

0726

BOX:

398

FOLDER:

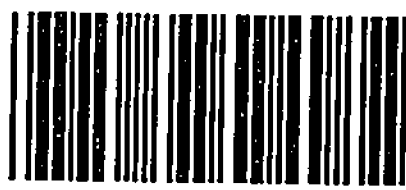
3706

DESCRIPTION:

Farrell, Thomas

DATE:

06/05/90



3706

POOR QUALITY
ORIGINAL

0727

Witnesses:

Wm J. Lusk
Geo W. Lyons

Attorney # 10.
Counsel, Oliver Kang
Filed *5* day of *June* 18 *90*
Pleads, *Chas. Kelly*

THE PEOPLE

vs.

Thomas Farrell

I

Grand Larceny second degree.
[Sections 528, 531 Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill

Wm J. Lusk
Geo W. Lyons
Foreman.
June 18 90
Charles Kelly
Chas. Kelly
P.B.M.

POOR QUALITY
ORIGINAL

0-728

Court of
General Sessions

The People v.
vs
Thomas Farrell

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

100 EAST 23D STREET,

New York, May 31st 1890.

CASE NO. 49416 OFFICER H. A. Fin
DATE OF ARREST May 29th 1890.
CHARGE

Grand Larceny

AGE OF CHILD 13 years
RELIGION Catholic
FATHER

Edmund dead 10 years

MOTHER Bridget

RESIDENCE 122 Mott Street, New York City.

AN INVESTIGATION BY THE SOCIETY SHOWS THAT Thomas was never arrested before, and outside of his present trouble nothing can be learned against him. - He lives at the above address with his widowed mother and several other children. -

The family has lived in that immediate neighborhood for the past twenty years and are well spoken of.

All which is respectfully submitted,

William L. Lusk
Dist.

To Dist. Atty.

POOR QUALITY
ORIGINAL

0729

Court of
General Sessions

The People	PENAL CODE, § <i>Grand Jurors.</i>
vs Thomas Farrell	

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

ELBRIDGE T. GERRY,
President, &c.,
100 East 23d Street,
New York City.

POOR QUALITY
ORIGINAL

0730

Police Court—

1st District.

Affidavit—Larceny.

City and County } ss.:
of New York,

of No. 1 Broadway Street, aged 46 years,
occupation Superintendent being duly sworn

deposes and says, that on the 29 day of May 1889 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property, viz:

Good and lawful money of the United
States consisting of Bank notes and
pieces silver and nickel coins, of the
value of Forty two $\frac{45}{100}$ Dollars.
Two Cheques and two post office money
orders. Being in all together of
the value of
Two hundred and twelve $\frac{45}{100}$ Dollars
(\$212 $\frac{45}{100}$)

the property of In the care and custody 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 Thomas Farrell (now here)

for the reasons to wit, that on said
day said deponent was in the
employ of deponent as a messenger
and on said day said property was
lying on a desk in the office of
deponent ready to be deposited in the
bank when deponent left said office
and on his return he found said money
and said property gone. Deponent further
says that said deponent admitted
and confessed to him and in the presence
of John H. Lyons a police officer attached
to the 3^d Precinct police that he had taken
the said property. Deponent thereupon charged
said deponent with the larceny of said
John H. Emrick

Subscribed before me this
day of May 1889
of
John H. Emrick
Police Justice.

POOR QUALITY
ORIGINAL

0731

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation John H. Lyons
Police Officer of No. _____

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

Sworn to before me, this 31 }
day of May 1890 } John H. Lyons

Solon Blum
Police Justice.

POOR QUALITY
ORIGINAL

0732

Sec. 198—200.

1st District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question. What is your name?

Answer.

Thomas Farrell

Question. How old are you?

Answer.

13 years

Question. Where were you born?

Answer.

New York City

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

Answer.

122 Mott Street in 7 years

Question. What is your business or profession?

Answer.

Messenger.

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.

Thomas. Farrell

Subscribed before me this 30th day of March 1897
John D. Sullivan
Justice

0733

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 May 20th 1890 Wm. H. Smith Police Justice.

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

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

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

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

POOR QUALITY
ORIGINAL

0734

July 2nd, 1890.

Cas Villaneuve, Esq.,

Superintendent Catholic Protectory:

Dear Sir--Thomas Farrell, 13 years of age was committed by me to your institution during the present term of this Court. I have since been informed on reliable authority that his mother who is a widow is an excellent woman and that her circumstances are such as to enable her to provide for and take care of the boy.

Besides this I am assured that she is a woman of character to whose care he may be properly committed without fear of detriment as to his future.

The officers of the Society for the Prevention of Cruelty to Children certified upon examination that this was the boy's first offence. If under the circumstances you deem it wise to discharge him I know of no objection to that course.

Yours very truly,

Randolph B. Martine
Judge General Sessions

0735

People's

Thomas Small

Thomas Garrel

SECRETARY OF THE ARMY
WASHINGTON, D.C.
OFFICE OF THE SECRETARY
ATTENTION: Mr. [Name]
[Address]

100-443886-1

(1)

New York
June 27th/90

Hon. Judge Martine,
Sir.

I beg leave
to ask you for a favor and that
is to have my son discharged from
the Catholic Protectory where your
Honor committed him to on the
11th inst. I am sure he will be
a good boy hereafter as he was before
he was led astray by the influence
of a man who has disappeared
ever since from the neighborhood.
I have been a widow for many
years and always managed
to provide a comfortable home
for my six living children and

(2)

raised them all respectable until this unfortunate affair. Many times when we are gathered together at the table and I miss the presence of my youngest child my appetite is satisfied, and if you only knew the sleepless nights this unfortunate affair has caused me I am sure you would pity me, and I often thought that should I die while my child was confined in what might be called a prison how unhappily I would depart this life. Should he be released there is a position waiting for him where he will learn a good trade as is my intention he should do.

Hoping you will take into consideration the

POOR QUALITY
ORIGINAL

0738

(3)

feelings of a mother for her
child. I ask you for God's sake
have my boy returned to me
to make me happy once more
and you will have my blessing

I am
Respectfully
his mother

Mrs. Farrell

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas Farrell

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

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

The said *Thomas Farrell*,

late of the City of New York, in the County of New York aforesaid, on the *29th* day of *May*, in the year of our Lord one thousand eight hundred and *ninety*, at the City and County aforesaid, with force and arms,

*The sum of forty two dollars and sixty two cents in money, lawful money of the United States of America and of the value of forty two dollars and sixty two cents, two United States Postal money orders (a more particular description whereof is to be found in the indictment) of the value of twenty five dollars each, and two written instruments and evidences of debt, to wit: two certain orders for the payment of money of the said called bank cheques (a more particular description whereof is to be found in the indictment) of the value of twenty five dollars each, of the goods, chattels and personal property of one *John H. Kennedy*,*

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 H. Kennedy
Attorney

0740

BOX:

398

FOLDER:

3706

DESCRIPTION:

Feldheim, Samuel

DATE:

06/12/90



3706

Witness;

Peter Schaefer
Wash. Street

In my opinion the evidence
in this case would not
warrant a conviction.
The defendant is an old
man & I have received
the highest references as
to his honesty & integrity.
Moreover the complainant
strongly recommends
him as a man of excellent
reputation.

I recommend the dismissal
of this indictment.

Sept 15. 90

J. M. Davis
Asst.

Counsel,

Filed 12th day of June 18 90

Pleads, *Not Guilty* 13

THE PEOPLE

vs.

Samuel Belahheim

Grand Larceny, Second Degree.
[Sections 528, 581 Penal Code.]

JOHN R. FELLOWS,

District Attorney.

Soft
off team at 8:10 requested
put Sept. 16 at 8:10 requested
A TRUE BILL. 1729

Chas. Haggins

Foreman.

On recm. of Dist. Atty.
indict. dis. R.B.M.
Sept 16/90

POOR QUALITY
ORIGINAL

0742

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty
Samuel Feldheim

Taken before me this
day of *May* 189*8*

Police Justice.

POOR QUALITY
ORIGINAL

0743

92.5.11 4-285

92.5.11 4-285

92.5.11 4-285

92.5.11 4-285

92.5.11 4-285

92.5.11 4-285

92.5.11 4-285

POOR QUALITY
ORIGINAL

0744

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 57 years, occupation None of No. 115

Second avenue Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Peter Schaeffer

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

knowledge.

Sworn to before me, this 29

day of May 1889

Jacob H. Miller

J. M. Plutcheon
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 26 years, occupation Wine Importer of No. 99

Second avenue Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Peter Schaeffer

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

knowledge.

Sworn to before me, this 29

day of May 1889

Frank Straub

J. M. Plutcheon
Police Justice.

POOR QUALITY
ORIGINAL

0745

Sec. 151.

Police Court 3 District.

CITY AND COUNTY
OF NEW YORK, } ss.

*In the name of the People of the State of New York; To the Sheriff of the County
of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by Peter Schaeffer
of No. 969 Lexington Ave Street, that on the 21 day of May
1890 at the City of New York, in the County of New York, the following article to wit:

One Hundred and fifty dollars
and one Pocket book
of the value of One Hundred and fifty Dollars,
the property of Peter Schaeffer
w. as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and
believe, by Samuel Feldman

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 3 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 29 day of May 1890

Wm. Platt POLICE JUSTICE

POOR QUALITY
ORIGINAL

0746

Police Court 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Peter Schaffer
vs.

Samuel Feldheim
J. W. Cor. 4, et.

Warrant-Larceny.

Dated May 29th 1890

Patterson Magistrate

Hughes
D. J. ... Officer.

The Defendant

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

Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at
night.

Police Justice.

99-21am

May 29th 90.

62

W

62

46. Stuyvesant

Dated

188

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

The within named

Police Justice.

POOR QUALITY
ORIGINAL

0747

Ex May 31

10. am

June 2-

2 1/2 P.M.

BAILED

June 8.

2 1/2 P.M.

No. 1 by August Schaeffer

Residence by Second and Street

Residence Street

No. 1 by Street

Residence Street

8302 7th St. 3rd Fl.

8112 2nd St. 1st Fl.

8112 2nd St. 1st Fl.

8112 2nd St. 1st Fl.

8112 2nd St. 1st Fl.

8112 2nd St. 1st Fl.

Police Court

District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Peter Schaeffer

900 2nd St. 1st Fl.

James H. Miller

1st

2nd

3rd

4th

Offence

Larceny

Dated

May 29

1890

Paterson

Magistrate

Officer

Witnesses

No. 1 by

James H. Miller

No. 2 by

James H. Miller

No. 3 by

James H. Miller

No. 4 by

James H. Miller

No. 5 by

James H. Miller



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.....

Dr. Fundan

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 May 29 1890 Paterson Police Justice.

Dr. Fundan

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

Dated June 3 1890 Paterson 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 1890 Police Justice.

POOR QUALITY
ORIGINAL

0748

Sec. 192.

3 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Jacob M. Patterson a Police Justice
of the City of New York, charging Samuel Feldheim Defendant with
the offence of Grand Larceny

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

we Samuel Feldheim Defendant of No. 46
Myerson Street; by occupation a Agent
and Thomas Shortliff of No. 215 East Broadway
Street, by occupation a Signer Safety, hereby jointly and severally undertake that
the above named Samuel Feldheim Defendant
shall personally appear before the said Justice at the _____ District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Twenty-five
Hundred Dollars.

Taken and acknowledged before me, this 29

day of May 1894

Jacob M. Patterson POLICE JUSTICE.

Samuel Feldheim

Thomas Shortliff

POOR QUALITY
ORIGINAL

0749

CITY AND COUNTY }
OF NEW YORK, } ss.

Sworn to before me this
day of May 1888
Police Justice.

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth Fifty hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of house and lot of

land or premises 6 Rutgers
Street valued at Twenty-four
thousand dollars Thomas Shortoff

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs,

Undertaking to appear
during the Examination.

Taken the day of 188

Justice.

POOR QUALITY
ORIGINAL

0750

Police Court—

District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 969 Lexington avenue Street, aged 47 years,
occupation Builder being duly sworn
deposes and says, that on the 21st day of May 1890 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 Hundred and Fifty dollars
in gold and law full money of
the United States and one pocket
book fifty cents the whole valued
at one hundred and fifty dollars
and fifty cents

\$150 ⁵⁰/₁₀₀

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 Samuel Feldheim.

in the following manner to wit:
Deponent ^{was} in a Saloon No 99 Second
avenue he had said property in his
possession after he left said Saloon
he missed said property. He is
informed by Jacob H Miller and
Frank Straub that they saw the
defendants pick up a pocket book
in said Saloon in the place where this
deponent was seated. Deponent
asked the defendants to return said
property to him which defendants has
refused to do. Deponent therefore charges
the defendants with having taken carried away
and stolen said property and foras far as
warranted and held to answer. Peter Schaeffer

Sworn to before me, this

29

day

1890

Police Justice.

POOR QUALITY
ORIGINAL

0751

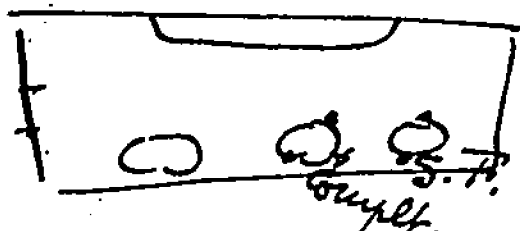
District Attorney's Office.

PEOPLE

vs.

Samuel Feldman.

They were passing
the evening in Straub's
place.



Coupl dropped his
pocket book & went
out. Dept knew coupl
picked it up the
moment coupl
left from just where
coupl had been
sitting. Was seen to
do it by Straub &
Miller. When charged
with it next day

District Attorney's Office.

PEOPLE

vs.

20 minutes after
He was sent for and
returned. (Coupl went
for him & left word at
house) with his
brother. He was under
influence of liquor. He
was charged with
picking it up and at
at denied picking
anything up. Then
said he had picked
up handkerchief. Said
meanwhile he had
been sitting on his
stool which was not
so. Miller & Straub
had not spoken of it
until after accusation.
The police court wanted
to pay money if case was

District Attorney's Office.

PEOPLE

vs.

dismissed.

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Samuel Feldheim

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. I have known the defendant and his connections for the last 20 years, and during all of said time he has borne an excellent reputation for honesty, and I ~~therefore~~ believe at the time he found the money, he thought he had a lawful right to it, and had no felonious intention to steal the same, and for that reason, I ask that the District Attorney may permit the prosecution to be withdrawn,

Peter Schaeffler

POOR QUALITY
ORIGINAL

0753

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Samuel Feldheim

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

Samuel Feldheim

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

The said

Samuel Feldheim

late of the City of New York, in the County of New York aforesaid, on the *twenty first*
day of *May* in the year of our Lord one thousand eight hundred and
ninety, at the City and County aforesaid, with force and arms, in the
day time of the same day, divers promissory notes for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the
payment of and of the value of *\$150.00* *seventy-five*

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

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

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

seventy-five
dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid
unknown, of the value of

thirty dollars, and one
pocketbook of the value of fifty
cents

of the goods, chattels and personal property of one

Peter Schaeffler
then and there being found,

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

JOHN R. FELLOWS, *District Attorney.*

0754

BOX:

398

FOLDER:

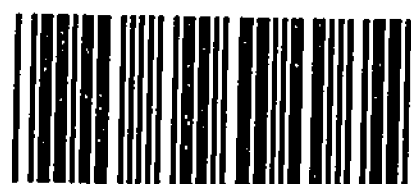
3706

DESCRIPTION:

Fernicola, Frank

DATE:

06/03/90



3706

POOR QUALITY
ORIGINAL

0755

Witnesses:

Antonio Deoria

Counsel,

Filed

day of June 1890

Pleads,

Charged 4

THE PEOPLE

vs.

