

0982

BOX:

433

FOLDER:

3999

DESCRIPTION:

Gallivan, James L.

DATE:

04/16/91



3999

POOR QUALITY
ORIGINAL

0983

Witnesses:

Officer Carey

2-1-1886

Counsel,

Filed

Heads,

day of

1886

W. J. Gully

THE PEOPLE

vs.

B.

James C. Gallivan

VIOLATION OF EXCISE LAW.
(Selling without license.)
[III, R. S. (7th Ed.) page 1881, § 13, and
of 1883, Chap. 340, § 5].

DE LANCEY NICOLL

JOHN R. FELLOWS

District Attorney.

W. H. J. Deane

James

A True Bill.

Ernest R. Gifford

Registerman.

Filed Dec. 1-1886

Forfeited

FILED DEC. 15

1886

POOR QUALITY
ORIGINAL

0984

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

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

James D. Sullivan

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

III. Revised
Statutes, 17th
edition p. 1882
Section 18.

The said *James D. Sullivan*

late of the City of New York, in the County of New York aforesaid, on the *Twenty-second*
day of *January* in the year of our Lord one thousand eight hundred and
~~eighty-nineteen~~ at the City and County aforesaid, certain strong and spirituous
liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one
gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong
and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in
quantity less than five gallons at a time, to

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

(Laws of 1883, chapter 840 sec-
tion 5). SECOND COUNT—

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

The said *James D. Sullivan*

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

certain strong and spirituous liquors, and certain ales, wines and beer, to wit: one gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury
aforesaid unknown, unlawfully did sell to

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

De Pausy Nicoll
District Attorney

0985

BOX:

433

FOLDER:

3999

DESCRIPTION:

Gaynor, Thomas

DATE:

04/01/91



3999

POOR QUALITY
ORIGINAL

0986

653
B.W. April 1891

Counsel,

Filed

Pleads,

1891

THE PEOPLE

vs.

Grand Larceny Second Degree.
[Sections 528, 531 Penal Code.]

Thomas Saylor

DE LANCEY NICOLL,

District Attorney.

A True Bill.

Foreman.

Witnesses:

Wm Brown

J. C. Cuff

Wm. C. Cuff

Wm. C. Cuff

April 3/91

Wm. C. Cuff

2 of 18 Nov 1891

POOR QUALITY
ORIGINAL

0987

Police Court Fourth District.

Affidavit—Larceny.

City and County } ss:
of New York,

of No. 139 West 52 Street, aged 37 years,
occupation horse driver being duly sworn,
deposes and says, that on the 27 day of March 1891 at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
the day time, the following property, viz:

One living animal to wit: a
horse of the value of Two Hundred and
Fifty Dollars, One Buggy and one Set of
harness of the value of One Hundred Dollars,
and all of the value of Three Hundred and Fifty Dollars
the property of deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and
carried away by Thomas Sappore from the
fact that at about the year of 12 M. on a Sunday
deponent left said property in the
care of said defendant at West 23rd
Street while deponent was absent and
defendant did take and steal and
drive away with said property
and to this day has not returned
the same to deponent

William Roman

Sworn to before me, this

day

Police Justice

POOR QUALITY
ORIGINAL

0988

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

Police Court 4 District. 416

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Brown
vs.
William Brown

Offence Larceny

Dated _____ 188

Magistrate

Officer

23rd Precinct

Witnesses

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

& _____ to answer

H.S.

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

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY
ORIGINAL

0989

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 Gaynor

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

of the CRIME OF GRAND LARCENY in the *second* degree committed as follows:
The said *Thomas Gaynor*

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

*one horse of the value of two
hundred and fifty dollars, one
vehicle, to wit: one buggy of the value
of seventy-five dollars, and one set
of harness of the value of twenty-five
dollars*

of the goods, chattels and personal property of one

William Ronan

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

De Lancey Nicoll
District Attorney

0990

BOX:

433

FOLDER:

3999

DESCRIPTION:

Gillen, James

DATE:

04/17/91



3999

POOR QUALITY
ORIGINAL

0991

J.A.

Counsel,
Filed *17* day of *April* 18 *91*
Plends, *W. H. H. W.*

THE PEOPLE
vs.
James Gillen
Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code.)

John R. Fellows
District Attorney.

May 2nd Part I
May 14th 1891, M.D.

A True Bill

Frank J. Luffin
Part 2 - May 14th 1891
Foreman.
True and Accused.

