.

I have read his affidavit in this case, and believe the same to be true in every particular, and I join with him in asking the favorable consideration and mercy of the Court towards him. I ask this from the Court believing that if he is sent to States prison upon the charge set forth upon the indictment in these proceedings, which I understand is appropriating the sum of \$128. from his last employer, Louis Bauer, it will ruin and blast his future prospects.

*Subscribed before me
January 16th 1888
John F. Hahn
Notary Public
N.Y. City & Co*

John F. Hahn

**POOR QUALITY
ORIGINAL**

00001

*Court of General Session
of the People.*

*The People of the
State. vs*

*against
Frederick Burghard, Jr.*

City and County of New York, ss.:

I, OSCAR PUSCH, of No. 327 Fourth Avenue, in the City of New York, being duly sworn, say: That I am the brother-in-law of Frederick Burghard, Jr., and have known him for a great many years; that he was in my employ from March, 1885, to and including September, 1886, and acted as my cashier in my restaurant and saloon business at No. 327 Fourth Avenue; during that period he handled thousands of dollars of money for me, and I always found his accounts to be correct, and said Burghard thoroughly honest, sober, industrious and most attentive to his duties; that he left my employ in the latter part of September, 1886, and went to work for the complainant herein, Louis Bauer, of his own free will and accord, and has remained with him ever since; that previous to his going to work with me in 1885, he had worked for Mr. Louis Bauer in his paper box business, and Mr. Bauer had always spoken of him to me in terms of commendation and praise; that I have never heard or known of

POOR QUALITY ORIGINAL

0082

his having done any dishonest act heretofore, and if he had been guilty of any wrong doing, I certainly should have heard and known of it. I have always known him to be an honest, sober and industrious boy and man, since my acquaintance with him, which dates back over ten years. It is my full belief that if he is shown mercy by the Court for his wrong doing, as charged in the indictment in this proceeding, which I am informed is appropriating the sum of \$128 in money, the property of the complainant herein, that he will not again be guilty of a like wrong doing, but by reason of the lesson received and the prison life endured, he will be in the future, as he was prior to the commission of this wrongful act, a good, sober, upright and honest man.

In his behalf I ask and pray the mercy and consideration of the Court. I further say that I have no hesitation in stating that I would willingly take him again into my employ, the charges in the indictment to the contrary notwithstanding.

Sworn to before me this :
13th day of January, 1888. :

Clarence F. Swartz

Oscar Lusk

NOTARY PUBLIC
KINGS COUNTY
CERTIFICATE FILED IN N. Y. CO.

**POOR QUALITY
ORIGINAL**

0083

City and County of New York, ss.:

I, PETER BRUNNER, of Williamsbridge, New York City, being duly sworn, say: That I am personally acquainted with Frederick Burghard, Jr., the defendant in the above entitled proceeding; that between the years 1880 and a portion of 1882, he was in the employ of the firm of Brunner & Moore, of which I was then a member, holding the position of collector under said firm; that during all that time I knew him as an honest, industrious and sober young man, attentive to his business, and an excellent collector.

I have heard read the affidavit of Frederick Burghard, Jr., and I cheerfully join with him in his request for leniency and mercy, believing that should he be sent to States prison upon this charge, he would be ruined for life, and every hope for the future blasted.

Sworn to before me this
day of January, 1888.

:
:
: *Peter Brunner*
:

**POOR QUALITY
ORIGINAL**

0084

City and County of New York, ss.:

I, ADOLPH HERRMAN, being duly sworn, say: That I am in the hotel and restaurant business at No. 290 Eighth Avenue; that I am well acquainted with Frederick Burghard Jr. the defendant in the above entitled proceedings, and have been for the past six or eight years; that I have had occasion to know and hear much about him by reason of his employment with Louis Bauer, the complainant herein, and one Oscar Pusch, having known Oscar Pusch from boyhood and Mr. Louis Bauer for the last fifteen or twenty years. I have always heard the defendant spoken of as an industrious and sober young man, most attentive to his duties, and have never heard anything against his honesty and integrity until this time.

