

0031

BOX:

516

FOLDER:

4703

DESCRIPTION:

Reilly, John

DATE:

03/10/93



4703

0032

BOX:

516

FOLDER:

4703

DESCRIPTION:

Stone, Thomas

DATE:

03/10/93



4703

Witnesses:

Charles O. Rockwell

S.P.
Rend
J.W.

Counsel,

Filed

Pleas

day of

1893

THE PEOPLE

vs.

John Steiley,

and

Thomas Stone

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Wm. McKeeler
March 13/93 Foreman.

Robert J. Hendon
Jury

Apr 1 - 3rd 1893
Separate complaints

Apr 2 - 2nd 1893
Apr 3 - 1st 1893

Burglary in the Third Degree.
[Section 498, 506, 528, 529, 530, 531.]

65 X X

0834

Police Court—6 District.City and County } ss.:
of New York, }of No. 591 East 142nd Street, aged 49 years,occupation Hardware being duly sworndeposes and says, that the premises No 2480 - 3rd Avenue Street,
in the City and County aforesaid, the said being a One story frame buildingand which was occupied by deponent as a storeand in which there was ^{not} at the time a human being, by ~~name~~were BURGLARIOUSLY entered by means of forcibly opening a
window on the south side of said premises and
entering therein with intent to commit a crimeon the 25th day of February 1893 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:a quantity of cutlery of the value
of Forty dollars, the property ofHorace B. Rockwell ^{Chas} Arthur C. Rockwell ^{Chas}Hellus R. Rockwell ex-partners indeponents are now charge as Manager

the property of

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away byThomas Stone (now here), and John
Reilly, previously arrested.for the reasons following, to wit: that since the commission of said
offense and in open court the said defendants
admitted and confessed that the said John
Reilly entered said premises to get in and
did take and carry away the property
above mentioned.Subscribed before me this
2nd day of March 1893
Thos. F. Fisher
Police JusticeCamden O. Rockwell

0035

Sec. 198-200.

6

1882

District Police Court.

City and County of New York, ss:

Thomas Stone

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

Question. What is your name?

Answer.

Thomas Stone

Question. How old are you?

Answer.

54 years -

Question. Where were you born?

Answer.

New Jersey -

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

Answer.

Home

Question. What is your business or profession?

Answer.

Trin. Smith

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

Answer.

I am guilty of the charge

His
Thomas Stone
mmmm

Taken before me this *2nd*day of *March* 1893*Chas. of Justice*

Police Justice

0036

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 Alfredant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 250 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 March 2nd 1893 Thos. J. F. Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0837

65 234
Police Court--- 6th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William O. Rodman
591 E. 142

1 *Thomas Stone*

2
3 *Quintessence*
4 *John R. Kelly*

Duglary
Office

Dated *March 2nd* 1893

Feitner Magistrate.

Thomas Silmarie Officer.

33rd Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ *1000* to answer *B.S.*

Cmm *12-1* *9/1* *✓*

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0038

Police Court—6th District.City and County } ss.:
of New York, }of No. 591 East 142nd Street, aged 49 years,
occupation Hardware being duly sworndeposes and says, that the premises Nos 2480 - 3rd Avenue Street,
in the City and County aforesaid, the said being a one story frame buildingand which was occupied by deponent as a Store
and in which there was ^{not} at the time a human being, by namewere BURGLARIOUSLY entered by means of forcibly opening a
window on the south side of said
premises and entering therein with intent
to commit a crimeon the 25th day of February 1893 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:a quantity of Cutlery of the
value of Forty dollars, the
property of Herbert E. Rockwell
Arthur C. Rockwell ^{and} Ellen R. Rockwell
co-partners in deponents care and
charge as managersand deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away byJohn Reilly (now here)for the reasons following, to wit: That since the commission of
said offense deponent was informed by Edward
B. O'Connor (now here) that the said defendants
have a portion of the above described property in
his possession - To wit: One Cash Saw, One pair of Scissors
& one Knife which said property deponent fully
identifiesCamden O. RockwellDeposited before me this 1st day of March 1893Notary Public
John Reilly

0839

CITY AND COUNTY }
OF NEW YORK, } ss.

Edward B. O'Connell
aged 18 years, occupation Stone Cutter of No. 1968-2nd Ave Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Samuel O. Rockwell
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 10th day of March 1873 } Edward B. O'Connell

Thos L. Titus
Police Justice.

0840

Sec. 198-200.

6th

District Police Court.

1883

City and County of New York, ss:

John Reilly

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

Question. What is your name?

Answer. *John Reilly*

Question. How old are you?

Answer. *26 years -*

Question. Where were you born?

Answer. *New York*

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

Answer. *Room 138th St. 10 years*

Question. What is your business or profession?

Answer. *Dr. Smith*

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 of the charge*
of Reilly

Taken before me this

10th

day of *March*

1893

John A. Sullivan

Police Justice.

0041

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

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

Dated March 1st - 1893 Thos. J. Finner Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

0842

65 234
Police Court--- 6th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Cum gratia O. Rockwell
341 E. 14th

1 *John Reilly*

2
3 *Indicted with*
4 *Thomas Stone*

Burglary
Offence

Dated *March 1st* 1893

Feitner Magistrate.

Thomas Kilpatrick Officer.

33rd Precinct.

Witnesses.....

No. Street.

No. Street.

No. Street.

\$ *1000* to answer *Ex. 3*

CMU

341 E. 14th
97

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

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

THE PEOPLE OF THE STATE OF NEW YORK

against
John Reilly and
Thomas Stone

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

John Reilly and Thomas Stone

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

The said

John Reilly and Thomas Stone, both

late of the 23rd Ward of the City of New York, in the County of New York aforesaid, on the
twenty-fifth day of *February* in the year of our Lord one
 thousand eight hundred and ninety-*three* in the *night* time of the same day, at the
 Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of
 one

Herbert G. Rockwell

there situate, feloniously and burglariously did break into and enter, with intent to commit some
 crime therein, to wit: with intent the goods, chattels and personal property of the said *Herbert*
G. Rockwell in the said *store*

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

SECOND COUNT—

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

John Reilly and Thomas Stone
of the CRIME OF *Grand LARCENY in the second degree*, committed as follows:

The said

John Reilly and Thomas Stone, both

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the Ward, City and County aforesaid, in the *night* time of said day, with force and arms,

*one cork-screw of the value of one
dollar, one scissors of the value
of one dollar, one knife of the value
of two dollars, and divers articles
of cutlery of a number and description
to the Grand Jury aforesaid un-
known, of the value of forty
dollars*

of the goods, chattels and personal property of one

Herbert G. Rockwell

in the

store

of the said

Herbert G. Rockwell

there situate, then and there being found, in the

store

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

THIRD COUNT:

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

John Reilly and Thomas Stone
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

John Reilly and Thomas Stone, both

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

one cork-screw of the value of one dollar, one scissors of the value of one dollar, one knife of the value of two dollars, and divers articles of cutlery of a number and description to the Grand Jury aforesaid unknown, of the value of forty dollars

of the goods, chattels and personal property of

Herbert G. Rockwell

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

Herbert G. Rockwell

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

John Reilly and Thomas Stone

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

DE LANCEY NICOLL,

District Attorney.

0846

BOX:

516

FOLDER:

4703

DESCRIPTION:

Reining, Henry

DATE:

03/20/93



4703

Witnesses

Henry Estrook
Kate Richmond
Sophie Richmond

120

Counsel, Roesch & Fenner
Filed 1893
Pleading, Myrsky

THE PEOPLE

18
294.30
Exhibition

Henry Bering

RAPE (1st and 2d Degree)
(Sections 278, 218 and 282, Penal Code.)
and ABDUCTION.

De LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Myrsky

Part 2 - April 3, 1893
Foreman.
Pleading, Rape 2nd Degree
Part 3. May 1893

Ed. Rafferty
May 21

CITY AND COUNTY }
OF NEW YORK, } ss.

aged Sixteen years, occupation None of No. 552 West 47th Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of William G. Bringle and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 10

day of March 1898

Sophia Bukner

Wm. H. Brady
Police Justice.

0845

*The New York Society for the
Prevention of Cruelty to Children*

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, *March 17th 1893*

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

*The People
against*

Henry Reising

Notice of Prosecution.

*To the District Attorney of the
City and County of New York,*

*Sir: This Society is interested in the prosecution of
the above defendant, and is familiar with the facts of the
case. It respectfully requests that before sending the papers
to the Grand Jury, fixing the day of trial, consenting to
any postponement thereof, or to any reduction of bail, or
final disposition of the charge, you will duly notify me as
its President and Counsel, so that I may confer with you
in regard thereto. This request is made pursuant to the
statute (Laws of 1886, Chapter 30, Section 1), and in
furtherance of the ends of Justice.*

I have the honor to remain, with great respect,

Elbridge T. Gerry,

President, &c.

N. Y. GENERAL SESSIONS

THE PEOPLE



NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,

President, &c.

My Dec 30 - 1891

This certifies that Henry Running
has been in my employ for
the past 3 months & that I
have always found him
honest & faithful - I take
pleasure in recommending
him highly.

B. H. Hargrave

316 West 28

0052

ROESCH & FENNEL,
ATTORNEYS & COUNSELORS AT LAW,
280 BROADWAY,
STEWART BUILDING,
4TH FLOOR, ROOM 150, CHAMBERS ST., ELEVATOR.
GEORGE F. ROESCH.
JOHN FENNEL.

TELEPHONE

NEW YORK, April 5th, 1893.

Hon. James Fitzgerald:

Dear Judge:

Henny Reining who
pleaded guilty to a charge of rape in the
2nd degree and who now awaits sen-
tence, has requested us to add the
enclosed letter from Dr. Tharing to
the affidavits you now have.

With great respect

Yours
Roesch & Fennel
F.

New York May 1/93
 Hon Judge Fitzgerald
 Sir

I take the liberty of
 addressing you on behalf of Henry
 Reining a young man of about 18
 who is accused of assault on a young
 girl. and is to be brought before your
 Honor tomorrow. I have known him for
 over two years. for one year he waited
 on the doctor that occupied a part of
 my house. and was a member of the
 Temperance Society of Good Templars. I

always found him to be a nice honest
 young man while at my house. but the
 doctor died nearly a year ago and he
 lost his position, and I suppose was
 drawn into his present difficulty by
 old associates. his mother is a hard work-
 ing widow and well thought of - if you
 can show him mercy for this his first
 offence. I think it would be a lesson for
 him through life -

Yours very truly
 Eugene Hubbard

0855

The Croisic
Apartment House.
N. W. Cor. 5TH Ave. & 26TH St.
New York.

RICHARD DE LOGEROT,

PROPRIETOR.

JAMES M. FAGAN,

SUPERINTENDENT.

0856

Andrew H. Brown
#1784 Broadway
former Capt City

The People of the
State of New York
against
Henry Reining

City and County of New York, ss:

James M. Fagan
being duly sworn, says that he is and
during the time hereinafter mentioned
was the superintendent of the Croissie
Apartment House at # 7 West 26th Street,
New York City; that the defendant Henry
Reining was employed as Elevator Boy
in said apartment house from
January 1st 1892 to January 16th 1893
and that during said time he was
honest, industrious, sober and well
liked by everybody in the house, that
he first noticed a change for the
worse in defendant's conduct about
a month before his employment ceased,
at which time he also noticed that
defendant associated with one Lopez,
to which companionship defendant
ascribes said change.

Sworn to before me
this 1st day of April 1893

James M. Fagan
Notary Public
New York Co.

The People of the
State of New York
against
Henry Reining

City and County of New York, ss:

Samuel H. Hurst
being duly sworn says that he is
and at the times hereinafter men-
tioned was a Real Estate broker
doing business at No. 145 Broadway
New York City; that the above-named
defendant was in his employ as
office-boy for a period of about one
and one half years some four
or five years ago; that during said
time he was a good, quiet, polite
and industrious boy and very
attentive to business; that he left ^{defendant's} ~~any~~
~~employment~~ of his own accord; and that
he would gladly, readily and unhesi-
tatingly have given him a recom-
mendation as to his character and
behavior, without any qualification.

Sworn to before me
this 1st day of April 1893

S. H. Hurst

Henry Reining
Notary Public
New York

The People of the
State of New York
against
Henry Reining

City and County of New York, ss.

Amelia Reining being duly sworn, deposes and says: I am the mother of Henry Reining, the above-named defendant. Said Henry was born in Fifth Street, New York City, on October 29, 1874. He has lived with me ever since. From Fifth Street we moved to #35 Stanton Street, and then to First Street. While living in Stanton Street and in First Street, Henry went to the Public School in First Street, between First and Second Avenue. Henry from First Street we moved to First Avenue in the neighborhood of Bellevue Hospital. From there we moved to #20 Jane Street. While living there Henry went to 13th Street Public School, between Seventh Avenue and Greenwich Street, which school he attended until he left day-school, which was about four or five years ago. From First Avenue we moved to #442 West 36th Street, then to 318 W. 41st Street, and then to 257 W. 32nd Street, where I now live. After leaving day school, Henry attended Night School in 13th Street school for one term.

The first job Henry ever had was

that of office-boy in the Real Estate office of Mr. S. H. Hurd - #145 Broadway where he worked for about one year and a half. He was then employed as Elevator boy in Croissie Apartment House - #17 West 26th Street for about three years. Mr. Fagan is the Superintendent of said apartment house.

Henry has never been arrested before, nor has he before this ever been charged with any crime or offence.

Sworn to before me } Charles J. Fagan
this 1st day of April 1893 } ~~Charles J. Fagan~~

W. F. Fanning

Notary Public
New York Co.

The People of the
State of New York }
against
Henry Reining }

City and County of New York, ss:

Henry Reining being duly sworn, says: I am the defendant herein. I reside with my mother at # 257 West 32nd Street, New York City. My mother is Janitrix of said house. The premises we occupied consisted of four rooms on the ground floor, all of which rooms opened into one another. The first of these, the one facing the street, was furnished, and was occupied by Lizzie Gleason and Kate Sullivan; the second and third rooms were bed-rooms, and the fourth room, the one furthest from the street, was the kitchen.

During the week ending March 4, 1893 my mother was in the hospital, being sick, and my father was also away from home. During this week Lopez stayed with me. On March 2/93, Lopez and a girl named Mamie Davis were together in my bed in the bedroom furthest from the street, while I slept in the kitchen. On Friday morning March 3/93, Lopez told me that Mamie would bring a girl, called Kate Ryan, along for me that night.

On that night Lopez and myself went to Mamie Davis' house, Lopez going in and I waiting outside. Lopez told me

that Maunie was not in. We then returned home to my house. When we arrived there Lopez went to the hall up-stairs to turn off the gas. When he came back he told me that Maunie had called to him from the water closet and that the girls were there. I then turned out the gas in the lower hall, and meanwhile the girls came down; after they were down I again turned the gas on. Both of the girls, Maunie Davis and Sophie Bucher came into the room, which was the kitchen, willingly. After they had come in they sat down, and joked and fooled with us for half an hour. We had a little claret, the girls taking a small glass each. Maunie subsequently called me to the bed-room and asked me where we had been. I told her. I then asked her how old the other girl was. She said either 16 or 18, I am not sure which. The girls then went to the bed-room adjoining the kitchen, where we had been up to this time. About half an hour afterwards Lopez and myself also went to the bed-room. There was one big old-fashioned bed in the room. The girls were in bed and we undressed and went to bed with them. Lopez had intercourse with Maunie Davis and I with Sophie Bucher. Sophie did not make the slightest outcry nor offer any resistance. While having intercourse with her

She rested her hands under her head. I asked her what her parents would say if she stayed out all night, to which she replied that "she did not care." I cleaned up next morning about 8 o'clock, but the girls did not leave the rooms till 11.

I have never been arrested before, nor charged with any crime or offence.

Sworn to before me } Henry Reising
this 3rd day of April 1893

H. Reising

Notary Public

New York

The People of the
State of New York
against
Henry Remy

Defendant's affiants

Rosch & Kennel
Off's attys.
280 Broadway
N.Y.C.

0065

Sec. 198-200.

2

1882

District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer. Henry Reining

Question. How old are you?

Answer. 18 years

Question. Where were you born?

Answer. United States

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

Answer. 257 W. 32 streets — 1 year

Question. What is your business or profession?

Answer. Elevator-boy

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

Answer. I am not guilty -Henry Reining

Taken before me this

day of

1892

Police Justice.

0866

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

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

Dated, March 14 1893 Wm. H. Brady 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.

0867

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

120 295
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William B. Pringle

vs.
Henry Reining

Offense

Dated, March 10 1893

Grady Magistrate.

Schulteis & Pringle Officer.

S.P.C.C. Precinct.

Witnesses

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 10.00 to answer

\$25.00 by check 13.28.2.
1410 506.2.

0068

Second District Police Court.

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

William B. Bringle

of Number 108 East 93rd street being duly sworn,
he has just reason to believe and does believe, that
deposes and says, that on the 3rd day of March 1893 at the
City of New York, in the County of New York, At the premises:

known as Number 257 West 32nd street, in
said city of New York, the Henry Reining,
now here, did then and there
willfully and unlawfully perpetrate an
act of sexual intercourse with a cer-
tain female, called Sophie Buchner,
now present, said female being then and
there actually and apparently under the
age of sixteen years, to wit of the
age of fifteen years, not being her
own husband, in violation of the sta-
tute in such case made and provided
and especially of Section 278 of the
Penal Code of the State of New York.

Wherefore the complainant prays that the said

Henry Reining
may be apprehended, arrested and dealt with according to law

Sworn to before me, this 10th
day of March 1893

Wm. B. Bringle
Police Justice.

POLICE COURT,
SECOND DISTRICT,
W. L. GABBY, JR.
STENOGRAPHER.

The People vs
William B. Pringle

1
2
Henry Reining

Examination Before Judge Grady
March 14 1899

For the People S. P. C. C.

For the Defendant - Mr. Brandy

Mrs Catherine Buhner being duly sworn
and examined as a witness for the
People before and says:

Q Where do you live?

A At 552 West 47th Street

Q Were you married in New York

A No; in Germany - in Bavaria.

Q Was your daughter born there?

A In Germany, in the same place

Q When was your daughter born?

A She was born on July 23 1877.

Off waived further examination

Off held to answer \$1,500 bail.

0070

Police Court, 2nd District.

1901

City and County of New York, ss. *Marion Davis*
of No. *507 West 5th St.* Street, aged *18* years,
occupation *Sales lady*
that on the *2nd* day of *March* being duly sworn, deposes and says.
189*8* at the City of New
York, in the County of New York,

She was introduced to one *Daphie*
Subner (now *Ken*) by one *Kato*
McCarthy and during a conversation
that ensued the said *Daphie Subner*
did say she was cruelly treated at
home, *Ken* had determined to run
away from home but had no place
to sleep, girl *Daphie* also stated
she was *seventeen* years of age
and earning her own living.
Deponent then said she had friends
living in *West 3rd St* where she
could remain for the night, to which
girl *Daphie* agreed they did then
both go to said house and found
in Apartments one *Alberto Lapey*
and one *Henry Reining*, then
she did introduce said *Daphie*
to the above named men and
asked permission to remain in
apartments over night, said
permission was granted and
Deponent said *Daphie* did
retire to bed, and after having
been in bed for some time, the
said *Lapey* and *Reining* did undress
and occupy the same bed with
Deponent said *Daphie* and
during the night said *Lapey* did
perpetrate an act of sexual inter-
course with Deponent and said
Reining did perpetrate an
act of sexual intercourse with

0871

Police Court, District.

1901

City and County of New York, ss.

of No. _____ Street, aged _____ years,
occupation _____ being duly sworn, deposes and says.
that on the _____ day of _____ 189 _____, at the City of New
York, in the County of New York, _____

Said *Sophie Dubner*,

Marian Davis

Sworn to before me
the 10th day of March 1893

Thos. J. Brady
Police Justice

0872

365 Lexington Avenue.

March 9th 93

Hon Elbridge T Gerry,
President of the Society for
the Prevention of Cruelty to Children,
Dear Sir:-

I have this day
examined the person of Sophie
Boechner, aged 15 years, of 552
West 47th St., and find there has
been complete penetration of her
genital organs by some blunt
object.

Respectfully Submitted.

H. Travis Tibb M.D.
Examining Physician

0873

The People of the
State of New York
against
Henry Reining

City and County of New York ss.
Charles F. Schulze
being duly sworn, says: that he is
a Real Estate Broker doing business
at No. 249 East 78th Street in the city
of New York where he has an office; and
that he will employ the above-named
defendant Henry Reining, who is now
under indictment for rape, in his
office as soon as the said Reining
is released from custody.

Sworn to before me
this 20th day of April 1893

Charles F. Schulze

Notary Public

New York Co. (50)

0074

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

Henry Raining

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *Henry Raining*
of the CRIME OF RAPE IN THE FIRST DEGREE, committed as
follows:

The said *Henry Raining*,
late of the City of New York, in the County of New York aforesaid, on the *third*
day of *March*, in the year of our Lord one thousand eight hundred and
ninety-*three*, at the city and County aforesaid, in and upon a certain female not his
wife, to wit: one *Daphnia Butler*, feloniously did make an assault,
and an act of sexual intercourse with her the said *Daphnia Butler*,
then and there feloniously did perpetrate, against the will of the said *Daphnia Butler*,
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 *Henry Raining*
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-
mitted as follows:

The said *Henry Raining*,
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
Daphnia Butler, feloniously did make an assault, with intent
an act of sexual intercourse with her the said *Daphnia Butler*,
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 Henry Reining
of the CRIME OF RAPE IN THE SECOND DEGREE, committed
as follows:

The said Henry Reining,
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
Sophia Bulmer, feloniously did make an assault, she
the said Sophia Bulmer, being then and there a female
under the age of sixteen years, to wit: of the age of fifteen years; and
the said Henry Reining then and there (under circumstances
not amounting to Rape in the first degree) feloniously did perpetrate an act of sexual inter-
course with her the said Sophia Bulmer, 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 Henry Reining
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-
mitted as follows:

The said Henry Reining,
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 Sophia Bulmer, feloniously did make an assault,
she the said Sophia Bulmer being then and there a
female under the age of sixteen years, to wit: of the age of fifteen 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 Sophia
Bulmer, 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.