Witness:

POOR QUALITY
ORIGINAL

0992

Dr. F. W. O'BRIEN

234 EAST 112TH STREET

New York,189

This certifies that Mr.
Hugh McVey who is at
present under my care
for surgical treatment, is
at present suffering from
Erysipelas of the Wound,
inflicted on the 24th of March
and will not be able to leave
his room for two weeks at
least. He is not by any
means out of danger.

April 3/91

F. W. O'Brien M.D.

POOR QUALITY
ORIGINAL

0993

Dr. F. W. O'BRIEN

234 EAST 112TH STREET

New York, 189

This is to certify that
Mr. Hugh McVey's wounds
are in such a condition
as to render it unsafe
for him to leave his room
at present and probably not
for several days.

F. W. O'Brien, M.D.

April 7/91

POOR QUALITY
ORIGINAL

0994

Dr. F. W. O'BRIEN

234 EAST 112TH STREET

New York,189

The condition of
Hugh McVey's Wounds
is such as to prevent
him from leaving his
room at present as
one of the wounds is
still in a condition
involving some risk if
exposed.

F. W. O'Brien M.D.

~~234 East 112th St~~

POOR QUALITY
ORIGINAL

0995

Dr. F. W. O'BRIEN

234 EAST 112TH STREET

New York, 189

This certifies that Mr. Hugh
McFay is at present
suffering severely from
wounds received on the 24th.
His condition is not
improved from yesterday,
and does not permit of
him leaving his room.

April 2nd 189
F. W. O'Brien M.D.

POOR QUALITY
ORIGINAL

0996

Dr. F. W. O'BRIEN

234 EAST 112TH STREET

New York,189

This is to certify that
Mr. Hugh Meloy of 231 E. 101st
Street, is at present under
my treatment for several
incised wounds of the head
and face. Said wounds
being of such a nature as
to prevent him from leaving
his room with safety.

F. W. O'Brien.

POOR QUALITY
ORIGINAL

0997

CITY AND COUNTY }
OF NEW YORK. } ss.

POLICE COURT, 5 DISTRICT.

of No. 27th Precinct Street, aged years,
occupation Police Officer being duly sworn, deposes and says
that on the 1st day of April 1891
at the City of New York, in the County of New York he arrested

James Gillen for assaulting
me Hugh McVey and inflicting severe
injuries as cause the said McVey to be
confined to his home. The said McVey in
the presence of deponent's police officer
the defendant as being the one who
inflicted said injuries

Daniel Dugan

Sworn to before me, this 2nd day
of April 1891

Police Justice.

120
Police Court, 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs. James G. [illegible]

AFFIDAVIT.
[illegible]

Dated April 7, 189 [illegible] Magistrate.

[illegible] Officer.

Witness, [illegible]

Disposition [illegible]

1000. Bail
to arrive court 7 [illegible]

POOR QUALITY
ORIGINAL

0999

Police Court— 5 District.

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

of No. 231-E-101st Hugh McVey Street, aged 26 years,

occupation Stone cutter being duly sworn

deposes and says, that on the 24 day of March 1897 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by James Gillen
(now here) who stabbed deponent on the Head
and face, with a Knife which he (the Defendant)
then held in his hand— causing deponent
painfull and dangerous injury

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

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

Sworn to before me, this 11 day
of April 1897

Marshall Police Justice.

Hugh McVey

POOR QUALITY
ORIGINAL

10000

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

5 District Police Court.

James Gillen 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.

James Gillen

Question. How old are you?

Answer.

34 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

319 - E - 78th St

5 months

Question. What is your business or profession?

Answer.

Stone cutter

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

Answer.

I am not guilty
James Gillen

Taken before me this

day of

August 1888
John J. [Signature]

Police Justice.

1001

Miss Jones

Residence

Ud. 11.11.11

Dated *18* *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

James Fadden

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

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

The said *James Fadden*,

late of the City of New York, in the County of New York aforesaid, on the ~~twenty-fourth~~ day of ~~March~~, in the year of our Lord one thousand eight hundred and ~~ninety-one~~, with force and arms, at the City and County aforesaid, in and upon the body of one ~~Augustine McVey~~, in the Peace of the said People then and there being, feloniously did make an assault and to, at and against ~~him~~ the said ~~Augustine McVey~~ with a certain ~~pistol~~ then and there loaded and charged with gunpowder and one leaden bullet, which the said *James Fadden* in ~~his~~ right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there ~~shoot off and discharge~~, with intent ~~to kill~~ the said ~~Augustine McVey~~, thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said *James Fadden* of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *James Fadden*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said ~~Augustine McVey~~ in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against ~~him~~ the said ~~Augustine McVey~~, with a certain ~~pistol~~ then and there charged and loaded with gunpowder and one leaden bullet, which the said *James Fadden*

in ~~his~~ right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully ~~shoot off and discharge~~, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

John R. Fellows
JOHN R. FELLOWS,
District Attorney.