Frank Bernicola

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

JOHN R. FELLOWS,

District Attorney.

10th Ave

A True Bill

A. J. Higgins

Foreman.

Before J. Lewis Foreman

Part III June 9/90

Read and Accepted

POOR QUALITY
ORIGINAL

0756

Police Court—2—District.

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

of No. 68 Thompson Street, aged 18 years,
occupation Barber being duly sworn

deposes and says, that on the 19 day of May 1888 at the City of New
York, in the County of New York,

he was violently and feloniously ~~ASSAULTED~~ and ~~BETTER~~ by Frank Fiernicola (now Lee)
who attacked deponent with an open
razor and attempted to cut deponent
in deponent's shop, and deponent
was forcibly disarmed or he
would have cut deponent.

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without
any justification on the part of the said assailant :

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

Sworn to before me, this 20 day)
of May 1888) Antonio DeLoise
[Signature]
Police Justice.

POOR QUALITY
ORIGINAL

0757

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK }

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

Question. What is your name?

Answer.

Frank Ferricola

Question. How old are you?

Answer.

22 Years

Question. Where were you born?

Answer.

Italy

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

Answer.

13 Vestry Street

Question. What is your business or profession?

Answer.

Barber

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

Frank Ferricola

Taken before me this
day of *April* 1890

20

Police Justice

[Signature]

POOR QUALITY
ORIGINAL

0758

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

Police Court--- 2 / 1993
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Antonio Deorio
vs. Frank F. Furnaceola
Attorney for

Offence

Aggravated
felony

Dated

May 20

1890

No. 5, by _____

Hogan

Magistrate.

No. 6, by _____

File Kelly

Officer.

No. 7, by _____

Preclnd.

Witnesses

No. 8, by _____

Street.

No. 9, by _____

Street.

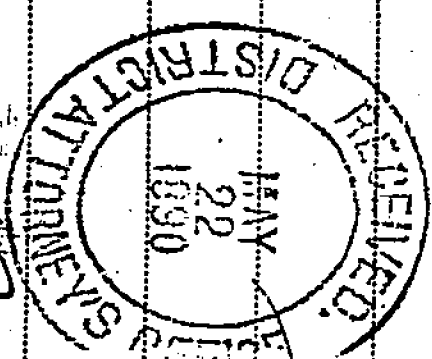
No. 10, by _____

Street.

No. 11, by _____

to answer.

Street.



Corrie

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 _____

Frank F. Furnaceola

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

Dated May 20 1890 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0759

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frank Fernicola

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

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

The said

Frank Fernicola

late of the City of New York, in the County of New York aforesaid, on the
nineteenth day of May in the year of our Lord
one thousand eight hundred and ninety, with force and arms, at the City and
County aforesaid, in and upon the body of one Antonio Desoires
in the Peace of the said People then and there being, feloniously did make an assault
and him the said Antonio Desoires
with a certain razor

which the said

Frank Fernicola
in his right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously attempt to strike, beat, cut, stab and
wound,

with intent

him the said Antonio Desoires
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

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

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

The said

Frank Fernicola

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said Antonio Desoires in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and him the said
with a certain razor

which the said

Frank Fernicola
in his right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully attempt to strike, beat, cut, stab and wound, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York,
and their dignity.

John R. Bellows
District Attorney

0760

BOX:

398

FOLDER:

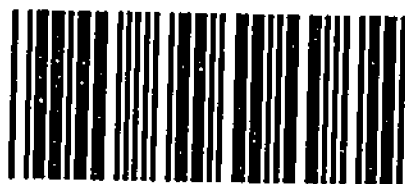
3706

DESCRIPTION:

Fischer, Helene

DATE:

06/17/90



3706

Witnesses:

J. W. Mooney

Upon reading the
within affidavits of de-
fendants that they are
going to leave this country
upon reading officer
Mooney's affidavit that
the nuisance has been
abated, I ask that
this indictment be dis-
missed

*June 24/90. G. L. P.
A. D. A.*

Counsel,

Filed

17 day of June 1890

Reads

Chapman

THE PEOPLE

vs.

*B
Helene Fischer*

KEEPING A HOUSE OF ILL FAME, Etc.
[Sections 322 and 385, Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Chapman

Just 2-June 24/90 Foreman.

Indictment dismissed.

POOR QUALITY
ORIGINAL

0762

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Helene Fischer

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

Helene Fischer

(Sec. 322,
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, committed as follows:

The said

Helene Fischer

late of the *17th* Ward of the City of New York, in the County of New York aforesaid, on the *twenty-first* day of *May* in the year of our Lord one thousand eight hundred and ~~eighty-ninety~~, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

Helene Fischer

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, 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

Helene Fischer

(Section 385,
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

Helene Fischer

late of the Ward, City and County aforesaid, afterwards, to wit: on the *twenty-first* day of *May* in the year of our Lord one thousand eight hundred

POOR QUALITY
ORIGINAL

0763

and ~~eighty~~ *ninety*, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in *her* said house, for *her* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT—

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

(Section 822
Penal Code.)

Helene Fischer
of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said

Helene Fischer

late of the Ward, City and County aforesaid, afterwards, to wit: on the *twenty first* day of *May* in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in *her* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0764

BOX:

398

FOLDER:

3706

DESCRIPTION:

Fischer, Adolph

DATE:

06/17/90



3706

POOR QUALITY
ORIGINAL

0765

Witness:

John W. Mooney

Counsel,

Filed

day of

1890

Pleas,

THE PEOPLE

vs.

Joseph Fischer

KEEPING A HOUSE OF ILL FAME, ETC.
[Sections 322 and 385, Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Thomas Higgins

Part 2 - June 24/90 Foreman.

Indictment dismissed

Upon reading the
within affidavits
of defendants that
they are going to leave
this county and
upon reading of their
Mooney's affidavit
that the nuisance
has been abated &
ask that this indictment
be dismissed G.S.P.
June 24/90 J.R.F.

POOR QUALITY
ORIGINAL

0766

Sec. 198-200.

3
District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Helene Fisher.*

Question. How old are you?

Answer. *36 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *227. Plymouth St. N. 6 months*

Question. What is your business or profession?

Answer. *Housekeeper.*

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
waive further examination and demanding
a trial by jury. Helene Fisher*

Taken before me this

day of

May

1891

at

City of New York

County of New York

Police Justice.

Signature

of

Police Justice.

POOR QUALITY
ORIGINAL

0767

4/1000- for 2x
Mugshot 2-18-1890
10 AM. C.M.J.
City - to 3.30 PM.
C.M.J.

BAILED,
No. 1, by Stephen M. Muelley
Residence 3374 1/2 Avenue Street
No. 2, by _____
Residence _____ Street
No. 3, by _____
Residence _____ Street
No. 4, by _____
Residence _____ Street

Police Court--- 3 841
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William M. Muelley

Alfred S. Muelley

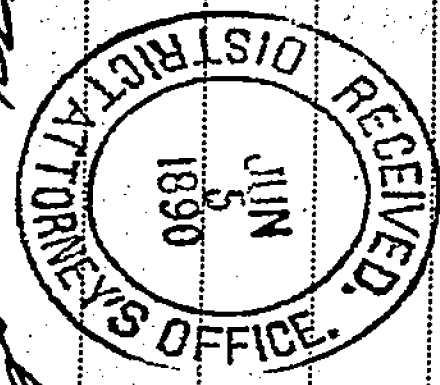
1. _____
2. _____
3. _____
4. _____
Offence Receiving

Dated May 23 1890

Charles Muelley Magistrate.
Precinct _____
Officer _____

Witnesses Kittie Muelley
No. 309 East 40th Street

No. _____ Street
No. _____ Street
\$ _____ to answer W.D.
Street



Charles Muelley

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

Alfred Muelley
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Ten Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.
Dated May 23 1890. Charles Muelley Police Justice.

I have admitted the above-named Alfred Muelley
to bail to answer by the undertaking hereto annexed.
Dated May 26 1890. Charles Muelley 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 _____ 1890. _____ Police Justice.

POOR QUALITY
ORIGINAL

0758

Sec. 192.

3

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Chas. J. Taintor a Police Justice
of the City of New York, charging Adolph Fisher Defendant with
the offence of Keeping his orderly House

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

We, Adolph Fisher Defendant of No. 527
Christie Street; by occupation a Musical
and Rosalie Klantz of No. 208- Forsyth
Street, by occupation a Housekeeper Surety, hereby jointly and severally undertake that
the above named Adolph Fisher Defendant
shall personally appear before the said Justice at the 3rd District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Ten
Hundred Dollars.

Taken and acknowledged before me, this 23
day of May 1890

Charles Taintor POLICE JUSTICE.

Adolph Fisher
Rosalie Klantz

POOR QUALITY
ORIGINAL

0769

CITY AND COUNTY } ss.
OF NEW YORK,

day of *March*
1888
Sworn to before me this
1st day of *March*
1888
Police Justice.

Rosalie Klantz
the within named Bail and Surety being duly sworn, says, that he is a resident and
holder within the said County and State, and is worth *Twenty* Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and
liabilities, and that his property consists of *money on deposit*

in the City of New York, New York State
and Manhattan Savings Fund
to the amount of Twenty Five Dollars
and no more.

Rosalie Klantz

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Underlying to appear
during the Examination.

Taken the _____ day of _____ 188

Justice.

POOR QUALITY
ORIGINAL

0770

POLICE COURT, *9th* DISTRICT.

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

of No. *11th* *William Mooney* Street, being duly sworn, deposes and says,
that *Adolph Fisher* (now present) is the person of that name
mentioned in deponent's affidavit of the *21* day of *May* 188*9*
hereunto annexed.

Sworn to before me, this

day of

188*9*

Charles Saintor

POLICE JUSTICE.

William J. Mooney

POOR QUALITY
ORIGINAL

0771

Sec. 322, Penal Code.

3

District Police Court.

CITY AND COUNTY
OF NEW YORK.

William A. Murney
of No. *227* Street, in said City, being duly sworn says
that at the premises known as Number *227* Street,
in the City and County of New York, on the *22* day of *May* 18*90* and on divers
other days and times, between that day and the day of making this complaint

John R. Cor
did unlawfully keep and maintain and yet continue to keep and maintain a *house of*
disgrace and did then, and on the said other days and times, there unlawfully procure
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil
name and fame there to be and remain drinking, ~~drinking~~, fighting, disturbing the peace, whoring and misbehaving
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and
there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said *John R. Cor*
and all vile, disorderly and improper persons found upon the premises, occupied by said
John R. Cor
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me this *22*
day of *May* 18*90*

Charles A. Hinton Police Justice.

William A. Murney

POOR QUALITY
ORIGINAL

0772

24

X 3

Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wm Morrey

vs.

John Roe

AFFIDAVIT—Keeping Disorderly House, &c.

Dated 188

Sanitor Justice.

Officer.

Precinct.

WITNESSES :

POOR QUALITY
ORIGINAL

0773

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty
and want for the same reason
demand a trial by jury Adolf Fisher,*

Taken before me this

Adolf Fisher
1885

Charles A. Tamm

Police Justice.

POOR QUALITY
ORIGINAL

0774

Sec. 151.

Police Court 3 District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned one of the Police Justices for the City of New York, by William H. Murray

of No. 227 Street, that on the 22 day of May

1890 at the City of New York, in the County of New York,

did keep and maintain at the premises known as Number 227 Street, in said City, a house of assignation

and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, ~~fighting~~, fighting, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

THESE ARE, THEREFORE, in the name of the People of the State of New York, to Command you, the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the body of the said

John Horvath and all vile, disorderly and improper persons found upon the premises occupied by said John Horvath

and forthwith bring them before me, at the 3 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 22 day of May 1890.

Charles J. Smith POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0775

W *3*
Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Morrey
John Hor

WARRANT—Keeping Disorderly House, &c.

Dated 188

Frederick Magistrate.

Officer.

Precinct.

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

Officer.

Dated *May 22-* 18*90*

This Warrant may be executed on Sunday or
at night.

Charles W. Linton Justice.

Dated

188

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

The within named

Police Justice.

POOR QUALITY
ORIGINAL

0776

\$1000 for 5
May 26-90 10 AM.
City 183.30 PM.

BAILED
No. 1, by *Wm. J. Sullivan*
Residence *1354 Grand St.*
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

Police Court... *3841*
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF
William J. Sullivan

Charles N. Teller
Officer

Dated *May 23 1890*

Charles N. Teller
Magistrate

William J. Sullivan
Officer

Witnesses *Katie Meeley*
No. *309 East 40th*
Street

No. _____
Street
No. _____
Street



Charles N. Teller
No. _____
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 _____

Referred to
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Ten* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.
Dated *May 22 1890* *Charles N. Teller* Police Justice.

Referred to
I have admitted the above-named _____
to bail to answer by the undertaking hereto annexed.
Dated *May 26 1890* *Charles N. Teller* Police Justice.

There being no sufficient cause to believe the within named _____
guilty of the offence within mentioned. I order h to be discharged.
Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0777

Sec. 192.

3 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Chas. J. Taintor a Police Justice
of the City of New York, charging Helen Fisher Defendant with
the offence of Keeping disorderly House

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

We, Helen Fisher Defendant of No. 227
Christie Street; by occupation a Married Woman
and Rosalie Klant of No. 208 - Forsyth
Street, by occupation a Housekeeper Surety, hereby jointly and severally undertake that
the above named Helen Fisher Defendant
shall personally appear before the said Justice at the 3 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of _____
Hundred Dollars.

Taken and acknowledged before me, this 23

day of May

Charles W. Taintor

POLICE JUSTICE.

Helen Fisher

Rosalie Klant

POOR QUALITY
ORIGINAL

0778

CITY AND COUNTY } ss.
OF NEW YORK, }

Sworn to before me, this
19th day of May, 1881
Justice.

the within named Bail and Surety being duly sworn, says, that he is a resident and
holder within the said County and State, and is worth _____ Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and
liabilities, and that his property consists of _____

Rosalie Klauz-Louise
Sworn
Money invested
in Savings Banks to amount of
\$9500 - Citizens, B'nny, & Co. & Co.
2 Savings Banks. Rosal Klauz

District Police Court.

THE PEOPLE, & c.,

ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs,

Taken the _____ day of _____ 188

Justice.

POOR QUALITY
ORIGINAL

0779

Sec. 322, Penal Code.

3 District Police Court.

CITY AND COUNTY
OF NEW YORK.

of No William Mooney Street, in said City, being duly sworn says
that at the premises known as Number 227 & 229 Chambers Street,
in the City and County of New York, on the 21 day of May 1890, and on divers
other days and times, between that day and the day of making this complaint,

Selena Fisher
did unlawfully keep and maintain and yet continue to keep and maintain a house of
assignation and did then, and on the said other days and times, there unlawfully procure
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil
name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and
there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said Selena Fisher
and all vile, disorderly and improper persons found upon the premises, occupied by said

Selena Fisher
may be ~~apprehended and~~ dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 23

day of May 1890

Charles Lantier

Police Justice.

William J. Mooney

COURT OF GENERAL SESSIONS

---:---;---:---:---:---:---:---:---X
The People &c., :
-against- :
Adolph Fischer :
and :
Helen Fischer. :
---:---:---:---:---:---:---:---:---X

City and County of New York, ss:

HELEN FISCHER being duly sworn deposes
and says I was formerly in business in Chrystie Street; I
have sold the furniture therein contained in both houses
and have vacated the premises and will never again enter
into business of a similar nature; I intend leaving this
country with my husband for Europe to-morrow, the nuisance
if any there was at the place mentioned in the Indictment
has been abated and the premises effectually closed.

Sworn to before me this

24 day of June 1890.