0876

FIFTH COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said Henry Reining
of the CRIME OF ABDUCTION, committed as follows:

The said Henry Reining,
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
Dorcia Bulmer so being then and there a female under
the age of sixteen years, to wit: of the age of fifteen years, as aforesaid,
for the purpose of sexual intercourse, he, the said Henry Reining
not being then and there the husband of the said Dorcia Bulmer,
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.

0077

BOX:

516

FOLDER:

4703

DESCRIPTION:

Reynolds, Frank

DATE:

03/09/93



4703

0878

Witnesses:

Barton O'Leary
3089202

Counsel

Filed

May 1893

Pleas,

THE PEOPLE

vs.

Frank Reynolds

Grand Larceny, Second Degree
[Sections 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Wm Neaton

Foreman.

May 9/93
Glendon P. Wiley
Jan 1/98 + 8 mo
Ellen 1/93

13

Police Court

District.

Affidavit—Larceny.

City and County
of New York, ss:

of No. 13 E. 9th St Street, aged 26 years,
 occupation Butler being duly sworn,
 deposes and says, that on the 24th day of March 1893 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:

Three pocketbooks. Containing twenty two
 \$6.00 each. Two gold rings. Some old
 gold. One pair of opera glasses.
 One razor. all of the value of forty
 two \$6.00 each.

(\$42.61)

the property & all in deponent's care and
 custody as Butler

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 Frank Reynolds. (now here)
 from the fact that at about the time
 of 1.30 a.m. said date. deponent
 saw this defendant in the hall way of said
 premises. that the defendant came out
 and deponent followed him caught him
 and held him until he was arrested.
 deponent is informed by Officer Bernard
 Neuman. who made the arrest. that when
 he searched this defendant he found all
 of the above described property in his possession.
 deponent further says that he identifies this
 property as found in this defendant, as the
 property belonging to members of the family
 that deponent is employed by, and charges

Subscribed and sworn to before me this 24th day of March 1893

of 1893

Police Justice

0000

this defendant with feloniously taking stealing
and carrying away all of said property
from said premises. And prays he may
be held and dealt with according to law.

Sworn before me } Burton D. Carter
this 3^d day of March 1897

C. E. Simms Jr.
Police Justice

00001

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

Bernard Meekun
aged _____ years, occupation Police Officer of No. 27th
Prest Street Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Renton D. Carter
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 2
day of March 1893 } Bernard Meekun
C. E. Simms
Police Justice.

0002

Sec. 198—200.

5th

District Police Court.

CITY AND COUNTY } ss:
OF NEW YORK, }

Frank Reynolds 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.

Frank Reynolds

Question. How old are you?

Answer.

30 years -

Question. Where were you born?

Answer.

New Haven (Conn.)

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

Answer.

315 W 58th St, One Month

Question. What is your business or profession?

Answer.

Brickmaker

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 of the charge
Frank Reynolds.*

Taken before me this

day of *March* 189*3**Police Justice.*

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

Alfred Park
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Seven 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, March 7 1897 Geo. L. Smith 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.

0004

257
1894

Police Court---5---District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Burton D. Carter
vs.
Frank Reynolds

1
2
3
4

Offense
Larceny
felony

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, March 3 1893

Quinn Magistrate.

Meekam Officer.

27 Precinct.

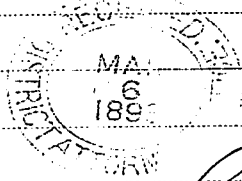
Witnesses Remond Meekam

No. 27 Park Place Street.

No. Street.

No. Street.

\$ 1000 to answer



Com 9/2

Wiss, Stuckenholz is name of Lady.

When arrested, Officer asked if I had ever been before. Said no, & then told him about this case. I know not if this will help me but there is nothing like trying. I think it should help me a little if not more. It shows I am not a professional or I would not have arrested him. I have lived with my Brother-in-law every winter who is Charles F. Smith, Ex-Seyton of Dr. Shackelford's Church, 82nd St. & Park Ave. and I have drove on 2nd - 4th - & 6th Ave. Rail Road.

New York, Jan. 10th /93

To his Honor, Judge ~~Chapman~~ ^{Chapman} of the People's
 Court of New York, age of 40, the People's
 Court by Capturing a thief after he had
 been & turned him over to an Officer, his charge
 was Grand Larceny. Place in Private Recording
 house about two months & had access to all
 in house, it was there he stole property valued
 at \$90.00 (Seventy Dollars). I know not if they have
 been over, and Officer can find them if not the
 Police record at Sharon house may tell.
 That is only Commencement I can get in this City.
 Stopping your Honor with consideration this & he as most
 likely as possible with me. I am for your Honor's servant
 as possible with me.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Frank Reynolds

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

Frank Reynolds

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

The said

Frank Reynolds

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

the sum of twenty-two dollars and sixty-one cents in money, lawful money of the United States of America, and of the value of twenty-two dollars and sixty-one cents, two finger-rings of the value of ten dollars each, one pair of opera glasses of the value of five dollars, one razor of the value of two dollars, three pocketbooks of the value of one dollar each, and a quantity of gold, (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of ten dollars, of the goods, chattels and personal property of one Isaac Unterringer

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.

00000

SECOND COUNT—

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

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

The said

Frank Reynolds
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,

*the same goods, chattels and
personal property described in
the first count of this in-
dictment*

Isaac Untermeyer
of the goods, chattels and personal property of one

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

Isaac Untermeyer
unlawfully and unjustly did feloniously receive and have; the said

Frank Reynolds
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.

0009

BOX:

516

FOLDER:

4703

DESCRIPTION:

Rice, Henry

DATE:

03/10/93



4703

0090

Witnesses:

Joseph J. Dawling
Central office

C. W. Thomas

Counsel,

Filed *March 16* day of *March* 1893

Pleads,

50 *179* *THE PEOPLE*

us.

Henry Rice

Grand Larceny, second Degree
[Sections 88, 89, 90 - Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Part I. dtd 16th - 93

A TRUE BILL.

W. W. Heaton
March 16/93 Foreman.

Fred Bonowitz
of the County
6 months plus
March 16/93

Police Court

2

District.

Affidavit—Larceny.

City and County }
of New York, } ss:

George E. Nash

of No. 261 West 24th
Street, aged 24 years,
occupation Bookkeeper

being duly sworn,

deposes and says, that on the 1 day of March 1897 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the Night time, the following property, viz:

overcoat of the value of one
forty five dollar \$45.

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 Henry Rice

(whereby) The said coat was left by
deponent in a restaurant at No
290 8th Avenue, and was stolen
therefrom, and deponent was informed
by a waiter that defendant had
stolen said coat. Deponent accused
defendant of said larceny, and the
defendant confessed, and Joseph
Bowling, a Detective of the Central
Office, went with deponent to the
defendant's room and there found
the said stolen property in defendant's
possession.

George E. Nash

Sworn to before me, this
day of March 1897
at New York, N.Y.
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

Joseph Dowling
aged _____ years, occupation Detention of No. _____

Central Office Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Sam E. Nash
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 2

day of March

1897

Joseph Dowling

Wm. H. Brady
Police Justice.

0093

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer. Henry Rice

Question. How old are you?

Answer. 50 years

Question. Where were you born?

Answer. France

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

Answer. 179 Houston St - 5 days

Question. What is your business or profession?

Answer. Cook

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

Answer. I am a mistake
Henry Rice

Taken before me this

day of March

1893

Police Justice.

0894

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

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 March 18 Thos. J. Brady Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

0095

⁴³
Police Court--- 2 District. ²⁴⁸

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Gu. E. Nash
261 W. 24
Henry Rice

Lane
Lee
Offence

1 _____
2 _____
3 _____
4 _____
Dated *March 2* 188 *9*
Grady Magistrate.
Dowling Officer.
C. O. Precinct.

Witnesses *Call office Dowling*
+ Armstrong C. O. Street.
Robert Irving
No. *402 W. 25* Street.

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

Com *GA*

BAILED,

No. 1, by _____
Residence _____ Street.

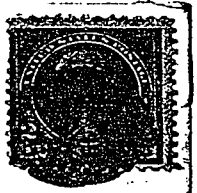
No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

0896

If not called for in Ten Days return to
COLONEL J. B. THOMAS, GOVERNOR,
National Military Home, Ohio.
Official Business.



Camille Mayer
C/o Jas W. McLaughlin
Atty at Law
#280 Broadway
New York City

If not called for in Ten Days return to
COLONEL J. B. THOMAS, GOVERNOR,
National Military Home, Ohio.
Official Business.



Camilla Mayer
C/o S. Wolfe
No 94 Christopher St.
New York City

0097

MEMORANDUM.

FROM

VENABLE & HEYMAN,

22, 24 & 26 READE STREET,

Telephone Call, "1470 Spring."

New York, *Mar 18* 1893

TO

M

Dear Sir,
Mr. Mc Laughlin did not
call. The enclosed letter has
been laying here for some time.
Yours truly
J. Wolfe
91 Christopher St.

0098

CENTRAL BRANCH, NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

LOCAL MANAGER:

GENERAL JAMES BARNETT, Cleveland, Ohio.

OFFICERS:

MAJOR MILTON MCCOY, Treasurer.

MAJOR F. H. PATTON, Surgeon.

MAJOR CARL BERLIN, Adjutant and Inspector.

CAPTAIN JAMES C. MICHIE, Quartermaster.

MAJOR ALVAN S. GALBRAITH, Commissary of Subsistence.

COLONEL J. B. THOMAS, Governor.

REV. J. V. LERCH, Chaplain.

REV. C. S. KEMPER, D.D., Chaplain.

DR. STARLING S. WILCOX, 1st Assistant-Surgeon.

MRS. E. L. MILLER, Matron.

P. O. Address, NATIONAL MILITARY HOME, OHIO,

March 20th 1893

Carmille Mayer
 Of James M. McLaughlin Court at Law
 #280 Broadway
 New York

Sir

In reply to your letter of the 17th inst, I am directed by the Governor to say you are reported absent without leave from the Home, and will be dropped on the first drop order published after you shall have been absent sixty consecutive days, at which time your papers will be forwarded to your address if known here.

Your best course is to return at once.

Respectfully

Carl Berlin
 Adjutant

0899

CENTRAL BRANCH, NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

LOCAL MANAGER:

GENERAL JAMES BARNETT, Cleveland, Ohio.

OFFICERS:

MAJOR MILTON MCCOY, Treasurer.

MAJOR F. H. PATTON, Surgeon.

MAJOR CARL BERLIN, Adjutant and Inspector.

CAPTAIN JAMES C. MICHIE, Quartermaster.

MAJOR ALVAN S. GALBRAITH, Commissary of Subsistence.

COLONEL J. B. THOMAS, Governor.

REV. J. V. LERCII, Chaplain.

REV. C. S. KEMPER, D.D., Chaplain.

DR. STARLING S. WILCOX, 1st Assistant-Surgeon.

MRS. E. L. MILLER, Matron.

P. O. Address, NATIONAL MILITARY HOME, OHIO.

March 1st 1893

Camille Mayer
 c/o J. Wolfe No 94 Christopher St
 New York City

Sir

In reply to your letter of the 27th ult, I am directed by the Governor to say, that you are reported absent without leave from the Home, and will be dropped from the rolls on the first drop order published after you shall have been absent sixty consecutive days, at which time your papers will be forwarded to your address, if known here.

Your best course is to return to the Home at once.

Respectfully

Carl Berlin
 Adjutant

27/93

The People

Henry Rice

County of General Sessions. Part I
 Before Judge Fitzgerald March 16th 1893.

Indictment for grand larceny in second degree.

George E. Nash, sworn and examined, testified.

I am a bookkeeper, employed by Butler Bros. No. 459 Broadway. On the first of March I was visiting a restaurant at No. 290 Eighth Avenue in this city. When I went in I hung up my coat upon a peg on the wall and sat down with some friends; the table was in front of the coat. I ordered something to eat and we were having a drink. I was told something by Mr. Irving and I missed my coat. I went down to the station house and asked them if I could do anything about it. They said they did not think I could; there was no way of getting it. I did not know who took it. I came back and waited around the place. I thought probably I might find some one who saw the man. Did you see the prisoner after you missed your coat? No. I did not; but I afterwards saw him with Mr. Irving about half an hour or three quarters after I missed the coat. I said to the prisoner, "What did you do with my coat?" He says, "I have not got it and never saw it." I said, "You

have got that coat, you were seen taking it out there, and the best thing you can do is to give it up and tell where it is. After a long talk he finally admitted that he had taken the coat. He said, "if you come with me to my house I will give it to you." I and Mr. Irving went to his house. The house was in Thompson St. below Bleeker. I think we went to a room on the second floor front. My coat was there on the bed. That was the coat which I hung up in the place where I was drinking. What was the value of that coat? It cost forty five dollars and was my property. I did not permit any one to take it. I never saw the prisoner before. The coat now shown me is mine. I think I bought it about two years and a half ago and the original price was forty five dollars.

Cross Examined. The defendant came back to the restaurant. Officers Armstrong and Dowling went to his house. Mr. Irving and I went there with the officer. The defendant admitted to me in the first place that he took the coat before Officer Armstrong came there at all. The officer was coming up the Avenue when I asked him to help me

in this case Mr. Irving did not go after the two officers. The defendant told me first and then he told detective Armstrong that the coat was in his premises and that if I or the detective went we could get the coat. Mr. Irving was not in the Police Court the next morning. I did not swear when I made my complaint in the Police

Court that the original value of the property was twenty five dollars. I will explain how "twenty five dollars" got in the complaint. The Clerk of the Court made a mistake and afterwards corrected it. I am positive I did not give the clerk twenty five dollars as the value of the coat. It was the same clerk who changed it from twenty five to forty five dollars. I do not know his name. I had that coat made to order in England. The custom mark is not now on the coat; it was on the band; there is a new strap on there now. It did not originally have silk lining. I said I had worn it ~~two~~ years.

The Court said he would submit the case to the jury as one of petty larceny.

Robert Irving, sworn and examined. On the evening of the first of March I was in a restaurant 290. Eighth Avenue in this city.

I saw the complainant sitting at a table and I saw his coat hanging right by him. I saw the defendant at the bar go out with that coat. Later I called the attention of the complainant to what I saw; and afterward the complainant and the prisoner had a talk. I saw the defendant go out with the coat on his arm, and a few minutes later the complainant missed his coat, and I motioned for him. He then asked what he had better do. He referred him to the Twentieth street station house. He said he went down to the station house, and they told him to see the Ward man and they would do what they could for him. He came back, and I guess it was about three quarters of an hour when the defendant came in again to the door that I saw him go out of with the coat. I then told the complainant, "There is the man went out with your coat; go and get him, catch him." So he did. He then brought him back in the place. There was quite a crowd gathered there at the time, and he finally after some long questioning admitted taking the coat; then he said he did not take any coat, he did not have any overcoat; then he says, "Well, I will tell

you the truth, I did take his coat, and it is down in my room in Thompson street." He did not think he had time to go down to Thompson street. The complainant, myself and the officer in the case went down in his room, and on the bed was the complainant's coat. Did the complainant identify it immediately upon seeing it? He did. What did the prisoner say then, if anything, after the complainant saw the coat and identified it as his? I do not remember as he said anything then the defendant was taken to the Police Headquarters. You are sure this is the man that you saw go out with that coat? Positive.

Cross Examined. This coat was on that bed too. I don't know whether the coat which the defendant has on now was the one; there was two coats on the bed. Officer Dowling was present. Why did you not call the complainant's attention to somebody taking his coat? In this reason: I stood at the bar as I saw this man go out with the coat; he had only one overcoat with him, and that was on his arm. I did not know that my friend had lost his coat. I did not know it was my friend's coat

until a few minutes later. He then said, "My overcoat is gone"; it hung up over his head. I then said I saw a man go out with an overcoat on his arm, and in a few minutes the man came back and I identified him.

Joseph Dowling, sworn and examined, testified. I am an officer connected with the Central office; on the evening of the 1st of March I saw the prisoner, the complainant and Mr. Irving. About 11 1/2 o'clock I got off an Eighth Avenue car in front of No. 290 Eighth Avenue. I saw a crowd of about thirty people and among them was the defendant. Mr. Irving and the other man had hold of him. They accused him of stealing an overcoat. I asked him if he had the overcoat. He said, "I did not take it." I said, "They know you took the overcoat; if you tell me where it is, I will go after it." He said, "I did not take it." I said, "I will lock you up." He told me he took the coat and brought it to his house No. 179 Thompson Street. The men thought he had not time to go down there, but the defendant said he had. I went down to his house with them and found a coat on the bed; he had no overcoat on going down there. The

0902

complainant identified the coat as his. The defendant said he took it by mistake. There were two overcoats on the bed. He said he was only three days from Chicago, but I found he was around the neighborhood quite a while.

Henry Rice, sworn and examined in his own behalf testified. I did not steal the coat. I came out of the Soldier's Home the 12th of last month. I was there ten months at Dayton Ohio. I was cooking for Dr. Patten first and then I went to cook for the Hospital and afterwards I was on the Police force. On the 3rd of this month I went to the Opera house corner of Eighth Avenue, and before the last act was over I was taken short and I went up to a coffee house. I never was in there before. I hung my coat up in a hurry on the rack and went to the water closet, and as soon as I came out I took my coat on my arm and walked out and got on the Elevated, and as soon as I got home I found I had two coats and I went right back to the same place. In this place there is a bar and a bar going out. I was in the wrong place. I came outside and looked around. Mr. Irving came up

coat.

to me and said, "What are you doing ^{here?} with
 I said, I am looking for the party who
 owns the coat. "A big crowd came up
 and the officer. I told him I came from
 the corner of Bleeker and Thompson Sts.
 Mr. Irving said, "You are a liar." I said,
 "You come with me, and I will give you
 the coat." Afterwards they took me in
 the coffee house again, and one gentle-
 man says, "Why dont you take him
 along?". Mr. Nash I think went after Mr.
 Dowling. By this time, Mr. Irving and Mr.
 Nash took me out of the coffee house. Mr.
 Dowling asked me where I lived? I told him
 to come along with me and I would
 show them. Afterwards they came up to
 my place. I told them my coat was
 on the bed and my coat was lying
 there. Had no intention of stealing the
 cross examined. I went back to tell
 the people I had taken the coat by mis-
 take. I was only in the city five days
 before I was arrested. I came from Chicago
 to see an aunt of mine, Mrs. Lumbach;
 she is in Europe now.
 The jury rendered a verdict of guilty
 of petty larceny.

Testimony in the
card of
Henry Rice
filed

March 1943
20th

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry Rice

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

Henry Rice

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

The said

Henry Rice

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-*three* at the City and County aforesaid, with force and arms,

*one overcoat of the value
of forty-five dollars*

of the goods, chattels and personal property of one

George E Nash

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

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

The said

Henry Rice
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 overcoat of the value of
forty-five dollars*

of the goods, chattels and personal property of one

George E. Nash

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

George E. Nash

unlawfully and unjustly did feloniously receive and have; the said

Henry Rice

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.

0911

BOX:

516

FOLDER:

4703

DESCRIPTION:

Richardson, Thomas

DATE:

03/10/93



4703

Witnesses:

Wm. Culmarston

68 April A

Counsel,

Filed

day of

1893

Pleas,

Wm. Culmarston

THE PEOPLE

vs.

Thomas Richardson

Section 498, 526, 528, 532, 537.
Secretary in the Third Degree.

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Amy M. Healer

Foreman.

Part 2, March 15, 1893.

Deeds of Deceit & Larceny

Pen one up.

0913

Police Court—2 District.City and County }
of New York, } ss.:John Priemer
of No. 114 6th Avenue Street, aged 34 years,
occupation Saloon Keeper being duly sworn.deposes and says, that the premises No 114 6th Avenue Street,
in the City and County aforesaid, the said being a three story brick
buildingand which was occupied by deponent as a liquor store on the ground floor
and in which there was at the time ^{no} human being, by namewere BURGLARIOUSLY entered by means of forcibly breaking open
the front door on 6th Avenueon the 5 day of March 1883 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:about fifteen
dollars in gold and lawful money
of the United States in paper and
silver money

\$15-

the property of deponentand deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by
Thomas Richardson (now here)for the reasons following, to wit: deponent left the said
money in the said saloon which was
securely locked and closed about
four of midnight of the 4th day of
March and deponent is informed by
Policeman William Gilmartin of the
15th Precinct that on the morning of
March 5 1883 he caught the defendant
in the act of coming out of the

0914

said person about the hour of
3.05 o'clock A.M. and defendant
had in his possession eleven dollars
and seventy five cents in money
which defendant admitted was
just taken from defendant's store
aforesaid. and defendant admitted
that he had forced open the door
against premises.

Sworn to before me this
6th day of March 1913 } John. Brimmer
Thos. S. Hardy }
O. S. Fisher }

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Degree.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No.

Street.

09 15

CITY AND COUNTY }
OF NEW YORK, } ss.

William Gilman
aged _____ years, occupation Officer of No. 15th Avenue Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of John Bremer
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 6 day of March 1899, } William Gilman

Wm. H. Brady
Police Justice.

0916

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Thomas Richardson

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

U. S.

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

Answer.

609 11 Avenue - 6 years

Question. What is your business or profession?

Answer.

Brick Layer

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 Richardson*

Taken before me this

day of

March

1893

Police Justice.