1003

BOX:

433

FOLDER:

3999

DESCRIPTION:

Gilligan, John E.

DATE:

04/15/91



3999

1004

BOX:

433

FOLDER:

3999

DESCRIPTION:

Brennan, Owen J.

DATE:

04/15/91



3999

POOR QUALITY
ORIGINAL

1005

1-10-1891
2-6-1891
Counsel,
Filed
Pleads
15 April 1891

THE PEOPLE
vs.
John E. Grogan
vs.
Owen J. Brennan
Burglary in the Third degree.
[Section 498, Penal Code.]

Deputy Trial
JOHN R. FELLOWS
District Attorney.
April 24, 1891. U. M. D.

A True Bill.
Edward D. Griffin

Foreman.
Part 2 - April 24, 1891.
The Brothers of Dist Attorney
indictment as both dismissed

Witnesses:
F. W. McManus
Officer Kennedy

The defendants have submitted affidavits which convince me that they have excellent characters, and after a thorough examination of the evidence in this case I do not believe they had any criminal intent. They were simply endeavoring to work in the kitchen who slept in the back of the prison. I therefore recommend the removal of this indictment.

April 24, 1891.
Simon M. Davis,
Asst.

my General services

The People

John Gilligan

City & County of New York

I Hugh Boyle
being duly sworn do depose & say
I am a free & carry on the
business at No 3rd South Avenue the
City

I know the defendant John
Gilligan & his mother for the past
seven years. He resides with his
mother his father being dead.

Said defendant is known to all
the people residing in my neighborhood
as an honest, faithful & hard working
boy a loving & dutiful son to his
mother & I know of even that a great
many of the neighbors who are surprised
to hear the defendant committed the
act which is charged with the County.

He and his brother who is
younger than him is the sole
support of an aged & respectable

POOR QUALITY
ORIGINAL

1007

Noted.
I have to pay me the
20th of April 1891

Louis B. Allen
Notary Public
N. Y. Co.

Hugh Doyle

New-York General Sessions

The People vs

John Gilligan

City & County of New-York ss

J. Bernard McCormack
being duly sworn do depose & say,
I am a grocer and carry
a business at 719- 7th Avenue this
City.

I know the defendant John
Gilligan for the past six years.
I likewise know his mother. The same
length of time, his father being dead.

I know a number of respectable
people in the neighborhood where I re-
side who know the said defendant and
his reputation for honesty & good character
is the best.

I have known him of often of as an honest
upright & respectable young man, a
good son to his mother & I never heard
of his being arrested before the present time.

Subscribed and sworn to before me this
23 day of April 1891 }
Louis B. Allen }
Notary Public N.Y.C.

My General Excise

The People of
John Gilligan
and

City & County of New York

I, Ann Gilligan

being duly sworn do depose & say

I am the mother of the above
named defendant John Gilligan.

I am a widow my husband being
dead about 15 years.

The defendant & another boy
James 17 years of age reside with me
& both support me.

The above named defendant has
worked for the past 4 years in the
plumbing business & has always worked
hard & steady.

He has always been honest, temperate
& good & gives me all his earnings
for the house.

Subscribed and sworn to before me this 23 day of April 1891
Louis B. Allen
Notary Public N.Y.C.

Ann Gilligan
mark

POOR QUALITY
ORIGINAL

10 10

D. AHERN

New York April 23rd 4/91

To Whome it may concern

This is to certify that
I D. Ahern have known
the bearer John Gilligan
to be an honest and
respectable young man
of respectable Parents
have never known him
to be guilty of any
offence before is a
plumber by trade and
works steady when he
can get it Certified by
D. Dennis Ahern

699-10 ave Shoer Store
City

POOR QUALITY
ORIGINAL

1011

R.F. MOCHRIE,
PLUMBER
AND SANITARY ENGINEER,
724 EIGHTH AVE., NEW YORK.
COR. 4TH ST.

