

0359

BOX:

497

FOLDER:

4535

DESCRIPTION:

Brennan, Edward

DATE:

10/27/92



4535

0360

BOX:

497

FOLDER:

4535

DESCRIPTION:

Tansey, Bernard

DATE:

10/27/92



4535

POOR QUALITY
ORIGINAL

0361

Witnesses:

Counsel,

Filed

day

1892

Pleads,

THE PEOPLE

vs.

P

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

Edward Brennan
and
Bernard Tenney

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. Lockwood

Oct 28/92
Foreman.

Rich

Edward Tenney
Each S. P. 2 1/2 yrs.

0362

POOR QUALITY

Sec. 193-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

Bernard Janney 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. *Bernard Janney*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *15th St & 10th Avenue*

Question. What is your business or profession?

Answer. *Longshoreman*

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*
Not guilty
J. Bernard Janney

Taken before me this 14th day of October 1893

Police Justice.

0363

POOR QUALITY

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

2
District Police Court.

Edward Brennan 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. *Edward Brennan*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *15 St & 10th Ave*

Question. What is your business or profession?

Answer. *Fireman*

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

Answer. *I am not guilty*

Taken before me this

day of

Edmond J. [Signature]
1888

Police Justice.

0364

POOR QUALITY

Police Court. 2nd District.

CITY AND COUNTY } ss.
OF NEW YORK,

of No. 204 Prermt Abraham Hazleton
occupation Policeman Street, aged _____ years,

on the 3^d day of October 1892 being duly sworn, deposes and says, that
in the County of New York, Policeman Henry P. Mitchell, 2nd Dist.

he was violently ASSAULTED and BEATEN by Edward Brennan
and Bernard Tansey (now free) and the
said Mitchell was cut with cotton hoops
and kicked and injured so that he is
unable to come to court

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 the above assault, &c., and be dealt with according to law.

Sworn to before me this 4

day of October 1892

Abraham Hazleton

Police Justice.

0365

POOR QUALITY
ORIGINAL

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

Police Court-- District

2 (10)

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Henry P. Mitchell

Edward Brennan

Demond Janney

Offense

Assault on
Officer

Dated,

Oct 4

189

Residence

Magistrate

Hegleton

Officer

No. 3, by

20

Precinct

Witnesses

No.

Street

No.

Street

No.

Street

No.

to answer

Street

He is aware that

he will be imprisoned

Oct 13. 4.30

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, 189 Police Justice.

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

Dated, 189 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, 189 Police Justice.

0366

POOR QUALITY
ORIGINAL

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

Police Court--- District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

New York

Charles Henry

Offense

Date

Magistrate

Officer

Witnesses

No. _____
Street _____

No. _____
Street _____

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

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, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ 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, _____ 189 _____ Police Justice.

0367

CITY AND COUNTY }
OF NEW YORK. } 38.

in the County of New York.

he was violently ASSAULTED and BEATEN by

Struck Depment with a cotton hook thereby
seriously hurting Depment's face and
Bernard Causey struck Depment with his
fist on Depment's face while Depment was
in the public street in the discharge of his
duty as a police officer, in uniform
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 the above assault, &c., and be dealt with according to law.

Sworn to ~~before~~ me, this

day of

Police Justice.

POOR QUALITY
ORIGINAL

0368

Police Court 2 District.

CITY AND COUNTY
OF NEW YORK, } ss.

I, Henry P. Mitchell
of No. 414 14th Street, aged 30 years,
occupation Police Officer being duly sworn, deposes and says, that
on the 14th day of October 1893 at the City of New York,

in the County of New York,

he was violently ASSAULTED and BEATEN by

Edward Brennan
struck deponent with a cotton hook thereby
severely cutting deponent's face and
Bernard Sauer struck deponent with his
foot on deponent's face while deponent was
on the public street in the discharge of his
duty as a police officer, in uniform
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 the above assault, &c., and be dealt with according to law.

Sworn to before me, this 14th

day of October 1893

Henry P. Mitchell
Police Justice.

POOR QUALITY
ORIGINAL

0369

490

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Edward Brennan and
Bernard Janney*

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

Edward Brennan and Bernard Janney

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

The said

Edward Brennan and Bernard Janney

late of the City and County of New York, on the

October

day of

April

ninety-*two*

in the year of our Lord one thousand eight hundred and
, at the City and County aforesaid, in and upon one

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

J. Henry P. Mitchell
Edward Brennan and Bernard Janney

with a certain

cotton-rope

which

they the said

Edward Brennan and Bernard Janney
in *their* right hand .S then and there had and held, the same being then and there
a weapon and an instrument likely to produce grievous bodily harm, *him*, the said

J. Henry P. Mitchell
wrongfully strike, beat, *cut*, then and there feloniously did wilfully and
bruise and wound, against the form of the statute
in such case made and provided, and against the peace of the People of the State of New York
and their dignity.

POOR QUALITY
ORIGINAL

0370

SECOND COUNT—

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

Edward Brennan and Bernard Henry
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Edward Brennan and Bernard Henry

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, in and upon the said

Henry S. Mitchell

in the peace of the said People then and there being, feloniously
did wilfully and wrongfully make another assault; and the said *Edward Brennan and Bernard Henry*
the said *Henry S. Mitchell*
with a certain *colored rock*

which *they* the said

Edward Brennan and Bernard Henry

in *their* right hand, then and there had and held, in and upon the

face of *him* the said *Henry S. Mitchell*
then and there feloniously did wilfully and wrongfully strike, beat,

bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully
and wrongfully inflict grievous bodily harm upon the said *Henry S. Mitchell*

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

DE LANCEY NICOLL, District Attorney.

0371

BOX:

497

FOLDER:

4535

DESCRIPTION:

Britt, William F

DATE:

10/31/92



4535

POOR QUALITY
ORIGINAL

0372

Witnesses:

Annice Dickerson

Counsel,

Filed

31 day of Oct

1892

Pleads,

THE PEOPLE

vs.

William T. Britt

DE LANCEY NICOLI,

District Attorney.

RAPE (1st and 2d Degree)
and ABDUCTION.
(Sections 276, 278, 279 and 282, Penal Code.)

A TRUE BILL.

B. to be sworn

Foreman.

Wm 1/4

Please guilty - 12

J. J. Court

S. P. 5 yrs.

POOR QUALITY
ORIGINAL

0373

Police Court, 5th District.

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

of No. 118 E 9th St Street, in said City, being duly sworn,
deposes and says, that a certain male child called Charles Carson
[now present], under the age of sixteen years, to wit, of the age of seven years, is a
necessary and material witness on behalf of the People of the State of New York in a certain
criminal case now pending in the Court of General Sessions of, in and for the City and
County of New York, entitled, The People against William J. Smith,
wherein the said William J. Smith
is charged with the crime of Attempted Rape under
Section 111 of the Penal Code of said State, in that he, the said William J. Smith

William J. Smith did feloniously
attempt to perpetrate an
act of sexual intercourse
with the said child
Charles Carson

and that the said Charles Carson
will, as deponent verily believes, unless duly held to appear on trial thereof, avoid giving his
testimony at the instance of the people.

Wherefore, deponent prays that the said child Charles Carson
may be held as a witness to appear on the trial of the aforesaid criminal case, and be committed
temporarily to an institution authorized by law to receive children on final commitment, and to
have compensation therefor from the City or County authorities, as a witness, to appear on the
trial of the aforesaid criminal case, in pursuance of the statutes in such case made and provided,
and especially of Section 291 of the Penal Code of the State of New York.

Sworn to before me, this

day of

26th
Oct, 1892

Thomas J. Moore

Police Justice.

POOR QUALITY
ORIGINAL

0374

POLICE COURT 5 DISTRICT.

THE PEOPLE, &C.,
ON THE COMPLAINT OF

AFFIDAVIT.
WITNESS.



Dated

Oct. 26th 1887

Magistrate.

Meade

Officer.

Moore

D.P.C.P.

Disposition

Committed to the
House of Society for
the Prevention of Cruelty to Children

STILES & CASH, STEAM PRINTERS, 77 EIGHTH AVENUE, NEW YORK.

Police Court, 5 District.

City and County } ss.
of New York,

of No. 108 E 28th Street, aged 30 years,
occupation Agent Society Insurance being duly sworn, deposes and says,
that on the 25th day of October 1882, at the City of New
York, in the County of New York,

Thomas F. Moore

William F. Britt (now here)
did, feloniously attempt to perpetrate
an act of sexual intercourse with
me Sarah Carson who is actually
and apparently under the age of
sixteen years. I am of the age of
seven years. as deponent truly
believes from the fact that deponent
is informed by Mrs Annie Dickinson
of no 321 West 145th St. that at
about the hour of 5 o'clock P.M.
said date. she saw this defendant
take the said Sarah Carson down
in the area way ^{and into the basement} of the premises no
317. West 145th St. that she followed
and saw the said Sarah lying
down in the ^{basement} ~~area way~~ and this
defendant ~~was~~ lying on top of her.