I have heard read the affidavit of Frederick Burghard, Jr., and believe the statements therein contained to be true. I most heartily join in his petition, and ask the Court to exercise mercy towards him. I believe that to send him to States prison would blast his life, and destroy all hope of his becoming a good citizen in the future.

Sworn to before me this 12th day of January, 1888.

Adolph Herrman
Commissioner of Prisons
N.Y. Co.

POOR QUALITY ORIGINAL

0085

City and County of New York, ss.:

sworn, says, that on the _____ day of _____ being duly
at No. _____ 188
he served a copy of the annexed _____ in the City of New York,
upon _____
to him known to be the Attorney for
the _____ herein, by delivering the same to and leaving it with a
person having charge of the office of said Attorney during the absence of
said Attorney therefrom.

Sworn to before me this

day of _____ 188 }

General Returns

The People vs

against

Fredrick England Jr

*Attendants on
Charles H*

JERLOMAN & ARROWSMITH,
Attorneys for *Prisoners*

229 BROADWAY,
NEW YORK CITY.

To

Attorney for

Due and timely service of a copy of within
is hereby admitted.

Dated N. Y., 188

Sir : Take notice that the within is a copy
of _____ this day duly
entered in the within action in the office
of the Clerk of the within named Court.

Dated, N. Y., 188

Yours, &c.,

JERLOMAN & ARROWSMITH,

Attorneys for

229 BROADWAY,
NEW YORK CITY.

To

Attorney for

People
vs.
Burkhard Jr. } Memorandum.

I have carefully examined the affidavits accompanying these papers and the witnesses who know the defendant, and though there seems to be no excuse for the crime, yet in view of all the circumstances I would respectfully recommend that sentence be suspended. Defendant is from a respectable family; is a married man; has heretofore led a perfectly honest and proper life and been in positions of trust in which a great deal of money has passed through his hands. The complainant desires to ~~withdraw~~ have the sentence suspended and if this is done there seems a fair chance that defendant will be a respectable citizen for the future.

January 17th, 1888.

Wm. Havers Jerome
Deputy Assistant.

POOR QUALITY ORIGINAL

0087

PAPER BOXES.

STATEMENT.

Folio 685

New York, Oct 31st 1887

Messrs. Tiffany & Co.

To LOUIS BAUER, **Dr.**

121, 123 & 125 East 22nd Street,

Terms, Net Cash.

REMOVED TO
243-5-7 Ninth Ave.,

Near Fourth Avenue.

COR 25th ST.

Date	Description	Amount	Balance
Oct 4	To Balance		
4	Stady	4	x
6	" Mase. as per Bill.	5	x
6		375	x
7	Stady	2	x
13		375	x
14		2	x
18		550	✓
4		9	✓
4	Stady	75	x
4	"	11	x
19	"	4	x
5		6	x
20	Stady	2250	x
21	"	375	x
22	Stady	10	x
4		625	x
24		75	x
25	Stady	375	x
27	Stady	450	x
29	"	16	x
4		375	x
Nov 14 th 1887	Rec'd Payment Louis Bauer		
			12800

People

vs.

Frederick Burkhard Jr.

Louis Bauer.

Louis Bauer, 243, 9th Ave.

Complainant.

Does not know anything of his own knowledge. Money collected by deft are always paid to the bookkeeper. ~~Nature~~ has never received any from deft.

Wm H. Cotton.

Union Square Cor. 15th St.

I am the Cashier of Tiffany and Co. I know the defendant by sight he came frequently to the store to collect for Louis Bauer. On November 14th, 1887, he called at the store and presented to me the annexed bill to collect the money due from Tiffany & Co to Louis Bauer. He used to come monthly. I paid him from the company's money \$128⁰⁰ and handed him the money and the annexed statement. He took the money and the statement. The statement was then unsigned. He left the window when I paid him, and in a minute returned and handed me the statement signed as it now is. The money I paid ~~was~~ appeared from our accounts to

POOR QUALITY
ORIGINAL

0089

be due Louis Bauer. I cannot remember the date on which the money was paid defendant except from our books or the memorandum on the annexed bill. When I delivered the bill to the defendant the date at the foot of the bill was not there but it was there when he returned the bill to me.