Ellen Dreier } *Helen Fischer*
Not Public
[Signature]

POOR QUALITY
ORIGINAL

0781

COURT OF GENERAL SESSIONS.

-----X
The People, &c.,)

-against-)

Adolph Fischer)

and)

Helen Fischer.)
-----X

City and County of New York, ss:

ADOLPH FISCHER being duly sworn deposes and says, I am one of the defendants in the Indictment herein above mentioned, and have vacated the premises in said Indictment: mentioned. I have given up the business carried on there and never again intend going into business in the City of New York; I have purchased tickets for Europe and intend leaving this country ~~forever~~ forever. The nuisance complained of in the Indictment: has been abated and the premises effectually closed.

Sworn to before me

this 24 day of June 1890.

Adolph Fischer

*Chas. Friend
Not Public's
W. J. S.*

POOR QUALITY
ORIGINAL

0782

COURT OF GENERAL SESSIONS

-----X

The People, &c.,

-against-

Adolph Fischer

and

Helen Fischer.

-----X

City and County of New York, ss:

William J. Mooney being duly sworn, deposes and says, I am an officer attached to the precinct wherein is situated the houses mentioned in the complaint herein and upon which an Indictment has been found; the nuisance complained of has been abated and the premises are now unoccupied; the above named defendants having vacated the premises. I have investigated the matter and discovered that the goods and chattels therein in said house contained were sold at public auction and was informed and believe it to be true that the defendants intend leaving for Europe. *I am the complainant herein*

Sworn to before me

this *24* day of June 1890.

William J. Mooney

E. M. Fox
Not Public
N.Y.C.

STENOGRAPHER'S MINUTES.

Mid District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

William Mooney
Helen Fisher
Adolph Fisher

BEFORE HON.

Charles A. Sanborn
POLICE JUSTICE.
May 16th 188*7*

APPEARANCES:

For the People,

For the Defence,

188

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H. J. Brady
Official Stenographer.

POOR QUALITY
ORIGINAL

0784

3rd
DISTRICT POLICE COURT.

THE PEOPLE,
vs. COMPLAINT OF
J. M. Moorey
agst.
Helen Fisher
Examination had
May 17th 1890
Charles H. Taintor
Police Justice.

M. J. Treacy
Stenographer of the 3rd District Police
Court, do hereby certify that the within testimony in the above case is a true and correct copy of
the original Stenographer's notes of the testimony of
Littie Greely
all herein
as taken by me on the above examination before said Justice.

Dated May 17 1890
Charles H. Taintor
Police Justice.
M. J. Treacy
Stenographer.

POOR QUALITY
ORIGINAL

0785

Dep Jory May 26th 1890
Third District Police
Court
Hon Charles H Taintor
Residing Justice

William Moorey
Helen Fisher
Adolph Fisher

Kitty Healy being duly
sworn, deposes and
says, I live at 309
East 40th St

Q Do you know
the Defendants?

A Yes Sir,
Q Do you know their
residence

A Yes Sir 422 1/2
Chrystie St
Q Where you in

Q.

Q. Their house? For what purpose?

A. For the purpose of bringing in people for prostitution.

Q. Did you ever bring any one in there for that purpose?

A. Yes Sir,
Q. Men?

A. Yes Sir,
Q. To whom did you pay the money?

A. Mrs Fisher I paid, five dollars a week. I had sexual connection with men I brought in there, I brought more than one man there.

Q. You were in the habit of bringing men

Q.

B.

Here for purposes of
prostitution?

A. Q. Yes Sir,
You committed acts
of prostitution there
frequently?

A. Q. When? Yes Sir,

A. Q. Last week
Are you there in that
house?

A. No Sir, I left
the house the day after
the arrest was made

Q. That was on May
21st?

A. Yes Sir, I was
there a week

Q. Had you been
in the habit of solicit-
ing men for the pur-
poses of prostitution?

A. Yes Sir,

(3)

4

Q. Were other people in the house doing the same?

A. I did not see them, but I heard they did.

Q. Were there other women in the house who did that?

A. I cannot tell, there were quite a number, more than I can tell, I do not know whether they brought strange men in or not.

Q. Cross Examination
When did you hire the room there?

A. Last week.
Q. You went there for the purpose of hiring the room for yourself and husband?

A. Yes Sir, I hired that room

4

5

with the understanding
that I was to bring my
and I told her I
wanted to bring my
company there, and
she (Mrs Fisher) said
she did not mind
any company in
the line of men, but
not young girls.

Q

She
did not say anything
about bringing your
lovers there?

A.

No, I brought no
one but gentlemen there.

Q.

Have you often
been a witness in
similar cases?

A.

This is my first
experience. I am a
fast woman, but I
think such places
should be put down.

6

Q. You do not think there should be any such places?

A. I do, but a Red house and "Bilking" house are different things

Q. How long have you been in the business?

A. I am 26 years of age.

Q. How long have you been a fast woman?

A. About ten years

Q. This is the first complaint you made?

A. Yes Sir,

Q. During the past ten years have you been a "Bilker"?

A. No Sir,

Q. Do you know the difference between a

4

Red House, a house
of prostitution and a
"Bilking" house.

A

Yes Sir, one
you lie down in, the
other you do not, that
is the distinction.

Q.

What is your friend's
your lover's name?

A.
Q.

I have none
who takes care of
you?

A.

I am my
own ~~best~~ protector

Q.

You went there on
Wednesday night?

A.

Yes Sir,

Q.

You were locked up?

A.

Yes Sir, in the
Station House and
kept in a cell and
brought here in the
morning and was

4

8

Q. stood aside. There was
no complaint made
against you?

Q. A. ~~Yes~~ No Sir,
You were arrested
for being there?

Q. A. Yes Sir,
Did you go there to
get the evidence?

A. When
I was asked I told
the truth.

Q. You went in
there to engage rooms
at whose suggestion?

A. Of my own
volition, When asked
I answered the truth.

Q. In Court you
were asked what you
knew about it?

A. Yes Sir,
8

9

Q. There was no com-
-plaint made against
you?

A. No, there was
not.

Q. In return for
that you became a
Witness for the People?

A. I believe so.

Q. After you took the
room, you took your
friends in, how many

A. Four (4) in one
night.

Q. For the favors
you gave these men,
you received money?

A. Yes Sir,

Q. And you kept it?

A. I did not
pay her,

Q. When you
first met there, you

9

10

hired a room ^{and}
after that, you paid
her no money?

A. Yes Sir, it was
not necessary

Q. How much did
you receive for what
you did with the
men in your room?

A. Some time five (\$5.)
dollars ^{and} some times
seven dollars, that
was my right.

Q. You lived up
town?

A. Yes Sir,
Q. What other houses
did you live in?

A. I had a furnish-
ed room in Eldridge
St.

Q. Do you know the
name of the lady

118

Q. who keeps the house
A. I do not, her
husband is a tailor,
I lived there for two
weeks

Q. Did you bring
men in there too?

A. No Sir, I have
lived in Allen St
No. 118. And I lived
out of the city before
that

Q. How long do you
live in New York City

A. About two years

Q. Where have you lived

A. In Harlem,
a very private place,
I do not care to
answer that.

Q. Why do
A. You decline to answer
It is not
necessary. I was in

12

The House of the Good
Shepherd, for a short
time, six months, I
was there under my
own name. My Mother
and father live in
Albany, in a very
nice place, Bath on
the Hudson, my Parents
committed me

Q

Do you
remember the Judge
who committed you?

Q. A.

Judge Duffy

Q. A.

the Courts.

Were you arrested
out of a Disorderly
House?

A.

Yes. I was arrest-
ed by my own people
What do you
mean by saying

Q.

12

13

You were ten years a
fast Woman?

A. I count myself
fast since I came
here, two years ago
my parents found me
and sent me to the
House of the Good
Shepherd

Q. Were you
frequently in Goughans
and McGeary's?

A. Oh yes,
Q. About how many times
have you been arrested

A. Probably one
hundred, for soliciting,
lots of times

Q. Arrested for
anything else?

A. No Sir,
Q. Have you never arrest
ed for being a Badger

13

14

A. Woman? I cannot
answer you

Q. Are you
now known as a
"Badger Chief"?

Ans. Not allowed.

Q. Have
you not been known
and arrested as a
"Badger Woman"?

Ans. That line of Cam-
ination must stop
right here

Q. You did not
know Mrs Fisher before

A. Never did

Q. Were you promised
anything for coming
here?

A. No Sir

Q. What is your object
in acting as the

14

POOR QUALITY
ORIGINAL

0799

15

Complainant?

A Q. A very clear one
You want to clean this
city?

A Very much

Present before me
this 16th day of May 1890

Charles Vainton

Police Justice

15

16

Christina Hew, being
Avery Moore deposes Aug
22/23, I live at 276
Chrystie St.

Q. Do you know
the Defendants?

A. I do.
Q. Do they live near you

A. Directly opposite
Q. What is the number
of their house?

A. 224 Chrystie
Q. How long have they
lived there?

A. I think they
moved there last
Winter

Q. Did you observe
the character of the
house they lived in?

A. I saw disorderly
girls bring men there

Q. Do you mean
Prostitutes?

17

A. I do not know, but
I think so, or they would
not have brought the
men there.

Q. Do you know
of their soliciting men

A. Yes Sir, I
saw them take them in
the house.

Q. Did you hear
loud noises?

A. I heard noise
there last summer, before
the Defendants occupied
it.

Q. How long have
you lived in that
house?

A. 2 Years.
Q. Have you frequently
seen these women
bring men there?

17

POOR QUALITY
ORIGINAL

0002

18

Q. I know several
who live there, I saw
them talking
2 You were not in
the house (224 Chuy street)
Q No Sir,

Sporn to before me }
this 16th day of May 1890 }
P Charles Mainster
Police Justice

18

19

Anna Frederberg being
any more deposes ^{and}
says I live at No 226
Chuyetic St, I am the
owner of the house
I live in for 20
years

Q Do you know
the Roperdants?

A Yes Sir,

Q Do you know whether
the Roperdants lease
the house No 224

A Chuyetic St, or not?

A I cannot tell
that

Q What is the
character of that
house?

A Bad house, a
bad house for some
time

Q Did you notice

19

20

Q. What was done there?
A. I have had complaints from tenants and
own things that were
distasteful to my child-
ren

Q. What was that
A. I could not allow
them to go to the
window Why?

Q. Because of the disor-
derly acts.

Q. What acts?
A. There were young girls
there, I do not like to
say what their acts were,
I saw the girls run-
ning around naked
in the room and
men were in the room,
when I told her (fisher)
she made the girls move

Q. O

21

Q. Had you ^{see} similar conduct before? Had you

A. All men being solicited by women coming from that house?

A. Yes Sir,

Q. Frequently?

A. Yes Sir, I made complaint and she (Mrs Fisher) made the girls move.

Q. Did you see women solicit men from that house?

A. I did
Cross Examination

Q. You were not in that house within a year past?

Q. A. Yes Sir, When you complained to Mrs Fisher, she made them move?

POOR QUALITY
ORIGINAL

00006

22

a I did not go there,
Mrs Fisher came to me,
and when she heard
it she said she was
thankful and would
remedy the defects.

Sworn to before me }
this 26th day of May 1890 }
Charles Kaintor
Police Justice

22

23

Elizabeth Kingle, of 230
Christie St, a married
woman

Q. Do you know
the Defendants?

A. By sight, not
personally

Q. What house
do they occupy?

A. No 204 Christie St,
Q. Do you know the
character of the house?

A. They are not good
houses

Q. What did you
Q. What did you observe
to make you think so?

A. I saw many
men go out of the
house?

Q. What was the
character of the house?

A. Not a good character

(23)

24

Q. How do you know that?

A. I judge from the way they carry on in the street.

Q. Did you ever see these women who came out of the house 42 227 Chrystie St solicitor men?

A. I often saw them speaking to men on the street, and at times saw them take men into the house.

Q. Did you ever hear noise late at night?

A. Often times, there were fights in front of the house.

Q. Did you

24

Q 5

Q. I see men ^{and} women going in ^{and} out of the house late at night?

Q. I did not watch at that time. Did you ever see any disorderly conduct before the window?

Q. No, I cannot say that.

Q. Have you children?

Q. Yes Sir, Did you ever hear complaint that the house was bad?

Q. The tenants complained to me about the house.

Q. What did they say about the house?

Q. That they were not good houses.

Q 5

26

Cross Examination

Q. You do not know the
men who went in
and out of the house?

A. No Sir,
Q. You do not know
the men?

A. No Sir,
Q. For all you know
they were man and wife?
A. I cannot say

that
Q. You never were
in the house?

A. No Sir,
Q. What took place in
there, you do not know?

A. No Sir,
Q. Do you know whether
the Defendants lease
the houses?

A. I do not

Subscribed before me
this 26 day of May 1890

Charles McIntosh Police Justice

24

Albert Krantz of No
475 Myrtle St, being
duly sworn, deposes
says

Q How long have
you resided there?

A A year, I know
the Defendants

Q Do they occupy
the house next to you?

A Yes Sir,
Q How do you know they
are tenants of the house?

A I hear they are
tenants. From year to
year, I saw them there
since I have been there

Q What is the
character of the house?

A It was always
bad. It is better since
they are there.

Q What do

(24)

28

Q. You know about the
place since they moved
in?

A. I cannot say
much about it, I saw
disorderly people in
the house, they empti-
fied the contents of
vessels on the extension

Q. Did you ever hear
loud noise?

A. I cannot

Q. say Did you see men
and women going in and
out?

A. I saw men and
women going in and
supposed they were
married people

Q. Were
they prostitutes?

A. I cannot tell

28

29

Q Did you ever see
women solicit men
from that house

A I never saw that
some time they come
out and seemed to
be acquainted the
men

Q Did you notice
the women come
out and solicit men
on the street?

Q Who told you the
house was bad?

A No Sir,
they had been
pulled twice, not
since the Defendants
have been there, I
cannot complain
since the Defendants
occupy it, I do not
see the front of the
house

29

30

Q Is that all you
know?

A That is all
cross examination.

Q Do you own the
property next door?

Q Yes Sir,
The house formerly
had a very bad
reputation, you have
no cause of complaint
now?

A They empty things
on the extension.

Q. You do not know
these people that are
in the house?

Q No Sir,
They may be many, ^{and}
wife for all you know?

A I know nothing
about that.

30

31

Q. Did you ever see
Prostitutes come out of
the houses?

A. I never knew
them, they looked hard

Q. You will not
swear that any one
who was convicted
as Prostitutes, came
out or went in that
house?

A. I cannot tell
that

Sworn to before me }
this 16th day of May 1890 }

D. Charles W. Linton
Police Justice

(31)

32

Diedrich W. Doherty an
Officer attached to the
Eleventh Precinct Police

Q. Do you know the
Defendants?

A. Yes Sir, for (3)
three or (4) four years

Q. Do you know that
they occupy these
premises in Chryetie
St?

A. Yes Sir,
Q. Did you assist in
making the arrest?

A. Yes Sir, myself
and Officer Mooney, we
went there on Sunday
evening, the neighbors
had complained about
it; We watched the
place; the neighbors
complained of the
noise to me.

32

POOR QUALITY
ORIGINAL

08 17

33

Counselor Friend. I concede
that they were arrested
on a warrant issued by
your Honor. I waive
further Examination

They are held in One
thousand Dollars each
to answer

Given before me }
this 10th day of May 1891 }
Charles Winton
Police Justice

Testimony applies to
both cases

33

POOR QUALITY
ORIGINAL

0818

District Police Court.

John J. Mooney
vs.
Alfred Fisher
Joseph Fisher

STENOGRAPHER'S TRANSCRIPT.