New York, April 8th 1891

To whom it may concern,
The bearer John Gilligan has
worked for me for the space of
Six months, and I have always
found him, an Honest In-
dustrious, and Temperate young
man, always willing to work,
and can cheerfully recommend
him - where soever he goes

Yours

R.F. Mochrie

POOR QUALITY
ORIGINAL

10 12

PLANS DRAWN,
SPECIFICATIONS MADE
— AND —
ESTIMATES GIVEN ON
Plumbing and Gas Fitting,
etc., etc.
JOBING PROMPTLY ATTENDED TO.
General Repairs Superintended.

JOSEPH HAMILTON,

New York, April 23 1891

WM. ALEX. McFADDEN

M
The HAMILTON & McFADDEN, Inc.
LICENSED AND SANITARY

PLUMBERS & GAS FITTERS,
713 TENTH AVENUE, Between 48th and 49th Street

John Gilligan

*Has been in our employ
and we have always found him
honest and industrious*

Hamilton & McFadden

POOR QUALITY
ORIGINAL

10 13

Francis Mc Connell,
733 TENTH AVENUE.

New York. April 23 1891

To whom it may concern:

The bearer of this, John
Gilligan, has been known to me for several
years and I have found him always industrious
and honest, and willing to work.

F. J. McConnell

733 - 10 Ave.

Undertaken.

POOR QUALITY
ORIGINAL

10 14

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

..... being duly
sworn, says that he resides at No. Street, in the City of
New York; that he is years of age; that on the day of
1890, at Number in the City of
New York, he served the within on
the by leaving a copy thereof with

Sworn to before me this
day of 1890. }

Wm. J. Young
The People
Plaintiff,

John Gelligan
vs
Defendant.

Alfred V. Carls
Affiant

HOWE & HUMMEL,

Attorneys for *Def*
87 & 89 CENTRE ST., New York City.

Due and timely service of copy of the within
hereby admitted
this day of 1890.
Attorney.

To

POOR QUALITY
ORIGINAL

10 15

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation John Kennedy
22 - Precinct of No. _____

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

Sworn to before me, this 12
day of April 1891

John Kennedy
Police Justice.

Court of General Sessions

Pro. }
No. }
Billigan and Brennan }

City and County of New York S.S.

Francis McConnell, being duly sworn, says I reside at No. 451 West 50th Street, this City, and am engaged in the undertaking business at 733-10th Avenue. For upwards of six or seven years previous to last August the above named defendant Brennan resided with his parents at the same building where I conduct my business. I am well acquainted with the said defendant and his family, and know the reputation enjoyed by the said defendant among those who know him. He has always been regarded as an industrious, well behaved and orderly young man. I never heard anything against his character. He is by occupation a plumber, and from my knowledge of the defendant I can not believe that he would commit a criminal act. His family are respectable people, and I never heard any one question the honesty or integrity of the defendant or any member of his family, and I have had abundant opportunity to observe their conduct.

Given before me this 28th day of April 1891.
James C. Brennan, Notary Public in & for the City of New York.

City and County of New York ss:

Frederick W. Klemm, being duly sworn, says I reside at No 723-10th Avenue New York, and am employed as bartender by Mr. Louis B. Knickmann at the said address. I am the complainant in this case. I know both defendants. I have known the defendant Brenman for six or seven years, during which time he has lived with his parents four or five doors from our store. His reputation has always been good. Gilligan, whom I have known for a shorter period also lives in the neighborhood of our store with his widowed mother. He has always enjoyed a good reputation, and upon reflection I am inclined to attribute their conduct in this matter to thoughtless indiscretion rather than to any criminal motives. I think justice would be served by their discharge. I never heard anything unfavorable regarding either of the defendants, and I very cheerfully bear testimony to their good character and reputation in this neighborhood. Sworn to before me this 7

23rd day of April 1891 } Frederick W. Klemm
James A. Roman, Notary Public N.Y.C.

City and County of New York ss:

Thomas H. Farley, being duly sworn, says I reside at No 483 West 54th Street, New York City. I am engaged in the Wholesale Liquor Business. I have known the defendant Brennan for upwards of twelve years. He has always enjoyed a good reputation. I never heard his honesty questioned until the present charge was made. I do not believe he would commit a criminal act. His associations have always been good. I have known the parents of the said defendant for many years. They are respectable, honest and industrious people.

Sworn to before me this 7th day of Nov 1891
James A. Conman, Notary Public
N.Y.C.