That this witness then cried out. when
the defendant got off of the said
Sarah. and she the said Sarah
then ran out of the area way. and
at that time her drawers were
unbuttoned and hanging down. and
the defendant's trousers were unbuttoned
and his penis exposed.

Wherefore deponent charges this defendant
with attempting to perpetrate said act
of sexual intercourse with the said
child and prays he may be held
and dealt with according to law
Sworn to before me

this 26th day of Oct 1882 } Thomas F. Moore,
Deputy District Attorney

Police Justice

POOR QUALITY
ORIGINAL

0376

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

Annie Dickinson
aged 28 years, occupation Keep home of No.

321 W 145th Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Thomas F. Moore

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

Sworn to before me, this 46
day of Feb 189 7

Annie Dickinson

[Signature]
Police Justice.

POOR QUALITY
ORIGINAL

0377

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss:

District Police Court.

William F. Britt

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 sees fit, to answer the charge and explain the facts alleged against him;
that he is at liberty to waive making a statement, and that his waiver cannot be used
against him on the trial.

Question. What is your name?

Answer. *William F. Britt*

Question. How old are you?

Answer. *30 years old*

Question. Where were you born?

Answer. *New York State*

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

Answer. *817. W. 145th 1 year*

Question. What is your business or profession?

Answer. *Driver*

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

W. F. Britt

Taken before me this

day of

189

Police Justice.

POOR QUALITY
ORIGINAL

0378

BAILED,
No. 1, by _____
Residence _____
Street _____
No. 2, by _____
Residence _____
Street _____
No. 3, by _____
Residence _____
Street _____
No. 4, by _____
Residence _____
Street _____
No. 5, by _____
Residence _____
Street _____

Police Court... 5 District.

1339

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Manuel J. Wood
108 E. 23
William J. Buttrick

Offense Attempted Rape

Dated Oct 26 1892

Magistrate

Officer

Precinct

Witnesses Annie Wickham

No. 341 1014 St
Street

Allen Wood

No. 324 W. 145
Street

No. 3000
Street

to answer

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

Defendant

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of \$1000 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail

Dated, Oct 26 1892

Police Justice.

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

Dated, 189

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, 189

Police Justice.

POOR QUALITY
ORIGINAL

0379

Police Department of the City of New York.

Precinct No. 31

New York, Oct 25th 1892
8:30 PM

This will certify that I have
this day examined Sarah Carson
aged 7 years No. 315 W. 145th St
and find no evidence of rape

Morton Linnell
Surgeon of Police

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

2047

THE PEOPLE OF THE STATE OF NEW YORK,

against

William T. Britt

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *William T. Britt* —
of the CRIME OF ~~ATTEMPT TO COMMIT~~ RAPE IN THE FIRST DEGREE, committed as
follows:

The said *William T. Britt*,
late of the City of New York, in the County of New York aforesaid, on the ~~Twenty-fifth~~
day of ~~October~~, — in the year of our Lord one thousand eight hundred and
ninety-~~two~~ —, at the city and County aforesaid, in and upon a certain female not his
wife, to wit: one *Dorothy Ranson*, feloniously did make an assault,
and an act of sexual intercourse with her the said *Dorothy Ranson*, —
then and there feloniously did ~~attempt to~~ perpetrate, against the will of the said *Dorothy Ranson*,
and without her consent; 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 *William T. Britt* —
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-
mitted as follows:

The said *William T. Britt*,
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid
at the City and County aforesaid, in and upon a certain female not his wife, to wit: her the said
Dorothy Ranson, — feloniously did make an assault, with intent
an act of sexual intercourse with her the said *Dorothy Ranson*, —
against her will, and without her consent, then and there feloniously to perpetrate; against the
form of the Statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said William T. Britt —
of the CRIME OF ^{attempting to commit} RAPE IN THE SECOND DEGREE, committed
as follows:

The said William T. Britt,
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, in and upon a certain female not his wife, to wit: her the said
Sarah Ranson, — feloniously did make an assault, she
the said Sarah Ranson — being then and there a female
under the age of sixteen years, to wit: of the age of — seven — years; and
the said William T. Britt, then and there (under circumstances
not amounting to Rape in the first degree) feloniously did ^{attempt to} perpetrate an act of sexual inter-
course with her the said Sarah Ranson —, 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.

FOURTH COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said William T. Britt —
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-
mitted as follows:

The said William T. Britt,
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, in and upon a certain female not his wife, to wit: her the
said Sarah Ranson, — feloniously did make an assault,
she the said Sarah Ranson, — being then and there a
female under the age of sixteen years, to wit: of the age of seven years;
with intent then and there (under circumstances not amounting to Rape in the first degree),
feloniously to perpetrate an act of sexual intercourse with her the said Sarah
Ranson, — 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.

FIFTH COUNT--

AND THE GRAND-JURY AFORESAID, by this indictment, further
accuse the said William X. Britt
of the CRIME OF ABDUCTION, committed as follows:

The said William X. Britt,
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the
City and County aforesaid, did feloniously take, receive, harbor, employ and use her, the said
Dorothy Larson, so being then and there a female under
the age of sixteen years, to wit: of the age of seven years, as aforesaid,
for the purpose of sexual intercourse, he, the said William X. Britt,
not being then and there the husband of the said Dorothy Larson,
against the form of the statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0383

BOX:

497

FOLDER:

4535

DESCRIPTION:

Brock, Philip H

DATE:

10/27/92



4535

POOR QUALITY
ORIGINAL

0384

250

Counsel,
Filed 27 day of Dec 1892
Pleads, Myself vs.

Grand Larceny, [Sections 888, 889, Penal Code.]

THE PEOPLE

vs.

Philip J. Brock

DE LANCEY NICOLL,
Dist. 2 - Nov. 23, 1892, District Attorney.
Or Brother of District Attorney
Left discharged on his own
recognizance.
A TRUE BILL.

B. Lockwood

Foreman.

Nov. 2 Nov. 15/92

Nov. 18
G.S.B.

Nov. 23
G.S.B.

Witnesses:

after reading the
somewhat extraordinary
statement of the
complainant filed
with the within papers -
I do not see how
the jury ever could
connect the prisoner -
I do not care to go to the
expense of a trial -

I reluctantly
ask that the prisoner,
in view of the complainant's
statement, be discharged
on his own recognizance
Nov. 23-92 G.S.B.
B.D.A.

Court of General Sessions of the Peace
of the City and County of New York.

The People of the State of
New York }

- vs -
Philip H. Brock

City and County of New York, ss:

Julius Acher being
duly sworn deposes and says:
that he is the person who made the
charge and lodged the complaint
against the defendant for grand
larceny, upon which the defendant
was indicted; that said complaint
is based upon the fact that
the deponent gave the defendant
two (2) small diamonds on me-
morandum; that prior to and since
said indictment the said defendant
claimed that he had insufficient
time to return said diamonds to
deponent; that said diamonds
were given to the defendant for the
purpose of sale, and the deponent
has since discovered that defen-
dant had no intention to convert

the same to his own use or to de-
prive the deponent of the rights
of possession; that since the mak-
ing of said charge, he has re-
ceived said diamonds from said
defendant, and thereupon the deponent
inquired into the character of
the defendant, and has found the
same to be exceptionally good, and
the deponent believes that there
was no intention by the defendant
to commit the crime charged in
the indictment; that deponent
believes, from the existing facts,
that he acted too hastily in the
premises in not giving the
defendant sufficient time to
return said diamonds, and the
deponent believes, acts, with
the consent of the People, that
the indictment be dismissed
as he believes, from the existing
facts aforesaid, that no con-
viction can be had.

Sworn to before me this }
15th day of November 1892 } Juror as ~~the~~
Charles Schmitt
Comptroller of the
City of N.Y.

Court of General Ses-
sions of the Peace
of the City and County
of New York

The People of the
State of New York

- vs -

Chicago & Rock

Affidavit of
complaint for the
exchange of the defendant

H. M. Gerschütz
Att'y for defendant,
37 Park Row,
N.Y.C.

POOR QUALITY
ORIGINAL

0388

Police Court 5 District.

Affidavit—Larceny.