May 26th 1890

Chas. H. Hamilton
BEFORE HON.

Wm. J. Healey
Police Justice.
Official Stenographer

POOR QUALITY
ORIGINAL

0019

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Adolph Fischer

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

Adolph Fischer

(Sec. 322,
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, committed as follows:

The said

Adolph Fischer

late of the *17th* Ward of the City of New York, in the County of New York aforesaid, on the *twenty-first* day of *May* in the year of our Lord one thousand eight hundred and ~~eighty-ninth~~ *eighty*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

Adolph Fischer

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, 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

Adolph Fischer

(Section 385,
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

Adolph Fischer

late of the Ward, City and County aforesaid, afterwards, to wit: on the *twenty-first* day of *May* in the year of our Lord one thousand eight hundred

POOR QUALITY
ORIGINAL

0020

and ~~eighty~~ *ninety*, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in *his* said house, for *his* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT—

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

Adolph Fischer

(Section 322 of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:
Penal Code.)

The said

Adolph Fischer

late of the Ward, City and County aforesaid, afterwards, to wit: on the *twenty-first* day of *May* in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *his* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in *his* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0821

BOX:

398

FOLDER:

3706

DESCRIPTION:

Fitzpatrick, Patrick

DATE:

06/25/90



3706

0822

BOX:

398

FOLDER:

3706

DESCRIPTION:

Fitzpatrick, Patrick

DATE:

06/25/90



3706

If these

John Larkin

In my opinion it would
be a waste of time
to retry this case.
I recommend
the dismissal of
the indictment

May 5/90 W. M. Davis
Clerk

Counsel,

Filed

25 day of June 1890

Pleads,

W. M. Davis

THE PEOPLE

vs.

Patrick Fitzpatrick

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

JOHN R. FELLOWS,

Dist. Attorney.

Sept 26/90
in each dec of Bail dish
on mo gd. acc.

A True Bill.

W. M. Davis

Foreman.

Sept 26/90

6-61

POOR QUALITY
ORIGINAL

0824

Police Court—5 District.

City and County } ss.:
of New York,

of No. 353 East 73rd Street, aged 36 years,

occupation Laborer being duly sworn

deposes and says, that on the 15 day of June 1890 at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Patrick

Fitzpatrick, ^(murderer) who willfully and

maliciously struck deponent three

violent blows on the head with

a slung shot which he, the said

defendant then and there held

in his hand. Deponent further

says that such assault was

committed

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without any justification on the part of the said assailant

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

Sworn to before me, this 16 day

of June 1890

John Larkin

[Signature] of Justice.

POOR QUALITY
ORIGINAL

0025

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Patrick Fitzpatrick

Question. How old are you?

Answer.

28 years old

Question. Where were you born?

Answer.

Ireland

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

Answer.

No 1527 - 2nd Avenue

Question. What is your business or profession?

Answer.

Laborer

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

Answer.

I am not guilty

Patrick Fitzpatrick

Taken before me this

day of

[Signature]

Police Justice.

POOR QUALITY
ORIGINAL

0025

William Bailed By
Patented Quakerman

1361-124 Ave

Don't answer Sept. 29/90

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court... 5th District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Curran

1363 Ave

Witness: John Curran

No. 1, by

Dated

June 16

1890

Residence

Magistrate

Witness: John Curran

Officer

No. 2, by

Magistrate

Witness

No. 3, by

Magistrate

No. 4, by

Magistrate

Witness: John Curran

Magistrate

No. 5, by

Magistrate

No. 6, by

Magistrate

No. 7, by

Magistrate

No. 8, by

Magistrate

No. 9, by

Magistrate

Witness: John Curran

Magistrate

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

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

Dated, June 16 1890 Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated, June 16 1890 Police Justice.

There being no sufficient cause to believe the within named

guilty of the offense within mentioned, I order h to be discharged.

Dated, 1890 Police Justice.

POOR QUALITY
ORIGINAL

0827

POLICE-COURT- 5th DISTRICT.

CITY AND COUNTY }
OF NEW YORK, ss.

RECOGNIZANCE TO TESTIFY.

BE IT REMEMBERED, That on
the 16th day of June in the year of our Lord 1890

of No. 35 3 East 73 Street, in the City of New York,
and Patrick Masterson

of No. 1361 - 1st Avenue Street, in the said City,
personally came before the undersigned, one of the Police Justices in and for the City of New York, and
acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say: the said

John Larkin
the sum of _____ Hundred Dollars,
and the said Patrick Masterson

the sum of _____ Hundred Dollars,
separately, of good and lawful money of the State of New York, to be levied and made of their respective
goods and chattels, lands and tenements, to the use of said People, if default shall be made in the con-
dition following, viz:

The Condition of this Recognizance is such, That if the person first above recognized shall personally
appear at the next COURT OF General SESSIONS of the Peace, to be holden in and
for the City and County of New York, and then and there Testify and give such evidence, in behalf of
the People of the State of New York, as he may know concerning an Offence or assault
said to have been lately committed in the City of New York aforesaid by

Patrick Fitzpatrick

And do not depart thence without leave of the Court, then this Recognizance to be void, otherwise to
remain in full force and virtue.

Taken and acknowledged before me, the
day and year first above written.

John Larkin

Patrick Masterson

Police Justice

POOR QUALITY
ORIGINAL

0020

CITY AND COUNTY } ss.
OF NEW YORK, }

the within-named Bail, being duly sworn, says that he is a house holder in
said City, and is worth Two Hundred Dollars,

over and above the amount of all his debts and liabilities; and that his property consists of

Stock and fixtures of liquor store
situated at No 136 1st Avenue
in the City of New York of the value
of Two Thousand Dollars

Patrick Masterson

Sessions.

New York

THE PEOPLE, &c.

Recognition to Testify.

23.

Magistrate

Filed

day of

188

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 5 DISTRICT.

James Black
of the 37th Precinct Police Street, aged _____ years,
occupation Police Officer being duly sworn deposes and says

that ~~James~~ John Larkin
at the City of New York in the County of New York 1890

(now here), is an accessory and
material witness for the People
of the State of New York against
Patrick Fitzpatrick, charged
with felonious assault.
Deponent has reason to believe
that the said Larkin will not be
forthcoming when wanted and
prays that he be committed to the
house of detention.

James Black

Sworn to before me, this

of

June 16

1890 (day)

Police Justice.

POOR QUALITY
ORIGINAL

0030

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated.....188

Magistrate.

Officer.

Witness,

Disposition,

300 bail & House
of Tolson

POOR QUALITY
ORIGINAL

0031

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Patrick Fitzpatrick

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

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

The said *Patrick Fitzpatrick*

late of the City of New York, in the County of New York aforesaid, on the
fifteenth day of *June* in the year of our Lord
one thousand eight hundred and *eighty-ninety* with force and arms, at the City and
County aforesaid, in and upon the body of one *John Larkin*
in the Peace of the said People then and there being, feloniously did make an assault
and *him* the said *John Larkin*
with a certain *slung-shot*

which the said *Patrick Fitzpatrick*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent *him* the said *John Larkin*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

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

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

The said *Patrick Fitzpatrick*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said *John Larkin* in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and *him* the said
John Larkin
with a certain *slung-shot*

which the said *Patrick Fitzpatrick*
in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York,
and their dignity.

POOR QUALITY
ORIGINAL

0032

THIRD COUNT—

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

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

The said Patrick Fitzpatrick

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said
John Larkin in the peace of the said People then
and there being, feloniously did wilfully and wrongfully make another assault, and
him the said John Larkin
with a certain slung shot

which he the said Patrick Fitzpatrick
in his right hand then and there had and held, in and upon the head
of him the said John Larkin

then and there feloniously did wilfully and wrongfully strike, beat, ~~stab~~, cut, bruise and
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-
fully inflict grievous bodily harm upon the said John Larkin

against the form of the statute in such case made and provided, and against the peace
of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0033

BOX:

398

FOLDER:

3706

DESCRIPTION:

Fitzsimons, John

DATE:

06/10/90



3706

POOR QUALITY
ORIGINAL

0034

Witnesses:

Off Maglin

Part 3 Dec 22 1931

*It appearing that defendant is
induct. dis - R.B.M.*

Counsel,

Filed 10 day of June 1890

Pleads, *Chapman*

THE PEOPLE

B

vs.

HB

John Fitzsimons

VIOLATION OF EXCISE LAW.
(Selling without License),
[Ill. R. S. (7th Ed.) page 1981, § 13, and
of 1888, Chap. 340, § 6].

JOHN R. FELLOWS,

Charles H. H. H.

June 24 1890. 1718

def-dead

Part 3 Dec 22 1931

A True Bill.

Foreman.

Foreman.

[Signature]

POOR QUALITY
ORIGINAL

0035

Sec. 198-200.

6 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

John Fitzsimmons

Question. How old are you?

Answer.

39 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

No 783 - 6 Avenue, 6 years

Question. What is your business or profession?

Answer.

Oysterman

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 sold no intoxicating liquors. I am
not guilty. I held after examination, I desire trial
at General Term* *John Fitzsimmons*

Taken before me this

22

1885

John J. Murphy

Police Justice.

POOR QUALITY
ORIGINAL

0035

Arrested June 25/90

BAILED,

No. 1, by

Residence

No. 1, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Street

Police Court 1062
District 3

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Fitzginn
John Fitzginn

Offence: *Violating
Licensing Law*

Dated July 2nd 1888

Magistrate

Officer

33rd Precinct

Witnesses

No. Street

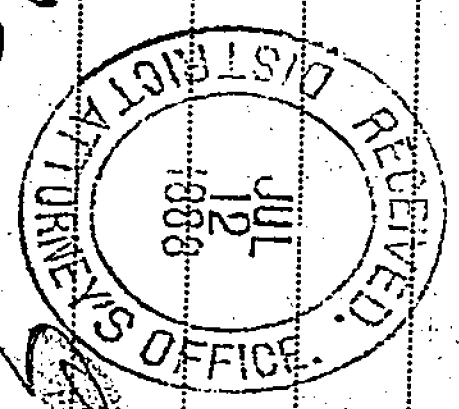
No. Street

No. Street

No. Street

No. Street

TO SHERIFF



Barker

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

Fitzginn

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *500* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated *July 2nd* 1888 *John M. M.* Police Justice.

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

Dated *July 2nd* 1888 *John M. M.* Police Justice.

There being no sufficient cause to believe the within named *John Fitzginn*

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

Dated _____ 1888 _____ Police Justice.

POOR QUALITY
ORIGINAL

0037

COUNTY OF NEW YORK, ss.

In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING:

An indictment having been found on the 10th day of June

1890, in the Court of General Sessions of the Peace, of the County of
New York, charging John Fitzsimons

with the crime of Violation of Excise Law

You are therefore **Commanded** forthwith to arrest the above named John Fitzsimons

and bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the
City Prison of the City of New York, or if he require it, that you take him before any Magistrate
in that County, or in the County in which you arrest him, that he may give bail to answer the
indictment.

City of New York, the 17th day of June 1890

By order of the Court,

John Sparks
Clerk of Court.

POOR QUALITY
ORIGINAL

0030

N. Y. General Sessions of the Peace

THE PEOPLE
OF THE STATE OF NEW YORK,

against

John Fitzsimons

Bench Warrant for Misdemeanor.

Issued

June 17th 1890

783-6th Ave

The defendant is to be admitted to bail
in the sum of _____ dollars.

POOR QUALITY
ORIGINAL

0039

Excise Violation—Selling Without License.

POLICE COURT—6¹ DISTRICT.

City and County } ss.
of New York, }

of No. the 33^d Precinct Jeremiah Maglin
of the City of New York, being duly sworn, deposes and says, that on the 1st day
of July 1888, in the City of New York, in the County of New York, at
No. 291 24th Avenue Street,

John Fitzgennons (now here)
did then and THERE SELL, & USE, suffer and permit to be sold, under his direction and authority,
strong and spirituous liquors, wines, ale and beer, being intoxication liquors, in quantities less than
five gallons at a time, to be drunk in the house or premises aforesaid WITHOUT HAVING A
PROPER LICENSE THEREFOR contrary to and in violation of the statute in such case made
and provided, the proprietor of said place having
no license, the former proprietor having gone
out of business and his license having been
revoked

WHEREFORE, deponent prays that said John Fitzgennons
may be ~~arrested~~ dealt with according to law.

Sworn to before me, this 2^d day

of July 1888 } Jeremiah Maglin
John Fitzgennons Police Justice.

POOR QUALITY
ORIGINAL

0840

COURT OF GENERAL SESSIONS OF THE PEACE

-----X
THE PEOPLE OF THE STATE OF NEWYORK

Against

J o h n F i t z s i m o n s .
-----X

City and County of New York SS:

PETER G. STAPPERS, being duly sworn deposes and says, that he is the Bondsman for the above named defendant, John Fitzsimons; that on or about December 15th 1891, he was informed of the death of the said defendant and went to the place of residence of the said defendant in New York City and there recognized the remains as those of the said defendant and that deponent also attended the funeral of the said defendant whose body was interred in Calvary Cemetery. That the body which deponent saw was the body of the person who is described as John Fitzsimons, the defendant herein, whom deponent knew in his life time.

Sworn to before me this
22nd day of December 1893.

Isaac B. Lipinsky.
Notary Public
N.Y.C.

Peter G. Stapper

POOR QUALITY
ORIGINAL

0841

Court of General Sessions of the Peace,

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

John Fitzsimons

(III. Revised
Statutes, [7th
edition] p. 1081
Section 13).

The Grand Jury of the City and County of New York, by this indictment, accuse
John Fitzsimons
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES
WITHOUT A LICENSE, committed as follows:

The said

John Fitzsimons

late of the City of New York, in the County of New York aforesaid, on the
day of *July* in the year of our Lord one thousand eight hundred and
eighty-*eight*, at the City and County aforesaid, certain strong and spirituous
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 strong
and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in
quantity less than five gallons at a time, to

Jeremiah Maglin and to
certain other persons whose names are to the Grand Jury aforesaid unknown, without
having a license therefor, as required by law, contrary to the form of the Statute in such case
made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1883,
chapter 340 sec-
tion 5)

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
John Fitzsimons
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND
BEER WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said

John Fitzsimons

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, and at the premises there situate, known as
number

Two thousand nine hundred and twenty four Third Avenue
certain strong and spirituous liquors, and certain ales, wines and beer, 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 strong and spirituous liquor to the Grand Jury
aforesaid unknown, unlawfully did sell to

Jeremiah Maglin and to
certain other persons whose names are to the Grand Jury aforesaid unknown, to be
drank upon the premises aforesaid, without having a license therefor, as required by law,
against the form of the Statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

John R. Fellows
District Attorney

0842

BOX:

398

FOLDER:

3706

DESCRIPTION:

Fleming, James

DATE:

06/04/90



3706

POOR QUALITY
ORIGINAL

0043

Steinzelman
Defenses a \$50

Counsel, *Steinzelman*
Filed *4* day of *June* 1890
Pleads, *Not guilty*

THE PEOPLE
vs.
James Fleming
I

JOHN R. FELLOWS,
District Attorney.

A True Bill.

1010-20-20

Foreman.

June 10/90

Pleas guilty
Sentence suspended
June 13/90
1010-20-20

Witnesses;

James Humphreys
A. Reimer
J. Ostermeyer

Read for
Edward D. Dwyer
Wm. H. H. H.
James H. H. H.

POOR QUALITY
ORIGINAL

0844

Police Court—

1st District.

Affidavit—Larceny.