09 17

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

Thomas Richardson

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

Dated March 6 1893 M. J. Brady Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

0918

68 260
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Priemer
114 6 Ave
Horn Richardson

Offence
Bustling

2
3
4

Dated March 6 1897
Grady Magistrate.
Gilman Officer.
15 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 1500 to answer

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Richardson

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

Thomas Richardson

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

The said

Thomas Richardson

late of the *15th* Ward of the City of New York, in the County of New York aforesaid, on the
fifth day of *March* in the year of our Lord one
thousand eight hundred and ninety-*three* in the *evening* time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of
one *John Bremer*

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit : with intent the goods, chattels and personal property of the said *John*
Bremer in the said *store*

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

SECOND COUNT—

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

Thomas Richardson

of the CRIME OF *Petit* LARCENY

committed as follows:

The said

Thomas Richardson

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the *night* - time of said day, with force and arms,

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

of the goods, chattels and personal property of one

John Bruemer

in the

store

of the said

John Bruemer

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

De Lancey Nicoll,
District Attorney.

0921

BOX:

516

FOLDER:

4703

DESCRIPTION:

Robinson, Isaac

DATE:

03/08/93



4703

0922

BOX:

516

FOLDER:

4703

DESCRIPTION:

Robinson, Alice

DATE:

03/08/93



4703

0923

Witnesses:

16

J. M. McIntosh

Counsel,

Filed

day of

March 1893

Pleads,

Guilty

THE PEOPLE

vs.

P

~~*Robinson*~~

Alice Robinson

DE LANCEY NICOLL,

District Attorney.

Part I

Apr 7th 1893

A TRUE BILL.

Wm W. Keaton

Foreman.

April 11/93

W. L. Treadwell

of assault 3deg

Pen. 9 mos

Exhibit 493

RBH 1/4

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

on record of Dist. Atty. ind. dis. RBH 4/19/93

Part I, April 19 1893

No 1 herein was convicted
of assault in the 3^d degree
after a two day trial.
The evidence, in my
opinion would not
warrant a conviction
of this deft no 2 and
I therefore recommend
that the indictment
against her be
dismissed

H. D. Macdonald
Atty

7793

THE PEOPLE,

COURT OF GENERAL SESSIONS, PART 1.

vs.

BEFORE JUDGE MARTINE.

ISAAC ROBINSON,
jointly indicted with
ALICE ROBINSON.

ISAAC ROBINSON ALONE ON TRIAL.

Friday, April 7th, 1893.

Indictment for ASSAULT in the second degree.

FRANK G. BARKLEY, sworn and examined, testified:

Where do you live? 158 East 26th street, at present. What is your business? I am an officer of the Society for the Prevention of Cruelty to Children. As such officer were you given a warrant to serve at 40 West 67th street, in this city, on the 4th of February last? Yes, I got it from Justice Meade. I think, I wouldn't be sure, a Justice in the Fourth District Police Court, the name was signed to the warrant, the Fourth District police Court, in 57th street. Did you go with that warrant to No. 40 West 67th street? I did. For whom did the warrant call? Isaac Robinson, the defendant. What time did you call at the premises 40 West 67th street? It was about half past 2 or 3 o'clock in the afternoon. I went to the corner of 67th street, on my way to the house, to see if I could find a police officer to come with me; I saw none, and I went to the house. The rooms are on the ground floor of No. 40, in the rear. I rapped at the door, and it was opened by Mrs. Robinson. I asked her if Robinson was in, and she said he was. I stepped into the room. The room was a middle room, with a lamp burning on the table; the lamp was lighted and burning on the table; it was in the day time. I didn't see Mr. Robinson when I went in, and I stepped to the middle table, opposite the lamp, and then discovered him sitting in a chair leaning back against the wall. I said, "How are

Robinson? I didn't see you when I first came in." Mrs. Robinson immediately spoke, and said, "This is the man that insulted me in the Police Court this morning." She said, "What did you do with that paper that I gave you?" I told her that I took the paper with me. I took out my pocket-book that I carry my papers in, and handed her the paper that she asked for. I then said to Robinson that the Justice had issued a warrant for his arrest, on the charge of beating his step-daughter, and that he would have to go to the Police Court with me. He looked up and made a jump from his chair, and raising the chair, came towards me; I was looking at him, and saw it. I stood towards the end of the table, towards the door, and slightly turned my head to dodge the blow. I backed up, and then, when I was satisfied he was going to strike me, I turned my head to dodge the blow, and I got the blow on the back of my head; my head was slightly bent, I presume; the blow staggered me and stunned me slightly. He struck me the second time across the shoulders, with the chair. I straightened up as near as I could, and I had a little billy in my left hand pocket, here; I took it out with my left hand and grabbed it with my right, and as I straightened up Mrs. Robinson first grabbed me and threw herself on me, with her arms around my neck, with her body against my right side and arm. At the same moment Robinson came up, and he, too, grabbed me. He threw his arms around me in the same way, around the shoulder and neck, and they commenced to push me towards the stove in the corner. While we were going across the floor, Robinson grabbed me in the cheek-- that is, seized me in the cheek with his teeth; and then he got me by the ear with his teeth, right up here in the upper part of the ear, and got that in his mouth. All this time he was growling and

roaring like an animal would. Did he say anything all this time? He did not say a word, he did not open his mouth, and I do not remember that the wife said anything. They shoved me so that I was almost leaning over this stove, which was red hot, at a white heat. I first noticed, when I went into the room, that the top of the stove was at a white heat. I was very near falling on the stove; to avoid falling on the stove, I used all the strength I had to throw myself to one side; I fell rather in front of the stove, to one side. He then commenced pounding me with his fist on every part of my head. He took me by both ears and raised my head up and pounded the floor, I don't know how many times, half a dozen or more. After doing that he began to pound me on the head with his fist. He then got hold of the club that I had in my hand, he seized the club, I still holding on to him; he wrenched at the club, the strap was around my wrist; I held it with both hands, and when he found he couldn't get the club, he then again commenced to pound me on the head with his fist and on the neck, and, apparently tired of that, seized the club again. He got off me, and tried then to wrench the club. He was directly beside me, and was pounding me all the while. I got up in the struggle, when he was trying to pull the club away from me. He could not get the club, because it was fast to my wrist. He then made a jump across the room to the stationary wash-tubs and seized some thing, I could not swear as to what it was, I thought it was a knife. He raised something like that, above his head, I won't be positive as to what he said, but I think he said, "I will kill him." That is the first words I understood his saying. Mrs. Robinson then jumped in front of me and said, "Don't kill

him," or, "Don't cut him," I won't be positive which it was she said, "kill" or "cut"-- "he has had enough." The door was open. I closed the door when I went in. I wish, if I can go back and correct myself to say that, during this time while I was down, I called for help and police. The door was opened when I got up; seeing the door open, I ran out into the hallway and down the hall to the street. On opening the hall door, as you go into the street, I found quite a crowd had collected in front of the house. I looked for a police officer, and found Officer Nachbar at the corner of 67th street and Columbus avenue, half or two-thirds of a block away. I spoke to him and described my condition, and he went with me to the premises with one other police officer that he called. We found Mrs. Robinson just leaving the house, she was on the side-walk, some few feet from it. I placed her under arrest, and went into the rooms to find Robinson. He had left the house; he was not there. We made inquiry of Mrs. Robinson about him, and she answered us. I took Mrs. Robinson to the station house, I had to go bare-headed, my hat was smashed and broken to pieces; my head was so swollen that I could not put the remnant of the hat on that I had left. I was not bleeding, but my head was all swollen up. I had two bruises on the forepart of the head, and it has only been a day or two since they disappeared. This was on the 4th of February. The wife was detained at the station house. I took a car and went to 81st street and Columbus avenue and called a police officer and told him that I was looking for Robinson. The officer and I took a nine or ten year old boy from the boot-blackening stand, Mrs. Robinson's son, to the 24th precinct station house, and from there to the Society's rooms. I then went home and went to bed, by

advice of the doctor. I kept in my room, and in bed, for four weeks; I was in and out of bed every day. I was under the care of a physician for four or five weeks. Did you do anything else in this case until you had been to the Police Court? I didn't appear in the examination until March 4th or 7th, I think the examination was, I am not sure of the date. How long a time elapsed between your going away from their rooms and coming back again that afternoon, when you arrested Mrs. Robinson? From the time that I first went to the rooms until I got back again it was perhaps half or three-quarters of an hour. What efforts did you make, when you returned, to find this defendant; did you search the house? Yes, we did, it is a large tenement house, we searched his apartments, and he was not there. You have seen his little step-daughter here? I have. Was she in that room that day, or in the custody of the Society you represent? She was in the custody of the Society.

CROSS EXAMINATION:

This warrant you received on the 4th of February? Yes. It purports to be issued by Justice Meade, and the direction is as follows: "In the name of the people of the City of New York, I command you, the Sheriff," &c; are you a sheriff? I am not. Are you a marshall of this city? I am not. Are you a policeman of this city? No, only a police officer. Why did you ask a police officer to accompany you before you reached Robinson's house, with this warrant in your possession? I did not. You say you looked for a policeman; why did you look for a police officer? We are in the habit, where we can, of taking a police officer along, for protection. The police officer does not make arrests for officers of the Society. Do you always take a police officer with you when you

go to make an arrest? In cases where we think it is necessary. And that was the reason that you looked for a police officer on this occasion? It was. Do you know what officer of the Society had taken this little girl into his custody, and taken her to the police station? It was no officer that took the little girl, it was Mrs. Noble, who is present in court; she brought her to the Society's rooms. You do not know anything about the circumstances under which she was taken; do you? I do not, except as stated to me by Mrs. Noble. Was Mrs. Robinson at the police court the same day, either forenoon or afternoon, in regard to this same matter of her child? On February 4th, in the morning, Mrs. Robinson had been notified by me to appear in the Police Court that morning, I saw her there. Do you know, of your own knowledge, whether Mrs. Robinson had any knowledge of the whereabouts of her child until she was notified? I don't know that she did. Do you know, of your own knowledge, whether Mr. Robinson had knowledge of where his child was before this information was given to them? I don't know that he had. The child was taken without their knowledge and consent, as far as you know, don't you know that to be a fact? I know that the child was brought there under the circumstances stated. She was in court in response to some process, some subpoena, served upon her; wasn't she? Yes, a notice of application to commit a child, that we serve in those cases. Mrs. Robinson said, when you were in the room, in their house, "This man insulted me in court?" Yes. You did insult her? No. Did you call her any vile names in court, or did you push her, or did you lay your hand upon her? No; I told her to go outside the rail. Did she cry? No. She did not weep bitterly in your presence because you insulted and

pushed her? No. When you first went in the door of these premises weren't these the first words you said when you came in, "Ah, Robinson, there you are," or words to that effect? No. You did not say anything like that? No. Did you say, "I have a warrant for your arrest, Robinson," while he was sitting on the chair? I did. Did he make any response? He did not say a word. Didn't you repeat it, "Robinson, I have a warrant for your arrest; come?" No. Did you say that more than once? No, only once. What happened immediately after that? He looked at me, eyed me, as he sat leaning against the wall, for the small part of a minute, and he jumped like a cat, quick as a flash, from the chair and seized it. Didn't he say, "Well, I suppose the easiest way is the best," and stand up? He did not. Did he take his hat in his hand and say, "The easiest way is the best?" No. Didn't Mrs. Robinson then say, "Isaac, this is the man that insulted me in court to-day?" No. Did she say that at any time? She did, I told him he would have to go to court with me. Did he say, "Man, what did you do that for, did you insult my wife," or words to that effect? No, nothing of the kind. Then didn't you push her, and, as you pushed her around, strike her on the head? No. Did you strike her at any time? No. Didn't you kick her against the wast-stand? No. You mean to say she didn't fall upon the wast-stand after you struck her? No, I didn't strike her, at any time. Is it not a fact that, after you struck his wife, it was then that he came towards you? No. Is it not a fact that you put your hand around towards the right hip pocket, and that he then ran into the bed-room? No. Isn't it a fact that then you dropped your book and took out your billy, when you saw him flee away from you, and that you followed him into

the bed-room? I took out my billy after I had been hit the second time. Isn't it a fact that you took it out after you had made a motion to take out a pistol and run into the bed-room? No, I made no motion to take out a pistol. Did he go into the bed-room? He did not, it occurred in one room. Did he make an effort to reach that room? No. Is it not a fact that you approached him and clubbed him? No, I took out my billy for the purpose of clubbing him, if I had a chance of defending myself. He clinched me at the time Mrs. Robinson did. Before you took out your billy did he clinch you? After. All this was the work of an instant; wasn't it? It couldn't have been more than a minute and a half perhaps before I was on my back on the floor. It takes longer to tell it than to transpire? Yes; I was very near being thrown over the red hot stove, and I threw myself down to avoid going on it. You want to give this jury the impression that these people sought to put you on that stove, and burn you? I certainly believe they did intend to. Are you a pretty strong man? I am satisfied I am not as strong as he. You are satisfied you are not as strong as he and she together? I am. If you want the jury to get the impression that they tried to put you on the stove, explain why, when she was perfectly free and you down, that they did not put you on the stove? They did not; he was pounding me. Is that the only reason you can give? They did not. Show the jury the marks on your cheek where he bit you? I don't know that there are any marks now, there was, on my cheek and on my ear. Did you say anything about that in the Police Court? I did, I am sure of it; I am not quite positive it is in the minutes of the evidence given in the Police Court. There are no marks on you now? There are none now. Will you show to the jury

any marks on your head? I don't know that there is, I think there was a scar three weeks ago.

(The witness exhibited his head to the Jury.)

I see there is a scar on your head, and there is another mark on your head, you had better show that to the jury; did he mark that? I don't know whether he made the scar, but I know both sides of my head were swollen after, so that I could not get a hat on. Have you ever been in any scrimmages since you were an officer of this Society? Once before I was assaulted, in Washington street, struck and knocked down at 10 o'clock; then I was only struck in my face. How long did this whole occurrence last, from the beginning to the end of the fight? I think perhaps from three to five minutes. Did you strike him at all? I didn't; I had no chance whatever. Did you attempt to strike him with your club? I took my billy from my pocket for that purpose. You had quite a scuffle, you were on the floor, did you attempt to strike him? No, not after I was on the floor, I couldn't. Do you know whether his nose was cut? No. Did you see his nose cut or bleeding? I didn't see him for four or five weeks nearly after this happened. Was his nose cut then? I did not discover it had been cut. Did you ever know his nose had been cut? No. You won't dispute that his nose was cut, and severely wounded? No, I won't dispute it. Do you know whether his knuckles were almost broken and brutally cut on that occasion? I was not aware of it. You didn't strike him on the back of the head? He pounded me enough with his knuckles, I never struck him. You were conscious all this time while you were fighting with him, while you were clinched? I was pretty near unconscious when I got through with him. You don't mean to say that you were not conscious all

the while it was going on? Yes, I was conscious. You ought to know whether you struck him or not? I didn't strike him, I never struck him, never had an opportunity to strike him. You say that he seized your club, didn't he seize your club when you were using it freely upon his head? No, I never used my club on his head; he tried two or three times to get that club from me. Did you say before the Police Court, "I think he said, 'I will kill him?'" I don't remember whether I saidn that he said, "I will kill him" or not, but he did say something when I got up; "I will kill him," those are the words I think he used, I won't be positive. Mrs. Robinson said, "Don't kill him, don't cut him, he has got enough." The defendant had something in his hand when he sprang to the wash-tub and picked up some thing. I think I testified in the Police Court that I called police help; I was cross-examined by counsel there. Mrs. Robinson testified, in the Police Court, that she called for help; I didn't hear her call for help. I don't know that she went out while the fight was progressing; I think she was in the room all the time. Don't you know that Mrs. Robinson was going to make a complaint against you and have you arrested? I do not. Have you got that hat you say was pounded so badly? That hat I was very careful to preserve, but I haven't got it here. After you had arrested this woman, you know this defendant surrendered himself; don't you? I do not. Haven't you learned that fact, that he went voluntarily and surrendered himself? I heard that he did. And after he surrendered himself-- you arrested his wife, then your Society went and took that boy from the stand where he was trying to make a living for his family, that boy of fourteen years of age? I took the boy because his mother was locked up, and his father

was running away from the warrant. Did you leave anybody in charge of the stand there? No, we closed up the stand. I took the boy up to the Society's rooms. I was told by my physician to remain in the house. I had a rib broken and my back was injured so that I could not stir scarcely without the most excruciating pain. I was bruised all over my body and head.. Mrs. Robinson didn't strike me, but she seized me.

BY DISTRICT ATTORNEY: Have you got any appliance on your body now, used by direction of your doctor, as the consequence of this assault? No, I took it off, by direction of the doctor, about ten days ago. How long did you have to wear such an appliance? Something like five or six weeks, on my ribs.

WILLIAM TRAVIS GIBB, sworn and examined, testified:

You are a regular graduate of medicine, and a practicing physician in this city? Yes. Did you visit this complainant, Barkley, any time subsequent to the 4th of February of this year? I visited him first on the 8th of February, and then a number of times since, at his house, 130, I think, East 28th street. I made an examination of his body. I found Mr. Barley in bed, and his head had numerous contusions upon it, I could not say the exact number, but there were eight or ten, and above his ear was a very marked and severe contusion, looking as if it had been pulled, and the skin split there; then I examined his back, and while there were no serious evidences of injury, such as bruises, the muscles were contused and sore, which I could determine by the examination. I also found that his sixth rib, at what we call the axillar line, here (pointing), was fractured, not broken entirely apart. He had a great deal of pain from breathing, and he was breathing rapidly, and I put him up in an appli-

ance which I considered suitable for his condition. I kept him in that appliance for five or six weeks, and kept him in bed for over a week. I did not allow him to go out of the house for four or five weeks, for fear the fracture would break further and give him some trouble -- pierce the pleura or lung.

CROSS EXAMINATION:

I did not discover the contused condition of the muscles by any ocular evidence, but by the reflex action of the muscles. The fracture of the rib was such as might be produced by a fall? No, that is not the kind that can be produced by a fall; it was produced by some violence, his back being against something solid, it was not a direct but an indirect fracture. It was produced by some pressure upon the man's chest, with his back against some solid object.

The following is People's Exhibit 1:

Police Court, Fourth District,

City and County of New York, ss.:

In the name of the People of the City of New York, to the Sheriff of the County of New York, or any Marshal or Policeman of the City of New York, Greeting:

Whereas, a complaint in writing and upon oath has been made before the undersigned, one of the Police Justices of the City of New York, by Frank S. Barkley, of 108 East 23rd street, that, on the 2nd day of February, 1893, in the city of New York, in the county of New York, one Alice Robinson, a minor child of the age of fifteen years, was violently assaulted and beaten by one Isaac Robinson, wherefor the said complainant has prayed that the said defendant may be apprehended and bound to answer the said complaint; We, there-

fore, in the name of the People of the city of New York, command you, the said Sheriff, Marshalls and policemen, and each of you, to apprehend the said defendant and bring him forthwith to me, in the Fourth 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, in the city of New York, this 4th day of February, 1893.

(Signed) C. W. Meade, Police Justice."

THE CASE FOR THE DEFENCE.

HENRY B. NEDHAM, sworn and examined, testified:

I am secretary and treasurer of the Maryland Coal Co., at 35 Broadway, and reside at 23 West 82nd street. I have known the defendant for three years, and his reputation for peace and quietness is very good. I have heard the neighbors on the block speaking of him and members of my family, my father especially. I heard the neighbors speak of him as having a quiet and peaceable disposition, and being industrious and honest.

CROSS EXAMINATION:

Are you aware of the fact that during these three years that you have spoken of as knowing him, that he has been three times under arrest for assaulting his child? I did not. Did you know that in 1887 he was arrested by the same Society that is now here, for abusing his child? I did not understand it so. Are you aware that in 1889 he was again brought to court on a warrant for cruelty to his children? No. Are you aware that his child was taken by one of your neighbors from an assault made by this man upon her, and found blackened

and bruised, and brought off the highway and put into the custody of the Society for the Prevention of Cruelty to Children? No. If these things were known to you, would it alter your opinion of this man's good character for peace and quiet? I suppose it would; I speak of him as I know him and as I heard him spoken of; I know that he is a very hard-working man. I have seen him in the mornings, very early, on the elevated trains, coming up with papers, and I have seen him at all times of the day and at night coming up and going down for his newspapers, and going around to the different neighbors' houses. Have you heard anybody in your neighborhood say that he was a violent dangerous man? No. Have you conversed with Killian Van Ransallaer on the subject? No, I have heard of him. Do you know a lady named Mrs. Noble living in that neighborhood? No. Who are the people you spoke to about the defendant? Mr. John Hendrickson, and I think there was Mr. Freece. Did you speak to Mr. Gibson about him-- do you know him? No, I have just had the pleasure of meeting Mr. Gibson. What is Mr. Freece's business? I believe he is president of some company; I have heard him speak well of this defendant. What is Mr. Hendrickson's business? He is in the dry-goods business, I think; I have heard him speak well of him -- those are the particular persons that I think I can remember, and there are others whose names I do not now recollect.

BY COUNSEL: Some reference has been made to alleged arrests; if you knew that he was arrested once because his girl sold papers, being under age, and for that cause alone, would that change your opinion of his character? I do not think it would.

BY THE DISTRICT ATTORNEY: Have you ever had any difficulty with the Society for the Prevention of Cruelty to Children, have

they ever made any complaint against you? No, I do not think they have; I am an unmarried man.

WILLIAM M. MORAN, sworn and examined, testified:

Where do you reside? 1,983 Madison Avenue; and my business is real estate. I know the defendant. He has been my tenant five years last November. How long ago has he been a tenant of yours? Seven or eight years. Do you know what his reputation for peace and quiet is? Yes, it is good. How often had you occasion to go into that house where he lives in the last five years? Six days in the week almost. Did you ever in your life hear any complaint against him affecting his character for peace and quiet? I never did. You would not have kept him if he had been anything but a peaceable man? I would not. Have you heard the neighbors speak of him? No, I have not, until this occurrence took place now. What have you heard them say since? I made inquiries if they had heard any noise or anything, rows or anything of that kind, and they said no, even persons on the floor with him. I discovered that his reputation in the house was good.