Officers
Ruland,
McGuinness,
Lewis.

John Ruland,
Detective in Central Office.
Knows nothing of his own knowledge.
John McGuinness }
James Lewis } Officers Central
Office.
Know nothing of their own knowledge.

People

vs.

Frederick Burkhard Jr.

Harry
Bell.

Harry Bell,

407 West 46th Street.

I am the bookkeeper of the complainant Louis Bauer. I made out the annexed bill and directed it to be sent to Tiffany & Company. It was our custom to send statements to our customers at the beginning of each month. The defendant was employed as a collector. He had before this collected money from Tiffany & Co for Louis Bauer and had always paid me the money. It is a part of my duty to receive all money collected for my employer Louis Bauer and Mr. Bauer and myself are the only persons authorized to receive any money collected for Mr. Bauer. The defendant never paid me any part of the \$128⁰⁰ called for by the annexed bill. I have been in the complainant's employ as bookkeeper for 8 years. Defendant has been in complainant's employ for more than one year as a collector. For more than a year defendant has paid all bills collected to me. Defendant

1-17-88.

1-17-88.

has appropriated ~~all~~ other money of the complainant amounting in all to over \$900⁰⁰/₁₀₀.

Richard N. Adams.

Richard Nelson Adams
1848, 9th Ave.

I am shipping clerk with Louis Bauer, the complainant, for the past 4 years. ~~continuously~~ On Dec. 29th, 1887, I heard ~~the~~ ~~from~~ ~~me~~ that defendant had done something awiss. I went for him and about 10³⁰ a.m. that day he came to a saloon on 10th Ave + 24th Street and I met him there. I said to him is this all you have taken, and I told him I understood the amount was \$16⁰⁰. He said something about wishing that it was. Then he proposed to make a list of the moneys he had taken to save the complainant the trouble of going among his customers to find out - then he wrote out and gave me the annexed list to give to Mr. Bauer.

1-17-88.

POOR QUALITY ORIGINAL

0092

COURT OF GENERAL SESSIONS.

*Grand Jurors & Judges
Local Application*

THE PEOPLE, &c.

vs.

Frederick

Burkhardt Jr.

BRIEF OF FACTS.

For the District Attorney.

Dated *January 14*, 1888.

Wm. Habershusen

Deputy Assistant.

Witnesses.

*Louis Bauer,
243, 9th Ave.*

*Wm. H. Cotton,
Tiffany & Co*

*Harry Bell,
407 N. 46th St.*

*Richard N. Adams,
1848, 9th Ave.*

POOR QUALITY ORIGINAL

0093

Police Court 2 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Louis Bauer

of No. 243, 245 & 247, 9th Avenue, aged 38 years,
occupation Paper box maker being duly sworn

deposes and says, that on the 14th day of November 1887 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 to the amount and of the value of One hundred and twenty eight dollars (\$128.00)

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 Frederick Burkhardt Jr

from the fact that the said deponent was employed by deponent as a collector and was only authorized to collect for deponent.

Deponent is informed by William H. Cotton the Cashier of the firm of Tiffany & Co that on the above mentioned date he the said Cotton or his assistant paid to the said Frederick Burkhardt Jr the aforesaid sum of money which said firm owed to deponent he the said Burkhardt took said sum of money and receipted the annexed bill. Deponent further says

Handwritten notes on the left margin:
This is a copy of the original
1887
Bureau of Insurers

POOR QUALITY
ORIGINAL

0094

that the said Frederick Burkhardt
or never turned over said sum of money
or any portion of it to him or any
person authorized to receive it for deposit,
or accounted for it in any way but
did feloniously appropriate it to his own
use and benefit with the intent to cheat
and defraud

Wherefore deposit prays the said deposit
may be apprehended and dealt with
according to law

Sworn to before me Louis Bauer
this 29th day of Dec 1877

J. P. Duffey
Police Justice

POOR QUALITY ORIGINAL

0095

CITY AND COUNTY }
OF NEW YORK, } ss.