City and County } ss:
of New York, }

of No. 134 E. 117th Street, aged 49 years,
occupation Jeweller being duly sworn,
deposes and says, that on the 5th day of October 1892 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the pos-
session of deponent, in the day time, the following property, viz:

Two diamond studs
together of the value of seventy
three dollars
(#73.50)

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 Philip H. Brock

from the fact that the said
defendant represented to deponent
that he had customers for said
property and requested deponent
to let him take said property
and that he would either return
said property to deponent or the
money in payment thereof within three days
deponent believing that the defendant
would return said property or the
money in payment thereof at the time
he said he would let him have said
property and after he the defendant
got possession of said property he refused

Subscribed and sworn to before me this 1892

Police Justice

POOR QUALITY
ORIGINAL

0389

to return said property in the money
in payment thereof. And defendant
has not seen him since.
Wherefore defendant charges the said
defendant with the larceny of said
property and prays he may be
apprehended and dealt with
according to law.

Sworn to before me } James M. Lee
this 18th day of Oct 1892

John B. Todd
Police Justice

POOR QUALITY
ORIGINAL

0390

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss:

5 District Police Court.

Philip H. Brack 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 sees 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.

Philip H. Brack

Question. How old are you?

Answer.

36 yrs

Question. Where were you born?

Answer.

New York

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

Answer.

30 Spring St - 4 yrs.

Question. What is your business or profession?

Answer.

Salesman

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

Ph Brack

Taken before me

day of

189

John H. [illegible]

Police Justice

POOR QUALITY
ORIGINAL

0391

Sec. 151.

Police Court. 3 Distr. 1

CITY AND COUNTY } ss. In the name of the People of the State of New York; In the Sheriff of the
OF NEW YORK, } 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 Julius Asher
of No. 134 E 119th Street, that on the 12 day of October
189 2 at the City of New York, in the County of New York, the following article, to wit:

Two diamond studs together
of the value of Seventy three + 10/100 Dollars,
the property of Complainant
w. as taken, stolen and carried away, and as the said Complainant has cause to suspect, and does
suspect and believe, by Philip H. Brock

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 bod. 3 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 12 day of Oct 189 2

John M. Doolittle POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0392

12th 28-

Police Court.....District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated.....189

Magistrate.

Officer.

The Defendant *Philip M. Barrett*
taken, and brought before the Magistrate, to
answer the within charge, pursuant to the
command contained in this Warrant.

Officer.

Dated *Oct. 14th* 189 *2*

This Warrant may be executed on Sunday
or at night.

Police Justice.

Philip M. Barrett, 36 W. S. 37th Street - 8th

POOR QUALITY
ORIGINAL

0393

BAILLED,
No. 1, by Joseph Brown
Residence 56 Spring Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

W 146
Police Court...
District.
1286

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Julius Cohen
At 34 E 117
Will H Brook
Offense Larceny

Dated Oct 14 189

Horace Magistrate.
Leary Officer.
Conrad Precinct.

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

No. 1000 Street.
to answer 5-8
Paillard
500 18th Ave for Oct 15/92 9 am.

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 Oct 14 189 John R. Worthing Police Justice.

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

Dated, Oct 15 189 John R. Worthing 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, _____ 189 _____ Police Justice.

POOR QUALITY
ORIGINAL

0394

*District Attorney's Office
City & County of
New York.*

Part 2

J H Brock

Nov 15th/92

Officer + Camp

Sworn Person

Nov 9th/92

Bail Issued

Same day

L

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Philip W. Brock

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

Philip W. Brock
of the CRIME OF GRAND LARCENY IN THE *second*
as follows:

DEGREE, committed

The said

Philip W. Brock

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

*two studs of the value of
forty dollars each*

of the goods, chattels and personal property of one

Julius Asher

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.

*De Lancey Nicoll,
District Attorney.*

0396

BOX:

497

FOLDER:

4535

DESCRIPTION:

Brown, Benjamin

DATE:

10/07/92



4535

POOR QUALITY
ORIGINAL

0397

Witnesses:

Off. Powers

John H. Andrews

Subpoenaed for
+ compelled for
20th

Counsel,

Filed

Pleaded

day of

1892

THE PEOPLE

32

US

24 Baltimore

27 Johnson

Benjamin Brown

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

De LANCEY NICOLL,

District Attorney.

Oct 19, 1892. Filed

Wm. H. Brown

A TRUE BILL.

B. Woodward

Sub. 2 - Nov. 22, 1892

Foreman.

And and Committed

Pen 2 yrs. 11 mo. 10 d. 25

Nov. 22, 1892

2.50

9.50

POOR QUALITY
ORIGINAL

0398

Police Court Fourth District.

Affidavit—Larceny.

City and County }
of New York, } ss:

of No. 7 Ganseroort Street, aged 38 years,
occupation Modum Ware being duly sworn,
deposes and says, that on the Oct day of 1892 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 horse, wagon and harness
together of the value of Two hundred
dollars \$200.00

the property of Chas Adickes of which
firm deponent is a partner

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by Benjamin Broome

more here, for the following reasons, to
wit: That the said property was left
in front of 6334 West 13th Street, and
deponent went inside and stayed inside
about ten minutes and when deponent
came out the property was missing
that deponent is informed by Police
Officer William Rogers of the 25th
precinct, that he, the officer, arrested
the defendant at the horse market in
East 4th Street while defendant was
trying to dispose of a horse and wagon
which deponent has since seen and
fully and positively identified as his
property and prays that the defendant be
dealt with according to law. Chas Adickes.

Sworn to before me this

1892

of Charles Adickes Police Justice.

POOR QUALITY
ORIGINAL

0399

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss:

✓ District Police Court.

Benjamin Brown

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 sees 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.

Benjamin Brown

Question. How old are you?

Answer.

37 yrs

Question. Where were you born?

Answer.

Canada

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

Answer.

1077 Berthurst 11 yrs

Question. What is your business or profession?

Answer.

Harness 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
Benjamin Brown
mark

Taken before me this

day of

1894

Charles W. Whitely

Police Justice.

0400

Police Court... District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

ON THE COMPLAINT OF
 Mrs. M. M. M. M.
 Plaintiff
 vs.
 Defendant

Offered

Dated

Residence *Street*

Magistrate

No. 3, by

Officer

Residents Street.

Precinct

No. 4, by

.....

Residence *Street*

.....

No. 1617 Street —

Age Group	1970	1980	1990	2000	2010	2020
0-14	20	18	15	12	10	10
15-24	15	14	13	12	11	10
25-34	12	11	10	9	8	7
35-44	10	9	8	7	6	5
45-54	8	7	6	5	4	3
55-64	6	5	4	3	2	1
65-74	10	11	12	13	15	20
75+	2	3	4	5	6	7

No.
Street.

to answer

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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. 27 1884 Charles N. Smith Police Justice.

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

Dated 188 *Police Justice.*

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

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

POOR QUALITY
ORIGINAL

0401

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

William Powers
Officer
aged *35* years, occupation *Precinct* of No. *35*
Precinct Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *William Powers*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this
day of *Dec* 189*3*

William Powers
Charles Linton
Police Justice.

POOR QUALITY
ORIGINAL

0402

Court of General Sessions.
City and county of New York.

-----x
The People
vs
Benjamin Brown
-----x

Before the
Hon. Rufus B. Cowing
and a jury.

Indicted for grand larceny in the second degree.

Indictment filed October 7th, 1892.

Tried November 22, 1892 .

Appearances .

Assistant District-Attorney Bedford for the People .
Mr. for the defence.

W I L L I A M H. A D D I C K S , called by the People
being duly sworn, testified that on the 1st of October
1892 he owned a horse, gig and harness worth \$200.
Complainant had been driving around and had it untied
in front of his place of business 334 East 13th street,
New York. At the end of 10 or 15 minutes when witness
came out of the place the horse and wagon were gone, and

**POOR QUALITY
ORIGINAL**

0403

2

did not authorize anybody to take it. The first time witness saw it after that was at the station house in 57th street. Never met or knew the defendant before the robbery.

M I C H A E L J. R Y A N being duly sworn testified that he was a bar tender and was in the neighborhood of 334 West 13th street on October 1st when he saw the defendant with the horse and wagon about 100 feet away from the last mentioned place. Witness then went to the store where he was employed and notified his boss about the matter. The complainant came in a short time thereafter and asked witness and his boss if he saw anybody take the rig consisting of the horse and wagon. Witness presumes that complainant went right to the station house. Witness thinks the defendant was drunk when he saw him driving away with the gig from where it was stationed.