City and County } ss.:
of New York,

Wallace C. Burdick

of No. 42nd Street 11th Avenue, aged 47 years,
occupation Salesman being duly sworn

deposes and says, that on the 21st day of May 1894 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:

A canvas satchel
containing samples of bristles
and brushes, said satchel
and samples of the amount and
value of Eight Dollars

the property of D. H. Devendorf Fort Hunter N.Y.
in care and charge of deponent

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

for the reason, to wit:
Deponent was in the store
of James D. Spraker of 93 West Street
with the above property, which he
left on the store floor of said premises
whilst he went on the floor above.
Deponent further says, when
he returned for said property it was
missing.

Deponent further says, he has
been informed by Lewis Carter of
93 West Street that he saw defendant
leave said premises with said
property.

Subscribed before me, this
18th day of
Police Justice.

POOR QUALITY
ORIGINAL

0045

Deponent further says he has been informed by Officer Humphrey that August Bremer and Jacob Ostermeier ^{of 127 Met street} received said property from defendant, who had entered the saloon at 127 Met street and left said satchel with the request that the bartender take care of it.

Deponent further says he identified said property in said saloon as being his property and charges defendant with taking, stealing and carrying away the same from his possession.

Sworn to before me } W. W. Bremer et al
this 22nd day of May 1890 }

Police Justice

POOR QUALITY
ORIGINAL

0846

Sec. 198-200.

122 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer. James Fleming

Question. How old are you?

Answer. 36 years

Question. Where were you born?

Answer. New York City

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

Answer. Fugboat Key foot of Par 18 N.R.

Question. What is your business or profession?

Answer. Coast

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

Answer. I am not guilty, and demand
a trial by jury. James Fleming

Taken before me this 22

day of May

John J. McNamee Police Justice.

POOR QUALITY
ORIGINAL

0047

Police Court-- 12822
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Wallace G. Sturdict

93 West 38th St.

James O'Leary

Offence
Petit Larceny

Dated

May 22nd 1890

Residence

Edman Magistrate.

James Thompson Officer.

Witnesses

2nd Precinct.

No. 3, by

David O'Brien

No. 4, by

Levin Carter Street.

No. 5, by

Augusta Brewer

No. 6, by

Orville Coleman Street.

No. 7, by

John A. Williams Street.



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

Defendant

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

Dated May 22nd 1890 James O'Leary Police Justice.

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

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

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

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

POOR QUALITY
ORIGINAL

0048

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 28 years, occupation Clerk of No.

93 West Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Wallace C. Burdick

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

Sworn to before me, this 22nd

day of May 1890

Lewis Carter

John J. Herman
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation Officer of No.

Second Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Wallace C. Burdick

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

Sworn to before me, this 22nd

day of May 1890

James Humphrey

John J. Herman
Police Justice.

POOR QUALITY
ORIGINAL

00849

CITY AND COUNTY }
OF NEW YORK, } ss.

August Bremer
aged 33 years, occupation Butcher of No.
127 West Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Wallace C. Burdick
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 22nd
day of May 1890 August Bremer.

John Herman
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

Jacob Ostermeier
aged 44 years, occupation Butcher of No.
127 West Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Wallace C. Burdick
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 22nd
day of May 1890 Jacob Ostermeier

John Herman
Police Justice.

POOR QUALITY
ORIGINAL

0850

Telephone Call, Murray 43.

William Reeves,

→ HARBOR TOWING LINE, ←

87 DEY STREET

New York, N.Y. Apr 13th 1890
Hon. Judge Martin

Dear Sir Mr James Fleming
has been employed by me
on several of my tug boats
for about two years and
during that time I have
found him to be honest and
industrious

Yours Truly
Wm Reeves
R.L.

POOR QUALITY
ORIGINAL

0851

June 12th 1890

This is to certify that
James Fleming has
worked for me
a year and have
found him honest
and industrious
during that time

Captain Chas H. Hopkins
Tug Boat E. L. Levy.

POOR QUALITY
ORIGINAL

0052

James D. Spraker,

Fine Groceries, Wines and Liquors,
Clothing and Fancy Goods,

93 West Street,

New York, June 13 1890.

Hon Judge Martine

Dear Sir

James
Flumming has been employed by
me several years as cook on
Tugs boats. I can recommend him
as a hard worker & industrious

Yours

James D Spraker

**POOR QUALITY
ORIGINAL**

0853

RIVER AND HARBOR LIGHTERAGE. SEA AND HARBOR TOWING.
FREIGHT FORWARDED TO ALL PARTS OF THE WORLD.—THE STARIN
SHIP YARD AND IRON WORKS, PORT RICHMOND, S. I. DRY DOCKS,
BOILER SHOPS. VESSELS BUILT AND REPAIRED.—GLEN ISLAND,
AMERICA'S DAY SUMMER RESORT. THE MOST BEAUTIFUL PLEASURE
GROUND IN THE WORLD.—STARIN'S NEW HAVEN LINE. NEW YORK
AND NEW HAVEN DAILY FREIGHT AND PASSENGER SERVICE.—STARIN'S
EXCURSIONS. SALOON STEAMERS, BARGES AND TUGS. EIGHT
BEAUTIFULLY SITUATED GROVES.—STARIN'S CITY TRANSFER :
FREIGHT CARTED TO ALL PARTS OF THE CITY.—THE STARIN SILK
FABRIC CO., FULTONVILLE, N. Y. SILK JERSEY CLOTH, GLOVES AND
MITTS.

STARIN'S CITY, RIVER AND HARBOR TRANSPORTATION COMPANY.

PRINCIPAL NEW YORK OFFICES : PIER 18, NORTH RIVER, FOOT OF CORTLANDT ST.

NEW YORK, *June 13th* 1890

To Hon Judge Martine
Sir

James Fleming Has worked for me off & on
for about 3 years & I have known him
for about 12 years & have found him Honest
& Industrious & attentive to his work I. have never
Known him to Steal anything Before

Yours Respts
John Lynch
Night Captain
Jug Levy

POOR QUALITY
ORIGINAL

0054

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Fleming

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

James Fleming
of the CRIME OF PETIT LARCENY committed as follows :

The said

James Fleming

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

*one satchel of the value of one dollar,
four brooms of the value of fifty
cents each, and five brushes of the
value of one dollar each*

of the goods, chattels and personal property of one

Wallace C. Burdick

then and there being found, then and there unlawfully did steal, take and carry away,
against the form of the statute in such case made and provided, and against the peace
of the People of the State of New York and their dignity.

POOR QUALITY
ORIGINAL

0855

SECOND COUNT---

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

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

The said

James Fleming
late of the City and County aforesaid, afterwards to wit: on the day and in the year aforesaid
at the City and County aforesaid, with force and arms,

*one satchel of the value of one
dollar, four brooms of the value
of fifty cents each, and five
brushes of the value of one
dollar each*

of the goods, chattels and personal property of one

Wallace C. Burdick

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

Wallace C. Burdick

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

James Fleming
then and there well knowing the said goods, chattels and personal property to have been
unlawfully stolen, taken and carried away, against the form of the statute in such case
made and provided, and against the peace of the People of the State of New York and
their dignity.

JOHN R. FELLOWS,
District Attorney.

0056

BOX:

398

FOLDER:

3706

DESCRIPTION:

Fortunato, Michael

DATE:

06/10/90



3706

POOR QUALITY
ORIGINAL

0057

136. *covered* #136
B. H. Ferguson
of Kentucky

Counsel, _____
Filed 10 day of June 1890
Pleads, Not Guilty

THE PEOPLE
vs. B
Michael Tortunato
5²⁰
[Section 528, and 531, Penal Code]
LARCENY, 2nd degree
(False Pretenses)

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Foreman.
June 13/90
On recom. of District
Atty. and discharge
P.B.M.

Witnesses:
Salvatore Trin
off Brady

After examination, I recommend
the ~~star~~ release of said herein,
June 12/90. *Atty. Barky*
off

POOR QUALITY
ORIGINAL

0858

At a Court of General Sessions of the Peace in
and for the City and County of New York,
on the 13 day of June A. D. 1890,

Present,

Hon. Randolph B. Martine

Justice of the
Sessions.

THE PEOPLE OF
THE STATE OF NEW YORK,

against

Michael Fortunato

On indictment for Grand Larceny
2d degree

An order of ~~the Court~~ ^{a Police Justice} having been
granted, admitting the Defendant to bail in the sum
of Five hundred dollars, and the Defendant having
caused to be deposited the said sum of money with the County
Treasurer of New York, in lieu of bail.

And it appearing that the said Defendant has
appeared in Court, pursuant to the condition of the said
order of bail and the indictment against the
defendant having been dismissed by the
Court & the deft discharged from his bail

By consent of the District Attorney, It is Ordered,
that the County Treasurer be and he is hereby directed to
refund the said money deposited as aforesaid to

Charles H. Freyer the person who
deposited said money for Defendant.

Enter

RBM

I consent to the entry of the above order.

A. D. Parker
Att. District Attorney.

Dated June 13 1890.

POOR QUALITY
ORIGINAL

0059

New York Court General Sessions.

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Fortuna

ORDER REFUNDING MONEY DEPOSITED
IN LIEU OF BAIL,

TO THE COUNTY TREASURER,
City and County of New York.

Filed June 13, 1890

POOR QUALITY
ORIGINAL

0060

Office of the City Chamberlain

New York April 22^d 1890

Received of Charles H.
Peyer one thousand
dollars (\$1000) stated to be
deposited by him in lieu
of bail in the case of
the People vs. Michael Fortu-
nato in pursuance of
an order admitting the
Defendant to bail in that
amount stated by Mr.
Peyer to have been made
by Judge Duff and which
order Mr. Peyer will produce.

Wm. C. T. Adams
Chamberlain

POOR QUALITY
ORIGINAL

0061

Grand Jury Room.

PEOPLE

vs.

Maichs & Fortunato

McCortigan

Please put this
with the papers
for Lindsay

May 20/90

District Attorney's Office.

PEOPLE

vs.

Maichs & Fortunato

Mr. Lindsay

I enclose
your letter from
Mr. Briggs in the
above matter.

I wrote him
suggesting that
he see you.

H.H.

POOR QUALITY
ORIGINAL

0862

CHARLES H. PREYER,
ATTORNEY AND COUNSELLOR AT LAW,

92 & 94 Liberty Street,
New York, April 24th 1890.

Henry Hartman Esq.,

Dear Sir-,

Papers in the case of *The People*
against Maicho Fortunato, were this day trans-
mitted from the 5th District Police Court to
the District Attorneys' office. The charge a-
gainst the defendant is one of grand larceny,
it appears from the papers transmitted, that the
defendant, on the 18th day of December 1889,
gave his check, payable on the 18th day of
April 1890, on the 12th Ward Bank to the com-
plainant, and that on the 18th day of April
1890, there was ^{enough} no money in the bank to meet
this check. You will easily see that this
check was a promissory note, and ~~the~~ non-payment
of a promissory note, under our laws, constitute
no crime. In the Police Court I appeared for

POOR QUALITY
ORIGINAL

0063

for the defendant, and on his behalf waived
examination. I respectfully submit that this
matter should not be submitted to the Grand
Jury, and if it is submitted it should be with
a recommendation from the District Attorney
that the Grand jury find ~~no~~ bill. Any fur-
ther information or explanation that you may be
desire~~d~~ in reference to the matter, I will be
pleased to give. Trusting I am not trespassing
too much on your good nature, I am,
Very truly yours,

Charles Meyer

POOR QUALITY
ORIGINAL

0864

United States of America, } ss.
State of New York,

To All to whom these presents shall come: Be it Known,
That on the 18 day of April, A. D. 1896, at
the request of The Holders thereof, I, THOMAS CRAWFORD, a Notary Public
of the state of New York, ~~being~~ ^{being} commissioned and sworn, dwelling in the City
of New York, did present the original ~~Promissory Note~~ ^{Check} hereunto annexed, to a
~~person~~ ^{firm} 12 20 and Bank
in the said City (where the same is payable), and did de-
mand payment thereof, which was refused.

Whereupon, I, the said Notary, at the request aforesaid, did Protest, and by
these presents do publicly and solemnly Protest as well against the Maker
and Endorsers of the said ~~Promissory Note~~ ^{Check}, as against all others whom it
doth or may concern, for exchange, re-exchange, and all costs, charges, damages
and interest, already incurred, and hereafter to be incurred for want of
payment of the said ~~Promissory Note~~ ^{Check}.

Thus done and Protested, at the City of New York, aforesaid,
in the presence of John Doe and Richard Roe, witnesses,
the day and year first above written.

In Testimonium Veritatis.

Th. Crawford

Notary Public.

United States of America, }
State of New York, }
City and County of New York.

I, THOMAS CRAWFORD, a Notary Public of the
State of New York, duly commissioned and
sworn, do hereby Certify, that on the 18
day of April 1896 Notice of the
Protest of the before mentioned ~~Promissory Note~~ ^{Check}
was served upon maker and endorser

Th. Crawford

Notary Public.

POOR QUALITY
ORIGINAL

0065

Register

No.

Protest, . . \$410⁰⁰

M. Fortunato

FOR

Twelfth Ward Bank.

Dated April 18 1890

Fees and Expenses, \$

120
00

THOMAS CRAWFORD,
NOTARY FOR 12TH WARD BANK,
2225 Third Ave.

POOR QUALITY
ORIGINAL

0066

No. 19 NEW YORK, Dec 18 th 1889
THE TWELFTH WARD BANK april 18/90
153 EAST 125TH ST.
PAY TO THE ORDER OF Salvatore Torio Pay April eighteenth 1890
Four Hundred & Ten DOLLARS
\$410.00
M. Fortunato
Remittances to be made to the order of the Bank

POOR QUALITY
ORIGINAL

0067



POOR QUALITY
ORIGINAL

0058

Police Court—

5th District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No.

occupation

deposes and says, that on the

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

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

Good and lawful money of the
United States of the amount
and value of Ten Hundred
and Ten Dollars (\$1100.00)

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

Michael Marturano, who
gave deponent the check hereto
annexed and said to deponent
if he presented said check
to the 12th Ward Bank he
deponent could get said amount
of money. That deponent relying
upon the statement so made

Subscribed before me, the

Notary Public for New York

Wherefore Alford charges
said Michael Whelan
with the larceny of said Iron
Hundred and two dollars and
prays he be arrested and dealt
with as the law directs

Sevatore + Jim
Mark

Dinner to be served at 12:30
 April 18th

POOR QUALITY
ORIGINAL

0070

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK } ss.

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

Question. What is your name?

Answer.

Michael Fortunato

Question. How old are you?

Answer.

31 years old

Question. Where were you born?

Answer.

Italy

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

Answer.

527 W. 146 St. 4 mos

Question. What is your business or profession?

Answer.

Contractor

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

M. Fortunato

Taken before me this
day of

Police Justice

POOR QUALITY
ORIGINAL

0071

Sec. 151.

Police Court, 5 District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by John J. McDonald and ten others
of No. 157 1/2 W 11th Street, that on the 18 day of December
1898 at the City of New York, in the County of New York, the following article to wit:

Five hundred and ten Dollars
lawful money
of the value of affiant Sabath Eonia Dollars
the property of Michael Potomato
was taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and
believe, by Michael Potomato

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

These are I 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 5th 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 18th day of December, 1898

POLICE JUSTICE

POOR QUALITY
ORIGINAL

0072

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated 188

Magistrate

Brady Officer.

The Defendant

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

James T. Brady Officer.

Dated *April 22* 188

This Warrant may be executed on Sunday or at
night.

Police Justice.

Dated 188

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

Police Justice.

31 Brady 8-27 12/46

The within named

POOR QUALITY
ORIGINAL

0073

Paul \$2000 - on
Master of Public Safety
J.F.