City and County of New York ss:

Bernard Byrne, being duly sworn, says I am the janitor of Grammar School No 9, 82nd St & West End Avenue. I am well acquainted with the defendant Brennan. I have known him upwards of ten years, and have had every opportunity to form a judgment of his character. I believe him to be a thoroughly honest industrious young man. His reputation has been good. He is a plumber and at

the present time is employed with my son.
The defendant's father is a decent, hard
working man and well thought of by those
who know him.

Sworn to before me this }
23rd day of April 1891 } Reinhold Byrnes
James A. Bowman
Notary Public, N.Y.C.

City and County of New York ss:

Louis B. Kuickmann, being duly
sworn, says I am the proprietor of the store
at No. 723-10th Ave, this City. I have known
both defendants for about eight years last
past. They live in my neighborhood, and
both enjoy the reputation of honest young
men. I do not believe that their entrance
into my store was prompted by any
criminal motive, and I think the ends
of justice will be promoted by their
discharge. I have never had any reason
to doubt their honesty. Their parents
with whom they reside, are well thought of.

Sworn to before me this }
23 day of April 1891 } L B Kuickmann.
James A. Bowman
Notary Public,
N.Y.C.

POOR QUALITY
ORIGINAL

1020

General Sessions. *Cont.*

The People of the State
of New York,

vs.

John E. Gilligan and Owen
J. Brennan.

Affidavits as to character of
defendants.

JAMES A. O'CORMAN,

Attorney for defendants.

206 Broadway,

EVENING POST BUILDING.

NEW YORK.

Due and timely service of a copy of the within

is hereby admitted.

POOR QUALITY
ORIGINAL

1021

Police Court L District.

City and County } ss.:
of New York,

of No. 733 10 Avenue Street, aged 25 years,
occupation Bar tender being duly sworn

deposes and says, that the premises No. 733 10 Avenue Street, 20 Ward
in the City and County aforesaid the said being a Four story brick

dwellings with store & sleeping room in rear store
and which was occupied by Louis B. Knickman as a Liquor Store in the care and custody of
deponent and in which there was at the time a human being, by name

Fredrick Klemm
were BURGLARIOUSLY entered by means of forcibly opening
the parlours of said store and
entering said store through said parlours

on the 12 day of April 1888 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity
of Cigars and Liquors of the value
of over One hundred dollars

the property of Louis B. Knickman under the care and custody of deponent
and deponent further says, that he has great cause to believe and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Joseph Brennan and John Keegan
conspiring in concert

for the reasons following, to wit: from the fact that on
about the time of One o'clock A.M. on said
date deponent retired leaving said premises
securely fastened and at about
the time of 4.30 A.M. deponent was
awakened by a noise of something
dropping on the floor of said store
deponent on entering said store
saw the said Defendants Brennan and

POOR QUALITY
ORIGINAL

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And on investigation discovered
that said store had been entered by
means of opening the door of
said store. Said defendant Brennan having
no business in said premises.

Deponent is further
informed by Officer John Kennedy of the 22^d
Precinct Police that he caught the said
defendant Sullivan coming out of the doorway of
the said premises. And further informs deponent
that he has frequently seen the said defendants
in company with each other.

Deponent therefore
accuses the said defendants of acting
in concert and feloniously and unlawfully
entering the said premises.

Sworn to before me this } Fred. W. Klemm.
12 day of April 1891

Police Justice

Dated 1888
guilty of the offence within mentioned, I order he to be discharged.

Dated 1888
There being no sufficient cause to believe the within named

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

Dated 1888
of the City of New York, until he give such bail.

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

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

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

Police Court, District, _____

THE PEOPLE, &c.,
on the complaint of _____

1 _____
2 _____
3 _____
4 _____

Offence—BURGLARY.

Date 1888 _____

Magistrate _____

Officer _____

Clerk _____

Witness, _____

No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

\$ _____ to answer General Sessions.

POOR QUALITY
ORIGINAL

1023

Sec. 198-200

District Police Court.

CITY AND COUNTY
OF NEW YORK.

John Gilligan 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer,

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

Answer.

Question. What is your business or profession?

Answer,

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

Answer.

I am not guilty

John B Gilligan

Taken before me this

day of

Police Justice.

POOR QUALITY
ORIGINAL

1024

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK } ss.

District Police Court.

Owen J. Brennan being duly examined before the undersigned, 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. *Owen J. Brennan*

Question. How old are you ?

Answer. *23 Years*

Question. Where were you born ?

Answer, *New York*

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

Answer. *256 West 67 Street 9 months*

Question. What is your business or profession ?