W I L L I A M P O W E L L being duly sworn testified that he was attached to the 25th precinct, and that he arrested the defendant on the 1st of October at about half past three o'clock P. M. At that time defendant was at 74th street between Avenue A and the East River

**POOR QUALITY
ORIGINAL**

0404

3

passing directly in front of the Horse Market . Defen-
dant looked dissipated and suspicious, and witness asked
some men in the market if they knew him but nobody knew
him. Witness stopped the defendant and asked him who
owned the horse and wagon. Defendant said he did.
Witness asked where he belonged and he replied at 61
Bank street. Witness said he understood he had offered
the gig for \$125, and if he was not offering it rather
cheap. Defendant replied that it was because he had
been out of work for sometime and was kind of short and
wanted to raise some money, and so had to dispose of
it. Defendant asked him what his name was and he re-
plied Tom French. Defendant asked him if he owned the
horse and wagon altogether, and he replied not altogether
but himself and his father in law owned it in partnership.
Defendant asked where his father in law lived and he
replied in the same house he did, and that his name was
Thomas Lenahan and was a tallow dealer . Defendant
said it might be true but it did not satisfy him, and he
would have to go to the station house . At the
station house the sergeant question defendant and he told
about the same story. The defendant at the time

witness conversed with him was not intoxicated but had evidently been drinking .

J O H N C A R R O L L being called by the defence and duly sworn, testified that he resided at 29 Bethune street, New York, and knew the defendant 8 or 9 years, and knew a great many other people who knew him, defendant . Defendant's general reputation for honesty is first class. Witness would trust him when he was sober with \$5000 but not when he was drinking as he would not be responsible .

B E N J A M I N B R O W N , the defendant, being duly sworn testified that he resided at 27 Bethune street with his mother in law and that he had never before been charged with a criminal offence or been in a court of Justice charged with a crime. Defendant took the horse and wagon but not with the intention of selling them. Defendant did not know what he was doing at the time. He did not tell the officer he offered it for \$125. Defendant had been drinking for 15 or 16 days prior to the stealing, and was locked up seven weeks last Saturday.. When defendant is drunk he cannot distinguish right from wrong. Defendant knew that he got into

POOR QUALITY
ORIGINAL

0406

5

the gig, and knew the gig and horse were not his, and nobody authorized him to do it, but he did not know what he was doing at the time. When defendant met the officer, he did not think it would amount to anything. Witness was so drunk he did not know it was wrong to take the horse and wagon. The other things the officer says he said, defendant does not know anything about. Witness does not know how far he drove the horse; don't know if he ran into any vehicle. Defendant could not say if he stopped on his way and had several drinks.

M R S. B R O W N being duly sworn testified that the defendant was her husband and she resided at 27 Bethune street with her mother. Defendant had been drinking about two weeks on a spree; at times he did not know what he was doing.

#####

POOR QUALITY
ORIGINAL

0407

TELEPHONE CALL,
2389 CORTLAND.

LAW OFFICE OF

STEWART'S BUILDING
Room 89.

JAMES W. McLAUGHLIN,
280 BROADWAY,

New York,.....Oct. 31st.....1892

Court of General Sessions.

The People

vs

Benjamin Brown

Dear Mr. Macdona,

My office and myself have been completely upset on account of the sickness of my wife and the death of one of my children, so much so, that the cases on the calendar have been neglected and no witnesses subpoenaed in the above case.

Mr. Fay promised me he would tell you that the above case was fixed for Wednesday in Part Three of the above Court, and was overlooked by my clerks in my absence. I hope you will do me a personal favor and allow the case to go over until Friday. I am unfit to try any case to-day. By so doing you will greatly oblige,

Yours truly

James W. McLaughlin

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Benjamin Brown

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

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

The said

Benjamin Brown

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

*one horse of the value of one
hundred and twenty-five dollars,
one wagon of the value of
fifty dollars and one set of
harness of the value of twenty
five dollars*

of the goods, chattels and personal property of one *William H. Adickes*

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.

SECOND COUNT—

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

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

The said

Benjamin Brown

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 horse of the value of one
hundred and twenty-five dollars,
one wagon of the value of
fifty dollars and one set of harness
of the value of twenty-five dollars*

of the goods, chattels and personal property of one

William H. Adickes

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

William H. Adickes

unlawfully and unjustly did feloniously receive and have; the said

Benjamin Brown

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

DE LANCEY NICOLL,

District Attorney.

04 10

BOX:

497

FOLDER:

4535

DESCRIPTION:

Brown, Edward

DATE:

10/07/92



4535

04 1 1

BOX:

497

FOLDER:

4535

DESCRIPTION:

Reynolds, Thomas

DATE:

10/07/92



4535

0412

Counsel,

Killed

How of

100

Pleads!

THE PEOPLE

75.

Edward Brown

and

Thomas Reynolds

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Al Lockwood

Foreman.

100

Rail May 10/23

Very truly
yours

June 20, 1893

By birth

by brotherhood

I have examined this
case & find that no case
can be made for the people
without the presence of a
compliment. This case
has been ~~sent~~ to the
magistrates, now, to the
but the complement can-
not be formed.

My post does depend on the
delay upon the arrival

unjuices
June 20, 1893
New York City
By protestants

by brotherhood

Grand Larceny, *From the Person,* (Sections 528, 529, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. Lockwood

Foreman.

100

Rail May 10/23

Very truly
yours

June 20, 1893

By birth

by brotherhood

Police Court 47 District.

Affidavit—Larceny.

City and County }
of New York, } ss:

of No. 171 West 47 Street, aged 45 years,
occupation waiter being duly sworn,

deposes and says, that on the 14 day of September 1899 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the night time, the following property, viz:

Eighteen Dollars, good and lawful money
of the United States

\$18.00

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 Edward Brian and

Thomas Reynolds (now here) and (another person, unknown to deponent and not yet arrested) (all acting in concert) from the fact, that deponent was seated on a

stoop in East 33rd Street between 2nd and 3rd Avenues at about 3³⁰ P.M. on the above date and the three persons above referred to

approached deponent; that deponent saw the defendant Brian put his hand in the left-hand pocket of deponent's trousers, when

deponent had said money, and turned said pocket inside out and then the said defendants ran away. Therefore deponent accuses defendants of having stolen said property and prays that they may be dealt with as the law directs.

J. Karre

Sworn to before me, this 14 day

of September 1899

Wm. J. Miller Police Justice.

POOR QUALITY
ORIGINAL

0414

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Edward Brown being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees 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.

Taken before me this
day of

Sept 11 1894

Police Justice.

E. Brown

POOR QUALITY
ORIGINAL

0415

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss:

X District Police Court.

Thomas Reynolds

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 sees 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.

Thomas Reynolds

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

W.D.

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

Answer.

330 E. 37 St.

3 years

Question. What is your business or profession?

Answer.

Churn

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 Reynolds

Taken before me this

day of *September* 189*9*

[Signature]
Police Justice.

POOR QUALITY
ORIGINAL

0416

DAILED,
No. 1, by Michael Henry
Residence 192-34 Ave.
No. 2, by James McArthur
Residence 1199 Fulton Ave.
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____
Street _____

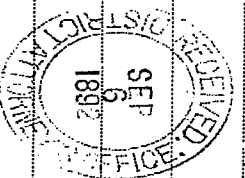
Police Court--- 4 District.

THE PEOPLE, &c.,
OF THE COMPLAIN-OR
Edward Brown
Thomas Reynolds
Offence Larceny from the Person

Dated Sept 4 1892

Wells Justice,
John Officer,
21 Precinct.

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



No. 1000 Street 4th
to answer to
No. 2 Street 2nd
Bailed

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 September 4 1892 W. A. Wells Police Justice.

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

Dated Sept 5 1892 W. A. Wells 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.

GLUED PAGE

POOR QUALITY
ORIGINAL

0417

PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To John Kane
of No. 171 W-47 Street,

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the JUNE 20 day of 1893 at 10.30 o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Edw. Brown et al
Dated at the City of New York, the first Monday of JUNE
in the year of our Lord, 1893

DE LANCEY NICOLL, *District Attorney.*

GLUED PAGE

POOR QUALITY
ORIGINAL

0418

Court of General Sessions.

1714

THE PEOPLE

vs.

for trial, and no reason
the District Attorney's
me.
you prefer another day,
day, in the Court.
only word to the District

Edward Brown et al

City and County of New York, ss:

John W. Reilly

being duly

sworn, deposes and says: I reside at No.

250 1/2 W-10

Street, in the City of New York.