William H. Cotton

aged *69* years, occupation *Cashier Tiffany & Co* of No. *5*
Union Square Cor 15th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Louis Banes*

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

Sworn to before me, this *29*
day of *Dec* 188*7*

Wm H. Cotton

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0096

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Fredrick Burkhardt 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 Burkhardt Jr

Question. How old are you?

Answer. 29 years old

Question. Where were you born?

Answer. New York

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

Answer. 248 W. 45th St. 6 mos.

Question. What is your business or profession?

Answer. Collector and Salesman

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

Answer.

I ~~am~~ have nothing to say at present
I am Guilty
Fred Burkhardt Jr.

Taken before me this

day of

188

Police Justice.

POOR QUALITY ORIGINAL

0097

Sec. 151.

2 District Police Court.

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, Complainant Louis Damer on oath, has been made before the undersigned, one of the Police Justices in and for the said City, by

of No. 243, 245, & 247, Gotham 14th Avenue Street, that on the 14th day of November 1887 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 to the amount and of the value of one hundred and twenty eight Dollars, the property of Complainant as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Fredrick Burkhardt Jr

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 him 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 29th day of November 1887
[Signature] POLICE JUSTICE.

POLICE COURT. DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated _____ 188__

Magistrate

Officer

The Defendant

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

Officer.

Dated _____ 188__

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest, _____

Native of _____

Age, _____

Sex _____

Complexion, _____

Color _____

Profession, _____

Married _____

Single, _____

Read, _____

Write, _____

POOR QUALITY ORIGINAL

0098

BAILED,

No. 1, by _____
 Residence _____
 Street _____

No. 2, by _____
 Residence _____
 Street _____

No. 3, by _____
 Residence _____
 Street _____

No. 4, by _____
 Residence _____
 Street _____

W 2 b
 Police Court-- District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

James James Larceny
 243-244 247-248
 Fred Burkhardt

2 _____
 3 _____
 4 _____
 Offence _____

Dated Dec 29 188

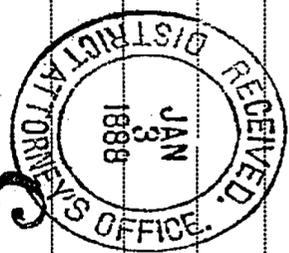
Magistrate
 Officer
 Lewis Van Allen

Witnesses
 Wm H. Horton
 Wm in Dept of Justice

No. _____
 Street _____

No. _____
 Street _____

\$ 1000 to answer
 C. J.



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 1000 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 29 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY ORIGINAL

0099

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Fredricka Lundford
the younger*

The Grand Jury of the City and County of New York, by this indictment, accuse *Fredricka Lundford the younger* of the CRIME OF *Grand* LARCENY, in the second degree, committed as follows:

The said *Fredricka Lundford the younger,*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *fourteenth* day of *November*, in the year of our Lord one thousand eight hundred and eighty-*seven*, at the Ward, City and County aforesaid, being then and there the clerk and servant of *one Louis Bauer,*

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 *Louis Bauer,*

the true owner thereof, to wit: *the sum of one hundred and twenty eight dollars in money, lawful money of the United States, and of the value of one hundred and twenty eight dollars,*

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

to his own use, with intent to deprive and defraud the said *Louis Bauer,*

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said *Louis Bauer,*

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.

~~RANDOLPH B. MARTINE,~~

District Attorney.

0100

BOX:

291

FOLDER:

2770

DESCRIPTION:

Burton, William

DATE:

01/19/88



2770

POOR QUALITY ORIGINAL

0101

242

Counsel, _____
Filed, 19 day of Jan'y 1888
Pleads, _____

Grand Larceny second degree
[Sections 528, 581 Penal Code]

THE PEOPLE

vs.

William Burton

52-13703

JOHN R. FELLOWS,

~~RANDOLPH B. MARTINE,~~

District Attorney.

A True Bill.