Answer, *Printer*

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*

O. J. Brennan

Taken before me this

day of

1911

Police Justice.

1025

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 1000 Hundred Dollars, each and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated April 12 1899 [Signature] Police Justice.

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

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

POOR QUALITY
ORIGINAL

1026

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 R. Fiddigan and
Owen J. Brennan*

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

John R. Fiddigan and Owen J. Brennan

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

The said *John R. Fiddigan and Owen J.
Brennan, both* —

late of the *Twenty-second* Ward of the City of New York, in the County of New York
aforesaid, on the *Twenty-four* day of *April*, in the year of our Lord one
thousand eight hundred and *ninety* — *one*, with force and arms, in the
month — time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one

*a certain building, to wit: the store of
one Louis G. Kridman,* —

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 *Louis G. Kridman*, in the said
building, in the said dwelling house 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.

*James M. [illegible]
[illegible]*

1027

BOX:

433

FOLDER:

3999

DESCRIPTION:

Gilmartin, John

DATE:

04/06/91



3999

Witnesses:

George Hunter
Hansel Venturian
Officer Maloney
16th precinct

Counsel,
Filed
Pleads
THE PEOPLE
vs.

Grand Larceny, Second Degree.
[Sections 528, 58 / Penal Code]

John Silvestri

DE LANCEY NICOLL,
JOHN R. FELLOWS,

District Attorney

Apr. 14. Court with - V.M.D.

A True Bill.

Stanley C. Cyprian
Foreman.
Chas. Bennett
S.P. 4 yrs 5 mos
R.B.M.

①

The People
John Gil Martin

Court of General Sessions. Part I.
Before Judge Martine. April 14. 1891.

Indictment for grand larceny.

George Hunter, sworn and examined, testified:
Where do you live? The last place I was living
was Ossage City, Kansas. When did you leave
Kansas? I left Kansas eight days last Saturday.
What was your employment? Coal mining in
Ossage City. Whose mine were you employed
in? Mr. Craig was the Superintendent. I have
been coal mining all my days. I have been
mining in Pennsylvania and in Scotland.
I am a native of Scotland. How many years
have you been in this country? I have been
over eight altogether. I was home four years and
I came out here. When did you reach New
York? Eight days last Saturday since I came
into New York - at least the day I lost my money
the night before rather that was then on or
about the third day of April? Yes, it must
have been. When you came into the city of
New York where did you go? When I came
out of the cars there was a man came
in and got my baggage; he took me across
and I went to a hotel up by the green up
at Castle Garden. Where did you go to after-
wards? I never went no other place. I
stopped all night after I went up there.
Did you at any time go to a steamship?

Yes, when I was going to sail about half past twelve. Where were you going to sail to? I was going to sail to Scotland. I was going home on a visit. Had you bought your ticket? Yes. On what line were you going? On the Anchor line; I think the pier is No. 14. I do not know whether it is the North River or not. I am a stranger. I went on board the ship about half past twelve in the middle of the day. I went down into the steerage where I was to sleep, me and my little boy and I put my clothes up in the bunk. When you went down stairs to put your clothes up in your bunk what property, money or anything else did you have upon your person? I had one hundred and forty dollars in American money, gold coin. I had it in my inside vest pocket. While I was putting my clothes in the bunk the defendant Gilmartin and another man who was along with him was beside me. I don't know the name of the other man. What were they doing there at that time? They came on the boat along with me. Do you mean that they were in your company? Yes, they were in my company. Where did you meet them? I met Gilmartin. I was on the street asking the road to the pier; being a stranger of course I did

not know where to go. How far away from the steamer was it that you met Gilmartin? I met him on the main street, it was a good bit off the boat, he was alone then. Did the other man join him? No, the other man joined at the pier. What time was it when you met Gilmartin? I could not exactly say what time it was, I guess the nearest I care come to it it must have been eleven o'clock. Had you ever seen Gilmartin before, did you know him previous to the time you met him on that day? No. I never seen him in my life. Did you have a conversation when you met him? I asked him the road to the pier and he went along and showed me the pier. I left him outside at first and went down the pier. I did not go on the steamer then. I took my things on the pier and put them beside my trunk and went out to treat him for his kindness in showing me the pier. We drank two or three times and I treated every time and then we went back to the steamer together; he stood at the end of the wharf and he met this other gentleman and we three went down into the steerage. Gilmartin stood on my right side as I was putting my things in the bunk and the other man was on the other side. Then I was putting my things up was the