CROSS EXAMINATION:

Were you aware that, in 1889, he was arrested for abuse of his children? This is the first occasion that I ever knew of any trouble. Do you know Officer Ruseell of the 26th precinct? I do not. Did you ever hear of his quelling a disturbance in which this defendant was engaged, with a knife in his hand? I never heard of that. You never heard of his arrest, in 1889, when he was brought to court? I did not. I will swear that he is one of the most peaceable and hard-working men that I have had in the house. I never heard of any trouble from the Robinson family in the house.

BY THE COURT: I understand you to say you never heard of his being engaged in an affray of any kind or an assault? I never did.

WILLIAM R. PETERS, sworn and examined, testified:

I am a merchant, at 47 Cedar street, importing and manufacturing chemicals. Do you know this defendant? Yes, six or eight years. Do you know what his reputation for peace and quiet is? I know from my own observation, I think it to be good, I think he is honest. I have had dealings with him; he had a boot-black stand and I bought papers from him. I have heard others talk of him. Some said one thing, and some another. You heard nothing contradictory of the good reputation and character given him here to-day? Yes, I have heard in court, on Friday, Mr. Killian Van Rensselaer say--- (Objected to.) I heard a young man that keeps a rival news stand, across the street, speak some hard words of him; I do not remember any one else. I saw the defendant almost every day.

WILLIAM H. GIBSON, sworn and examined, testified:

I am a lawyer, and I was formerly attorney for the Society for the Prevention of Cruelty to Children, and I am at present connected with it, as a life-member. I have known the defendant since last October, and, so far as I know, he is a peaceable, law-abiding citizen. Did you bail him and his wife out when they were first arrested? I did.

CROSS EXAMINATION:

You are not on their bail-bond now, are you? No, I am not. Have you heard of any acts of violence, other than this, on his part? I heard Mr. Gerry examine him in the Police Court

as to other arrests. You do not know anything about an assault that Officer Russell prevented him making with a knife? No. I have not been actively connected with the Society for ten years. Are you aware that, in 1889, he was arrested for abusing his children and brought to the Police Court on a warrant? No.; I heard Mr. Gerry state that also. Was it in the presence of the defendant? Yes, it was in the examination at the court; I heard his answers. Did you hear his answer to that last question of Mr. Gerry? I suppose I did, but I do not recollect it. I remember that Robinson appeared at the Police Court and said that he was not aware that he was violating the law in having this girl, who was then under age, selling newspapers. On that, he was discharged, the Society not prosecuting him further. With the knowledge of these facts, that this man was twice arrested for abusing his children and violating the law, and on the further fact that when, the third time, it was attempted to arrest him, under due form of law, under a warrant, in his house, for a third repetition of this offence, and that he thereupon made resistance -- do these facts, all taken together, alter your opinion as to his being a peaceable and orderly man? I could not answer that, categorically; in the first place, as to his discharge, it was a natural thing for him to be ignorant of the law that made it a criminal offence to employ a child at a certain age to sell newspapers. I forget the circumstances as to the second one. All these facts, you know, depend largely upon the circumstances of the case. I have known people to send complaints to the Society which we investigated and found that they were not very grave, and with an admonition to the people we let them go. Suppose that his daughter was found by a reputable

lady, in an areaway, crouching and crying, and upon examination was found to be beaten by this man until she was black and blue, and that she was beaten by her father ----- He is her step-father. Well, her step-father, would that aid you in answering the question? Of course, that would alter my opinion, somewhat.

BY COUNSEL: You are in sympathy with the purpose and objects of this Society? Entirely so; I am a life-member, and hope to be long-lived.

ALICE ROBINSON, sworn and examined, testified:

You are the wife of the defendant? I am, sir. How long have you been his wife? Seven years. You remember the 3rd or 4th of February, when your daughter disappeared? It was the 2nd of February when she disappeared, on Thursday morning. Did you receive notice to go to court? I did, on Saturday morning. In the meantime you did not know where she was? I did not, I supposed she was with her grand-mother, or aunt, she often does go to them. I went to the 57th street court, and I saw the complainant, Mr. Barkley, there. There was no examination. I had a conversation with Mr. Barkley; he said to me he thought my daughter should go to the Juvenile Asylum; I said I didn't think so; he said, yes, she should go, and she wants to. I said, "It doesn't make any difference, she is my child and I can take care of her." He cursed at me, he said, "It is a pretty hard matter to let that God damned man strike and beat her." I says, "Don't talk to me that way; I didn't come here for that." So he grabs me by the shoulders and pulls me off the chair and took me in the outside room, and said, "Get out of here." Was the court in session? Yes. Was the Judge on the bench? Yes, but this was in the small

room, and he thrust me out in the large court-room, it was full of people. I turned around to speak to him, and when I done so he shoved me in the chest and said, "Het out of here." I burst out crying, I felt very bad. I went to 81st street and Columbus avenue, where my husband had a boot-blackening establishment and news-stand, and I stated the way he treated me. Mr. Barkley came down to my house that same afternoon. Some one knocked at the door, I opened it; I think it was two o'clock, it might have been a little after. Mr. Barkley walked in, and said, "Ah, Robinson, I seen you there." Then I spoke to him, and said, "The paper that I gave you, down in the court-house this morning, I handed you, you kept. It was not for you, it was for the Judge." So then he takes it out of his pocket, and, at the same time, he draws another paper out. Was it a warrant? No, it was a certificate of my doctor that I had in the court-house. Do you know what the other paper was? I don't know what it was. That paper, in consequence of his keeping it, did not reach the Judge? No, not while I was there. It was intended for the Judge, a doctor's certificate? It was; Barkley didn't give it to him, he laid it on the table. Then he says, "Robinson, I have a warrant for you." My husband did not make any reply; he says again, "Robinson, I have a warrant." My husband says, "A warrant for me; what for?" So my husband got up to get his hat; he went toward the other room, the bed-room, and he got his hat. When he first got up he says, "All right, the easiest way is the best way." Then I stood in the door, and I says to my husband, "This is the man who insulted me in the court-house this morning." My husband said, "Man, what did you do that for?" So Mr. Barkley said, "Come, come," to my husband, and I stepped in the way

between them, and he had a club in his hand. He struck me on the back of the head with the club, and he shoved me, and when he struck me I fell over on the wash-stand, and it dazed me. I don't remember any more, for a few minutes, what happened. Then I felt a little better. They were on the floor, struggling. Barkley had his club, and he was hitting my husband with it. I says, "Don't, don't fight any more." Then I ran to the door, and I threw the door wide open, and I halloed for help three or four times. Then I came inside the door, and I came to the door again, and halloed for help in the hall. My husband let him up, and when he let him up he didn't run out of the door right away, he put his hand back of him towards his pocket. Then my husband ran towards him. I got in between them, and I wouldn't let my husband go out in the hall. Then when I got in the hall Mr. Barkley said he would shoot us, and that is all that happened just then. How large was this room? It is a small kitchen; I have in it a wast-stand, an ice-box, and quite a large table, two tubs, a stove and two or three chairs; they fill the room pretty well. All of this took place in the kitchen? I did. That day the stove was not at a white heat, but we had a pretty good fire there. Mr. Barkley, the complainant, stated that you and your husband dragged him as if to throw him upon the stove? I didn't touch him, I never put my hands on him. Did your husband drag him toward the stove? I didn't see him. How long did this whole business, this scuffle, take? I should think it was about five or ten minutes; it could not possibly have been any more than ten minutes. The complainant struck me on the back part of my head, he pushed me one side with his elbow, and then, at the same time, with the other hand, he hit me right in the back of my head. After

I got hit in my head I do not remember anything for a few minutes; I fell across the wash-stand, which is against the wall. When I recovered consciousness they were struggling on the floor. Did your husband at any time beat him with anything, or attempt to beat him or hit him? No, he did not, my husband was sitting down. When they were on the floor the complainant used his club and was fighting him. I know that my husband did not have anything in his hands. Did you see the complainant strike your husband with the club? Yes, I did. Did you notice your husband, after the difficulty was over, whether he was injured? He had a scratch on his nose, his hands were bruised, and one hand is lame. Was there any attempt made by your husband to put the complainant or throw him upon the stove? No, there was not. The complainant states that, as soon as he announced that he had a warrant for your husband, that he yelled or leaped like a beast--some such expression--and seized a chair, and flung it and brought it down upon the head of the complainant; is that true? No, it is not. Did he have a chair in his hands at any time? Not when I seen him he didn't. Of course you saw all that occurred up to the time you were struck? Yes, I did. What was your husband doing when the complainant was striking him with his club, on the floor? I don't know what he was doing, I didn't see him doing anything at the time I first went to him; I was frightened and excited. I went to the door, and stood there, and halloed for help. When they got up, after you had shouted for help, the complainant states that your husband raised his hand, as though he had something in it, he thought a knife; did your husband have a knife in his hand? No, he didn't have anything. Did your husband say, "I will kill you," after getting up? I

didn't hear him. I went out on the street, afterwards, to have Barkley arrested, I was going to the station house, He intercepted you and had you arrested, and prevented you from making a complaint against him, and had you locked up? He did. Did you notice whether the complainant had his hat on or not when he went out? He got it out of the room, when he came back, he didn't have it on. Did you notice its condition, was it all broken up and cut out? No, it was not. From what you observed there that day did your husband do anything more than protect you and protect himself? No, nothing more.

CROSS EXAMINATION:

My child disappeared on the night of the 2nd. I remember seeing Mr. Barkley, on the morning of the 3rd, at the stand. Do you remember his telling you that you would be wanted the next day, in court? No, he didn't tell me that. When I first saw him he asked me if I knew where my little girl was. I said, "No, I suppose she is with her grand-mother or aunt. He said, "No, she is down at the Society's rooms, for the Prevention of Cruelty to Children." He gave me the number in 23rd street; he didn't say anything about court to me he wanted to know how the child got her mouth hurt; I told him I didn't know anything about it. My husband showed me a paper like this green paper on Friday evening, the 3rd of February, and I read it. It called for your attendance the next morning in court? It did. I knew on the third where my daughter was. On the afternoon of the 4th Mr. Barkley went to our rooms, and I and my husband were there. You want these twelve men to understand that Barkley just went in there and your husband said, "Man, what did you do that for?" with his hands standing still, and Barkley, without provocation

by you, you did not touch him, shoved you around and hit you on the back of the head, and knocked you senseless; is that right? Yes. What was the condition of your head, did you experience any pain for some time after that? I did, my head was hurt very bad. When the officer came back he asked me where my husband was, and I said I didn't know, and Barkley and the officer said I did know, and they called me all kinds of names. Barkley called me a black wench, and a God damned bitch. I was arrested once, about five years ago, for letting my little girl sell papers, and was discharged the next day. That was the only time I was ever arrested. I have been living in New York about twenty-five years. What kind of a father has the defendant been to your child? He has been a good father. Has he ever abused this boy or girl? No, he has never abused them. I have been married seven years. Within the last two years, what have you to say about the girl? I have had a great deal of trouble with the girl last year, she would go with the other girls when I would send her with bills, and she would keep the money and tell stories all the time. I tried to cure her, I couldn't do anything with her, she would not mind me, she would not do anything for me. When your husband has corrected her, how severe punishment would he give her? We have a small strap, and he would use that. How much would he whip or punish her? He wouldn't whip her very much, he would crack her on the shoulders, or back, or arms, something like that, three or four times. Did he ever hurt the child? He never hurt her. You don't mean to say that he never gave her any pain, do you mean to say that? Of course, it pained her. Was he ever guilty of cruelty to your children in his life? No. He simply corrected her, within reasonable limits? That

was all. Was all the correction he did to your children done with your permission? It was. Did he ever put her hand in his mouth and leave the imprint of his teeth there? I never knew he done it. Did he fill her body with big blue welts, with your permission? I never knew he did. Did he knock her down and split her two lips so that her lip protruded? No, not like that. Were you ever present when any such act was done? No, never. Were you present at the correction of your daughter on the morning of the 2nd, when she was arrested and taken away from your control? No, I was not present. You do not know what condition your child was in; do you? I saw her about half past 8, in the morning of the 2nd of February, and there was nothing the matter with her then. She had not been marked then? No, she had not. Did you see your husband chasing her down the street, after he flogged her? No. You did not see her mouth cut open and bleeding; did you? No, I didn't see her mouth cut open. Did you see her on the 3rd? No. Did you see her on the 4th? I did. Had she any injury? She had not, I didn't see any. Do you know whether she was troubled with fever blisters on her mouth at that time? She was. Didn't you want her to go to see your family physician? She did, she went. Was not the only trouble in her mouth? That was all.

BY A JUROR: When you came to see the two men on the floor which was on top? My husband.

BY DISTRICT ATTORNEY: You didn't do anything, you just stood by and saw them fight it out, you did not touch either one? No, I did not. You did not help your husband a bit? No.

BY COUNSEL: It is stated by the complainant that your husband made an effort to seize his club and take it away from him; did you have a stove lifter and poker in your room? Yes, we did.

Was there anything to prevent you handing your husband the lifter or poker, if you choose to do so? No. You did not hand him anything of the kind? No. Did he call for anything of the kind? No.

ISAAC ROBINSON, being duly sworn, testified:

How long have you lived in New York City? I have been here over ten years altogether. How long have you been married to your present wife? Seven years, going on eight. What was your business at the time of your arrest? Paper selling and boot polishing. How long have you been in custody now, in the Tombs? I have been locked up in the Tombs since the 1st of March. How many times were you arrested, in your life? I never was arrested but twice in my life -- this time and the time the little girl was arrested for selling papers, against the law. Were you ever convicted of any crime? No. Have you ever treated these children, the boy and girl, with cruelty? No. State what punishment you ever inflicted upon these children? All the punishment that I ever inflicted upon my children was when they done anything real bad I might hit them with the strap, I tried to correct them. Did you ever punish them with undue severity, beyond bounds? No; I punished them sometimes, according, as any decent respectable father would; I never punished them with a club. Did you inflict any greater punishment than a modern punishment on those occasions? No. What is this girl's character? For the last year or so, Alice has got in with a crowd of girls, two or three girls, she goes around collecting bills, she takes a dollar or two, and goes over to her grand-mother's or uncle's, and comes back when she gets ready, all like that; last year the same; that is all I have got against Alice.

She was guilty of disobedience and dishonesty; she didn't tell me the truth; the last time when she went to 57 83rd street, and 27 West 82nd street, she collected in one place seventy-seven cents, and in another one dollar and three cents, and she never returned it again. The very morning I corrected her she came into the shop and she marked it on the list; she said, "No. 57 83rd street has paid me one dollar and three cents, and No. 27 East 82nd street, seventy-seven cents." I said, "Altogether that makes \$1.80; I see you have got it marked, where is the money?" She said, "I laid it down on the boot-black's stand when you were polishing the shoes." There was nobody in the shop but me, and it disappeared. I said, "Why don't you say you lost it, if you lost it?" And she began to back out of the shop door. She started to run, and I grabbed her. I slapped alongside the cheek with my open hand; I grabbed after her, and got nothing but the jacket she had over the blue ulster. She ran down Columbus avenue as far as 79th street, and through 79th street, and I after her. She disappeared, and I don't know where she went. When I started to go to tell my wife that Alice had disappeared, all at once on the block I heard a voice behind me saying, "What are you looking for, what do you want?" I looked around and I saw it was Mrs. Noble, and I didn't say anything. I went back to the corner of 79th street. I says to her, "What do you think Alice has done? She ran into one of the rich people's houses, I think it is Mrs. Noble's, because she asked me, 'What are you looking for, what do you want?'" She was taken to the court. She had a fever blister on her lips at that time, and she had fever blisters on her mouth before she went to collect the bills on the 3rd day of February. I said, "Why don't you go to see a doctor and get some thing

or other to take the blister off? You are all the time picking it, and the more you pick it the sorer it gets; you are going around collecting bills, and some one will say I have struck you in the mouth." State what occurred on the 4th of February? The 4th of February, about a quarter of 2 o'clock, I was sitting on the chair, leaning with the back against the wall, and a rap came to the door. My wife is hard of hearing I says to her, "Some one is rapping at the door." She opened the door, and Mr. Barkley stepped in. He looked around the lamp like that (showing). I was sitting; he says, "Ah, Robinson, you are there." I never made answer when he spoke, and just at that time my wife said, "You never gave me that paper that Dr. Hand gave me to hand to the Judge or Mr. Gerry, when I was at the court this morning." Then Barkley put his hand in his pocket, and took the paper and put it down on the table. At the same time he put his hand in his pocket and took out another kind of yellow looking paper. He says to me, "Mr. Robinson, I have got a warrant for you." I said, "A warrant for me?" He says, "Yes, a warrant for you." Then I says to him, "What for?" He says, "Never mind what for. Somebody or another has made a complaint against you down to Mr. Gerry's Society, about your kicking and banging your young one. I have got a warrant for you; come along." I then jumped up and picked my hat off the wash-stand, and says, "The easiest way is the best; I will go." My wife stepped in between me and Barkley, and she said, "This is the man who insulted me and handled me so brutally down to court this morning." Then I says, "My good man, what made you do that?" When I said that Barkley stood and glared at me and threw his hand back underneath his coat. I think the man was going to shoot me; I didn't know what he was going to do when

He threw his hand back on the hip pocket. I stepped in the bed-room and stood looking at Barkley and he stood looking at me, and my wife stood in between us. All at once Barkley shoved my wife with his hand, and when he shoved her he turned her face to me and hit her in the back of the head; she staggered on the wash-stand and put up her hand and said, "Oh! how that blow does hurt me." Then I says, "Man, what in the devil are you doing?" He made one step at me, and struck a full blow at my head; I dodged him, and I picked up a chair which was standing by the wash-stand, and the second time he struck at me I kept up the chair, and he struck on the chair six or seven times; as he tried to strike at me, I held the chair in front of me, protecting my head from the club. He found out he was not making much headway by that, and he grabbed hold of the chair. I loosed the chair, and I grabbed him around the waist with my left hand, and he dropped the chair and struck a blow at my head, and I caught the blow on my knuckles. Then the next blow he struck at me I staggered, and I got it on the fleshy part of my hand. By that time I managed to trip Barkley and throw him, and when I threw him on the floor he struck me on the jugular with the club, which paralyzed pretty nearly the use of that arm. When I had the use of that arm to keep him from hitting me, I took this hand and held his club. In that time I had struck him two or three blows; he hadn't much chance to strike me at that time. My wife came to, and ran and opened the door and halloed, "HELP, HELP," and came back to me. She said, "Deary, Deary, don't hit him any more; you can get yourself in trouble." As soon as Barkley heard that he said, "That is so, Mr. Robinson; don't hit me any more. You are the best man; take the warrant and go to the station house with it yourself."

I let him up right there, and when I let him up he jumps right over by the door, which had been opened by my wife, and stood there and glared at me. He put his hand behind him, and as he made a motion I made a spring for him, and out of the door he went, saying, "I will shoot, I will shoot." Did you at any time undertake to throw him upon the stove, with a view of burning him? I had no time to think about throwing him on the stove. Did you do so? No. He testified that you took his ear in your mouth, and that you took his cheek in your mouth, and you bit him; is that true? No. Did you at any time try to raise his club over him? No, the only time I had hold of his club, I told you, was when I lost pretty near the use of that arm, when he struck me in the jugular vein, when I had my hand bearing down the club to keep him from clubbing me on the head, as I was on the floor. Did you do anything more than to protect your head from his blows? No. Did you attack him with the chair? No, I never touched him with the chair. After you both got up, did you take anything in your hand like a knife? No, I did not. Did he at any time while you were on the floor call for help, police or anything of that kind? No. Did you hear your wife call for help? I did hear her call for help, twice. Did you see anything of Barkley's hat on that occasion? No, I didn't see his hat. After this trouble, and after Barkley went out, you went away; didn't you? Yes, I went outside in the hallway, with my wife. I went out of the front door and across the hallway and took the 8th avenue car and got off at 51st street and went to 313 51st street, and 8th avenue, to see Dr. Hand, but the doctor was not home. Then I went from there to Mooney's, No. 202 West 51st street, near 9th avenue; he is an attorney; I had been to him before, in the morning.

He told me to meet him over at the 57th street court at half past 2; he was then over to the court-house, waiting for me. I walked from there up to 68th street and the Boulevard, to the 68th street station house, and gave myself up. Didn't some one tell you that they were looking for you? No. Did you get any information from any quarter? No; I went over there and gave myself up; I will tell you the reason why I went there; I says, "My wife is in trouble, and so am I in trouble. If I run away they will say I done this, and perhaps it will ruin my reputation also in my business," and so I said, "The easiest way is the best way, I will go and give myself up and let the people see I was not running away." I surrendered myself. Mr. Gibson bailed me out at first for examination, but since the examination I have been locked up in the Tombs. I have been locked up since the 28th of February.

CROSS EXAMINATION:

I was not arrested; I gave myself up. I remember going before the Judge on the 27th of February. I was represented by counsel, and I answered all the questions put to me. I told them, to the best of my knowledge, down there what occurred. I am sure I said in the examination that Barkley hit my wife with the club. I believe my wife did tell the Judge that she was hit with the club. The only reason I assaulted Barkley was because he struck my wife.