I am a Subpoena server in the office of the District Attorney

of the City and County of New York. On the

19

day of

June 1893

I called at

171 W-47th Str.

the alleged

residence of John Kane

the complainant herein, to serve him with the annexed subpoena, and was informed by

the housekeeper, that no such
person by the name of John
Kane, resided at that address
She could give me no information
about him

Sworn to before me, this

20th day

of

June

1893

John W. Reilly

Subpoena Server

John W. Reilly

Subpoena Server

POOR QUALITY
ORIGINAL

0419

Court of General Sessions.

THE PEOPLE, on the complaint of

John Hane

vs.

Edw. Brown

Offense

DE LANCEY NICOLL,
District Attorney.

Affidavit of

John H. Nicoll

Subpoena Server.

FAILURE TO FIND WITNESS.

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

THE PEOPLE OF THE STATE OF NEW YORK

against
Edward Brown
and
Thomas Reynolds

The Grand Jury of the City and County of New York, by this indictment, accuse
Edward Brown and Thomas Reynolds
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said *Edward Brown and Thomas Reynolds*, both
late of the City of New York, in the County of New York aforesaid, on the *fourth*
day of *September*, in the year of our Lord one thousand eight hundred and
ninety-*two*, in the *night*-time of the said day, at the City and County aforesaid,
with force and arms,

the sum of eighteen dollars
in money, lawful money of the
United States of America, and
of the value of eighteen dollars

of the goods, chattels and personal property of one *John Kane*
on the person of the said *John Kane*
then and there being found, from the person of the said *John Kane*
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.

De Lancey Recoll,
District Attorney

0421

BOX:

497

FOLDER:

4535

DESCRIPTION:

Brown, William

DATE:

10/26/92



4535

POOR QUALITY
ORIGINAL

0422

Witnesses:

Counsel,

Filed

day of

1892

Pleas,

THE PEOPLE

vs.

D.

William Brown

H.D.

SODOMY.

[Sec. 808, Penal Code, as amended by Chapter 823, Laws of 1892.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Doocwood

Notaral.

Part 3. Nov 15/92

True and Legitified

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT.....DISTRICT.

CITY AND COUNTY }
OF NEW YORK, } ss.

of the 2d Precinct Police, being duly sworn, deposes
and says that Joseph Hartman
(now here) is a material witness for the people against
William Brown charged
with Crime against nature. As deponent has
cause to fear that the said Joseph Hartman
will not appear in court to testify when wanted, deponent prays
that the said Joseph Hartman be
committed to the House of Detention in default of bail for his
appearance.

James Connor

Sworn to before me, this
day of October 1892

J. J. Mahoney Police Justice.

POOR QUALITY
ORIGINAL

0424

Police Court, District.

(1353)

City and County } ss.
of New York,

of No. 2 West Street, aged 17 years,
occupation Seaman being duly sworn, deposes and says,
that on the 21 day of October 1892, at the City of New
York, in the County of New York

William Brown (was) then, did fe-
loriously carnally abuse this
deponent in a manner contrary
to nature in violation of Section
30.3 of the Penal Code of the
State of New York for the reasons
following to wit: on the said
date this defendant induced de-
ponent to accompany him to a room
at 182 West Street and whilst in
said room the defendant did force
deponent down on a bed and did
push his penis into his deponent's
rectum.

Sworn to before me } Joseph Hartgrove.
this 22nd day of October 1892

By Wm. M. M. M. M.

Police Justice

POOR QUALITY
ORIGINAL

0425

(1335)

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK }

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

Question. What is your name?

Answer.

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.

Taken before me this

day of *October* 189*2*

Police Justice.

POOR QUALITY
ORIGINAL

0426

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

Police Court.

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Brown

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

Dated,

Dec 22 1892

W. M. Magistrate

James Officer

Witnesses

James Davis

No. 2, by _____

Call the officers

No. 3, by _____

Complainant's Son

No. 4, by _____

James A. Robinson

No. 5, by _____

John to answer

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

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

Dated, *Dec 22 1892* _____ Police Justice.

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

Dated, _____ 189 _____ 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, _____ 189 _____ Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

William Brown

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

indictment accuse William Brown

of the CRIME OF SODOMY, committed as follows:

The said William Brown,

late of the City of New York, in the County of New York aforesaid, on the
Twenty first day of October, in the year of our Lord one thousand
eight hundred and ninety- two, at the City and County aforesaid,
in and upon one Joseph Matigone,
a — male person, then and there being, feloniously did make an assault, and
him, the said Joseph Matigone, then
and there feloniously did carnally know by the anus, 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.

— (2010) —

So. Daney Nicol,
District Attorney

0428

BOX:

497

FOLDER:

4535

DESCRIPTION:

Brunauer, William

DATE:

10/04/92



4535

POOR QUALITY
ORIGINAL

0429

Witnesses:

off Tarnley

Samuel R. R. R.

Subpoena office
tarnley for

2nd

Counsel, Henry J. Perry, 20
Filed, May of 1892
Pleads, Myself

THE PEOPLE

vs.
William B. B. B.

William B. B. B.

Grand Larceny,
[Sections 538, 539,
Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Blumen Lockwood

Oct 2 - October 11, 1892, Foreman.

Grand Larceny 2nd Deg

Grand Larceny 2nd Deg

Oct. 20/92

for

POOR QUALITY
ORIGINAL

0430

Police Department of the City of New York,

Precinct No. 27

New York, Sept 27th 1892

To the Justice presiding

at 6th district court

Received from Police Headquarters at 1 this
A.M.,

The following telegram was just
been received from Boston.

Have Brunnans committed
for thirty days for larceny of clothing valued
at two hundred and fifty dollars from Alexander
Stanley arrested at 27 Precinct. Stanley
leaves for your city on the 2 P.M. train

Benjamin S. Cludge Supt of
Police.

Thomas Byrnes

Supt of Police

N. Y. City

Very respectfully

Nathaniel S. Shinn

Sept 27 1892

Police Court 5 District.

Affidavit—Larceny.

City and County } ss:
of New York,

Samuel Rozser

of No. 1053 Park Ave Street, aged 29 years,
occupation work in a laundry being duly sworn,
deposes and says, that on the 1st day of March 1892 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the pos-
session of deponent, in the day time, the following property, viz:

good and lawful money to
the amount of two hundred and
fifty dollars. one gold chain. of the
value of twenty dollars. together of
the value of two hundred and
seventy dollars.

the property of Repsnunk

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken,
stolen and carried away by William Brannan
(now here) from the fact that the said
defendant traded with deponent in said
premises. and one day about 4 o'clock
P.M. early in the month of March
1892. he the defendant and deponent
left deponent home and immediately
after he left deponent discovered that
all of said property was missing. and
as this defendant was the only person
other than deponent and the other members
of deponent family who knew where
said property was. and had access to
said property. deponent charges this
defendant with feloniously taking stealing
and carrying away said property.

Sam Rozser

Sworn to before me, this 26 day

of April 1892

Albion J. Jones
Notary Public

POOR QUALITY
ORIGINAL

0432

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss:

5 District Police Court.

William Brimmer 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 sees fit, to answer the charge and explain the facts alleged against *h*;
that *he* is at liberty to waive making a statement, and that *h* waiver cannot be used
against *h* on the trial.

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty.
Wm Brimmer

Taken before me this

189

Police Justice

POOR QUALITY
ORIGINAL

0433

BAILLED,
No. 1, by _____
Residence _____ Street _____
No. 2, by _____
Residence _____ Street _____
No. 3, by _____
Residence _____ Street _____
No. 4, by _____
Residence _____ Street _____
No. 5, by _____
Residence _____ Street _____

Police Court...

District...

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William G. ...

Offense

Grand Larceny

Dated *September 26* 1892

M. ... Magistrate

T. ... Officer

27 Precinct

Witnesses *Martin ...*

No. *211 E ...* Street

...

No. *St. ...* Street

No. *1000* Street

to answer

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

Defendant

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *1000* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated *Sept 26* 1892 *... Police Justice*

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

Dated, _____ 189 _____ 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, _____ 189 _____ Police Justice.

Oct

Court of General Sessions.
City and County of New York.

Part II.

-----x
The People :
vs : Before the
William Brunauer. : Hon. Frederick Smyth,
and a jury.
-----x

Indicted for grand larceny in the second degree.
Indictment filed September 4th, 1892.
Tried October 10th, 1892.