J. H. Hoar
Jan'y 20th 1888 Foreman.
J. H. Hoar Pleas'd Guilty
S. P. Dwoyos 11th 22nd

Witnesses:

John Fisher

POOR QUALITY ORIGINAL

0102

Police Court—1st District.

Affidavit—Larceny.

City and County of New York, ss.

of No. 31 Coenties Slip Street, aged 52 years, occupation Seaman being duly sworn

Frederick Fisher

deposes and says, that on the 12th day of January 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:

One Coat and vest One Seal Skin cap one silver watch & plated chain together of the value of Thirty 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 William Burton (nowhere)

from the fact that deponent is informed by Joseph Keating of No 31 Coenties Slip, watchman in the Park Hotel that he saw the said deponent coming out of deponent's room in said Hotel with the above described property here shown in Court in his deponent's possession which deponent identifies as his property

For Fisher

Sworn to before me, this 12th day of January 1888 at New York Police Justice

POOR QUALITY ORIGINAL

0103

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 30 years, occupation Wright Waterman of No.

31 Coenties Slip Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Federick Tahn

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

Sworn to before me, this 12th

day of January 1888

Solou Belmukh

Police Justice.

Joseph Keating
Coram

POOR QUALITY ORIGINAL

0104

Sec. 198-200.

12

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question. What is your name?

Answer *William Burton*

Question. How old are you?

Answer *32 Years*

Question. Where were you born?

Answer. *Scotland*

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

Answer. *213 West 35th St 2 Weeks*

Question. What is your business or profession?

Answer. *Walter*

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
W. Burton*

Taken before me this

12/13

John J. [Signature]
1888
Justice

POOR QUALITY ORIGINAL

0105

BAILED,
 No. 1, by
 Residence
 No. 2, by
 Residence
 No. 3, by
 Residence
 No. 4, by
 Residence

Police Court - 1st District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Frederick Fisher
 31 Avenue B
 William Dunton

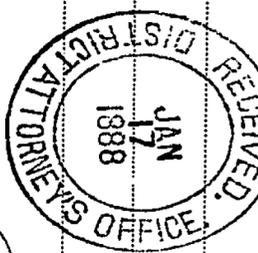
1
 2
 3
 4

Offence Grand Larceny

Dated Jan 12 1888

John Edmond
 Magistrate
 Precinct 151

Witness Joseph Kearns
 31 Avenue B



No. 500 P.S.
 Street
 to answer

No. 100
 Street

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

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 Jan 12 1888 Solon Belmont 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.

**POOR QUALITY
ORIGINAL**

0106

VI :

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

February 8th, 1888.

Sir :

Application for Executive clemency having been made on behalf of William Burton-----who was convicted of grand larceny, 2nd degree, in the county of New York-----and sentenced Jan. 20th, 1888, to imprisonment in the Sing Sing Prison-----for the term of two years, eleven months-----, I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered. I enclose letter from the convict, which please return after you have examined it.
Hon. John R. Fellows, I am,

District Attorney, &c.,
New York City.

(Enclosure.)

very respectfully yours,

William G. Rice,

Private Secretary,

W. G. Rice

**POOR QUALITY
ORIGINAL**

0 107

Answered
March 31st / 88
J. R. G.

POOR QUALITY ORIGINAL

0108

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 Burton

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

- William Burton -

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

The said *William Burton*,

late of the First Ward 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-*eight*, at the City and County aforesaid, with force and arms,

one coat of the value of ten dollars, one vest of the value of five dollars, one cap of the value of five dollars, one watch of the value of twenty dollars, and one chain of the value of five dollars.

of the goods, chattels and personal property of one *Fredrick Fisher*.

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 P. Kellomaki
District Attorney

0109

BOX:

291

FOLDER:

2770

DESCRIPTION:

Bushmann, Frederick

DATE:

01/23/88



2770

POOR QUALITY ORIGINAL

0110

202

Leslie E. McWilliam

Counsel,
71 Broadway

Filed 23 day of Aug 188

Pleas, *Not guilty*

THE PEOPLE
vs.
M. *W. B.*
1601
Sredewick Buschmann

VIOLATION OF EXCISE LAW.
(Keeping Open at Unlawful Hours.)
[III Rev. Stat. (7th Edition), page 1089, Sec. 6.]