time I missed my money. That caused you to miss it? I found something catching me right at the breast and I found it going away and I halloed, "I was robbed." I knew my money was in my pocket before, for I felt it. Did you put your hand to where your money was? Yes. Was your money there? No. I found it was gone, that was the time I missed it when I put my hands up. When you halloed that you were robbed, that you had lost your money what did Gilmartin do? He went to go away from me. I held Gilmartin and said, the two of you among you took my money. I don't know who it is." He said, "I don't know anything about your money." The other man was gone. Did he walk or run away? No, he went as hard as ever he could go, he got away as quick as he could go. I could not say where he went to, he got that quick away from me. Did Gilmartin go away? No. Did you catch hold of him? Yes, of course I caught hold of him. Before you put your things in the bunk and before you missed your money did you see Gilmartin and the other man talking together? He was talking all together the three of us coming up the pier. When you got

into the storage did you see them talk to-
gether? No sir. I never happened to see them
talk together. How close were they together? There
was the breadth of me between them. Gil martin
was between the two of us, or at least I was
between Gil martin and the other man. You
were putting your things up in the bunk?
Yes. And then you missed your money.
I missed my money right away. You found
it gone? Yes. Then you exclaimed that you
had been robbed? I halloed, "I am robbed,
I am robbed." You turned around and you
saw the other man gone? The other man was
gone. Gil martin never done anything hardly
to me. He said, "I don't know nothing about
your money". Did you catch hold of him?
Yes. You held him until when? The police-
man caught him there. Have you got your
money back since? Never saw it since.
How much money did you lose? One
hundred and forty dollars in gold
cross examined. Do you recollect what time you
got to the pier? I guess it must have been
half past twelve o'clock. I guess that was the
time I was going to sail. Had you been
drinking any before you got to the pier?
Yes. I drank two or three glasses of beer
but that was all. Was that before you met
Gil martin? No, after I met Mr. Gil martin.

Did you buy any brandy? Yes. I got a pint of brandy for my little boy; it was to take along with me on the steamboat if he was sick. I never asked Gilmartin to come to the boat with me. Do you recollect whether you did or not? O yes. I remember everything that was done. Had you and Gilmartin been drinking before you went to the pier and left your baggage? No; it was afterwards I drank with him. I told him I would treat him after I came out. Had this unknown man been drinking with you? Yes sir, he drank of course along with us two after I came out. Where did you first meet him? It was right at the end of the pier. Did he come back to the pier with you after that? Yes, he came right back to the pier and went in to the boat with me. Is it not a fact that he was the only one that went down to the boat with you and Gilmartin ~~stood~~ ^{was} on the pier? No, when I went down in the boat Gilmartin and him went along with me. Both of them went with you down to the steerage? Yes. All three of you went down together? All three went down. The money that you paid for drinks where did you get that? I had it in my right hand pocket. I could not tell you exactly how much loose change I had

at the time. When did you see the gold before that day? I saw it right before I left in the house where I was boarding, in my bed room. Where was that? I do not remember. Down by the green, by the Battery? By the Green there. Was that the last time you saw your gold money? Yes, I had it in my pocket book all the time; that was the last time I saw it that morning; it must have been about nine o'clock I guess when I went down. Is it not a fact that you were around in the neighborhood of Twenty Fourth St. and Thirteenth Avenue for two or three hours drinking with different people before you went aboard the ship? No sir I never was. I was as sober as I am now. Is it not a fact that you were around that neighborhood at half past nine where the steamship lies for some two hours? No. I never was in there two hours. I was around the pier. About how long a time had you been around the pier altogether in the street and on the pier? I could not exactly say. I am not sure what time. Was it an hour? Or it was more. Was it two hours? I guess it would be, I could not say exactly how long. You were drinking with some steamboat men? No sir, I never tasted a thing. Were you not drinking with some steamboat men?

No sir. Did you drink with anybody but Gil-
martin and the other man that day? No sir.
When you said that you were robbed down
in the steerage did not Gilmartin stay there?
Yes, Gilmartin stayed right there. How long did
he stay there altogether? I could not say exactly
the time, I could not say how long he stayed there,
it was not many seconds. When I halloed
the police was right there. He could have
got away? I guess he could, I was that
fright about I did not know what I was doing.

By Mr. McIntyre Did you catch hold of him? Yes sir, I got
hold of him.