MARY SULLIVAN, sworn and examined, testified:

I live at No. 40 67th street, on the third floor; the same house with the defendant. I remember the 4th of February last. I was sitting down in my front room, and I heard a woman scream for help. I went to the door; I heard a noise

down stairs; I ran down stairs, and, as I ran down the steps, I seen Mrs. Robinson's door open. She ran out in the hall, and was halloeing for help. That time I seen this man Barkley run out of her room with a club in his hand. He kept on to the street, and then I seen him come back with the officer, and the officer made the arrest of Mrs. Robinson. He came in and he said, "Have you got Mr. Robinson locked up in here?" Mrs. Robinson said, "No, what would I have him locked up in here for?" He says, "You black son of a bitch,"-- the officer said that, the big stout man who arrested Mrs. Robinson; he was in uniform, and she opened the door. They went out on the side-walk; Mr. Barkley looked down at Mrs. Robinson; he says, "You dirty black bitch, what are you looking here for?" That is all I seen, and all I know.

CROSSEXAMINATION:

I got a good look at Barkley; he looked as if he had been fighting. I saw his hat was off. I knew there had been some trouble in there when I heard the shouting. I didn't see the fighting. I saw him run out of the room, and Mrs. Robinson ran out and cried for help. She didn't say anything to him.

ANNIE JACKSON, sworn and examined, testified:

I live at 40 West 67th street, the same house in which the defendant lives, on the second floor. He lives on the first floor. I remember the 4th of February last. I never heard any disturbance in the house until the day this fuss was. I heard a woman halloeing, and I ran down to see what was the matter. I thought the house was on fire. When I got down stairs I saw Mrs. Robinson standing in the hall. She says, "Ain't there nobody can go for help for me?" And then I saw this man, Barkley, run out of the door; and that is all I seen.

I stood there on the stoop, and when I saw him run out of the door he scared me; I ran back in my room and shut myself up in the house. When I went to the window I saw this man come down with two or three policemen. Mrs. Robinson was then out on the side-walk, and they came back in the house. Mrs. Robinson went away. I never saw Mrs. Robinson until the next Monday. Did you hear anybody cry for help but Mrs. Robinson that day? No.

SARAH FORMAN, sworn and examined, testified:

I live in the same house with the defendant, on the fourth floor. I remember the 4th day of February last. I heard screams and hallooing through the air-shaft, and I went down stairs. I thought the house was on fire. Mrs. Robinson was running up and down the hall, saying, "For God's sake, somebody go and get help." Mrs. Jackson came down behind me; I asked her who I could get. She said, "Go out and get anybody." Mrs. Robinson was all bleeding. I ran out, but I didn't get anybody because I couldn't find anybody. Mrs. Robinson's mouth was all bleeding. I talked to her in the hall.

ALICE ROBINSON, recalled, testified:

Mrs. Robinson, was there any blood on your mouth that day, after this trouble was all over? There was a cut inside my mouth; I suppose I got it in striking the wash-stand. I had blood on my fingers, where I wiped it off.

REBUTTING EVIDENCE.

CLARENCE NOBLE, sworn and examined, testified:

I live at 144 West 79th street. Did you, on the morning of the 2nd of February last, see this defendant go through

that street? I did, following a girl. You saw that little girl over there, his daughter? I did. I was standing at my second story front window, and noticed this little girl running toward our house, very much excited. She ran in the area, two doors above me, and crouched in the corner. Just then I saw the father running excitedly and looking angry after her, and I motioned her to keep still. She did so, and kept her eyes on me, and the father came just below my window, and I raised the window and said, "What is the matter?" I spoke to Robinson. He didn't seem to see me, and looked in every direction for the little girl. He finally turned and went back some few doors below, and then turned and looked again. I motioned the little girl two or three times to remain quiet. Then the father went down to the corner news-stand, I presume, and as soon as he was out of sight -- he walked away from the house, I lost sight of him -- then I went down to the front door and called the little girl to me. I had a conversation with her. Her lip was very much swollen. I took her to the rooms of the Society for the Prevention of Cruelty to Children, in East 23rd street. Did you notice any other marks on her? No. Was her lip cut, or was it bleeding from a cut, or what? It looked very red and angry, the lower part. Did you notice any marks or sores on her lips? No; I couldn't imagine it was a cold sore, the lip was too much swollen for that. I know the defendant. He has done some work for me, in our house. I have known him five or six years, and have seen him selling papers there. I only know from hearsay that he was an unkind father.

CROSS EXAMINATION:

You have never heard anything against him except from those who are interested in the prosecution; have you? No.

SAMUEL BLUMENTHAL, sworn and examined, testified:

I live at 334 West 84th street. I have known the defendant nearly three years. From what I have seen of him I think he is a very vicious man. I was building in 80th street, between 9th and 10th avenues, and a little boy of his had a little white boy by the throat, trying to choke him, and I went to work and took them apart. The boy ran over to his father and he told his father that I hit him. When I was walking up the avenue his father came running over to me and said, "What did you hit that child for?" I says, "I didn't hit that boy, I have got children of my own, if I want to hit them I can punish them. That boy of yours ought to be punished." The defendant said, "That boy says you hit him," and the boy ran out in the street to pick up a brick. I says, "Is that your boy? Tell him to put that brick down." He says, "No, I won't tell him to push that brick down, and I will slash you, too." He made an attempt to put his hand in his pocket, "You pull anything out on me and I will do you up too." I kept away from him; I would not go round those corners in a dark night. I have got no hard feeling against this defendant. I was subpoenaed to come here. After Mr. Barkley served the paper on me, I told him of this circumstance.

ALICE ROBINSON (Junior), sworn and examined, testified:

The defendant is my step-father. I remember the morning of the 2nd of February. I remember coming back that morning, and meeting my father at his place of business. He asked me why I was so late delivering my papers. He went outside and attended to the papers on the stand, and he stayed out there and another man was shining shoes, and he came in when that man got down, and he said something to me, and then he hit me

with his fist, on the mouth, and knocked me on the floor. And, after, I was on the floor, he kicked me. Then, when I got a chance, I ran outside the door, and he got hold of my cape I had on, and he brought me back in the shop, and he shut the door, and then he hit me on the head, and on the cheek bone. Then he sent me down 79th street to my mother to ask her what she wants; then I couldn't hardly get down. I laid my head on the shelf down there. Did you, that morning, have any fever blister on your mouth? Yes, on the top of my lip. Was your mouth cut that day before he hit you? No; he kicked me on the leg. After that I ran in the alleyway of Mrs. Noble's house, and then Mrs. Noble asked him who he was looking for. He didn't answer, and when he went away she called me up in the house and asked me about it.

CROSS EXAMINATION:

I am fifteen years old. I ran pretty fast that morning, and my father was running after me, but he didn't catch me. I didn't steal a dollar that morning; I only had eight cents from the papers down in 79th street. Was not the total amount you should have accounted for \$2.60, and was there not \$1.00 missing? No. You know you had to be punished frequently for telling lies? Yes; I am sure I didn't lie to my father that morning. Didn't you refuse to mind your mother sometimes, and was not your father compelled to punish and correct you, and don't you think you deserved it? Yes. My father spoke to me about going to Dr. Hand, about the fever blister on my lip. Mr. Barkley and Mrs. Noble told me to tell the truth about this case, and nothing but the truth. I have been in the custody of the Society since the 7th of February. I have had no conversation with anybody in the court-room to-day. Mr. Stocking accompanied me to court this morning,

but I had no conversation with him.

BY DISTRICT ATTORNEY: You have got a good deal of beating last year from your father? Yes.

BY COUNSEL: He would punish you with the little strap sometimes when you were disobedient? Yes; sometimes. About four or five months ago, he took my hand in his mouth and bit my fingers.

THOMAS CORCORAN, sworn and examined, testified:

I am a police sergeant, of the 17th precinct now, and on the 4th of February last I was in the 24th precinct. I was on duty in the station house on the afternoon of the 4th of February, when the wife of the defendant was brought in and when the defendant came into the station house. The defendant came into the station house and asked me if Mrs. Robinson was there. I asked him why he inquired, if he was a friend of hers. He said he was her husband. So I called an officer and placed him under arrest, for the reason that Mr. Barkley had been in and made a complaint against him of assaulting and beating him; I told Mr. Barkley I would send an officer after him. I placed him under arrest, and telegraphed to Head-quarters. When Mr. Barkley came into the station house I think he did have his hat on, but he was in very bad condition. He had a lump on his head, his clothes were all dirty and his neck-tie was loosened. It was probably three-quarters of an hour, or an hour, before the defendant came in. I think Mr. Barkley arrived there about 2 o'clock. How did the defendant look, were there any marks or scratches on the defendant? I didn't see any. Did he complain of any? No, he didn't complain of any. I asked him why he assaulted Mr. Barkley, and said, "You done him up pretty bad." He said,

"I am sorry I didn't give him more." That was all the conversation I had with him. I took his pedigree and locked him up. I telegraphed to Headquarters, to notify Mr. Barkley to come there.

CROSS EXAMINATION:

Mr. Barkley didn't come to our station house very often; I only saw him twice there, I believe. There was a little abrasion of the skin, on the side of his forehead. He had a lump by the side of his head, over his ear. He showed that to me himself. I am sure the swelling occurred by some physical violence. The lump over his ear was about the size of a small potato. Did you see any other marks upon his face than that little abrasion upon his forehead? No, that was about all; his face was dirty; he complained of his lips being sore. Robinson, when he came in, inquired for his wife. You don't know what his intention was, you don't know whether he intended to give himself up or not? No. He did not demur when you placed him under arrest; did he? No.

JOHN H. RUSSELL, sworn and examined, testified:

I am officer of the 26th precinct. I am acquainted with the defendant; I met him as a police officer. What is his character for peace and quiet, do you know? Yes, very poor. Have you had any experience with him? Yes, several times. The first time I saw him was about three or four years ago. One summer's day, about noon-time, there was an opposition boot-black and this defendant seemed to be in a little scuffle between them. I watched them for some time, and they advanced toward the center of the street, and met about half-way. I was behind Robinson; I supposed they were going to have a fight. I saw that one hand was behind Robinson's back

and he had a knife in it. I went over to him and touched him on the shoulder with my billy, and asked him what he was going to do with the knife. He says, "This man has insulted me." I said, "If he has insulted you I will take care of him; put that knife up." And then he placed the knife in his pocket and he walked away. On another occasion, one night in the fall, about half past 5 in the evening, when it was dark, about a year and a half ago, I was standing on the west side of Columbus avenue at 81st street, and the defendant's boy, Alonzo, was annoying some people. I took the boy over to the mother and told her she had better chastise him or I would have to lock him up. She started in to abuse me with her tongue, and Robinson came out, and a great crowd had collected. A gentleman told me to look out for Robinson, that he was coming out with a hammer in his hand. I asked him what he was going to do with the hammer, and he said he was going to nail something, but he didn't give me any other explanation. What is Robinson's general reputation in that precinct among the policemen and among the neighbors, for quiet? His reputation for quietness is very poor. Is he known as a violent man? Yes, as a violent and vicious man.

CROSS EXAMINATION:

I have been on the force six years and a half. How many times have you been before the Board? Five times. What have you been charged with? Reading newspapers, and conversation; that is about all. Have you been suspended at any time? Never suspended -- fined. Are you sure not more than that? I am sure, I will swear to it. Do you hang out with a gang across the way? No, I don't belong to any gang. You are a friend of Riley's? No, I am not. Haven't you tried to break up the business of the defendant? No. When this

man came across the street, with the knife in his hand, why didn't you arrest him? He has a perfect right to have a knife in his hand. You did not arrest him at any time? No. You never have known any officer in the precinct to arrest him? No. He was never arrested by any officer in your precinct? Not that I know of. Tell me upon what you base your statement that he is a man of vicious disposition? My principal reason was the way he used his children. Didn't you strike his boy one day? No, never laid my hand on the boy, but the one occasion, when I took him by his shoulder to his mother. I know that, on a very cold winter morning, when the thermometer would be down to nearly zero, he would have his children out on the news-stand without proper clothing on them--that is for viciousness, that is not for peace and quietness.

ISAAC ROBINSON, recalled by Counsel:

Have you ever carried a knife? No. Did you have a knife in your possession -- you have heard Officer Russell describe how you walked across the street, with a knife in your hand, towards this Riley, and he approached you; is that true? No, I had no knife in my hand. Did you ever take a knife or a hammer, or threaten to do anybody any harm, in your life? No. Did you have any fights with anybody in your life? No; one day little Alonzo was over by Riley's corner, he had an arm-full of evening papers, when Russell caught him and was like to choke him to death, and when he got loose Alonzo went to throw stones at him, and Russell caught hold of him and made a blow, and fetched him over. Officer Russell is a great friend of Riley's, and I have seen him hanging around his stand.

The Jury rendered a verdict of GUILTY of
ASSAULT in the THIRD DEGREE, with a RECOMMENDATION
to the MERCY of the COURT.

Testimony in the
case of
Isaac Robinson

1350

filed
March

1893.

1350a

IN THE COURT OF THE CORRE.

VS. THE STATE OF NEW YORK, AND THE PEOPLE OF THE STATE OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK, AND THE PEOPLE OF THE STATE OF NEW YORK.

0965

STENOGRAPHER'S MINUTES.

4 District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Frank F. Barkley

vs.

Isaac Robinson
Alice Robinson

BEFORE HON.

John J. Ryan
POLICE JUSTICE,

July 27 - 1883

APPEARANCES:

For the People,

For the Defence,

N. E. Murney Esq.
July 27 - 1883

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George L. Lanyon
Official Stenographer.

0966

DISTRICT POLICE COURT.

THE PEOPLE
ON COMPLAINT OF

Frank G. Barkley

agst.

Isaac Robinson

alred

Examination had

Before

Feb 27 1883
John J. Ryan Police Justice.

I,

George G. Gage

Stenographer of the

4

District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of
the original Stenographer's notes of the testimony of

Frank G. Barkley

as taken by me on the above examination before said Justice.

Dated

Feb 27

1883

George G. Gage
Stenographer.

Police Justice.

Sec. 151.

POLICE COURT, 14 DISTRICT.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned one of the Police Justices for the City of New York, by Frank G. Barkley of No. 108 East 23rd Street, that on the 24 day of February 1893 at the City of New York, in the County of New York, one Alice Robinson a minor child of the age of fifteen years he was violently **Assaulted and Beaten** by Isaac Robinson

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you, the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 14 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 14 day of February 1893

(Ed) C. H. Meade POLICE JUSTICE.

Ex 1 Copy

0968

Copy

Police Court 4 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Frank G. Backley

vs.

Isaac Robinson

Warrant-A. & B.

Dated _____ 188

Magistrate.

Officer

The Defendant _____

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

Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at
night.

C. M. Meade Police Justice.

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

Dated _____ 188

Police Justice

The within named

People's Ex 2}

Feb 27/93 }

1887

Aug 8
A.M.

30.741

Copy

officers went to 81st Street and 9th Ave. where Isaac Robinson (Col) has an apparently well-established business as boot-black and newsdealer, also, in a small way. His stepson Alonzo, 7 yrs, with him.

Man, of course, denies any ill-treatment of boy, but he was talked to very plainly and duly warned against further complaints. Boy is rather thin and frail, but comfortably clad. His mother is Alice and there is also a child Alice, aged 8 yrs. Family live at No. 147 W. 52^d and are Protestants.

Ex 2

Copy

FOURTH DISTRICT
POLICE COURT.

-----x	:
FRANK G. BARKLEY	:
-against-	::Before HON.
ISAAC ROBINSON and	: JOHN J. RYAN,
ALICE ROBINSON.	: Justice.
-----2	:

New York, February 27th, 1893.

H. E. Mooney, Esq., appears for defendants.

FRANK G. BARKLEY, the complainant,
being duly sworn, testified as follows;

By the Court:

Q State the circumstances connected with the assault upon
you as charged in this complaint ?

A I am an officer of the Society for the Prevention of
Cruelty to Children. The office of the Society is at
No. 108 East 23d Street. I reside at 138 East 28th St.
On the morning of February 4th Justice Meade issued a
warrant on my complaint for the arrest of Isaac Robinson
for an assault on Alice Robinson, twelve years of age.

Warrant offered in evidence and marked People's
Exhibit 1 of this date.

On the afternoon of the same date, February 4th, by direction of the Assistant Superintendent of the Society I went to No. 40 West 67th Street, the residence of Mr Robinson to ascertain whether he was at home or not. I looked for a police officer at 66th and 67th Street and not seeing one I went to the place alone. They lived on the ground floor, rear. I went to the door and rapped Mrs Robinson came to the door. I asked her if Mr Robinson was in. She said he was. I stepped inside the door. I didn't see Mr Robinson at first; the room was dark, a dark middle room, occupied as a kitchen. There was a lamp standing on the table. I didn't see Mr Robinson when I stepped in first. It was about half past two or quarter to three in the afternoon. I stepped in front of the lamp and then saw Mr Robinson. I said "How are you Robinson, I didn't see you at first" Then ~~xx~~ Mrs Robinson said "This is the man that insulted me in Court ", referring to me. She said "Where is that paper I gave you in Court this morning?" I had already taken my pocketbook out and handed her the paper she gave me in Court; it was a letter from some one endorsing her.

By Mr Mooney:

Q Did you read the letter ?

A I did not.

Q Was the letter addressed to Judge McMahon ?

A I don't know but what it was. She handed it to me in the side room in Court; I don't know even if it was addressed to Judge McMahon. I handed her the paper in her room. As soon as I handed her the paper I took the warrant from my pocket book and said to Robinson that the Judge issued a warrant for him this morning and that he would have to go with me to Court. He had not spoken a word up to this time. He sat on a chair with his back against the wall. The first thing he did was to jump up and grab a chair. I stepped back when I seen him grab the chair and raise it. He struck me on top of the kax head and broke my hat in pieces. I got the blow more on the back of my head, because when I seen it coming I turned my head slightly. Then he struck me again across the shoulder with the chair; it was a wooden chair. I had a little billy in my pocket and I drew that. Mrs Robinson had her hand on my neck and arm and almost at the same time Robinson grabbed me with both arms and held me and commenced to growl like a dog and grabbed me on the cheek with his teeth and grabbed w me on the ear with his teeth, and then they both commenced to shove me over to the corner. I noticed when I went in the stove over there; it was a cold day; they had a low, cheap range; the stove was red hot. They shoved me right over

towards it and I thought it was their intention to put me on the stove. I seen where I was going and I threw myself one side and he fell with me in front of the stove and he began to thump me and beat me; he thumped me half a dozen times on the floor; he beat me with his fist all over my body; I still held on to the club and after trying for some time to get the club away he commenced to beat me again on the head and then attempted to get the club again; I held on to it. I got on my feet and called for help and he was constantly beating me; when I got to my feet he sprang to the other side of the room and he grabbed something off a tub; I thought it was a knife; and raised it and Mrs Robinson sprang in front of me and said "Don't cut him; he has got enough" or "Don't kill him" The door had been opened in some way and I sprang in to the hall; he followed me in to the hall; the warrant in the struggle had fallen to the floor and was torn; I went out then and brought in a police officer.

By the Court;

Q Was he arrested ?

A He had run away. When we came back to the house he had left; Mrs Robinson wouldn't say where he was and I put her under arrest for an accessory to the assault; we met her on the street.

Q After this had transpired where next did you go ?

A After that I went to 81st street to see if he had gone there; I went to look him up to see if I could have him arrested; I went with a police officer to 81st street and he was not there, but there was a little boy there at the stand and I took him in custody and brought him to the Station House and then took him to the Society's office.

Q You were subsequently examined in reference to your injuries ?

A Yes, sir, first by Doctor Flynn at 137 East 38th Street. and subsequently by Doctor Gibbs, the physician of the Society for the Prevention of Cruelty to Children.

Q Have you been confined to your bed?

A Yes, sir, ever since until three days ago.

CROSS-EXAMINATION

By Mr Mooney;

Q You say you went to Mr Robinson's house on a warrant ?

A Yes, sir.

Q For what purpose ?

A To arrest him.

Q Did you have the authority under the warrant to go in to his house and arrest him ?

A I believe I have; we have had that authority; we have executed warrants.

Q Do you know whether you had authority to execute a warrant ?

A I believe I had authority.

Q Did you read the warrant ?

A I did.

Q Did you see that the warrant was addressed to the Sheriff, Marshall or Policemen of the City of New York ?

A Yes, sir.

Q Are you a sheriff, marshall or policeman ?

A I am a Peace officer.

Q When you went in to see Mr Robinson you say it was so dark you couldn't see Mr Robinson ?

A Not so dark that I couldn't see him, but when I first went in there the lamp was between me and Robinson who was leaning against the wall on the other side of the table and beyond the lamp.

Q What were the first words you uttered when you went in his room ?

A I asked Mrs Robinson if Mr Robinson was in.

Q What did she say ?

A She said he was.

Q What did you say then ?

A The next thing Mrs Robinson said to her husband "That is the man that insulted me in Court."

Q Those were the first words that were uttered after she said he was in ?

A I spoke first to Robinson; when I went in I stepped in front of the lamp and I said "How are you Robinson; I didn't see you at first"

Q She said according to your testimony "This is the man that insulted me over to the Police Court."

A Yes, sir.

Q What answer did you make to that ?

A I don't know that I made any reply.

She said right away "What did you do with that paper I gave you this morning?" I took the paper from among other papers I had and handed it to her.

Q Do you know what that paper was ?

A I believe she said it was something that had been written by some one endorsing her.

Q Did you read it ?

A I didn't take the pains to read it.

Q Did you look at it in Court ?

A When she handed it to me she was told to be here, as the mother of the child, the application being to commit the child to some Institution. When she came in the side room she was very abusive and I told her to go outside the rail; she handed me the paper after she went outside. Instead of sitting down she went home and paid no attention to the proceedings in Court. The child was committed by Justice Meade.

Q You say Robinson hit you with a chair ?

A Yes, sir.

Q Where did he hit you first ?

A On top of the head.

Q Did he chair hit your head or hat ?

A It hit my head.

Q Did it mark it ?