JOHN W. FELLING
RANDOLPH B. MARTINE,

Filed Aug 31/88
District Attorney.

Found to be convicted.

A True Bill.

John W. Felling

Foreman.

Aug 31

9.50

Filed 6/88
Fines \$100 - Paid.

Witnesses:

John W. Felling

POOR QUALITY ORIGINAL

01111

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Frederick Buschman 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. *Frederick Buschman*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *216 1/2 Water Street, 4 months*

Question. What is your business or profession?

Answer. *Bar tender*

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

Answer. *I am not guilty and if held I demand a trial by jury Frederick Buschman*

Taken before me this *1st* day of *June* 19*11* at *New York* City.
W. M. [Signature]
Police Justice

POOR QUALITY ORIGINAL

0112

BAILLED,
 No. 1, by Henry Winkler
 Residence 114 White Street
 No. 2, by _____
 Residence _____ Street
 No. 3, by _____
 Residence _____ Street
 No. 4, by _____
 Residence _____ Street

Police Court District 102

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Samuel Danno
Frederick B. Johnson

1
 2
 3
 4
 Office _____

Dated Jan 14 1888

Smith Magistrate
Burns Officer

Officer Smith Precinct

Witnesses

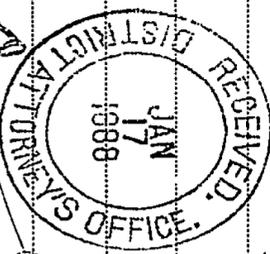
No. _____ Street

No. _____ Street

No. _____ Street

\$ 100 to answer

SA Street



Baill

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

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

Dated Jan 14 1888 Solomon Blumenthal Police Justice.

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

Dated January 14 1888 Solomon Blumenthal 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 _____ 1888 _____ Police Justice.

POOR QUALITY ORIGINAL

0113

COURT OF GENERAL SESSIONS OF THE PEACE:

City and County of New York.

-----X

The People :
vs. :
Frederick Bushman : Before,
: Hon.
Indicted for a violation of the Excise
Law. : Rufus B. Cowing,
Indictment filed, January, 1888. : and a Jury.
: :
-----X

Tried, January 31st., 1888.

APPEARANCES:

Assistant District Attorney Bedford, for the People:
Messrs. Cohen and McWilliams, for the Defence.

OFFICER JAMES BYRNES testified that he was
attached to the First Precinct. He was on duty on

**POOR QUALITY
ORIGINAL**

0114

2.

the morning of the 14th. of January, 1888. Officer Hart and he were walking down Fulton Street and were going around to South Street, when they saw the bar room open from the street, and he, the witness, entered the bar-room. It was a quarter to three o'clock in the morning. He saw the bar from the street door. There was a cigar counter in front and a cloth that goes over between the cigar counter and the bar room, and the cloth was pushed back so that he could see the bar from the street. It was ordinarily pulled over a little door between the cigar room and the bar-room. He entered the place. There were three men standing behind the bar. They had three glasses before them. He lifted up one of the glasses and tasted it. There was a bottle there also. He tasted what was in one of the glasses and it was whiskey, and the bar tender was behind the bar with his coat off and his apron on, in the act of attending to the three men..

3.

UNDER CROSS-EXAMINATION. He testified that the saloon was at 93 South Street. It was on the corner of Fulton and South Streets. It was called the Ferry Hotel. The South Street door was open. A staircase led upstairs and he understood that that the place was used as an hotel. He pushed aside the curtains and entered the bar-room.

OFFICER JAMES J. HART testified that he was attached to the First Precinct. He was with the previous witness on the morning in question. He and the preceding witness came down Fulton Street and turned in South, 8 or 10 feet from Fulton Street. They looked into the large window and they saw the end of the bar. There was a cloth hanging down and they would see between the wall and the end of the cloth on a line with the back of the bar. They went in there and put the defendant under arrest. He the witness, saw a bottle on the counter and glass-

4.

es. He didn't taste anything that was in the glasses. There was something in them.