BAILED,
No. 1, by Notify Applicant
Residence 527 N. 146 Street
No. 2, by _____
Residence _____ Street
No. 3, by _____
Residence _____ Street
No. 4, by _____
Residence _____ Street

(W) 1365-634
Police Court
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Salvatore Jona

Michael Fortunato

Offence Larceny
"felony"

Dated April 22 1890

Healy Magistrate.

Beatty Officer.

Curt Precinct.

Witnesses James J. Lyons

No. 40 Street.

Vincent J. Fortunato

No. 40 Street.

Salvatore Jona

No. 40 Street.

Salvatore Jona

Salvatore Jona

Salvatore Jona

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

Alfred Sank

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

Dated April 22 1890 Wm. Duffy Police Justice.

I have admitted the above-named Michael Fortunato to bail to answer by the City of New York in lieu of bail. thou and address with the city of New York

Dated April 22 1890 Wm. Duffy Police Justice.

There being no sufficient cause to believe the within named _____

guilty of the offence within mentioned. I order h to be discharged.

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

00874

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

Michael Fortunato

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

Michael Fortunato

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

The said *Michael Fortunato,*

late of the City of New York, in the County of New York aforesaid, on the *eighteenth*
day of *December,* in the year of our Lord one thousand eight hundred and
eighty-*nine,* at the City and County aforesaid, with force and arms, with intent to
deprive and defraud *one Salvatore Torio,*

of the proper moneys, goods chattels and personal property hereinafter mentioned, and of
the use and benefit thereof, and to appropriate the same to *his* own use, did then and
there feloniously, fraudulently and falsely pretend and represent to *the said*
Salvatore Torio,

That *a certain paper money which he the*
said Michael Fortunato then and there
produced and delivered to the said Salvatore
Torio, in the words and figures following, to wit:

"*No. 19*

New York, Dec 18th 1889

The Trust & Savings Bank
153 East 12th Street.

Pay to the order of Salvatore Torio Pay and Eighteenth 1890

Four Hundred & Ten Dollars

\$410.00

M. Fortunato

POOR QUALITY
ORIGINAL

0075

was then and there a good and valid order
for the payment of money, and was then
and there of the value of four hundred
and ten dollars,

And the said Salvatore Torio

then and there believing the said false and fraudulent pretenses and representations so made
as aforesaid by the said Michael Fortunato —

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and
representations so made as aforesaid, to deliver, and did then and there deliver to the said
Michael Fortunato, the sum of four hundred
and ten dollars in money, lawful money of
the United States of America, and of the
value of four hundred and ten dollars,

of the proper moneys, goods, chattels and personal property of the said

— Salvatore Torio —

And the said Michael Fortunato —
did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and
personal property, from the possession of the said Salvatore Torio —

by color and by aid of the false and fraudulent pretenses and representations aforesaid, with
intent to deprive and defraud the said Salvatore Torio —

of the same, and of the use and benefit thereof, and to appropriate the same to his own use

Whereas, in truth and in fact, the said paper with which
the said Michael Fortunato as aforesaid
then and there produced and delivered to
the said Salvatore Torio, was not then

POOR QUALITY
ORIGINAL

0076

and there a good and valid order for the
payment of money, and was not then and
there of the value of four hundred and
ten dollars or of any value, but nevertheless
there wholly worthless,

And Whereas, in truth and in fact, the pretenses and representations so made
as aforesaid by the said Michael Tortorella
to the said Salvatore Torio was and were
then and there in all respects utterly false and untrue, as he the said
Michael Tortorella
at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said
Michael Tortorella
in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods,
chattels and personal property of the said Salvatore Torio
then and there feloniously did STEAL, against the form of the Statute in such case made and
provided, and against the peace and dignity of the said people.

JOHN R. FELLOWS,

District Attorney.

0077

BOX:

398

FOLDER:

3706

DESCRIPTION:

Frankenberger, Carl

DATE:

06/13/90



3706

POOR QUALITY
ORIGINAL

0078

Counsel,
Filed 13
1890

Pleads
Chapman

THE PEOPLE

vs.

Carl Frankenberg

10

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10

Witness
May Frankenberg

Elyett White

BIGAMY
(Section 298, Penal Code.)

JOHN R. FELLOWS,
District Attorney.

Sept 18 - 1890

Sept 2 - Sept 18, 1890

Reads Chapter

A True Bill.

Sept 22, 1890

Chapman

Foreman

10

10

10

10

10

10

City & County of
New York ss
Elizabeth White the within
named Complainant being
duly sworn and further
Examined says I had
victuors to my marriage
Ceremony I have a
marriage Certificate

Court

Is
~~Question~~ The Certificate now
here shown is the one I
received from the Minister
that performed the marriage
Ceremony which I now
offer in Evidence

Counsel for defendant object on the
grounds that the Certificate
has not been properly
proven

Objection overruled -

Exception Elizabeth Weiss.

SWORN TO BEFORE ME

THIS 3 DAY OF June 1890

John A. Kelly
POLICE JUSTICE.

POOR QUALITY
ORIGINAL

00000

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT, 4 DISTRICT.

Elizabeth White

of No. 22 East 47th Street, aged 25 years,

occupation Housewife being duly sworn deposes and says

that on the First day of April 1888

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

interviewed with deponent and took her
to wife and that the Ceremony of said
marriage was duly performed and
solemnized according to the rites and
ceremonies of the Roman Catholic Church
by the Rev. F. Tonnar a Minister of the
Gospel duly authorized and empowered under
the laws of this State to perform the Ceremony
of marriage and that said defendant
deponent from and after the time of said
marriage lived and cohabited

Subscribed before me this
1888 day of April
Police Justice

POOR QUALITY
ORIGINAL

0001

together as man and wife for the space of
two years in the City of New York

Elizabeth Heissel.

Sworn to before me
this 2 day of May 189.

Do Not Return to Court

Police Court-- District.

AFRIDAVID.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Dated 188

Magistrate.

Officer.

Witness,

Disposition,

POOR QUALITY
ORIGINAL

0002

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 4 DISTRICT,

of No. 885 Tenth Avenue Street, aged 27 years,
occupation Housework being duly sworn deposes and says
that on the 23 day of May 1886

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

intemarried with deponent and took her to wife
and that the Ceremony of said marriage was duly
performed and solemnized according to the rites
and ceremonies of the Protestant Church by Rev
~~Charles~~ ^{Erhardt} a Minister of the Gospel
duly authorized and empowered under the
laws of this State to perform the ceremony
of marriage and that said deponent and
deponent from and after the time of said
marriage lived and cohabited together
as man and wife for the space of Six

Subscribed and sworn to me, this
1886

Police Justice.

POOR QUALITY
ORIGINAL

00003

months and deponent says that no decree of
divorce has been made by any competent
Court between deponent and said defendant
and that deponent is the lawful wife
of defendant

Sworn to before me Mary Frankenberg
this 2 day of June 1890
Do I C. B. B. Police Justice

Police Court-- District.

THE PEOPLE, & C.,
ON THE COMPLAINT OF
vs.

Dated 188

Magistrate.

Officer.

Witness,

Disposition,

POOR QUALITY
ORIGINAL

00004

Sec. 198-200.

H District Police Court.

CITY AND COUNTY)
OF NEW YORK,) ss.

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

Question. What is your name.

Answer.

Carl Frankentberger

Question. How old are you?

Answer.

42 years

Question. Where were you born?

Answer.

Germany

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

Answer.

No 57 First Ave One year

Question. What is your business or profession?

Answer.

Cabinet maker

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

Answer.

I am not guilty
Carl Frankentberger.

Taken before me this

day of

June 1894

at

Police Justice.

POOR QUALITY
ORIGINAL

0005

Sec. 151.

Police Court 4 District.

CITY AND COUNTY }
OF NEW YORK, } ss.

In the name of the People of the State of New York; To the Sheriff of the County
of New York, or to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by Elizabeth White

of No. 221 W 47 Street, that on the 15th day of April 1888

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

against Carl Frankenberg intimated
with Complaint he will answer
that Mary Frankenberg his lawful
wife was in full life and that
no decree of divorce has been made
by any competent or lawful Court

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

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

Dated at the City of New York, this 2 day of June 1888

Do J. P. [Signature] POLICE JUSTICE.

POOR QUALITY
ORIGINAL

00006

age 43 German Res 57 1st Ave

The within named

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

Dated188

Police Justice.

57-1 and 3-4 light

POLICE COURT DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

J. Stanton St

vs.

Warrant-General

Dated188

Magistrate.

Wallisday, Officer.

The Defendant Carl Frankenberg

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

Officer.

Dated June 3 1890

This Warrant may be executed on Sunday or at
night.

D. J. C. O. Police Justice.

POOR QUALITY
ORIGINAL

00007

BAILED,
No. 1, by Charles W. H.
Residence Altamont
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

Police Court 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles W. H.
Paul W. H.

2 _____
8 _____
4 _____
Offence Bigamy

Dated June 3 1880

Magistrate

Officer

Witness Paul W. H.

No. 885 Charles W. H.

Paul W. H.

No. _____

Paul W. H.

Paul W. H.

Paul W. H.

Paul W. H.

Paul W. H.

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 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 June 3 1880 Paul W. H. Police Justice.

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

Dated June 3 1880 Paul W. H. Police Justice.

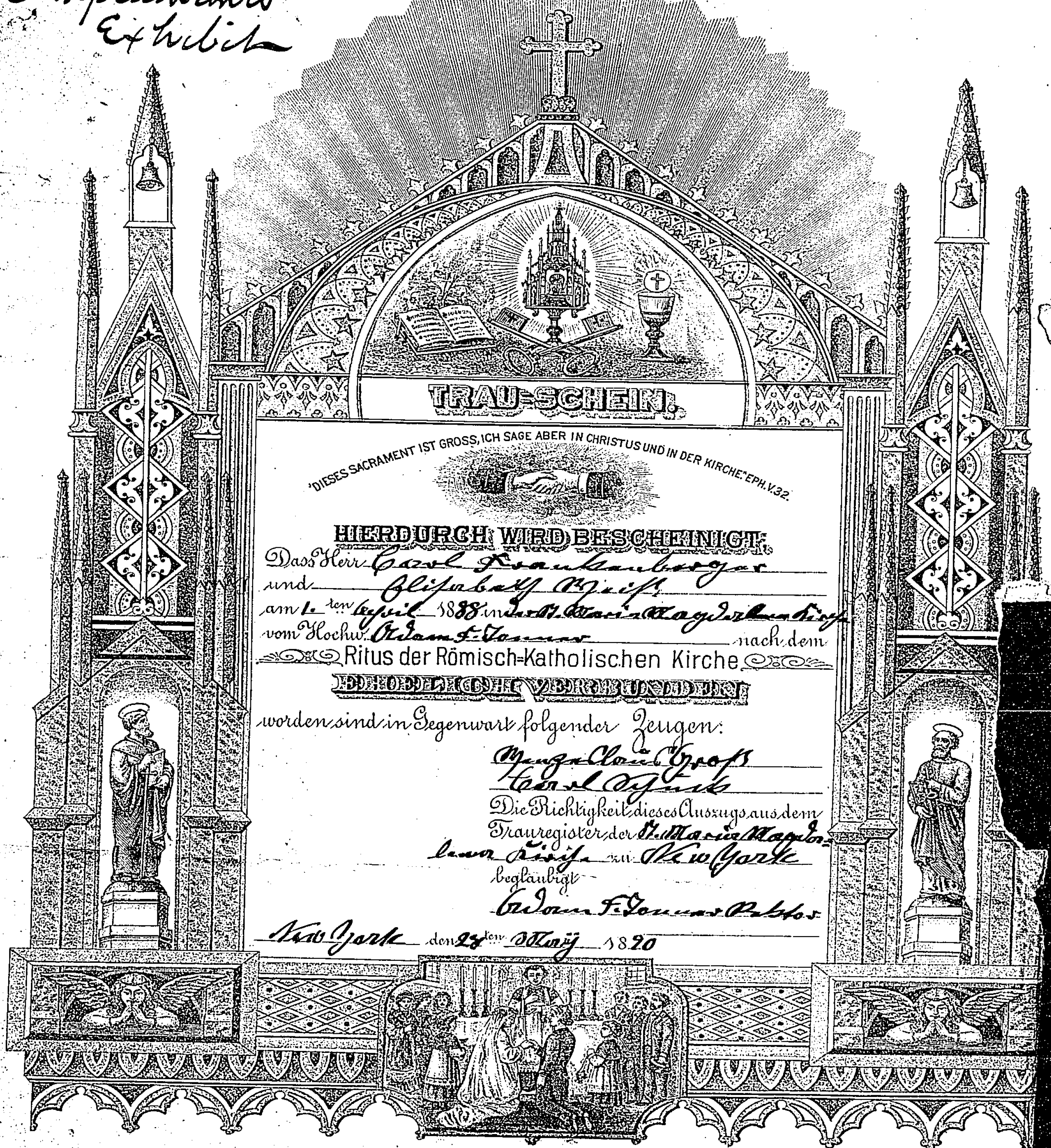
There being no sufficient cause to believe the within named _____ guilty of the offence within mentioned, I order he to be discharged.

Dated _____ 188 _____ Police Justice.

POOR QUALITY
ORIGINAL

0000

Compliments
Exhibits



Zu haben bei J.E. Stohlmann, N° 150 Park Row, New York.

**POOR QUALITY
ORIGINAL**

0000

Ref. Ex. D.

POOR QUALITY
ORIGINAL

0090

Subpoena—Dues Tacum.—794.

John Polhemus, Printer and Mfg Stationer, 102 Nassau St., N. Y.

The People of the State of New York

TO John Sparks Esq Clerk of the Court of General Sessions of the Peace

We Command You, That all business and excuses being laid aside, you appear and attend before Hon. George C. Barrett one of the justices of the Supreme Court of the State of New York at a Special Term thereof, Part II to be held in the County Court House in the City of New York.

on the 5th 20th day of January 1891 at 10¹⁵ o'clock in the fore noon,

to testify and give evidence in a certain action now pending undetermined in the said Court, between Mary Frankenkuber plaintiff

and Carl Frankenkuber defendant on the part of the plaintiff and that you bring with you and produce, at the time and place aforesaid, a certain record of conviction in a certain action or proceeding by the People of the State of New York against Carl Frankenkuber convicted of bigamy in the Court of General Sessions of the Peace on or about September 22nd 1890

now in your custody and all other deeds, evidences and writings, which you have in your custody or power, concerning the premises. And for a failure to attend, you will be deemed guilty of a contempt of Court, and liable to pay all loss and damages sustained thereby to the party aggrieved, and forfeit Fifty Dollars in addition thereto.

Witness, Hon. Chas. H. Van Brunt Chief Justice of N.Y. City December 21st 1890

Thomson Earle & Kindel

38 Park Row Pepp - Attorneys

N.Y. City N.Y.

Joseph Scully Clerk.

POOR QUALITY
ORIGINAL

0091

State of New York,
County of _____

} ss.:

being duly sworn, says, that on the _____ of the _____ day of _____ A. D. 18____
at _____ and _____ he served
the within Subpoena, *Duces Tecum*, personally on _____
the person named therein as witness by then and there showing to _____ the said
Subpoena, and delivering to _____ a copy of the same, and paying to _____
at the same time and place _____ for _____ fees for traveling to and
from the Court named in said Subpoena, and for _____ attendance thereat.

Supreme Court

Mary Frankenburg

a copy

Carl Frankenburg

SUBPOENA,
DUCES TECUM.

*Thomson, Carl & Wendell
attys for B. & O.*

To John Sparks Esq.

POOR QUALITY
ORIGINAL

00892

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Carl Brandenburger

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

Carl Brandenburger

of the CRIME OF BIGAMY, committed as follows.