-----x
Appearances:
Assistant District-Attorney Masdona for the People.
Henry T. Perry, Esquire, for the Defense.
-----x

R O S A R O Z A, being called by the prosecution, and duly
sworn, testified that she lived at No. 1,053 Park Avenue
in this city with her husband and three children. She
knew the defendant. He was a greenhorn when he came
here. He lived with her for about four or five months

before the 1st of March. The first few months the defendant usually went out in the evening. In the daytime he said that he was at the riding academy on Fifth avenue. Just before the 1st of March the defendant usually came home about 8 o'clock. At about 8 o'clock on the morning of March 1st, the defendant came home and did not go out again. She, the witness, was in the dining room. The defendant had had a fight that night and when he came in he did not talk any. The defendant had his room next to the parlor, or front room. Some money was in the third drawer of the dresser, in the front room, and also a gold chain. They were stolen. The money was in bills in a pocketbook and the chain was in a handkerchief, tied up in the corner. She saw the money just a few minutes before the defendant went into the room. Before he went into the room the defendant said he wanted to change his clothes and asked her, the witness, for a piece of wrapping paper to take his clothes to the tailor to be fixed. There were seven rooms on the floor. The parlor fronted on the street. The next room to the parlor was the first bedroom, which was the defendant's room.

The dresser where the watch and money was was in the front parlor. The defendant was in the room just a few minutes and she saw him when he came out. She did not speak to him or he to her, and he went to the tailor. He had a parcel with him in the paper she had given him. She never saw him again after that until he was arrested. The defendant owed her about eight weeks board. He paid only at first for the first two months. Nobody went into the room that she saw, except the defendant, after she came out. As soon as she came out the defendant went in. There was no one in that room when she allowed the defendant to go in to change his clothes. The defendant had the room next to the front parlor. When the defendant went to change his clothes he went into his own room and locked the door. His room connected with the front parlor by two folding doors, which were open. As soon as he came home the defendant was in the habit of opening the folding doors. On the day in question she heard him open the doors. She heard the slide back. They were closed when he came out. She was in the dining room when she heard the noise of the doors sliding. It was

a flat that she lived in and all the rooms were on the same floor. She did a dressmaking business. She always had money in the pocket book in the drawer of the dresser. The last time she put any money in was the afternoon before the money was stolen, about 5 o'clock. She put \$176 in then, and the money was all right then. She did not count the rest of the money that day. The last time she counted it was about three days before when she had put \$275 in it. When she missed the money the pocket book had not been moved and was shut. After the defendant went out she saw that his bureau drawer was open and the bureau was empty, and she ran to her dresser and found the pocketbook was empty and not a cent in it. The drawer was shut. Before the defendant came in she had gone to the drawer for something, and, as was her habit, she opened her pocketbook and saw that the money was there. She did not look for the chain at that time. The last time that she saw the chain there, was a month before. She employed girls to work for her and they sometimes went into that room. The defendant was in the room about ten or fifteen minutes. There was a door from the

parlor into the hall and there was a patent lock on it. The three persons in the house at the time were one working girl, one servant girl and herself, and her three children. All of them were in the rear of the flat. She occupied the ground floor.

H E R M A N S C H W A R T Z, being duly sworn and examined through an interpreter, testified that he lived at No. 201 East Houston street, with his father. On the 1st of March he went to Chicago with the defendant and the defendant went to a pawn shop and pawned a gold chain for \$3, in his, the defendant's own name. He, the witness, saw as much as \$70 or \$80 in the defendant's possession, three or four days before they started from New York. They left New York on the 1st of March about six o'clock in the evening. He, the witness, had known the defendant in Hungary. The defendant told him that he received money from home and once he, the witness, saw a kind of an order for \$40 which the defendant received from home. He, the witness, saw the defendant every day for a week before the defendant pawned the chain, and before that every two or three days. He used to see the defendant in the evening.

They always met in a Hungarian coffee house in Houston street. The defendant spent money and was the best customer in the coffee house. He, the witness, saw the defendant in the riding academy once on horseback. Outside of the riding academy he never saw the defendant do any work. The defendant had no trade. He, the witness, did not know if the defendant was employed as a riding master in the riding academy. He, the witness, saw the chain in evidence, in the defendant's possession before the defendant pawned it. The defendant had no watch and had the chain simply in his pocket. He saw the chain in the defendant's possession about three weeks before the defendant pawned it. He, the witness, never sent the defendant to his father for \$70 or \$80. The defendant went every day to the riding academy, as he, the witness, went several times with him and saw him go inside.

P E T E R S. F A R N E Y, being duly sworn, testified that he was an officer attached to the Twenty-seventh Precinct. He arrested the defendant on the 26th of September last. He, the witness, was on post when Mr. Roza brought the defendant to him and told him that the def-

endant had robbed him of \$250, and he, the witness, brought the defendant to the station house.

S A M U E L R O Z A, being duly sworn, testified that the defendant boarded with him previous to the 1st of March. He, the witness, was the husband of the complainant, and lived with her at No. 1,053 Park avenue. He was not at home on the 1st of March when the money was stolen. He did not see the defendant after the 1st of March until the 26th of September, when he passed the corner of 86th street and Second avenue and saw the defendant in front of a cigar store, and he arrested the defendant and took him to the officer. When he got hold of the defendant, he, the witness, said, "Are'nt you afraid to come here?" The defendant said in Hungarian, "Uncle, leave me alone. I will give you everything that I have by me and I will send home a telegram to my father to settle. Leave me alone You do not get anything when I am arrested." The defendant was a far relation of his, the witness, and he told the defendant "You are a bad boy- you have to be arrested" He told the defendant he would not leave him, the defendant, alone, that he had trouble at home and trouble

0441

here also and he, the witness, would not pardon him.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

William Brunauer

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

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

The said

William Brunauer

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

*the sum of two hundred and
fifty dollars in money, lawful
money of the United States of
America, and of the value of
two hundred and fifty dollars and
one chain of the value of twenty dollars,*

of the goods, chattels and personal property of one

Samuel Rozsa

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.

*De Lancey Nicoll
District Attorney*

0443

BOX:

497

FOLDER:

4535

DESCRIPTION:

Bryant, Albert

DATE:

10/07/92



4535

POOR QUALITY
ORIGINAL

0444

Witnesses:

Off Lees

Counsel,

Filed,

1892

Pleads,

July 13

THE PEOPLE

vs.

VIOLATION OF THE EXCISE LAW.
[Chap. 401, Laws of 1892, § 32].
Selling, etc., on Sunday.

B.
Albert Bryant

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

B. Dockwood

Foreman.

Dec 8 1892

Court of General Sessions of the Peace

1007

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Albert Bryant

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

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

Albert Bryant

late of the City of New York, in the County of New York aforesaid, on the *twenty-first* day of *August* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale 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 one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Albert Bryant

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale 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 offer and expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0446

BOX:

497

FOLDER:

4535

DESCRIPTION:

Burns, Emily

DATE:

10/25/92



4535

POOR QUALITY
ORIGINAL

0447

Witnesses:

Mary Ann Ryan

Off Devine

Counsel,

Filed

day of

1892

Pleads,

Argued by

THE PEOPLE

vs.

P

Emily Burns

H. D.

De LANCEY NICOLL,

District Attorney.

Grand Larceny,
(From the Person.)
[Sections 528, 529,
Penal Code.]

A TRUE BILL.

B. Foreman

Foreman.

Open & covered

2 yrs + 3 mos

For

10/10/92

10

THE PEOPLE

COURT OF GENERAL SESSIONS, PART I.

vs.

BEFORE JUDGE FITZGERALD.

EMILY BURNS.

Friday, November 11, 1892.

Indictment for Grand Larceny in the second degree.

A Jury was empannelled and sworn.

THOMAS CARSON, sworn, and examined:

I am a seafaring man, a man of cars man. The last ship I was on was the man-of-war Baltimore. I was paid off on the 17th of October, that was a Monday. I received \$740.00. I was in the City of New York on the 19th of October, 1892, on Grand street, with a friend named Frank Smith, who has gone to Russia. I met Smith about two o'clock in the morning. I was not drunk. When we were about half way across Grand street we met two girls; the defendant was one of them, and the other was Mary Ryan. We went into McElroy's saloon. At the time I had about \$700.00 on me, I had it in a concealed belt around me, next to me person, and I had a \$100.00 bill in my shirt pocket and fifteen cents in my pants pocket. I had spent \$40.00 for clothing. I was going to change the \$100.00 bill and I hauled it out, but I put it back in a hurry. I had it in my shirt pocket. I was in my sailor uniform. I went in to the bar and had a drink at the bar, with my friend. Then I went into the box; my friend would not go in there. There were about five people in the box when I entered. The defendant asked me if I was going to treat, and I said yes. So I called for a drink. It amounted to about twenty-five cents, there were five drinks. I put my hand down in my pocket to pay for the drinks, and I found that I had only fifteen cents, and I put it back in my pocket again.