A I don't know whether my bruises on my head was from the chair or his fist; he hit me on the head with the chair and it staggered me.; he also hit me across the shoulder.

Q Did he hurt or break anything there that you know of ?

A I don't know what caused my broken rib.

Q You say you clinched ?

A She clinched me and he clinched me; I didn't have a chance to clinch him.

Q Did you have out your club then ?

A I pulled my club when he struck me the second time with the chair.

Q Did you try to strike him ?

A I had no chance to use it.

Q Did you try ?

A I did.

Q You say he clinched you and you both went down ?

A As soon as she seen him have hold of me she got hold of my arm.

Q Did you strike him across the hand with your club ?

A I don't think I had a chance to; no, I didn't strike him; I didn't have a chance to.

Q Did you see his hand when he was arrested ?

A I didn't.

Q After you got on the floor what did he strike you with ?

A He first seized me by the ears and jammed by head half a dozen times at least on the floor so that I was almost senseless and then he commenced to beat me with his fist.

Q You got up on your feet ?

A I didn't get up on my feet then; he got hold of the club and was trying to wrench that away from me.

Q At that time did you know that any of your ribs had been broken ?

A No, sir, I didn't.

Q Did he strike you in the ribs at all ?

A He thumped me in the ribs with his knees and in every shape.

Q Was he on the floor ?

A Yes, sir.

Q And he struck you with his knees ?

A Yes, sir., thumped me in every shape.

Q Didn't kick you ?

A I don't think he had a chance to kick me, because he was down on me.

Q You say two ribs were broken ?

A They were broken sometime during the fracas.

Q After you had your ribs broken and you were pounded in to that condition and beat and bruised in that way you went to the Station House ?

AA Yes, sir.

Q Where was the Station House ?

A 68th Street near Amsterdam Avenue.

Q Where did this thing happen.

A West 64th Street.

Q About a quarter of a mile away ?

A About a quarter of a mile.

Q After making the complaint there where did you go from there ?

A I went to 81st and Columbus Avenue.

Q That is a little over half a mile, is it not ~~2x~~ from the Station House ?

A After I arrested her I went to the Station House with her and from there to 81st street and Columbus Avenue.

Q What was your condition at that time ? Were you weak or in any way incapable of travelling ?

A My head was in that condition that I couldn't get my hat on; I sat it on top of my head; my head was swollen on both sides.

Q You were not in an insensible condition ?

A No, sir.

Q After you left 81st and arrested the boy where did you take the boy to ?

A To the Station House with the officer.

Q And from there where did you go ?

A I took the boy to the Society's office.

Q Where is that ?

A 108 East 23d Street.

Q And in all that time you travelled I suppose five miles from the time you were hurt until you delivered the child to the office of the Society and then went home, is that right ?

A I think about that.

Q And in all that time you didn't see a doctor ?

A No, sir.

Q You didn't think the injury was serious enough ?

A I was in great pain while I was in the Station House.

Q The only thing that Mrs Robinson had to do with this whole affair was when she had hold of you when the first scuffle took place ?

A That is right, with the exception that she kept hold of my arm when he shoved me over towards the stove.

Q Did she pull you towards the stove or was she pulling you away from the stove ?

A She was pushing along with him.

Q Did Mrs Robinson make an effort to go between you and her husband at the time the first struggle took place ?

Did she take hold of you by the collar and try to pull you away ?

A I don't know what her intentions were. I only know what she done.

Q She didn't strike you ?

A No, sir, she put her arms around me.

Q Then you say when her husband got up and took hold of something she interposed her body between you and him ?

A Yes, sir; she kind of held him there until I got out in the hallway.

By the Court;

Q Do you know whethser she held him or not ?

A I don't know whether she held him or not.

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Q You do know she stopped him from doing something when he had his hand upraised ?

A Yes, sir.

By Mr Mooney;

Q You didn't see what he had in his hand ?

A No, not well enough to identify it.

Q Didn't she open the door so that you could go out ?

A I don't know who opened the door; she might have opened the door while I was on the floor; somebody had made an outcry from the outside, because when I went in to the street there was a large crowd of children outside.

Q Did you hear an outcry outside ?

A No, sir.

Q When you got up the door was open ?

A Yes, sir.; it was closed behind me when I went in.

Q And the only ones in the room were you, Robinson and his wife ?

A Yes, sir.

Q And when Mrs Robinson opened the door after you got in she recognized you ?

A Yes, sir.

Q She made no attempt to keep you out ?

A No, sir. I stepped in as I generally do in those cases.

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Q There is only one of your ribs broken ?

A The doctor so testifies. I want to say that not only my ribs were broken, but my whole side was bruised.

By the Court ;

Q You testified that when she said "This is the man that insulted me in Court" and when you drew the billy after being struck twice with the chair by the defendant, she held you ?

A Yes, sir, she held me by the right arm and collar.

Q She didn't stop him from doing anything with the chair ?

A No, sir.

By Mr Mooney;

Q ^{was she} Where ~~was she~~ standing when he struck at you with the chair ?

A She was in the middle of the floor.

Q Was she nearest to you or nearest to him ? When he struck you was she nearest to him or were you nearest to him ?

A I won't be positive; she was in the middle room when I handed her the paper; as soon as I spoke to him and said I had a warrant for him he struck me; the whole affair up to that time had not occupied half a minute

Q Was she nearest to you ^{or} ~~and~~ were you nearest to him

when he struck you with the chair ?

A I think he was the nearest.

Q Had she seized hold of you ?

A When he raised the chair to strike me I turned my back partially and I caught it on the back of my head.

Q And then she grabbed you ?

A Then he struck me again a swinging blow across the shoulders. I recognized I was in trouble and I pulled the billy and put it in my right hand; I would have used it had I a chance; she grabbed me and held me at the same time; she had me by the hand and shoulder.

Q She didn't touch your elbow ?

A She had her arms around my shoulder and she had ~~her~~ her abdomen against mine and held me.

Q She didn't have hold of your right hand during that time?

A She didn't have hold of my right hand but her body was against mine.

Q How long did she hold you, a minute ?

A Not a minute.

Q Did she hold you five seconds ?

A It was not half a minute; they pushed me towards the stove and I saw I was going to fall on top of the stove. I didn't notice when she let go; when I fell he was on top of me.

Q Did she have hold of you when you fell ?

A I don't think she did.

Q When did she let go of you ?

A She let go of me I think when I was over by the stove.

Q What was the distance from where she got hold of you to where the stove was ?

A About six feet.

Q And she kept hold of you all the time you were dragged that five or six feet, is that right ?

A Yes, sir.

Q And then afterwards when you both clinched she didn't have hold of you, she didn't interfere; she didn't assist in any way ?

A Not that I know of.

Q When her husband went over to the tubs to take up something she interposed her body between you and him ?

A She said, "Don't cut him " or "Don't kill him"--something like that--"He has had enough "

Q You ran out of the room then ?

A Yes, sir.

By the Court;

Q Did she attempt to prevent him from assaulting you with that chair before you drew the club ?

17

A No, sir.

By Mr Mooney;

Q How much time expired between the time he assaulted you with the chair and the time you drew the club ?

A Not more than a minute.

W. T R A V I S G I B B, called for the People, being duly sworn, testified as follows:-

By the Court;

I reside at 365 Lexington Avenue. I am examining physician for the Society for the Prevention of Cruelty to Children. I am thirty years of age. On the 8th of February I ~~was~~ called to see Mr Barkley at his house on 28th street. I found him in bed suffering. On examination I found numerous abrasions and contusions. He had an abrasion and contusion on the top of his left ear, and

on making a further examination I found a quarter of the seventh rib, about four or five inches to the right of the median line fractured. I found him suffering from pain but no contusions and he had pains in the right loin and up in that region. I treated him for fracture of the rib, put him up in suitable appliances and told him to remain in the house. He has not been in condition to go out of the house until the present. There is still evidence of the fracture of the rib and he still wears the appliance I put on him to keep him from suffering any great pain.

Q And from that time he has been confined to the house ?

A Yes, sir, confined to the house by my orders.

CROSS - EXAMINATION.

By Mr Mooney;

Q When was it you say you attended him ?

A Four days after the accident, the 8th of the month.

19

Q That was the first you attended him? How often after that did you call upon him?

A I dropped in every two or three days.

Q Of course you kept an account of the visits you made?

A Yes, sir; the aid he required was to put this rib up in a way so that it couldn't hurt him when he breathed and it required time for the treatment.

The People rest.

I S A A C R O B I N S O N, the defendant, called
in his own behalf, being duly sworn, tes-
tified as follows;

By Mr Mooney;

Q What is your business ?

A Paper selling and polishing boots.

Q Do you remember the 4th of February, 1893, Mr Barkley
coming to your place ?

A Yes, sir.

Q Tell the Court what took place there, the cause and ef-
fect of it ?

A On February 4th about two or three o'clock, as near as
I can get at it, Mr Barkley came and rapped at our
door. My wife let him in; when my wife let him in he
said "Ah! Mr Robinson I see you are here" I didn't make
any reply when he first spoke. Then he said to me "Mr
Robinson I have a warrant for you" Then when he spoke
the second time and said "Mr Robinson I have a warrant
for you" I said "A warrant for me ? What for ?" Then
he said to me "There has been a complaint made down to
the Society for you abusing your little girl and I must

arrest you" Then I got up and said "The easiest way is the best way, I will go" During that time my wife spoke up and said "This is the gentleman that pushed me in the chest and shoved me out of the room and wouldn't let me take this to the Judge" Then I looked at him and said "What do you mean? What made you do that?" As soon as I said that he drew out something from his pocket and jumped back; when he jumped back I got scared and jumped back behind the partition; I was afraid he was going to shoot me and all at once he changed his mind and drew a club. When he drew the club my wife was in between him and me and she said "Deary will you allow this man to hurt me?" I said "What are you doing man?" He leaped across the floor and struck at me; when I dodged the blow I had a chair in my hand; the second time he struck at me I caught that blow on the chair and I caught several blows on the chair. He grabbed the chair; I let loose of the chair and clinched him and threw him and punched him with my fist..

Q He said you struck him with the chair?

A I never struck him with the chair.

Q Did you strike him, if you know, in the body?

A No, sir.

Q In the chest,?

A No, sir.

Q In the ribs ?

A No, sir.

Q What did you use in all that fight ?

A I used nothing but my nuckle; he struck me on the nuckles and he struck me on the hand.

Q With the club ?

A Yes, sir.

Q Then he did have the club in his hand at the time you clinched him ?

A Yes, sir. He had struck the chair several times.

Q Did you see your wife grab him by the neck and arm ?

A My wife didn't grab that gentleman at all by the neck or arm.

Q Who opened the door ?

A I don't know. When he said "Robinson let me up, don't kill me, take the warrant and go with it yourself, I said "Why didn't you say that first and why did you push my wife and hit me on back of the head with the club.

Q Did he strike or push her ?

A He pushed her with the left hand and struck her with the right, with the club, on the head.

Q What happened after the affair ?

A After he said to me "Robinson let me get up and take the

warrant yourself" I let him up and the door was open and he ran out in the hallway. Then my wife said to me "Dearest would you allow a man to come in your house and club your wife" I said "You go over to the Station House and have him arrested or get a warrant for him; he came after me; he didn't come after you"--that was after he ran out the door. I said "You go over to 68th St. Station House and get a warrant out for him. " On her way over this gentleman (Barkley) and an officer met her. When she went out of the door she left me in the room and then I took and went down in the cellar and went out the back way and took the Eighth Avenue cars over to 51st Street and went to see Doctor Hand; he was not home; then I went to Mr Mooney's office and he was not home. I stood around until five or six o'clock and walked up to 68th street Station House and gave myself up. When I got on the Boulevard I met an old officer. He said to me "What are you doing here?" I said "I am going up to the Station House" He said "Are you the man that committed manslaughter on that officer?" I said "No, I didn't commit manslaughter on that officer" He said "If you are going to give yourself up I won't arrest you. He said "I will stand here and see you walk in to the Station House"

Q That was of your own volition you went there--no officer brought you there ?

A No, sir.

By the Court;

Q You said that without any cause or provocation, that all Mr Barkley said was that he had a warrant and that your wife having then said "This is the man that insulted me in Court?", without any cause or provocation this officer jumped back, goes in his pocket as if he was looking for a pistol and you run into the room?

A I went behind the partition.

Q You gave no cause or provocation for that. There was nothing done by you--without any cause this man jumped back and put his hand in his pistol pocket?

A Yes, sir.

Q And there was no cause or provocation on the part of the officer prior to that?

A No, sir.

Q Why did you go and leave the place and go up to the Doctor's and then go over to your lawyer's. What was your intention when you went to the lawyer's? For what purpose did you go there after this assault?

A I went because he struck my wife on the back of the head.

Q Why did you go there to consult him about it?

A My wife went over to 68th Street Station.

Q You have testified you left the building where this

assault occurred and went to the doctor's; the doctor was not in and you went over to your lawyer's office ?

A I went there to state the case to him about this officer hitting my wife on the back of the head.

Q You went directly from the scene of the assault to this lawyer's office to tell him he struck your wife on the top of the head ?

A Yes, sir.

Q

By Mr. Gerry:

Q You knew Mr. Barkley about the 8th of August, 1887 ?

Obj. to

Obj. overruled. ex.

A No, sir I didn't know him.

Q Don't you remember his calling upon you at the time when you lived in 81st street and Ninth Avenue ?

A I never lived in 81st street and Ninth Avenue.

Q While you were doing business there as a bootblack and newsdealer in reference to your step son aged seven years who was then living with you, do you recollect

his calling upon you then ?

A No, sir.

Q Do you remember his stating that a complaint had been
ill
preferred to the Society for your treating that boy
who was at that time rather thin and frail ?

A No, sir.

Q Don't recollect anything of that sort ?

A No, sir.

Q You are quite certain he never called upon you the 8th
of August, 1887 ?

A No, sir.

Q I call your attention to the 27th of March, 1888, did
you live at that time at 148 West 52d Street ?

A I lived at 147 West 52d Street.

Q Do you remember having seen officer Barkley on that oc-
casion in reference to an alleged ill treatment of
your child ?

A I didn't have any trouble.

(Question repeated)

A I never seen that man before that day.

Q You say you never seen him before this particular oc-
casion ?

A No, sir, I swear that positively.

Q A little later in 1889, do you recollect a complaint having been made to the Society for the Prevention of Cruelty to Children against you then and at that time you were occupying a place as boot black on the corner of Ninth Avenue and 81st street, northeast corner. Do you remember a complaint having been made to the Society against you at that time for ill treatment of your daughter Alice aged eleven years ?

A I remember a complaint made against me at that time and my daughter Alice at that time was arrested because she was under age for selling papers.

Q Don't you remember that on that occasion you were arrested by an officer of this Society with the assistance of a police officer ?

A Yes, sir.

Q That you were taken to the 26th Precinct and locked up. Do you recollect that you were charged then with employing this young girl for the purpose of peddling ?

A She was peddling newspapers.

Q Do you recollect being arrested on that charge ?

A Yes, sir.

Q And you were taken to the 26th Precinct and locked up ?

A Yes, sir.

Q Do you remember at that time admitting that you had beaten the girl because she had lost the key of your boot blacking establishment ?

A No, sir.

Q You are sure you didn't ?

A No, sir, I didn't.

Q Do you remember you were brought before the Court and you stated you were ignorant of the law and the Court discharged you ?

A Yes, sir, that the little girl was selling papers.

Q The Court discharged you with the caution that you were not to do it again ?

A Yes, sir.

Q And that was at the instance of the officer of the Society ?

A Yes, sir., they made the complaint.

Q Officer Young made the complaint ?

A Yes, sir.

Q In this particular case you knew there had been a complaint made in reference to your treatment of this child, didn't you ?

A Yes, sir.

Q What was the charge ?

A I don't know.

Q It was for beating the child ?

A I didn't beat her.

Q You admit there were two cases then in which you were brought up by the Society ?

A Yes, sir.

Q You deny the third entirely ?

A Yes, sir.

Q You are quite certain about officer Barkley on that occasion ?

A Yes, sir.

Q He never went and warned you about it ?

A No, sir.

By Mr Mooney;

Q When you were arrested in 1889 upon the charge of allowing your daughter to sell papers, did you know that Mr Barkley was one of the agents that arrested you ?

A No, sir.

Q Did you know he had anything to do with it ?

A No, sir

Q And the first you knew of Mr Barkley at all in a proceeding, or any proceedings, that were brought here in this court ?

A The first I ever knew of him when I was arrested.

Q At the time you were arrested and taken to the 125th street court you were discharged there ?

A Yes, sir.

Q And from that time, 1889, to the present time, 1893, you have not been arrested excepting in this one instance ?

A No, sir.

Q You have not allowed your daughter to sell papers again?

A No, sir.

By the Court;

Q You knew this man, Mr Barkley, was from the Society for the Prevention of Cruelty to Children ?

A He told me that.

Q And you knew this before this trouble ?

A Yes, sir; he told me that when he came in.

10000

31

A L I C E R O B I N S O N , the other defend-
ant, called in her own behalf, testified
as follows:-

By Mr Mooney;

Q You have heard the testimony here , have you not ?

A Yes, sir.

Q And you heard what Mr Barkley testified to ?

A Yes, sir.

Q He says you took hold of him and held him for quite a
while when your husband was dragging him towards the
stove, is that a fact ?

A I didn't have anything more to do with it only this.
When I saw there was going to be trouble I got in be-
tween him, I was between my husband and Mr Barkley. My
husband was in the room and I was about three feet away;
he was sitting on a chair. My husband got up from the
chair when he said he had a warrant and he went right
in to the other room; we were in the kitchen and there
is another room runs back. My husband he got up and went
in that room and then Mr Barkley stood there and put his
hand in his pocket; when he was there I saw him put his
hand in his pocket. My husband was in the room

looking out; I got in between the two places so that there wouldn't be any trouble. I said to my husband not to come out, to stay in there and Mr Barkley he goes back a little way and put his hand in his pocket and pulled that club out of his pocket and I turned my head around to go in the other room; he pushed me one side and cracked me on the head and pushed me one side.

Q He pushed you one side ?

A Yes, sir; as soon as my husband got up he took the club out.

Q Did you grab hold of Mr Barkley ?

A No, sir ?

A No, sir, never touched him.

Q He says you put your arms half way around his neck ?

A No, sir, I never touched him.

Q He says also when your husband went over to the tubs to pick up something you stood between them and said "Don't you have hurt him enough" or "He has been hurt enough" or something to that effect ?

A I didn't say anything of the kind.

Q What did you say ?

A I did say "Don't Don't." I said from the beginning don't, don't have any trouble, don't have any trouble.

When they were on the floor there I opened the door and I did 'holler' and people in the house can say so. I said wouldn't some one come and help. I opened the door wide and I did take hold of my husband and try to pull him away from this gentleman and never raised my hands to him.

By the Court;

Q/ What caused your husband to go in to the room ?

A I don't know what he went in for.

Q You saw everything that was going on there ?

A Yes, sir.

Q And you saw your husband go in to the room ?

A Yes, sir.

Q Was he afraid of anything or do you know why he ran in to the room ?

A He walked in to the room; he didn't run... He was sitting on a chair and got up and went in to the room and I was standing in the back of the door; what he was doing I don't know.

Q You saw Mr Barkley there. Did you see Mr Barkley do anything that would make your husband run or walk in to the room ?

A No, sir.

Q You didn't see Mr Barkley make any threat ?

A As soon as my husband got up from the chair he, Barkley, put his hand in his pocket; instead of drawing his pistol out he drew his club out.

Q He did that when your husband was in the room ?

A Yes, sir.

By Mr Mooney;

Q Did you say he shoved you with the hand that had the club in ?

A I can't say he shoved me with his club, but he shoved me with one of his hands.

FRANK G. BARKLEY, recalled.

By Mr Gerry:

Q When did you first become acquainted with this defendant Robinson ?

A In 1887 I think it was

Q See if you can refresh your recollection by referring to the record of the Society ? (Handing witness paper)

A Yes, sir, August 8th, 1887.

Paper marked People's Exhibit 2 of this date.

Q And this is the memorandum you made at that time ?

A Yes, sir. I went to see him about a complaint that had been made to the Society. I called upon him at his boot blacking stand at 81st street and Ninth Avenue. The stand was then on the other side of the Avenue from where it is now. I called there to see him and had a talk with him. I said I was an officer of the Society for the Prevention of Cruelty to Children. I talked very plainly to him and warned him as to any further complaints coming in as to the treatment of his boy.

Q Do you remember seeing him on other occasions ?

A I won't be positive about it.

By Mr Mooney;

Q At the time in 1887 did Mr Robinson show any feelings to your remarks ?

A He did and always has invariably; both he and his wife have been very abusive and threatening every time I called upon them.

Q You say you remember the fact that in 1887 that Mr and Mrs Robinson were very abusive, the time you warned them about the boy ?

A Yes, sir, very abusive and very impudent.

Defendants held in \$2000 bonds to answer in the Court of General Sessions.

4 District Police Court.

Frank G. Boddy

vs.

Joe Robinson

Alice "

STENOGRAPHER'S TRANSCRIPT.

Feb 27 - 1883

BEFORE HON.

John J. Ryan

Police Justice.

George H. Hays

Official Stenographer.

New York
Feb 8th '93

This is to certify that
J. G. Barkley is confined
to bed from injuries and
will be unable to attend
Court

Respectfully Submitted
H. Travis Gibby M.D.

Fol. 1

COURT OF GENERAL SESSIONS, PART 1

----- X
The People :
vs. :
Alice Robinson. :
----- X

To

De Lancey Nicoll, Esq.