The said *Carl Brandenburger*,

late of the City of New York, in the County of New York, aforesaid, on the *22nd*
day of *May*, in the year of our Lord one thousand eight hundred and

eighty-six, at the City and County aforesaid,

did marry one *Mary Brandenburger*, and her,

the said *Mary Brandenburger*, did then and there have for
his wife; and the said *Carl Brandenburger*,

afterwards to wit, on the *22nd* day of *April*, in the year of
our Lord one thousand eight hundred and *eighty-six* at the City and
County aforesaid

did feloniously marry and take as his wife, one *Elizabeth*
White and to the said *Elizabeth White*

was then and there married, the said *Mary Brandenburger*,

being then living and in full life, against the form of the Statute in such case made and
provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0093

BOX:

398

FOLDER:

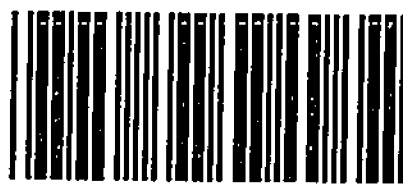
3706

DESCRIPTION:

Franklyn, Harry

DATE:

06/24/90



3706

POOR QUALITY
ORIGINAL

0094

Witnesses:

Thos McDonald

Off Downing

apl 13/64 -

Wrote Gov. advising
redue. of sentence to
10 yrs. P.B.M.

Counsel,

Filed 24 June 1880

Pleads,

[Sections 224 and 228, Penal Code].

THE PEOPLE

vs.

I

Harry Franklyn

HP

Robbery,

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. Higgins Foreman.

June 25/90

Wm. Volby Secy

S.P. 14 4/5 - P.B.M.

POOR QUALITY
ORIGINAL

0095

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, / DISTRICT.

of No. *6th Precinct* Street, aged _____ years,
occupation _____ being duly sworn deposes and says
that on the _____ day of _____ 188____

at the City of New York, in the County of New York, *Thomas McDonald*
(now here) is a necessary and material
witness for the People against Harry
Franklin charged with Robbery. Said
McDonald has no home as shown by
his own address and deponent
prays that said McDonald be
sent to the House of Detention.

James E. Downing

Sworn to before me, this _____ day

23

188____

John J. Brown
Police Justice.

POOR QUALITY
ORIGINAL

0096

Police Court District.

CITY AND COUNTY }
OF NEW YORK, } ss

Thomas McDonald
of No. 10 home Street, Aged 38 Years
Occupation Laborer being duly sworn, deposes and says, that on the
21st day of June 1890, at the 6th Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

One pocket book ^{or purse} of the value
of ten cents and containing
fifteen cents good and lawful
money of the United States

of the value of 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

Harry Franklin (now here) and
two other men not arrested who
were acting in concert for the reasons
that at about the hour of four o'clock
in the afternoon of said day deponent
was walking along Pell Street
and had said purse in a pocket
of the pantaloons then worn on his
person. He was suddenly seized
by three men and firmly held and
said purse forcibly taken from his
person. Deponent is informed by James
C. Downing (now here) Officer attached to

day of

Sworn to before me, this

188

Police Justice.

POOR QUALITY
ORIGINAL

0097

the 6th Precinct, that he, Downing witnessed
the occurrence and said deponents held
by said two unknown men and saw
the defendant here forcibly rifle
deponents pockets and pursued the
defendant and saw him throw away
the purse here shown which deponent
identifies as his property and stolen
from his possession in the manner
above described.

Sworn to before me
22nd June 1890 } Thos McDonald

Wm Norman
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 188
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 188
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 188
Police Justice.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

Offence—ROBBERY.

1
2
8
4

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

POOR QUALITY
ORIGINAL

0098

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 26 years, occupation Officer of No. James E. Downing

64 Pell Street Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Thomas W. Malone

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

Sworn to before me, this 22
day of June 1890

John Homan
Police Justice.

James E. Downing

POOR QUALITY
ORIGINAL

0099

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Henry Franklin

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

New York

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

Answer.

Phoenix House, 53 Bowery

Question. What is your business or profession?

Answer.

Tarnisher

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

Henry Franklin

Taken before me this

day of

1892

John J. McNamee Police Justice.

POOR QUALITY
ORIGINAL

0900

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

Police Court---1
District. 966

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas M. Stowell
State of New York

Henry Stauden
Rosenberg

2 _____
3 _____
4 _____

Offence

Dated June 22 1890

Magistrate

Officer

Preinct

Witnesses

No. _____
Street _____

Guilty

Name of Defendant

No. _____
Street _____
JUN 23 1890
DISTRICT ATTORNEY
OFFICE

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

defendant

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

Dated June 22 1890 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0901

The S. T. Smith Co.,
14 Park Place, N. Y.

STENOGRAPHERS' MINUTES.

Court of General Sessions,
Part 2

The People
vs
Harry Frankfur

BEFORE

Hon. Randolph S. Martine

Mar 17th, 1894

WITNESSES

DIRECT.

CROSS.

RE-DIRECT.

RE-CROSS.

Officer James E. Downing,	L.F.			

Frank J. Beard
Official Stenographer

POOR QUALITY
ORIGINAL

0902

The S. T. Smith Co.,
14 Park Place, N. Y.

STENOGRAPHERS' MINUTES.

Court of General Sessions,
Part 2

The People
vs
Harry Franklin

BEFORE

Hon. Randolph D. Martine

Jan 17th, 1894

WITNESSES.

DIRECT. CROSS. RE-DIRECT. RE-CROSS.

Officer James E. Downing,

1.5

Frank J. Beard,
Official Stenographer.

POOR QUALITY
ORIGINAL

0903

COURT OF GENERAL SESSIONS OF THE PEACE,
City and County of New York,
Part 2.

The People,

vs.,

HARRY FRANKLIN.

"

"

"

"

"

"

Before,

HON. RANDOLPH B. MARTINE.

New York, March 17, 1894.

Indicted for ROBBERY.

OFFICER JAMES E. DOWNING, of the Sixth Precinct, being duly sworn,
testified as follows:

THE WITNESS: On the 21st day of June,
1890, at 4 o'clock in the afternoon, I was standing
in Mott street, opposite Pell. I noticed an old
man coming down Pell street, about one hundred feet
from me.

By the Court:

Q How old would you say the man was?

A. About 55 or 58, sir.

POOR QUALITY
ORIGINAL

0904

2

Q Well? A. There were two young men coming down behind him, and another man was on the opposite side of Pell street, which is a narrow street, which was Franklin.

Q The defendant?

A. Yes, sir. As they got within about twenty-five feet of Mott street, those two men that was behind this old man grabbed him by the arm, and bent him backwards.

Q Bent him backward? A. Yes, sir; pretty near to the ground, over backwards (illustrating). With that, Harry Franklin crossed over the street. They were working in concert, and he went right for the old man's pockets.

Q Had you seen the three men together before the old man came up? A. No, sir; but I knew by the way they were acting that they were acting in concert. He went through his vest pockets in about a second or two; and then he put his hand in his left hand trousers pocket, and he pulled out a pocket-book, a little purse, with a clasp on it, and as he said that-----

Q Said what? A. As he pulled it out, he said, "We've got it. Let go." The two men let go, and Franklin started down Mott street. As they done that, I jumped over across, and Franklin run. I pulled out my re-

POOR QUALITY
ORIGINAL

0905

3

volver, and I told them I was an officer and to stop, or I would shoot.

Q You say Franklin ran, and you pursued?

A. Franklin ran up Mott street towards Bayard, and the others -- one went down Mott street and the other went up Pell street. I chased Franklin and pursued him five or six blocks and caught him, with the pocket-book in his possession.

Q Well, go on?

A. When I got him, he felt quite bad. He cried and took on, and he pleaded guilty in the station house.

Q What did he say to you when you caught him?

A. He said it was the first time he had ever done anything like this in his life. After I caught him, I turned him over to another policeman that joined in the chase, and I ran back and got the complainant, and I took him to the station house, and afterwards had him put in the House of Detention.

Q Did you know the other two men?

A. No, sir. I knew the face of one of them.

Q What did Franklin say to you when you arrested him?

POOR QUALITY
ORIGINAL

0906

4

A. He said that he was guilty and that he had been drinking a little, and that the other two men told him to do this, and that they would take care of him, and that he would come out all right in the matter; and he was slightly under the influence of liquor at the time, and he had some medicine in his pocket, because he said he was sick, and I took it from him, going into the cell, because he cried, and seemed to feel so bad, that I thought he might commit suicide.

Q Did he threaten you at all?

A. No, sir.

Q Or attempt to resist you?

A. No, sir.

Q Had he any weapon on him?

A. No, sir. He had a knife in his pocket, and he dropped it as he ran on the street, and I thought it was the pocket book, first, until I came up to it.

Q Was it a pocket-knife?

A. Yes, sir.

Q And you do not know whether he had the knife in his hand or took it from his pocket and threw it away?

A. No, sir. He made a motion to his pocket like that, (illustrating), and dropped the pocket-knife. He was only about twenty-five feet in front of me then, and I paid no

POOR QUALITY
ORIGINAL

0907

5

attention to the knife, when I saw it was a knife, and not the pocket-book.

Q And he made no statement to you, otherwise than you have stated?

A. No, sir. He pleaded guilty in the station house and in the Tombs. He told the Sergeant in the station house and the Judge in the Tombs that he was guilty and it was the first thing he had done of the kind in his whole life, and that the two fellows told him to come along with them and it would be all right. He said that it was the first time that he had done anything of the kind in his life, and, if he was sober, he wouldn't have done it, and that he felt very sorry.

Q And that is the whole story, as far as you know it?

A. Yes, sir, that is the whole story, as far as I know it, your Honor.

POOR QUALITY
ORIGINAL

0908

N.Y. COURT OF GENERAL SESSIONS.

----- X
IN THE MATTER, OF THE APPLICATION

-OF-

HARRY FRANKLIN, For Executive Clemency.
----- X

Hon. Randolph E. Martine,

Justice of the Court of General Sessions:-

The above named applicant was arrested about the 20th day of June, 1890 and charged with robbery in the Second Degree. He was brought to the Police Court on the 21st of June, Indicted on the 23rd of June, and upon his own plea and confession of the crime, he was sentenced on the 25th of June, 1890 to Fourteen(14) years imprisonment at Sing Sing.

That since the day of his sentence said ~~Franklin~~ Franklin has been incarcerated and now is serving his sentence at Sing Sing prison. The offense was a very peculiar one in itself and was as follows:-

On the said 20th day of June, 1890 Franklin in company with two other men attempted and did rob an old drunken man in the manner following. Franklin's two companions being partly under the influence of liquor, seeing the old man walking through Doyer Street, in this City, attacked him and holding their victims hands behind him called for Franklin, who was on the other side of the Street and also under the influence of liquor, to come over and take whatever ~~the~~ ^{had} man in his pockets at the time. Franklin did take all the money this man had in his possession, which amounted to Sixteen(16) cents, and was seen doing the same, by a Police Officer, who, immediately ^{placed him} under arrest, Franklin's

**POOR QUALITY
ORIGINAL**

0909

two companions in the meantime escaping, and he making no resistance nor attempt to escape. It

It is the opinion of Counsel that the Court was not placed in the possession and knowledge of all the facts and circumstances appertaining to the commission of said crime, and the defendant not being represented at the time by Counsel, immediately upon his being brought to the bar pleaded guilty, and did not inform the Court of his previous good character, nor say anything which would allow the Court to be lenient towards the defendant.

It is a fact that the defendant, Franklin, had a very good reputation up to the time of his arrest as is substantiated by the accompanying certificate of character from some of the most prominent officials of Bangor, Maine, the home of said Franklin for a long number of years, and which said City of Bangor he had left, but about ten (10) days when he was arrested and charged with the crime for which Your Honor sentenced the defendant.

There is and has never been any statement nor reference made as to the defendant ever being convicted nor even arrested upon any charge contrary to law. And the actual fact is upon information derived from his friends and relatives I can positively assert that the defendant was never arrested or convicted of any crime whatsoever.

Counsel therefor respectfully asks that Your Honor examine the Records in the case and if satisfied that the sentence was a little more severe that should have been imposed upon defendant, that you Sir recommend a pardon for the defendant Harry Franklin or mitigation of the term

POOR QUALITY
ORIGINAL

0910

of the sentence imposed on him.

Dated, New York March 5th, 1884.

Backalter
Counsel for Applicant

Office of Sheriff of
Penobscot County.

Bangor, Me. Jan. 30-1894

To Whom it may Concern -

This is to certify
that I have known Harry Franklyn
from a small boy - all the time of
his living in this city he was an
honest, upright boy and was never
known to drink anything while
he was here - His father is a
sober, industrious man. His parents
are poor people, but honest.

Any kindness to be shown
to them in regard to their misfor-
tune about the boy, would be
greatly appreciated.

William F. Reed
Sheriff, Penobscot Co.

Sheriff's
Certificate

0912

Office of Sheriff of
Penobscot County.

Bangor, Me. Jan. 30-1894

To Whom it may Concern -

This is to certify
that I have known Harry Franklyn
from a small boy - all the time of
his living in this city he was an
honest, upright boy and was never
known to drink anything while
he was here - His father is a
sober, industrious man. His parents
are poor people, but honest.

Any kindness to be shown
to them in regard to their misfor-
-tune about the boy, would be
greatly appreciated

William F. Reed
Sheriff, Penobscot Co.

Sheriff's
Certificate

POOR QUALITY
ORIGINAL

0913

United States P.O.

Bangor - Maine

February 2nd 1894

To Whom it may concern -

Post
Master
Bangor
Maine
Certificate

I understand that Harry Franklin, who formerly resided here, was an honest, upright boy - I believe his father to be an honest, sober and industrious man. I am informed that he was sentenced to 14 years in State Prison for stealing 14 cents and that he has served about four years of his term - I would respectfully request that he may be granted a Pardon, it would seem as if executive clemency should be shown in this case.

Respectfully Yours
T. B. Farnham
P.M.

POOR QUALITY
ORIGINAL

0914

State of Maine
Bangor Municipal Court
Penobscot County
J. H. Vose, Judge

Bangor, Me, Feb 1-1894

To His Excellency

Roswell P. Flower

Gov. of New York

The matter of Harry Franklyn
of this City sentenced four years ago
by Judge Martine to fourteen years im-
prisonment for the offense as I am
informed of Robbery of 14 cents, while
under the influence of intoxicating
liquor - I do not keep the boy, but as
his father and for his sake I respectfully
ask your executive clemency in the boy's
behalf - I am assured he will come
at once to his home of his parents
and I feel assured that his im-
prisonment already suffered, will
tend to make him as correct in his
conduct as the future and if he
should remain the full term of
his sentence

Respectfully
J. H. Vose, Judge

Judge Vose's
Certificate

POOR QUALITY
ORIGINAL

0915

Mayor's office

Bangor Me. Jan'y 30-1894
Hon Gov. of
New York, Dear Sir -

Mayor's
Certificate

In Judge 1890
a young man Harry Franklin was
sentenced to imprisonment for 14
years for peddling 14 cents - I
wish to solicit your Honor's Clemency
in this case - The young man belongs
in our city - he is of good respectable
parents and always had a good rep-
utation himself - He has worked
for me at the Bangor House and
was always considered a good honest
boy - he has now suffered nearly
4 years for his indiscretion, And I ask
your Honor to consider all the cir-
cumstances and see if you do not
think that the law has been fully
satisfied and that nothing further
can be gained by a longer im-
prisonment.

Hoping for a favorable reply
I remain

Your obed. Servant

F. O. Beuf - Mayor of Bangor

POOR QUALITY
ORIGINAL

0916

In the matter of
Harry Franklin
for Executive Clergy
re.

Our
Certificate
Statement

Alfred Silverstone
Att'y for applicant
301 Broome St
N.Y.