I felt in my other pocket, and I saw the one hundred dollar bill. I put it back again; I was not going to change a hundred dollar bill in there, and I put it back and I hauled out fifteen cents. I didn't want anything to drink. I said, "You can do what you like about it." The defendant said, "That's all right; if you speak to the bartender, I will square that." She commenced to foll around me; she got me worked up. She put her hand in my pocket and she took it out, and passed it behind her. I saw the hundred dollar bill in her hand after she pulled her hand out of my pocket. I never saw the woman before in my life. I have no reason to make a charge against her, except that she too a hundred dollars from me. I said to her, the defendant, "Give me that bill;" I did not say it was a hundred dollars, I did not want to let her know that it was a hundred dollars. I said, "Give it back to me." She said, "I will give it to you." Other people were behind her. Finally she put her hand out and said, "I ain't got it." I says, "I will have you arrested if you don't give it to me." I told Mary Ryan that the defendant had taken a hundred dollars from me, and Mary Ryan said to have her, the defendant, arrested. I went out for a policeman. I just went half-way across the street, and back again. I whistled and two officers came. The woman was being put out of the saloon by the bartender. I saw the defendant thrown out of the saloon by the bartender. I pointed the defendant out to the policeman, and said, "That is the woman that took my money." I don't think I was more than a minute looking for the officers; they were right over on the opposite corner. I did not go back in the saloon. I did not see anybody else put out of the saloon but the de-

fendant. The defendant said to the officer, "I gave him his hundred dollar bill. I said, "You didn't." She, the defendant said, "If I didn't give you your hundred dollar bill, I must have dropped it on the side-walk." The officers lit matches and looked for it on the side-walk, but they could not find it. The officers could not get anything else out of her, and they arrested her and took her to the station house.

CROSS EXAMINATION:

I am an American citizen, twenty-six years old, and have been in the Navy since 1866. I was on the "Baltimore" three years, continuously, and I have got an honorable discharge to show for it. I went on the "Baltimore" on her cruise around the world. The "Baltimore" is not here; I came round from San Francisco, a passenger. I arrived in New York on the 15th of October, on the "Columbia," and went to receiving ship on the dock in Brooklyn. I stayed there from Saturday until Monday. The only money I spent from Saturday until Monday was for car-fare. On Monday, at about four o'clock in the afternoon, about twenty or thirty of us came over from the Brooklyn Navy Yard. We were landed in a safe place, at the foot of Grand street. After our arrival here, myself and three others walked up to the Emblem Hotel, corner of Grand street. Before arriving at the hotel I did not have anything to drink. We intended to stay at the hotel until Wednesday. When we got to the hotel, I took a glass of beer. At five o'clock I went up to 99th street and Second avenue; I had some friends up there; that is my home. I stayed there until about eleven o'clock. I did not drink anything there. I was perfectly sober then. We came out and went to the corner with a friend of mine, and we had a drink.

I intended to meet my friend, Frank Smith, at the hotel. When I got back to the hotel I went up in the reading room, and found the other fellows. We sat up until twelve o'clock. We stayed there until the 19th. We did not eat at the hotel; they did not serve meals there. We had our meals at Fisher's restaurant. On the night before the robbery, I was up-town visiting my friends again. I stayed there until about ten or eleven o'clock, and came down again. I did not drink with them. I came down to the hotel again, and I met Frank Smith in the reading room of the hotel again. We went to Brooklyn, for a suit of clothes that I had in abvalise at that time. We came to New York again at about eleven o'clock. We were perfectly sober when we returned to New York. My friend, Frank Smith, was going to sea. I left him in the saloon corner of Cherry and Catherine street. We had one glass of beer in there. My friend went to several sailor's boarding house, inquiring for his brother. Up to this time I was perfectly sober. My friend couldn't find his brother. We returned to the hotel. It was about twelve o'clock. We were watching the men working on the cable-road; it was a bright night, and we stood watching them for awhile. A citizen, who was formerly in the Navy, came up and spoke to us. I asked him in to have a drink; we went in there, and had three beers apiece. I wanted to go to bed but Frank Smith said, "I am going away in the morning, and I don't care to go to sleep. I am going to walk around and see the city a little while." I told him he had better go to bed. I took a couple of glasses of beer before I met the defendant. I was still perfectly sober. We were walking down on the left hand side of Grand street, and we met the girls

about half-way across the street. I drank on the opposite corner, with this friend of mine. The girls came up, and said, "Hello, Jack." The other fellow was in citizen's clothes, and I was in sailors' clothes. The defendant said "Aren't you going to treat?" I says, "Where are you going to drink?" They said, "Well, we will go into McElroy's saloon." They went into the box; my friend would not go into the box; I stood and treated him at the bar, and I came into the box myself. I took my hundred dollar bill out of my pocket, and I saw it was a hundred dollar bill, and I put it back in a hurry. The defendant folded her arms around me, and then she put her hand in my pocket and took out the bill. When I tried to stop her, she pulled her hand out and put it behind her. When the officers came, they arrested her and took her to the station house.

MARY ANN RYAN, sworn, and examined:

I was with the defendant, Emily Burns, on the evening of the 19th of October, when we met the complainant. We went into McElroy's saloon, and the defendant and I went into the box, and the complainant went out to the bar. The complainant afterwards returned to the box, and was talking with the defendant. I saw a bill in the defendant's hand, and I heard her say to the complainant, "It is a one-dollar bill; you gave it to me." The sailor did not say anything; he went out to the door. He told me he lost a hundred dollar bill; I said, "Why don't you get her arrested?" The defendant, Emily Burns, said to the officer, "What are you trying to do, hang me?" She called the officer aside. The complainant said to the defendant, "Give me the bill, and I will say

nothing about it." The defendant said, "I did give it back; if I didn't, I dropped it on the side-walk." Then the officers lit matches and looked for the bill.

CROSS EXAMINATION:

We met the sailor and his friend about one or two o'clock. I had been to a sick lady's house; I had to go down as far as McElroy's saloon for gin, for her and me both. It was on the way down there that we met the complainant. I went to the saloon with the defendant and the complainant. I was perfectly sober and so was the defendant. There is no place in the box to sit down. I saw the defendant and the complainant standing together; she had one hand around his neck. They did not remain in that position very long. There was people coming in and I moved over. I saw a bill in the defendant's hand, but I couldn't see what denomination it was. The sailor said to the defendant, "Give me that bill." The defendant said, "I only got a dollar bill, that you gave me." The sailor then went out to the door, and did not come back. The officer arrived in a few moments. The defendant was not searched there; she was searched in the station house. There were about five people in the room; I know there was two ladies. When the defendant said that it was a dollar bill, that the complainant had given her, the complainant denied that he had given it to her.

THOMAS H. DEVINE, sworn and examined:

I am connected with the 10th police precinct, and have been connected with the Police Department for about three years. I remember the 19th of October, last, when I arrested the defendant. It was about five o'clock, in the morning, and

. Officer Worden and myself were standing on the corner of Grand and Elizabeth streets. The sailor came out of the saloon and beckoned to us ; we ran over as quick as we could, and asked him what was the matter. The sailor had a conversation with us and I started to go into the saloon for this Emily Burns, the defendant, and the bartender was putting her out, and I took her out of the door. I asked her, the defendant, if she had taken a hundred dollar bill from the sailor, the complainant. She said, "No." I said, "I don't believe you; you did take it; give it up; where have you got it?" She said, "I haven't got it." I said, "You had better give it up, you know the consequences." She says, "I ain't got it." I said, "Well, come to the station house." She said, "What do you mean, are you going to hang me?" She took hold of my coat sleeve and said, "I want to talk to you." So I called Officer Worden and we went one side and had a talk. She, the defendant, said, "Now, see here, Devine; I have got that ten dollar bill; I will give you each ten out of it, if you will let me go and get the sailor away."

CROSS EXAMINATION:

I did not search her on the street; it is against the rules of the Department. I took her to the station house; she was searched there. I did not see her searched; she was searched by the matron. After I arrested the defendant, the complainant positively said that she had taken his hundred dollar bill. She, the defendant, denied it, and said, "I gave him back his money or I dropped it on the side-walk." We lit matches and looked for the money, but couldn't find it.

HECTOR WORDEN, sworn, and examined:

I am connected with the 10th precinct police. I have been connected with the Police Department for five years. I remember the morning of the 19th of October. I was on the corner of Mott street and Broome, and I saw a crowd had collected in Grand street. I came right down, and I saw the complainant, the defendant, and Officers Devine and Ro ney there. The defendant was on the side-walk. I heard her, the defendant, deny that she had taken any of the sailor's money, and I heard the sailor accuse her of taking this hundred dollar bill. She called Devine one side, and I heard her say that she had the money, and it was worth ten dollars apiece to us to get the sailor out of the way. I advised the defendant to give up the money. She, the defendant said "If you fellows send me away, I will fix you." Both the defendant and the complainant had been drinking, but they were sober enough to know what they were doing, I should say. I did not make any charge of drunkenness against them at the station house.