District Attorney,

Sir:-

Please take notice that on the papers and proceedings heretofore had herein, and the testimony given in the trial of the People vs. Isaac Robinson, heretofore and recently had in this part before Mr. Justice Martine, we shall move this court at term thereof held in this part on the 19th day of April, 1893, at the opening of court on that day, or as soon thereafter as counsel can be heard, that the indictment herein be dismissed, or in default thereof that the bail herein be discharged.

Yours &c.,

T. McClure Peters,

Attorney for Defendant

2

COURT OF GENERAL SESSIONS

PART 1

.....

The People

vs.

Alice Robinson

.....

NOTICE.

.....

T. McClure Peters,
Attorney for defendant,
111 Broadway, N. Y.

To
Deputy Sheriff
District City
New York

1009

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

Defendants

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

Dated, *May 22* 189 *John Ryan* 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.

1011

BAILED,

No. 1, by William H. Grier
Residence 74 W. 82 Street.

No. 2, by William H. Grier
Residence 74 W. 82 Street.

No. 3, by _____
Residence _____ Street.

No. 4, by Wm R Peters
Residence 47 Cedar Street.

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Frank G. Bently
vs. Edw Robinson
Edw Robinson

3 _____
4 _____

Dated, Feb 27 189

Ryan Magistrate.

Bently Officer.

prec. Precinct.

Witnesses _____

No. _____ Street.

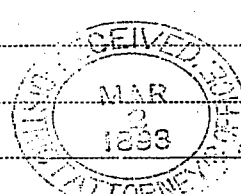
No. _____ Street.

No. _____ Street.

\$ Good Each G. S. to answer

Am

Remitted



KILIAEN VAN RENSSELAER,
56 Wall Street.

1012
New York, April 12th 1893

John H. H. Martin
Dear Sir.

About Isaac Robinson who is
held pending sentence I wish to write.

He has a ravenous and boot blacking stand 81st Street
and Columbus Ave. I tried to help him but found he was
so insulting in speech and manner to my wife and myself,
that I dropped him. I have seen him chasing a miserable
deformed step son younger than the little step daughter
that is in his care. He would have beaten the boy if
by standards had been away. He told my wife he had a right
to do as he pleased with the children and it was no body's
business. Mrs. T. H. took the little crippled boy in a store and
bought him a pair of mittens costing forty cents. Robinson
told me to tell my wife to mind her business, that he did
not want white folks to interfere with him. Of course of course
he sat down. His wife came to the house and
apologized. His reputation is thoroughly bad, and
he is intensely disliked by all.

He should be put out of the way for some time.
His wife is afraid of him. She can make a good living
without him. She told me, and that may be the
excuse for his actions, that he had been hit on the head
by his slave master. He should be cared for by the
Union authorities, thus satisfying the demands for justice.

Mrs. T. H. accompanied our neighbor
Mrs. Koller who testified. My wife tho' subpoenaed has not
called.

Yours very truly
Kiliaen Van Rensselaer -

10 13

Police Court

Police Court H District.

City and County of New York, ss.:

of No. 108 East 23rd Street, aged 43 years,

occupation Special Officer being duly sworn

deposes and says, that on 4 day of February 1893 at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Isaac Robinson and Alice Robinson (both now here, who strenuously present a violent blow on the head with a chair, the defendant Alice Robinson seized hold of deponent and with the assistance of defendant Isaac Robinson deponent was thrown to the ground and whilst he (deponent) was prostrate the defendant Isaac seized deponent by the ears and struck his head against the floor several times. Deponent is an officer and was executing a lawful process at the time the said assault was committed. Said assault was committed

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

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

Sworn to before me this 27 day of February 1893 } Frank B. Barkley
of John Ryan Police Justice.

10 14

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Alice Robinson

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.

Alice Robinson

Question. How old are you?

Answer.

34 years.

Question. Where were you born?

Answer.

Connecticut

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

Answer.

44 - W - 67. St. 5 years

Question. What is your business or profession?

Answer.

Married

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.

Alice Robinson

Taken before me this

day of

1893

Police Justice.

10 15

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss:

District Police Court.

Sam Robinson 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.

Sam Robinson

Question. How old are you?

Answer.

42 years.

Question. Where were you born?

Answer.

Maryland

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

Answer.

44 - W. 67th St. 5 years.

Question. What is your business or profession?

Answer.

Bar - Clerk

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

Answer.

I am not guilty -
Wase Robinson

A

Taken before me at
day of
1893

Police Justice.

10 16

This is to certify that J. G.
Bartley, an agent of the Society
for the Prevention of Cruelty to
Children, is confined to his house
suffering from a fractured rib
and will be unable to appear in court
for a week or ten days.

Respectfully Submitted

W. Travis Gibson

Feb 16th 93

by Justice Fairlie

Mrs. Noble - No. 144 W. 79th St
 Saw him chasing child &
 saw condition of child &
 also has heard some
 thing of his brutality
 On morning of Saturday
 2d child was found
 by her cut and bruised
 and Robinson chasing
 her through the streets.
 Child took by Mrs. N. to
 Society's rooms.

James Riley - Has known Robinson
 well for long time, and
 knows him to be vicious
 and dangerous.

Mr. and Mrs. Van Rensselaer,
 witnesses

Charles Forbes, 442 Col. av. clerk.
has seen Robinson exhibit his
nervous disposition. One Sunday
morning about Robinson became
angry in his shop and at-
tempted to assault a very re-
spectable customer.

David Lee Hook - Builder - 446 Col. av.
knows Robinson as having
the reputation of being a very
nervous and dangerous man.
Saw Robinson once beat the
boy in a brutal manner, and
knows him generally nervous.

David Blumenthal - Builder - No
334 West 84th Street - knows
Robinson as nervous, and
will testify that Robinson
once attempted to assault
him without reason.

Off Beck - 24th Street. once knows
Robinson by reputation as
being nervous and quarrel-
some. He was once taken
to court for a row had with
an Italian, and a razor
was found upon him. He
was severely reprimanded

10 19

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, July 6 1893 John Ryan 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 he to be discharged.

Dated, _____ 189 _____ Police Justice.

1020

The Justice presiding at this Court
will please hear and determine this
case in my absence.

Alameda
POLICE JUSTICE

4 Feb 27 29.1m

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

Frank S. Barkley
108 vs. C. 2370

Isaac Robinson

2 (2 cases)

3

4

Offense *Assault*

Dated, *February 4* 1893

Meade Magistrate.

Barkley Officer.

C. O. C. Precinct.

Witness *Officer Nichols*

No. *24 Precinct* Street.

Remond

No. _____ Street.

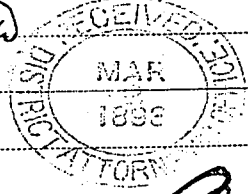
No. _____ Street.

No. *500* to answer *G. S.*

P. C. M.

15.9 am

1000 Feb 27 am



CITY AND COUNTY }
OF NEW YORK, } ss.

Alice Robinson

aged 15 years, occupation news-girl of No.

40 W 67th Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Frank G. Bailey

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

Sworn to before me, this 4th } Alice Robinson
day of February 1893 }

W. J. M. M. M.

Police Justice.

Police Court. Fourth District.

1903

CITY AND COUNTY } ss:
OF NEW YORK,Frank E. Barkleyof No. 106 East 23d Street, aged _____ years,occupation Special Officer being duly sworn, deposes and says, that
he has reason to believe and does believe that
on the second day of February 1893, at the City of New York,in the County of New York, one Alice Robinson, a minor
child of the age of fifteen years,was violently ASSAULTED and BEATEN by Isaac Robinson,

at West-Eighth-street and Corn-

bus Avenue, that deponent is informed by

said Alice Robinson that on said date the saidIsaac Robinson struck the said child two orthree blows in the face with his hand and clenched
fist, and cut and bruised the face and lip of said child
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, etc., and be dealt with according to law.Sworn to before me, this 4thday of February 1893Wm. M. Mearns
Police Justice.

1023

S.c. 193-200.

CITY AND COUNTY
OF NEW YORK, } ss.

District Police Court.

Isaac Robinson 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. *Isaac Robinson*

Question. How old are you?

Answer. *42 yrs.*

Question. Where were you born?

Answer. *N.Y.*

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

Answer. *40 St of St - 5 yrs.*

Question. What is your business or profession?

Answer. *Print Shop & Newspaper Staff*

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*
Isaac Robinson

174 W 89

Taken before me this
day of *July* 190*9*

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

Isaac Robinson

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

Isaac Robinson

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

The said

Isaac Robinson

late of the City of New York, in the County of New York aforesaid, on the *second* day of *February*, in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, in and upon the body of one *Oliver Robinson*, *the younger*, in the peace of the said People then and there being, with force

and arms, unlawfully did make an assault, and

then

the said *Oliver Robinson*,

the younger, did then and there unlawfully beat, wound and illtreat, 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.

Witnesses:

Counsel,

Filed

day of March 1893

Pleads,

Myself

THE PEOPLE

vs.

Assault in the Third Degree.
(Section 219, Penal Code.)

1

Isaac Robinson

(2-20-93)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Wm. W. Keaton

Foreman.

22 March 1893-

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Isaac Robinson
and Alice Robinson

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

Isaac Robinson and Alice Robinson

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

The said *Isaac Robinson and Alice Robinson*, both —

late of the City and County of New York, on the, — *fourth* — day of
February, — in the year of our Lord one thousand eight hundred and
ninety- *three* —, at the City and County aforesaid, in and upon one

— *Frank G. Bartley* —
in the peace of the said People then and there being, feloniously did wilfully and wrongfully
did make an assault; and the said *Isaac Robinson and*

Alice Robinson —
with a certain *wooden chain* which *they* the said
Isaac Robinson and Alice Robinson
in *their* right hand *and* then and there had and held, the same being then and there
a weapon and an instrument likely to produce grievous bodily harm, *chain*, the said
Frank G. Bartley, then and there feloniously did wilfully and
wrongfully strike, beat, — 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.

SECOND COUNT—

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

Isaac Robinson and Alice Robinson
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Isaac Robinson and Alice Robinson, both*

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 *Frank J. Bardeley*

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said *Isaac Robinson and Alice Robinson, both*, the said *Frank J. Bardeley*, as well with their hands and feet, as also with a certain wooden chair which *they* the said *Isaac Robinson and Alice Robinson* in *their* right hand then and there had and held, in and upon the head and body of *him* the said *Frank J. Bardeley*, 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 *Frank J. Bardeley*, to the great damage of the said *Frank J. Bardeley*, 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*

Second COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said
Wm. Robinson and Alice Robinson
 of the CRIME OF *Assault in the second degree,*

committed as follows:

Heretofore, to wit: on the *fourth day of February,*
 in the year of our Lord one thousand
eight hundred and ninety three, at the
 City and County aforesaid, one *Clarence*
W. Meade, then and now being one of the
 Police Judges of the said City, in due
 form of Law issued a certain warrant of
 arrest directed to the Sheriff of the County
 of New York, or any Marshal or Policeman
 of the City of New York, which said warrant
 is in the words and figures following, to wit:
 "City and County }
 of New York } In the name of the People
 of the State of New York, To the Sheriff
 of the County of New York, or any Marshal
 or Policeman of the City of New York, Greeting:
 Whereas, Complaint in writing, and
 upon oath, has been made before the undersigned,
 one of the Police Judges for the City of New York,

1025
James Francis Barclay of No. 108 East 23d Street,
there on the 2d day of February 1893 at the City of
New York, in the County of New York, one
Alice Robison, a minor child of the age of
fifteen years she was violently assaulted
and beaten by one Isaac Robison wherefore,
the said Complainant has prayed that the said
Defendant may be apprehended and bound to
answer the said complaint.

There are therefore, in the name of the People
of the State of New York, to command you,
the said Sheriff, Wardens and Policemen, and
each and every of you, to apprehend the said
Defendant, and bring him forthwith before
me, at the 4th 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 4th day of February 1893

R. W. Meade Police Justice

and which said warrant, so issued as aforesaid,
was on the day and in the year aforesaid, at the
City and County aforesaid, delivered to one
Frank Barclay, who was then and there a
peace officer, to wit: an officer and agent
of the New York Society for the Prevention
of Cruelty to Children, duly appointed and
acting as such, and then and there duly
authorized and legally qualified to execute

the said warrant. And in obedience to the command of the said warrant the said Frank G. Bartley, peace officer as aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did duly proceed to execute the said warrant by apprehending the said Isaac Robinson, according to the command of the said warrant.

And the said Isaac Robinson and Oliver Robinson, both late of the City and County aforesaid, with intent to prevent and resist the execution of the said warrant, and the lawful apprehension of the said Isaac Robinson upon and upon the same, and according to the command thereof, well knowing the said Frank G. Bartley to be such peace officer as aforesaid, then and there, in and upon the said Frank G. Bartley, feloniously did make an assault, and thus the said Frank G. Bartley did then and there feloniously strike, beat, wound and ill-treat, 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 McCall,

District Attorney.

1031

BOX:

516

FOLDER:

4703

DESCRIPTION:

Roesch, William

DATE:

03/07/93



4703

Upon the above recommendations
and upon a vigorous examination
into this case, I respectfully recom-
mend the dismissal of this indict-
ment.

July 12th 1898. *Wm. J. Osborne*
Clerk, D.C.

I repeat the recom-
mendations contained in
indorsement below.
Jan 16 1898 Jas W. Osborne
A. D. C.

I have examined
into this case with
care & have come to
the conclusion that
the evidence of negligence
is not sufficient
to justify the commit-
tion of defendant
I recommend his dis-
charge upon his own
recognizance
Recd 1/94 J. W. Osborne
Clerk D.C.

C. Sullivan

Counsel,

Filed

day of

1898

Pleads,

ENTERED
T. J. W.

THE PEOPLE

vs.

William Roesch

DE LANCEY NICOLL,

District Attorney.

Aug 10th 1898
Bail Discharged.

A TRUE BILL.

J. W. Osborne

Foreman.

See enclosure of Great Atty

Jan 18/95

Worthin to dismiss denied
J. W. Osborne

1033

CITY AND COUNTY }
OF NEW YORK, } ss.POLICE COURT, 11 DISTRICT.

1892

Sworn to before me, this 24 day of Dec 1892

of The 18th Precinct Police James N. Hay being duly sworn, deposes and says
 occupation Police officer
 that on the 24th day of December 1892

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

the residence of the child Thomas Sloan
at No 539 East 17th Street in this city, and
found said child to be dead, as the result
of the injuries received by said child by
being knocked down and run over by a truck
in charge of the within-named defendants.

James N. Hay

Police Justice.

1034

Sec. 192.

11 District Police Court.

Undertaking to appear during the Examination:

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before James Kilbrick a Police Justice
of the City of New York, charging John Zornbach Defendant with
the offence of Assault

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

We John Zornbach Defendant of No. 733
James Kilbrick Street; by occupation a Driver
and John Zornbach of No. 760 St. James Ave
Street, by occupation a Driver Surety, hereby jointly and severally undertake
that the above named John Zornbach Defendant
shall personally appear before the said Justice, at the 11 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of 100
Hundred Dollars.

Taken and acknowledged before me, this

day of

18

John Schrock
John Schrock POLICE JUSTICE.

1035

CITY AND COUNTY }
OF NEW YORK, } ss.

Philipp Edling
Justice

Sworn to before me this
day of *Nov* 18*81*

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

situate at 409 1/2 7th Ave. N.Y.C.
of the value of \$25,000 and
all other personal effects

Philipp Edling

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Undertaking to appear
during the Examination.

Taken the day of 18

Justice.

1036

Sec. 192.

District Police Court.

Undertaking to appear during the Examination:

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before James K. Kilworth a Police Justice
of the City of New York, charging William Rosach Defendant with
the offence of Assault

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

We, William Rosach Defendant of No. 683

John Adams Street; by occupation a Driver

and Philip Edging of No. 160 St. James Place

Street, by occupation a Clerk Surety, hereby jointly and severally undertake

that the above named William Rosach Defendant

shall personally appear before the said Justice, at the 1st District Police Court in the City of New York,

during the said examination, or that we will pay to the People of the State of New York the sum of Five

Hundred Dollars.

Taken and acknowledged before me, this 25th

day of Dec

18 92

James K. Kilworth POLICE JUSTICE.

CITY AND COUNTY } ss.
OF NEW YORK, }

Sworn to before me, this 31 day of May 1904

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

situate at 1084 11th Avenue
of the value of Ten thousand
dollars

Philip Elling Jr

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear during the Examination.

Taken the 31 day of May 1904

Justice.

POOR QUALITY
ORIGINAL

TORN PAGE

1038

Dec 22/89
Dec 22, 92

Find boy appearing
from shock and
intra-cranial injuries.
Cannot say (time)
of trauma.

Flesh wound on
left thigh just above
the knee.

Dr. [Signature]
Ambulance Surgeon
Bellevue Hospital

POOR QUALITY
ORIGINAL

1039

TORN PAGE

N.Y. Dec. 24. '92

This is to certify that
I am attending profes-
sionally Thos. Sloan and
of 530 E 17 St and that
he suffering from a
state of shock the result
of an injury. It is very
doubtful if he will recover
Respectfully Wm. C. Bracken
305 E 18

CITY AND COUNTY }
OF NEW YORK, } ss.POLICE COURT, 11 DISTRICT.Sworn to before me, this
of 2 Dec
189 2

189

day

Police Justice.

James A. Kay
of 118 Precinct Street, aged _____ years,
occupation Officer being duly sworn, deposes and says
that on the 23 day of December 189 2
at the City of New York, in the County of New York, he arrested

John Zwickbach and William Paesoch
both now here, who while in charge of
and driving a team of horses attached to a
truck through Avenue A at 17th Street knocked
down and run over Mr. Thomas Sloan aged 74 years
and injuring said Sloan so that he is now confined
to his home - 6530 East 17 St, and unable to
appear in court to make formal complaint, as the
annexed certificate shows. Therefore deponent
prays that the defendants be held to answer the
result of such injuries

1041

257
Police Court, 4 District.

THE PEOPLE, Etc.,

ON THE COMPLAINT OF

vs.
John Zmibach
McRae

AFFIDAVIT.
Assault

Dated *Dec 24* 189 *2*

Kilbride Magistrate.

Kay Officer.

Witness,

at fu rec 25 at

Disposition.

100 fine Dec 29 1892

1042

Sec. 198-200.

H

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *William Reich*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *N^o 863 ~~St. St.~~ Elton Ave - 6 months*

Question. What is your business or profession?

Answer. *Keeper on an all track*

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.**William Reich*Taken before me this
day of *Dec* 1892*Police Justice*

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 10 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Dec 29 189 J. W. Smith Police Justice.

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

Dated, Dec 29 189 J. W. Smith 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.

1044

Police Court---9 District 7

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James H. Hay
William Rorsch

Offenses Murder
Manslaughter
2nd degree

2
3
4

Dated, Dec 29 1892
William Rorsch Magistrate.
Hay Officer.
18 Precinct.

Witnesses
No. _____ Street.
No. _____ Street.
No. 1000 Street to answer

Bailed

BAILED,

No. 1, by Philip Ebbins Jr.
Residence 760 St Ann's Alley Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

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 Boesch

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

Indictment accuse

William Boesch

of the crime of

manslaughter in the second degree

committed as follows:

The said

William Boesch,

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

Twenty-third day of *December,* in the year of our Lord one thousand

eight hundred and ~~eighty~~ *ninety-two*, at the City and County aforesaid,

in and upon one Thomas Doane, willfully and feloniously did make an assault, and a certain vehicle, called a truck, drawn by two horses, then and there being driven by him the said William Boesch, to, at, against and upon him the said Thomas Doane, then and there willfully and feloniously did force and drive; and the said William Boesch, with the said truck and the horses aforesaid, so forced and driven as aforesaid, him the said Thomas Doane, then and there willfully and

feloniously did strike, knocked down
 and run over, by means whereof one of
 the wheels of the said truck did enter
 and then pass and go over the left
 leg of him the said Thomas Sloane, giving
 unto him the said Thomas Sloane, there
 and there by the means aforesaid, in and
 upon the left leg of him the said
 Thomas Sloane, one mortal wound and
 fracture, of which said mortal wound
 and fracture, he the said Thomas
 Sloane, from the said twenty third
 day of December in the year aforesaid,
 until the twenty fourth day of December,
 in the same year aforesaid, at the city and
 county aforesaid, did languish, and languishing
 did die, on which said twenty fourth day
 of December in the year aforesaid, he the
 said Thomas Sloane, at the city and county
 aforesaid, of the said mortal wound and fracture
 did die.

And so the Grand Jury aforesaid do say,
 that the said William Beersdo, since the said
 Thomas Sloane, in the manner and form, and
 by the means aforesaid, willfully and feloniously
 did kill and slay, against the form of the Statute
 in and case made and provided and against the
 peace of the People of the State of New York, and therefore
 De Lancey Miele, District Attorney

1047

BOX:

516

FOLDER:

4704

DESCRIPTION:

Rogiero, Ciro

DATE:

03/10/93



4704

Witnesses:

Henry E. Stocking
Lena Wenz

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

45th St. vs.

Frank Vendo

Ciro Rogiero

SODOMY.

[Sec. 303, Penal Code, as amended by Chapter 825, Laws of 1892.]

After an examination of
the evidence herein, I
recommend the acceptance
of plea of Simple
Assault.

Mch 27/93

V. M. Davis
Att

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Wm. H. Meaton

Jury 2 - March 27/93 Foreman.

Pleads assault 3rd deg

Pen one year.

Police Court, 4 District.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK



Edward. v Gormley

of No. 108 East 23 Street, in said City, being duly sworn,
deposes and says, that a certain male child called Emma Wenz
[now present], under the age of sixteen years, to wit, of the age of nine 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

Rogiero, wherein the said Rogiero is charged with the crime of Sodomy, under
Section 303 of the Penal Code of said State, in that he, the said defendant

did carnally know by the mouth, one Emma Wenz
^{being a child of the age of nine years}
(now here) and did commit the abominable and
detestable crime of Sodomy in violation of Section
303 of the penal code of the State of New York
for the following reasons: the said man did take
the said Emma Wenz into the said fruit
stand at about said premises and there
forcibly insert his penis into the mouth of
said child and push it in and out in violation
of the law aforesaid Emma Wenz
and that the said

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 Emma Wenz
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 7 day of March 1890

Edward Gormley

Police Justice.