UNDER CROSS-EXAMINATION. He testified that he went behind the bar, and he got in by pushing the cloth to one side. They had to go through a low door about as high as a farm railing. Officer Byrnes stepped over this door and then pulled back the catch that admitted him. He saw four men at the bar.

FOR THE DEFENCE. FREDERICK BUSHMAN, the defendant, testified that on the morning in question, he was acting as a bartender for the proprietor of the Fulton Ferry Hotel. He was cleaning up the bar. It was a Hotel. He always commenced to clean up from one to five o'clock in the morning, and then the bar opened again. There were no customers in the bar-room then. The entrance to the lobby of the hotel was locked

5.

and bolted. There was a hole between the bar and the cigar counter to pass cigars through to the bar, and a curtain covered the hole. With him, behind the bar, were the night clerk and an inspector of the Street Cleaning Department. They were the only persons in the bar-room, besides himself. They were standing up. There were about 100 glasses and bottles there on the bar, because he was cleaning up. He didn't sell any liquor to any one after one o'clock, and didn't offer any to any one. The officer didn't buy anything nor ask for anything. The officer ran over to him and told him to put on his coat, and he, the defendant, asked, "What for? for cleaning up?" and the officer jumped over a door about 3 or 4 feet high and pushed the curtain aside, and came behind the bar and he tasted from a glass that had been there since one o'clock.

UNDER CROSS-EXAMINATION. He testified that

**POOR QUALITY
ORIGINAL**

0118

6.

the house hadn't been open for business since one o'clock. The glasses that the officer said he saw on the bar, had been standing there since o'clock. He had been to supper, and had come back to clean up, and was scraping the coppers. He had a liscense. The clerk's name was Dick Lennon. He was the clerk in the hotel. The Inspector of the Street Cleaning Department was named Fitzsimmons. he kept his books behind the bar. He came behind the bar almost every night to fix up his books. He generally worked up to fice o'clock and went home. He was up all night working.

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POOR QUALITY
ORIGINAL

0119

The People

v

Frederick Prushnow

Indicted for violation of the
Excise Law

Indictment filed Aug 28

Filed Aug 31/88.

Before

Hon. Rufus B. Long.

and
6

POOR QUALITY ORIGINAL

0120

Excise Violation—Keeping Open After Hours.

POLICE COURT— DISTRICT.

City and County }
of New York, } ss.

of No. 144 Reaper Police Street,

of the City of New York, being duly sworn, deposes and says, that on the 14 day
of January 1888 in the City of New York, in the County of New York,

of Frederick Buschman (now here)
being then and there in lawful charge of the premises, No. 93 South

Street, a place duly licensed for the sale of strong and
spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less than five gallons
at a time, to be drunk in the house or premises aforesaid, did not keep the said premises closed between
the hours of ONE AND FIVE O'CLOCK in the morning of said day, contrary to and in violation
of the statute in such case made and provided.

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

Sworn to before me, this 14 day }
of January 1888 } James Burns
Solou Police Justice.

POOR QUALITY
ORIGINAL

0121

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 Buschmann

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

Frederick Buschmann

of the crime of KEEPING OPEN, BETWEEN THE HOURS OF ONE AND FIVE O'CLOCK IN THE MORNING, a place licensed for the sale of strong and spirituous liquors, wines, ale and beer, committed as follows:

The said *Frederick Buschmann* late of the City of New York in the County of New York aforesaid, on the *fourteenth* day of *January* in the year of our Lord one thousand eight hundred and eighty *eight*, being then and there in charge of, and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid, unlawfully did not close and keep closed between the hours of one and five o'clock in the morning of the said day, and between the said hours of the said day, to wit: at the hour of *two* o'clock in the morning of the said day, the said place so licensed as aforesaid, unlawfully did then and there open and cause and procure, and suffer and permit, at the time aforesaid to be open and to remain open; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Fellows,
~~RANDOLPH B. MARTINE~~, District Attorney.