POOR QUALITY
ORIGINAL

0917

FOURTEEN YEARS FOR FOURTEEN CENTS.

Judge Martine Gave This Sen-
tence to Harry Franklyn,
Who Pleaded Guilty
of Robbery.

HE WAS PROMISED A LIGHT SENTENCE

This is a story of a twenty-year-old
lad who was sentenced by Judge Martine
to fourteen years' imprisonment in State
prison for the larceny of fourteen cents.

Harry Franklyn is the name of the lad,
and from all accounts he bore a good
character previous to his arrest on the
charge for which he is imprisoned. He
was arrested June 20. Five days later
the lad was led to the bar of the General
Sessions. He was without money or
friends and there was no lawyer present
to plead for him.

"Are you guilty, or not guilty," asked
the clerk.

"I don't know," was the reply. "I was
intoxicated and fell in with bad com-
panions."

"If you plead guilty," explained the
clerk, "you'll get off with a light sen-
tence. What do you want to do?"

The lad hesitated.

"I plead guilty," he said suddenly.

No matter how hardened a criminal
may be he is assigned a lawyer by the
Court if he has not the means to get
one. This wretched lad was not given
the opportunity.

"Fourteen years in State prison," came
coldly from the lips of Judge Martine.

Half dazed, the lad was handcuffed
and taken back to the Tombs, and the
very next day he was taken to Sing
Sing, where he still remains.

From his cell in Sing Sing comes a pitiful
appeal from the lad. He has written
to friends in this city and asked them to
invoke the aid of The World. This is the
letter:

"Dear Sir: I was arrested Saturday,
June 20, 1890, charged with robbery, at
the corner of Mott and Pell streets. I
was intoxicated at the time. Five days
later I was sentenced to State prison
for a term of fourteen years. The com-
plainant stated at the time in the Eliza-
beth street station that he had been
robbed of 14 cents. When I was brought
to the General Sessions, five days later,
to plead to an indictment, a man who
represented himself as an Assistant Dis-
trict-Attorney offered to give me a lesser
degree if I would plead guilty. Not
knowing the penalty attached to the dif-
ferent degrees of robbery, and having no
counsel to defend me, I pleaded guilty
to the charge read by the clerk, who as-
sured me that it was to a lesser degree,
as had been assured me by the Assistant
District-Attorney. From the sentence,
however, I found that I had been de-
ceived, and that I had been sentenced for
the highest degree of robbery.
The circumstances prior to my arrest
are these:

"I was a comparative stranger in New
York; had been employed as assistant
stage hand at the Gaiety Theatre, and
having lost my employment and being
without funds and consequently despond-
ent, I got to drinking and fell into bad
company, which resulted so disastrously
for me.

Previous to my arrest I was an hon-
est man, the son of honest parents, and
not by nature a thief. My whole future
will be one long endeavor to justify the
confidence you place in me.

"If released, I shall return to my
father in Maine, and my remaining years
will be spent in retrieving the one fatal
mistake of my life. Very gratefully,
HARRY FRANKLYN.

P. S.—There were two others in the
affair that sent me here. Those two
were not arrested. "H. F."
Judge Martine recently sent another
lad to Sing Sing Prison for fifteen years
for stealing a small sum of money. The
evidence in that case was not very
strong against the defendant.

POOR QUALITY
ORIGINAL

0918

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Harry Brandt

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

Harry Brandt

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

The said *Harry Brandt*.

late of the City of New York, in the County of New York aforesaid, on the *twenty-*
first day of *June*, in the year of our Lord one thousand eight
hundred and *eighty-ninth*, in the *day* time of the said day, at the City and
County aforesaid, with force and arms, in and upon one *Thomas McDonald*,
in the peace of the said People, then and there being, feloniously did make an assault, and

one purse of the value of ten cents, one
silver coin of the kind called dimes of
the value of ten cents, two metal coins of
the kind called five-cent-pieces of the
value of five cents each, and five coins of
the kind called cents, of the value of one
cent each.

of the goods, chattels and personal property of the said *Thomas McDonald*,
from the person of the said *Thomas McDonald*, against the will,
and by violence to the person of the said *Thomas McDonald*,
then and there violently and feloniously did rob, steal, take and carry away, *the said*
Harry Brandt being, then and there
aided by an accomplice actually present,
whose name is to the Grand Jury
aforesaid as yet 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.

John R. Bellows,
District Attorney

0919

BOX:

398

FOLDER:

3706

DESCRIPTION:

Friedmann, Louis

DATE:

06/05/90



3706

POOR QUALITY
ORIGINAL

0920

Witnesses:

A. Brooks
(P. J. Sullivan)

Counsel,

Filed *5* day of *June* 18 *90*

Pleads, *Ch. 1st 6*

THE PEOPLE

vs.

R

John R. Fellows

Grand Larceny - 2nd degree.
[Sections 528, 537 - Penal Code]

John R. Fellows
John R. Fellows

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Now

Francis Higgins

Foreman.

June 11/90

Spent 1/2 hour of

at County Court House
at 6 o'clock. P.M.

The People
vs
Louis Friedman
Indictment for grand larceny in the second degree

Court of General Sessions. Part I
Before Judge Martine. June 9. 1890

Alexander Brooks sworn. I live at 211,
West Thirtieth street and am a cook
and waiter at 17 West Thirty Second St.
which is a private house. My duty is
to take care of the gentlemen's rooms and
to look after everything in the house. Mr.
Loomis had a room in this house on
the top floor. I was in his room on the
morning of the 28th of May and saw his
clothing there - a pair of pants and two
overcoats, one heavy and the other light.
I don't know the value of them, but he
gave the value of them as \$105. I had
been waiting in that house five months.
The clothes were hanging up behind
the door of his room. I was in the
room last in the morning about
seven o'clock to wake Mr. Loomis up.
Afterwards I saw the chamber maid when
I missed the clothes; she ^{told} ~~told~~ me something
I missed the clothes about 11.30 in the
morning. A plumber named John
McKashara was going on the roof to see
if the tank was full. I was on the third
floor and the gas man and the girl

were there I had a man with me putting up awnings. The first I saw of the defendant was when he was coming down from the front floor; the lady of the house called for me and I ran out to see what the trouble was. Then the plumber boy found the defendant in there he halloed. I asked the defendant what he was doing in there? He said he was looking for Mr. Flynn or some such name as that. I said, "How did you get in here?" He said a little girl about twelve years old who was on the stoop playing ball let him in. I said, "no she did not, there is no little girl here." There were no children in that house at that time. The defendant does not belong in the house, I know nothing about him. I sent for an officer and had him arrested. Then I went up stairs and found the clothes ransacked. I asked him if he knew anything about them, and he said, "no" the clothes were on the bed in Mr. Lornis' room, rolled up like in a wad; there was nothing around them. I recognized them as Mr. Lornis' clothes. I had no

more talk with the defendant, but sent for an officer and had him arrested. I went to the station house, but I was not there when he was searched; the plumber boy was there. Cross Examined the plumber boy called to me that the defendant was up stairs and then I saw him coming down from the fourth floor; the plumber boy is in Court but the gas man is not, he did not know anything about it. No man by the name of Criegee boarded in the house. I know all the boarders for the last six months. The defendant told me he was looking for a man named Criegee. I told him there was no such man in the house. I asked him who sent him? and he said he was sent from Broadway somewhere or other. I did not see the defendant in Mr. Loomis' room. There was nothing to prevent the gas man from going on the fourth floor. There was nothing to prevent the man who was putting up the awning to have gone on the fourth floor; we were all working there; the place was open to all. They did not go up unless they were sent up where I was there.

Mary O'Hara sworn I live at 17 West
Thirty Second St. and was there on the
28th of May when this happened. I was
doing chamber work and took care of
Mr. Loomis' room. I was in his room
on that morning and made it up
about a 1/4 to 9 o'clock. His clothes were
hanging up behind the door - overcoat
and pantaloons. I left them there and
went down to the second floor and
continued my work. I saw the defend-
ant when he was arrested about 1/4
past eleven. They were questioning him
as to how he got there. Brooks, the
plumber and the lady of the house
were there. I did not let the defendant
into the house. I did not hear his
answers. I went about my business; there
are no children in the house. I was
there when the officer came in. I saw
the clothes lying on the bed in Mr.
Loomis' room - four pairs of pants
and two coats I saw. I am only
speaking for myself. One of the coats
was a kind of grayish brown
overcoat. I did not hear the defend-
ant say anything about how he got
into the house.

Joseph Mc Namara sworn. I live at Corona L.I. I am a plumber's helper for James J. Kelly at 57 West Thirtieth St. On the 28th of May last I was employed in the house 17 West Thirty Second St. fitting up a pump in the cellar. I went also to the top floor of the house about 15 minutes to twelve o'clock. I went up to the top floor and pushed the curtains aside to go up on the ladder, the ladder is about eight feet from the front room door. Then I pushed the ladder aside I saw the defendant standing on the ladder. I did not say anything to him, I looked at him, he got red in the face. I went down stairs and got the awning man to come up with me, he was on the floor below me. I asked him if he had any one helping him on the top floor and he said, no. The defendant came down stairs with us, and the colored man (Brooks) told me to go out and get a policeman and have him arrested. Brooks asked him what he wanted in the house, and he said he was looking for a man named Charles Greiger. He said he was let in by a little girl twelve years old playing ball.

on the stoop. Brooks told him there was no girl of that age to let him in. I was there when the officer came. I went to the station house along with him and the officer and I was at Jefferson Market. I heard him say at the Police Court that a little girl twelve years old let him in. I was not in Mr. Loomis' room.

Patrick J. Sullivan sworn. I am an officer attached to the 19th precinct and arrested the defendant at 17 West Thirty Second St. upon the 28th day on the complaint of Brooks. I asked the defendant what he was doing there? He first appeared to be very dumb and did not want to have anything to say. He did say that ^{a man} ~~Mr. Bridges~~ sent him there to enquire for a man named Bridges. I took him to the station house and the plumber boy came along; the defendant was searched and gloves, a knife, a pawn ticket and advertising cards for second hand clothing places and two keys were found on him. He said he worked as a porter for Mr. Hellman 1021 Broadway. I went over there and there was no such man and

no such number.

Louis Friedman, sworn and examined in his own behalf. I have been working for Hellman & Co 223 Broadway, importers of cloth and was working there when I was arrested. I was convicted once for assault but never for stealing. A gentleman by the name of Kramer said, "I will give you money when you come back; go up to 17 West Thirty Second St. a gentleman lives up there by the name of Criege. A little girl was sitting on the steps playing ball. I asked her for that name. She said she did not know; a gentleman was living on the top floor - go up and find out." I went up on the top floor; there was a sort of screen and a ladder there; it was dark. I had a step on the ladder. The same time the plumber was coming and he saw me coming out; he was going up, he asked me what I wanted? He was scared and I ran down and halloed for the lady of the house. The colored man came up and asked me what I wanted? I told him. He said, "I don't believe you I think you are here for stealing." Before he

said anything to me he said to the lady that somebody would come that day and get some clothes from some boarder's room. The lady of the house asked him to go up stairs and find out if anything is missing or anything is disturbed in any room. He went up and came down again and says, "Nothing missing, everything is all right." Then the lady said, "Well then I cannot do nothing!" The colored man said, "I will go and have that man arrested anyhow." He sent out the plumber boy for a policeman. The policeman came and I was arrested. I went up stairs with the policeman to the top floor; we looked in every room, I could not see any clothes; the policeman can swear he did not see any. The plumber boy went to the station house and said that he seen me up stairs in the house. The colored man said in the Jefferson Market Court that I stole the clothes and was ready to go out. The man in the Police Court said I was only arrested for going in the house without permission. I did not go there.

to steal anything. I did not go into the room and pick up any clothes. I have been sick and in the hospital from blood poisoning.

Cross Examined I did not open the door of this house with one of the keys that were found upon me; the key is of the front door of my house. I said in the station house that I worked at Hellman Bros between 22nd and 23rd sts, No 921. Mr. Kramer lives in 83rd street and Third Avenue, he is a violin player. I have been working two weeks for Hellman since I came out of the Hospital. I did not tell them that I was arrested. I told the Judge in the Police Court that Mr. Kramer sent me for Mr. Greger. I told the plumber boy that I was going up to a higher story, I thought there was a higher story to the house. I have been three years in this country, I live in 47th street. I worked for Goetz Brothers for eighteen months. I can have fifty men here to prove my character.

The jury rendered a verdict of guilty of an attempt at petty larceny. He was sent to the penitentiary for six months.

POOR QUALITY
ORIGINAL

0930

Testimony in the
case of
Louis Friedmann
filed June
1890.

POOR QUALITY
ORIGINAL

0931

1 Heavy overcoat	\$25 ⁰⁰
1 Light " "	35 ⁰⁰
1 " " "	18 ⁰⁰
1 pair trousers	12 ⁰⁰
1 Coat	15 ⁰⁰
total	<u>\$105⁰⁰</u>

J E Loring

POOR QUALITY
ORIGINAL

0932

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 19 years, occupation Plumbers Helper of No.

Corona Long Island Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Alexander Brooks

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

Sworn to before me, this 28

day of May 1888

Joseph McMannara,

[Signature]
Justice.

POOR QUALITY
ORIGINAL

0933

Police Court—2 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 17 West 32 Street, aged 39 years,
occupation Writer being duly sworn

deposes and says, that on the 28 day of May 1894 at the City of New
York, in the County of New York, was feloniously ^{attempted to be} taken, stolen and carried away from the possession
of deponent, in the day time, the following property, viz:

One Suit of
Clothes of the value of
75 Dollars
and
25 Dollars

the property of Mr. Lorus and in the
charge and care of deponent

has a probable cause to suspect, and does suspect, that the said property was ^{attempted to be} feloniously taken, stolen,
and carried away by Louis Friedman (now here)

from the fact that deponent was
informed by Joseph McManara of
Corona Long Island that he found
the said defendant Friedman hiding
behind some curtains on the fourth
story of the premises 17 West 32 Street.
Deponent found on investigation
the said property packed up ready
for removal on said floor and
as the said defendant Friedman
had no lawful business in the said
premises deponent accuses defendant
with having attempted to steal, take
and carry away said property.

Alexander X Brooks
mark

Police Justice.

Subscribed and sworn to before me, this

28 day

1894

POOR QUALITY
ORIGINAL

0934

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *Louis Friedman*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *Buenos Aires*

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

Answer. *225 E 47 St. 1 year*

Question. What is your business or profession?

Answer. *Porter.*

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

Answer. *I am not guilty*

Louis Friedman

Taken before me this
day of *May* 188*8*

Police Justice

John J. [Signature]

POOR QUALITY
ORIGINAL

0935

At May 29th 3 P.M.
\$500 -

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

Police Court--

District

2-846

THE PEOPLE, &c.
ON THE COMPLAINT OF

Alfred H. Brooks
James Freedman

Dated _____ 1890

Alfred H. Brooks
Magistrate.

Alfred H. Brooks
Officer.

Witnesses *Henry H. Brooks*
Precinct.

No. 17433
Street.

No. _____
Street.

No. _____
Street.

No. 500
to answer.

James

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

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

Dated *May 29th* 1890 *Alfred H. Brooks* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0936

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Louis Friedmann

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

Louis Friedmann

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

The said

Louis Friedmann

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

*one overcoat of the value of twenty-five
dollars, one other overcoat of the value
of thirty-five dollars, one other overcoat
of the value of eighteen dollars, one
pair of trousers of the value of
twelve dollars and one coat of the
value of fifteen dollars*

of the goods, chattels and personal property of one

Alexander Brooke

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 B. Fellows,
District Attorney

0938

**END OF
BOX**