POLICE COURT DISTRICT.

THE PEOPLE, &C.,
ON THE COMPLAINT OF

Edw. J. Gormley



AFRIDAVID
WITNESS.

Dated *March - 7* 18*93*

Meade Magistrate.

Gormley Officer.

S. P. C. C.

Disposition *Term 14*
S. P. C. C.

Fourth

District Police Court.

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

Edward. v. Gormley

of Number 108. East 23rd Street being duly sworn,
deposes and says, that on the 4 day of March 1893, at the
City of New York, in the County of New York, at a Fruit stand situated at
on the Northwest corner of 69th Street and 1st Avenue in said
City of New York. One Ciro Rogiero (now her) did carnally
know by the mouth one Emma Wenz (now her) said Emma Wenz
being a ^{female} child of nine years and did commit the abominable and
detestable crime of Sodomy in violation of Section 303 of the
Penal Code of the State of New York. For the following
reason the said ^{man} did take the said Emma Wenz
into the said Fruit stand at above said
premises and there forcibly insert his penis into
the mouth of said child and push it in
and out of the said child's mouth in violation
of the Laws aforesaid.

Wherefore the complainant prays that the said

Ciro Rogiero

may be apprehended, arrested and dealt with according to law.

Sworn to before me, this 5
day of March 1893

Edward. v. Gormley

(Signature)

Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 9 years, occupation School-girl of No.

339- E. 69

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of

Edward. V. Conrley

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

Sworn to before me, this

5

day

of

March

1893

Emma Konz

Charles J. Conrley
Police Justice.

Sec. 198-200.

14

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Leiro Rogiero 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. *Leiro Rogiero*

Question. How old are you?

Answer. *45 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *69' St. 21 Ave 2 day*

Question. What is your business or profession?

Answer. *Fruit stand*

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*
his
Leiro J Rogiero
mark

Taken before me this 5

John J. McNeill
1893
Police Justice

1054

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 *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, *Mon 5* 189 *3*

Overman 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.

1881

1055

56 14 260
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward V Gormley
108 E. 23
Ciro Rogiero

2
3
4

Offense Rodomys
Nelson 303 New York

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated, March 5- 1893

Greene Magistrate.

Greene Officer.

25 Precinct.

Witnesses Lena Wenz

No. 339- E. 69 Street.

_____ Street.

No. _____ Street.

No. _____ Street.

\$ 2000 to answer A.A.

2000 E. 69-7 Rnd

1056

*The New York Society for the
Prevention of Cruelty to Children*

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, *March 10th 1893*

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

*The People
against
Ciro Rogiero.*

Notice of Prosecution.

*To the District Attorney of the
City and County of New York,*

*Sir: This Society is interested in the prosecution of
the above defendant, and is familiar with the facts of the
case. It respectfully requests that before sending the papers
to the Grand Jury, fixing the day of trial, consenting to
any postponement thereof, or to any reduction of bail, or
final disposition of the charge, you will duly notify me as
its President and Counsel, so that I may confer with you
in regard thereto. This request is made pursuant to the
statute (Laws of 1886, Chapter 30, Section 1), and in
furtherance of the ends of Justice.*

I have the honor to remain, with great respect,

*Elbridge T. Gerry,
President, &c.*

N. Y. GENERAL SESSIONS

THE PEOPLE



CRUELTY TO CHILDREN

Adversary.

NOTICE OF PROSECUTION
BY THE SOCIETY.

ELBRIDGE T. GERRY,
President, &c.

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

THE PEOPLE

VS.

BRIEF FOR THE PEOPLE.

CIRO ROGIERO.

STATEMENT OF CASE:

The Defendant, Ciro Rogiero, is indicted for the Crime of Sodomy, in taking a certain female child, called Emma Wenz, aged 9 years, into his fruit stand, Northwest corner of 69th Street and First Avenue, on March the 4th, 1893, and there forcibly inserting his penis into the mouth of the said Emma Wenz:

WITNESSES:

Emma Wenz,
Mrs. Lena Wenz,
Officer Freer,
Edward V. Gormley,

EMMA WENZ, the complaining Witness, will testify:
That in the early evening of March the 4th, 1893, she was caring for her baby brother at home during her mother's absence at the grocery store and the baby beginning to cry that she walked home to the grocery store, which was located on First Avenue, between 69th and 70th Streets, and while passing to and fro had to pass the stand of the Defendant. That when on her way home, the Defendant caught hold of her pulled her into the stand, closed the door, telling her he would give her some fruit for nothing, and taking out his penis forced it in her mouth moving it backward and forward. That Witness cried and her mother just then coming along opened the door of the fruit stand and together they went toward home. That the witness told her mother what had occurred, and the arrest of the Defendant followed.

WITNESS will further testify that the same thing occurred several days prior to March 4th, but she did not notify her mother.

MRS. LENA WENZ, of 339 East 69th Street, will testify:
That the foregoing witness is her daughter and that she is nine years of age. She will corroborate Emma's story relative to going to the grocery store, and being detained a little longer than she intended; and will further testify to seeing Emma inside the Defendant's fruit stand, - the Defendant having hold of Emma's hand, the girl crying "I won't; I won't." That she then took the girl home and on the way thither was told of what had occurred. That she then called Officer Freer of the 25th Precinct, who arrested the Defendant.

OFFICER FREER, of the 25th Precinct municipal Police, will

N. Y. GENERAL SESSIONS

THE PEOPLE

AGAINST

CIRO ROGIERO.

PENAL CODE, §

BRIEF FOR THE PEOPLE.

1059

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

THE PEOPLE OF THE STATE OF NEW YORK

Rino Roggero

indictment accuse *Lina Rogers*

The said Rino Rogers, -

(2049)

Schaefer, Miss,
 District Attorney

1061

SECOND COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further

accuse the said

of the same CRIME OF SODOMY, committed as follows:

The said

late of the City and County aforesaid, afterwards, to wit: On the day and in the year
aforesaid, at the City and County aforesaid, feloniously did voluntarily submit to carnal
knowledge of self by one ,
a male person, 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.

1062

BOX:

516

FOLDER:

4704

DESCRIPTION:

Rogof, Elias

DATE:

03/16/93



4704

Witnesses:

Frederic Cohen
Ed. Chalvey

The complaint herein was signed
as withdrawal of her complaint
in which she now exonerates
the defendant from having any
criminal intent. The transaction
is apparently one of a
business character & should
have been settled in a
Civil Court. I recommend
the dismissal of this indictment,
March 24/93

John H. Dean
Asst.

Counsel,

Filed

1893

Pleads,

THE PEOPLE

vs.

Elias Rogoff

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Wm. H. Dean

Foreman.

John H. Dean
on motion of District Attorney
Indictment dismissed

Grand Larceny, second Degree,
[Sections 823, 824,
(Ank & Revue)
Penal Code.]

1063

1064

Office of

A. L. Kaplansky,
PASSAGE & EXCHANGE, DRAFTS & MONEY ORDERS,
 * FOREIGN COIN BOUGHT AND SOLD, *
 STEAMSHIP * AND * RAILROAD * TICKET * AGENT,
 NO. 107 NORFOLK STREET.

Cable address „Whimsical” New York.

New York, *March 23^d* 1893

*I is To Certify That M^r
 Elias Repossi is to me known
 over 15th years from the old country
 as an honest and good man*

*Respectfully
 A. L. Kaplansky*

*A. Werner 382 Grand
 391 Grand*

160 Duane St. Albert

124 Suffolk St. Morris Fisher

No 78 Norfolk St. Abraham Fisher

J. Friedman Clinton St. No 176

S. Albert 65 Hester St

March 22^d 1893 New York

This is to certify that
Elisha Rogofsky is to
^{us} ~~me~~ personally known and
a good & kind honest man

Morris Leve
412 Grand St. N.Y. at

Solomon Kurinsky 199 E. 8th St. N.Y.

Flores Israel

176 Madison St

176 for Rosen

217 Brown. 1000 1000

66 North 10th Street New York City
58 North 10th St. N.Y. City

1066

Joe Darg 201 Broom St

New York Mar 22/73

To whoever it may Concern

This is to certify that
Mr. Elias Rogoff is known to
me as an honest and trust-
worthy gentleman

Please look at this recom-
mendation with favor

Yours Respectfully

Chas. Malawista
raton, Shepards
478 Madison St.

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

Pauline Cohen

of No. *24 Suffolk* Street, being duly sworn, deposes and says,

that *Chas. Rogov* (now present) is the person of the name of

Rogovsky mentioned in deponent's affidavit of the *11*

day of *March*, 189*3* hereunto annexed.

Sworn to before me, this *12*

day of *March* 189*3*

Charles Laintor

POLICE JUSTICE.

1069

Police Court—

District.

1912

Affidavit—Larceny.

City and County } ss.
of New York,of No. 24 Suffolk Street, aged 37 years,
occupation ind. mfr being duly sworn,deposes and says, that on the 7 day of March 1893 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 May time, the following property, viz:

Good and lawful money to
the amount of one hundred
dollars
(\$100.00)

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 Mr. Rogofsky

from the fact that on said date the
said Rogofsky represented to deponent
that he had some jewelry for sale
and that he would sell the same
to deponent for the sum of one
hundred dollars. Deponent believing
said representations to be true gave
the said Rogofsky the said sum
of money. The said Rogofsky
then requested deponent to accompany
him to a house in Henry Street
where he would get the said
jewelry and give it to deponent.
That deponent then went to the

Sunderland
of
189

Police Justice

house in Henry Street with the said
Rogofsky. Then the said Rogofsky
started to demand that if he
would wait in the hallway he
would go up stairs and get
the said property and would
immediately return.

Depment further says that
they waited in the hallway of the
Henry Street house for an hour and a half
for the return of the said Rogofsky
but he failed to put in an
appearance. Depment then
left and the following day the
depment met the said Rogofsky
and demand the return of the
said sum of money. When the
said Rogofsky refused to return
the said money or the jewelry.

Wherefore Depment charges
the said Rogofsky with knowingly
appropriating the said sum
to his own use and benefit
and says that he be
apprehended and dealt with
as the law directs.

Sum to be for same
The 11th day March 1933 } (signed by 10) J. D. D.

Charles K. Linton

Police Officer

1071

Sec. 198-200.

1882

District Police Court.

City and County of New York, ss:

Chas. Rogoff 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.

Charles Rogoff

Question. How old are you?

Answer.

27

Question. Where were you born?

Answer.

Russia

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

Answer.

178 Madison St. N. Y.

Question. What is your business or profession?

Answer.

Tailor

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
E. Rogoff

Taken before me this
day of *March* 189*3*
Charles A. Hendon
Police Justice.

1072

1847

Sec. 151.

Police Court 3 District.

CITY AND COUNTY } ss. In the name of the People of the State of New York; To 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 William Cohen
of No. 24 Suffolk Street, that on the 11 day of March
1893, at the City of New York, in the County of New York, the following article, to wit:

Good and lawful money
of the value of one hundred Dollars,
the property of William Cohen
w. by taken, stolen and carried away, and as the said Complainant has cause to suspect, and does
suspect and believe, by one Eugene

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. 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 11 day of March 1893

Charles Luntz POLICE JUSTICE.

1073

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

Five 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, Mich 2 1893 Charles N. Smith 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.

1074

Police Court---

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Amos Cohen
24 Suffolk
Charles Kozoff

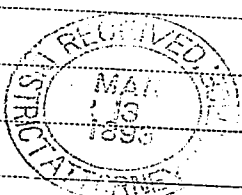
2 _____
3 _____
4 _____

Offense

Carrying false

Dated, *March 12* 189 *3*
Dunham Magistrate.
Shulway Officer.
12 Precinct.

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



No. *500* to answer *GL* Street.

Wm
942
Thos & Bros

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Elias Rogoff

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

On thinking over all the facts in this case, I have come to the conclusion that Mr Rogoff did not mean to wrong me out of my money or its equivalent the jewelry. From what I have learned since I made my complaint, I have found a number of people who have trusted him with a much larger amount than I gave him, and who always had their goods or money returned to their entire satisfaction. I am fully satisfied that he meant me no harm, and that the mistake must have occurred through some misunderstanding. So I therefore desire to do what I can to repair any wrong I may have done him for which

New York, March 23/93.
Isidor Wilensky Notary Public
of City & County of N. Y.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Elias Rogof

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

of the CRIME OF GRAND LARCENY IN THE

as follows:

The said

Elias Rogof

DEGREE, committed

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

*the sum of one hundred dol-
lars 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

Pauline Cohen

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 McCall
District Attorney

1077

BOX:

516

FOLDER:

4704

DESCRIPTION:

Romane, Harry

DATE:

03/22/93



4704

De Lancey Nicoll
Counsel,
Filed *22* day of *March* 1893
Placed, *March 22*

POOL SELLING.
(Section 851, Penal Code and Chap. 470, Laws of 1887, SS 4 and 7.)

THE PEOPLE

vs.

B

Harry Romane

DE LANCEY NICOLL,

District Attorney.

A True Bill.

Wm W Kealar

Foreman.

Jan. 5/99.
Bail Discharged

Witnesses:
Chief Clerk and Clerk

Police Court, / District.

(1858)

City and County }
of New York } ss.

of No. 1st Precinct

James Cates

Street, aged years,

occupation Police Officer

being duly sworn, deposes and says,

that on the 13 day of March 1893, at the City of New

York, in the County of New York Harry Romane (nowhere)

did unlawfully keep and maintain a room in the premises No 69 New Street on the 1st floor - for the purpose of unlawfully recording bets or wagers upon the result of a trial or contest of speed between horses at Guttenberg, New Jersey and did, at said premises on said date make a bet or wager with deponent and did become the custodian or depositary for hire or reward of money staked or wagered upon such result. for the reasons following to wit: That on said date deponent went to the said premises and saw the defendant there behind a partition. That deponent saw a blackboard in the said premises containing the names of Horses on it with the odds opposite the names of each of the said Horses. That deponent went to the defendant and asked him for said he wanted to bet \$ Two Dollars on the Horse Wallace deponent gave to defendant the sum of Two dollars the defendant then said to deponent "Five cents" commission. deponent paid to defendant five cents as commission and received from defendant the attached Card marked Ex. A.

Wherefore deponent charges defendant with Violation of section 351 of the Penal Code of the state of New York

James Cates

Sworn to before me
this 14th day of May 1893

Police Justice

1080

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:
Harry Romane 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 a 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. *Harry Romane*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *125-N-28th St. 6 months*

Question. What is your business or profession?

Answer. *clerk*

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

Answer.

I am not guilty

Harry Romane

Taken before me this

day of *March* 1893

John A. [Signature]
Police Justice.

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

Defendant

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

Dated, *March 17* 189

John Ryan

Police Justice.

I have admitted the above-named

Defendant

to bail to answer by the undertaking hereto annexed.

Dated, *March 17* 189

John Ryan

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.

1082

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Oates

1

2

3

4

Dated,

March 14

1893

Magistrate.

Officer.

Precinct.

Witnesses

No.

No.

No.

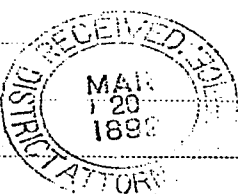
to answer

Bailed

1000 Ex March 17 - 22

Bailed for

Pool Billie's
2 days from



1003

246
Ex A ★ **D. A. Boyle,**
59 NEW STREET.
TELEGRAPHIC MONEY TRANSFER.

When countersigned by me or my agent at point of
issue I agree to transmit the sum of \$ _____
to _____ Race Track and follow the
instructions of sender.

In the event of delay or accident, not due
to my negligence, I shall be responsible for
amount deposited only.

COMMISSION CHARGE, TEN CENTS.
MANHATTAN ENGRAVING & PRINTING CO.

W

1084

Sec. 192.

1 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before John J. Ryan a Police Justice
of the City of New York, charging Mury Romane Defendant with
the offence of No Pool (un)

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

Mury Romane Defendant of No. 125

125 Street; by occupation a Clerk

and Edward Cunningham of No. 93 Chambers

Street, by occupation a Wichman Surety, hereby jointly and severally undertake

that the above named Mury Romane Defendant

shall personally appear before the said Justice, at the 1 District Police Court in the City of New York,

during the said examination, or that we will pay to the People of the State of New York the sum of 50

Hundred Dollars.

Taken and acknowledged before me, this 14 Harry Romane

day of March 18 96 Edward Cunningham

John J. Ryan POLICE JUSTICE.

CITY AND COUNTY } ss.
OF NEW YORK,

Subscribed before me, this
day of
18

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs.

Taken the day of 18

Justice.

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

*Home and lot of land
situate at No 43 Chambers Street
of the value of Ten Thousand
Dollars Free and Clear*

Patrick Cunningham

Patrick Cunningham

POLICE COURT.....1.....DISTRICT.

City and County of New York, ss.

THE PEOPLE
vs.

On Complaint of James Oates
For 1st Sec 35, Penal
Code of State of New York

Harry Roman

After being informed of my rights under the law, I hereby waive a trial by Jury on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated March 17 1893

Harry Roman

.....Police Justice.

In the case of the People vs. James E. Clery- Reported in 13 Miscellaneous Reports, p. 546, the learned Court concludes as follows; "That the 'Ives Pool Law' repealed the provisions of the Penal Code relative to pool selling and book making and the adoption of the new Constitution abrogated the 'Ives Pool Law', and at the time of the commission of the offenses named in the indictment (while the same were made unlawful by the terms of the Constitution), no punishment was prescribed for such offenses, and the subsequent amendment of the Penal Code cannot effect the defendant for the reason that its provisions, in so far as they relate to the crime charged in the indictment, are ex post facto."

In view, therefore, of the foregoing, I recommend the discharge of the defendant's bail.

Wm. J. McGee

Wm. J. McGee

Asst. Dist. Atty.

1000

THE PEOPLE OF THE STATE OF NEW YORK,

Harry Romeene

Mary Roman

The said Henry Kinnear

Second Count, And the Grand Jury aforesaid, by this indictment further accuse the said *Henry Brown*

The said Harry Roman -

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the *occupant* of certain room in a certain building there situate, with force and arms, unlawfully and feloniously did knowingly permit the said room to be used and occupied for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed, and power of endurance of beasts, to wit, horses; 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 — *Harry Roman* —

of the crime of keeping, exhibiting and employing devices and apparatus for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said *Harry Roman* —

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being the *occupant* of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein keep, exhibit and employ, divers devices and apparatus (a more particular description whereof is to the Grand Jury aforesaid unknown) for the purpose of recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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 *Harry Roman*

of the crime of becoming the custodian and depository, for hire and reward, of money staked,

wagered and pledged upon the result of trials and contests of speed and power of endurance of horses, committed as follows :

The said

Harry Roman

late of the Ward, City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the occupant of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein then and there become the custodian and depository, for hire and reward, of certain money, to wit: the sum of *Five* dollars in lawful money of the United States of America, which said money was then and there by one *James* *Wale* staked, wagered and pledged upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Callan* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situate at *Grillenberg* in the County of *Johnson* in the State of *New Jersey* and commonly called the *Grillenberg* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the circumstances and manner of, upon, and in which the said money was so staked, wagered and pledged as aforesaid, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

Harry Roman

of the crime of recording and registering a bet and wager, committed as follows :

The said

Harry Roman

late of the Ward, City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose

1091

of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between one

James Cates

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

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

Harry Roman

of the CRIME OF POOL SELLING, committed as follows :

The said

Harry Roman

late of the Ward, City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold, to one *James Cates* and to divers other persons, to the Grand Jury aforesaid unknown, a certain pool upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Wallace* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year afore-

said, at a certain place and race track situated at *Gullenbury*
in the County of *Putnam* in the State of *New Jersey*
and commonly called the *Gullenbury* Race Track,
and which said trial and contest was had, holden and run on the day and in the year aforesaid at
the place and race track aforesaid (a more particular description of which said trial and contest,
and of the pool upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid
unknown, and cannot now be given), against the form of the Statute in such case made and pro-
vided, and against the peace of the People of the State of New York and their dignity.

Seventh Count, And the Grand Jury aforesaid, by this indictment, further accuse the
said *Harry Roman*

of the crime of recording and registering bets and wagers, committed as follows :

The said *Harry Roman*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned,
leased, or conducted by any association incorporated under the laws of this State, for the purpose
of improving the breed of horses, where racing was then lawfully had, with force and arms, did
unlawfully and feloniously record and register, and cause to be recorded and registered, divers
bets and wagers, then and there made by and between divers persons to the Grand Jury aforesaid
unknown, upon the result of divers certain trials and contests of speed and power of endurance of
and between divers horses (a more particular description whereof, and of each of them, is to the
Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year
aforesaid, at a certain place and race track situated at *Gullenbury*
in the County of *Putnam* in the State of *New Jersey*
and commonly called the *Gullenbury* Race Track, and which
said trials and contests were had, holden and run on the day and in the year aforesaid, at
the place and race track aforesaid (a more particular description of which said trials and contests
and of the said bets and wagers so as aforesaid then and there made upon the same, is to the
Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such
case made and provided, and against the peace of the People of the State of New York and their
dignity.

Eighth Count, And the Grand Jury aforesaid, by this indictment, further accuse the said Harry Roman

of the crime of pool selling, committed as follows :

The said Harry Roman

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

DE LANCEY NICOLL,
District Attorney.

1094

BOX:

516

FOLDER:

4704

DESCRIPTION:

Rominger, Frank

DATE:

03/23/93



4704