MICHEAL J. ROONEY, sworn and examined:

I am connected with the 10th police precinct, and have been a member of the Department for three years. I was standing with Devine when the sailor beckoned. We went over to the saloon, and as soon as the woman was put out, the sailor said, "That is the woman." I said to the defendant, "You had better give that money up." She denied having it for some time. She denied having it right up to the time that we said she would have to go to the station house. Then she stepped one side to me, we were all within three or four feet

of each other. She said to me, "Pull this fellow off, and there is ten dollars apiece in it."

CROSS EXAMINATION:

When we ran over to the saloon, Devine was ahead of me, and could see better than I could. The defendant and the complainant were not sober; they were partly intoxicated.

The Case for the Defence.

EMILY BURNS, sworn and examined:

I am the defendant in this case. I saw the complainant on the morning of the 19th of October, crossing Grand street. I went to the saloon with the complainant. I did not take any bill whatever out of his pocket while in that saloon. We were all intoxicated, both the complainant and Mary Ryan. I only remember the officer who arrested me; I do not remember seeing the other two. I have a slight remembrance of being searched, having the lining torn out of my hat. None of my friends called upon me in the station house. I was taken to the Toms, and searched again there. Up to the time that I was taken to the Tombs, the only person that called to see me was my sister. I did not have the complainant's hundred dollar bill, and never saw it. I did not have it concealed on my person.

CROSS EXAMINATION:

I have been sent to the Island about five times, for drunkenness. I have never been sent to the Island for stealing. I was drunk at the time I was in the saloon with the complainant, but I can't help that.

The Jury rendered a verdict of **GUILTY**.

3

I was a member of the group I was in the afternoon with the con-
gress. I never never been sent to the island for anything.
I never been sent to the island upon the ship for anything.

IF CONGESTED ON WA BEZON.

Testimony in the case of
Emily Burns

3000 filed Oct.

• I went to the station with the constabulary. I did not see the machine of the train of October, following (being there). I saw the defendant in this case. I saw the constabulary on

THE QUOTE FOR THE DESIGN.

Buttress were not aware that were being threatened.
Gentry was asked when I came. The defendant and the son-
in-law were also in the room. During the speech of me, and

There is no further action to be taken.

of every other. She said to me, "Butt this bottom off, and

Officer M. J. Rooney.

I was standing on Grand & Elizabeth Sts. with Officer Devine. The complainant beckoned to us. ~~When we reached there she was being put out of McElroy's by the bartender.~~ The sailor said he had been robbed. Went to go in McElroy's, the sailor said he would know the woman. The bartender put out about a dozen women. Asked the sailor as they came out which one it was. Emily Bowers was about the last to come out. (The bartender had some trouble in getting her out.) I have ~~be~~ ^{her} arrested about a dozen times within the past two years. She has been sent to the Island about a dozen times. Off Devine first spoke to her, then she came over to me. She said I have got that Rooney. If you pull him off, there's \$10 a piece in it for you and Devine. I said "You're Devine's prisoner." she then went towards Devine, saw her speak to Devine, while Warden was standing near by.

Officer Hecton Worden.

I was in Mott St near Broome, saw the crowd gathering and came right down. The women were being put out of the saloon. I then heard her say to Officer Rooney "I got that there 10 a piece in it for you". She went over to Devine. I went behind her and searched in her hair and hat and pockets: she said to him: "There 10 a piece in it for you, if you get the sailor out of the way" we ~~could~~ not let her speak to the sailor. Before starting to the Station House she said to me "I have got that" said "How much is it" she said "10 or 12" ~~there 10 a piece in it~~ I said "Give that to Devine". She ^{said} "No, the son of a bitch if he puts me away, I'll fix him when he come out for it".

Thomas H. Carson

I was attached to Man of war
Baltimore. was paid off on the
17th day of October. On that Wednesday
I met the defendant and Mary Ann
Ryan on Ground St. and went into
McEroy's saloon. ^{after midnight} A friend was with
me. he has since gone to Russia.
The women were in a box in the saloon.
I went in there, called for 5 drinks.
They amounted to 25¢. I only had 15¢
change. I put my hand in a breast
pocket of my sailor shirt. I took it out
a bill. I saw it was \$100 bill and put it
back. Emily Burns was fooling with
me, had her arms around me. She
took the bill out of my pocket. I
saw the bill in her hand. She put
her hands behind her back. I asked
her for the money. I said "Gimme that
bill" she said "Yes I'll give it to you".
Then I took hold of her arm. She
said "I ain't got it now". I went out
and attracted the attention of the policeman
when he came I accused her of
taking the money. She said "I gave it
back to you". I said "No you didn't"

She said I must have dropped it on the sidewalk. They looked for it; the bill has never been found.

Officer

Devine.

I came up when called by Carson, Mary Ann Ryan was with him outside McEroy's saloon. The bartender was putting her out. She said she didn't take the money. Then said "I want to speak to you". Officer Worden was with me, and she took us aside. She said "I'll get the bill changed and give you each \$10 if you get the sailor away". I told her to give the money up she said "No. lock me up".

She was searched and the money was not found.

Mary Ann Ryan.

I was with Emily Burns when we met the sailor. Went in McEroy's into the box. Saw her with her arms around the sailor and put her hand in his ^{breech} pocket. She and the sailor were talking, and I saw a bill in her hand. Heard her say "I ain't got it. I only have the dollar bill". The sailor said "I lost \$100 bill". I told him to get an officer. Heard her say "I gave it back or dropped it on the sidewalk". Heard the officer say "Give it back". Saw her take the officers aside and speak to them.

POOR QUALITY
ORIGINAL

0462

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

of No. 10th Precinct Street, aged 30 years,
occupation Policeman 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 Carson

and Mary A. Ryan both now here are material
witnesses against Emily Burns charged with
larceny from the person. As defendant has cause
to fear that the said Carson and Burns will
not appear in Court to testify when wanted, he
prays that they be committed to the House
of Detention as witnesses in default of One
Hundred Dollars bail each.

Thos. H. Devine

Sworn to before me, this
19th day of
Oct 1887
M. H. Devine
Police Justice.

Police Court

District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Thomas Carson

of No. Street, aged 26 years,
occupation *Sailor* being duly sworn,

deposes and says, that on the 19 day of Oct 1892 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 ^{and from} daytime, the following property, viz:

One Hundred Dollars, good and lawful
money of the United States

the property of *deponent*

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by *Emily Burns* (now *known*)

for the reason that on said date deponent had
the said hundred dollars in the inside pocket
of his shirt then on his person. Deponent was
in deponent's company in a saloon at the corner
of Grand and Mott streets and while in said
saloon deponent inserted his hand into the pocket
of deponent's shirt and did take and steal
therefrom the said One hundred dollars.

Thomas Carson

Sworn to before me this 19 day

of

1892

Admiral Police Justice.

POOR QUALITY
ORIGINAL

0464

(1935)

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Emily Burns 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. *Emily Burns*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *23rd Street Brooklyn - 2 years.*

Question. What is your business or profession?

Answer. *Domestic*

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.
Defendant refused to sign.*

Taken before me this 19

day of Oct 1892

W. H. Nichols

Police Justice.

POOR QUALITY
ORIGINAL

0465

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

1879
1879
at

190
1307
Police Court
District.

THE PEOPLE, etc.
vs.
THE COMPLAINANT OF
the People
Offense *Lying from*
the People

Dated, *Oct 19* 189 *2*

Magistrate
Officer
at

Witnesses
My own
John J. Sullivan
Street

No. *11* St *Frederick*
Street

Complaint committed to the
Magistrate
to answer
Street

No. *11* St *Frederick*
Street

at

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

Dated, *Oct 19* 189 *2* _____ Police Justice.

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

Dated, _____ 189 _____ 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, _____ 189 _____ Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Emily Burns

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

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

The said

Emily Burns

late of the City of New York, in the County of New York aforesaid, on the *19th*
day of *October* in the year of our Lord one thousand eight hundred and
ninety-*two*, in the *day*-time of the said day, at the City and County aforesaid,
with force and arms,

the sum of one hundred dollars
in money, lawful money of
the United States of America
and of the value, of one
hundred dollars

of the goods, chattels and personal property of one *Thomas Carson*
on the person of the said *Thomas Carson*
then and there being found, from the person of the said *Thomas Carson*
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.

De Lancey Recoll
District Attorney