By Counsel How long was he there before you got hold
of him? I could not tell, it was just done all
in a minute, it was done that quick. I did
not know what he was doing. You had some
conversation with him first about this other
man, didn't you, before you caught hold of
him? Of course, I halloed I was robbed.
I did not know which of the two took it. You
had some conversation about this other man?
Mr. Gilmartin said he hadn't it. I got hold
of him, that was all there was about it I
have been sick ever since.

By the Court. When you got down there just show that jury
describe the position you were in at the
time you were putting those things of yours

in that bunk? I think there was two bunks and I was putting up the baggage. I had two comfortables for the bed, and I was putting up the things that way (shewing) the buttons were torn off my vest, and the money was on the left side. I saw the money before I left the hotel that morning, and I felt it in my pocket the time I was putting up the articles in the bunk. Gil martin stood at my right at that time, and the other man stood as close to me as Gil martin did. While I was putting up the things, I felt a sudden jerk, and the money was gone. Did you see any hand in front of you? No. Did you see anybody in front of you? No. Were your clothes torn, the coat? This button was pulled right off; my breast was open. Are you able to say whether the person who did that which you have described came from your left or right side? I could not say. As that happened you what did you do? Whenever I found that I halloed, "I am robbed, I am robbed." Then you said, "I am robbed, who were there?" Nobody but Gil martin. Was he standing in the same position that you had last observed him? He made to go away, and he said, he knewed nothing about it. Was he standing in the same position when you screamed, "I am robbed" as he had been standing when

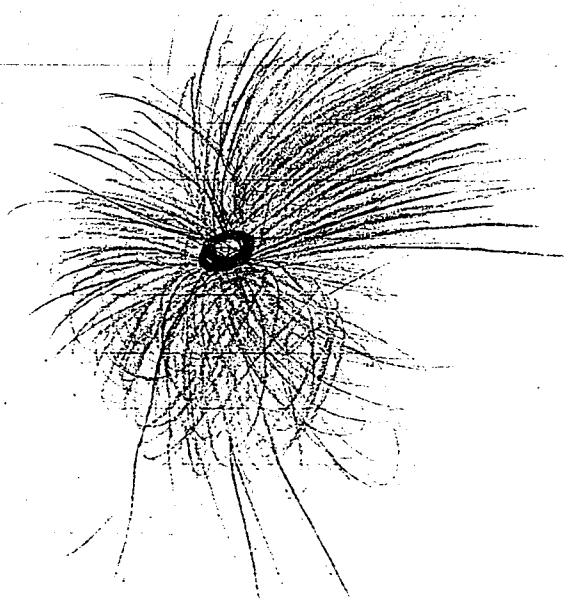
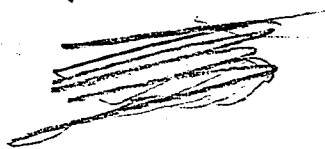
you last observed him? I could not exactly say. Was he further away from you? He made to go away. What did he do? I do not know. How far had he got from you? I could not say exactly how far he went. What makes you say "he made to go away"? I could not say whether he was meaning to go away, he just kind of went away. I guess he went about two or three yards, he went away first from me. Did you see the other man who disappeared? No. What was the last thing you observed the other man do? When I found the money going away I halloed and he was gone. When you turned about that man had gone, is that it? Yes, he was gone. Were there any persons in the place? There was no other persons but the three of us right at the bank. You turned about and got hold of Gilmartin? Yes. How did you catch him, by the hair of the head? No, I never did; I caught him somewhere about the person. I was that agitated I did not know what I was doing. I halloed, "I am robbed." Can you not tell us what you said to Gilmartin at that time? I do not know exactly what I said. What did Gilmartin say? Gilmartin said he knew nothing about it. Was your coat buttoned? No, I do not think my coat was

buttoned, I could not swear. The moment you felt the push do you know whether it was on the outside of your coat or inside of your coat? I am sure I could not say whether it was. But the moment you turned around this other man went away? The moment I turned around he was gone. I don't know where he ran. Gilmartin was the first man I met that day. I could not exactly tell you how soon afterwards I met the second man. It must have been near eleven o'clock as near as I could calculate. I met the other man at the end of the pier. When you met the other man did Gilmartin speak to him? Gilmartin talked to him, he just talked to him as he went by, and he came right on. Did you hear what Gilmartin said to him? No sir, I could not exactly say. Afterwards we went down the pier and then we went into the stowage of the steamship.

Daniel J. Moloney sworn and examined, testified: I am an officer of the 16th precinct and it embraces this wharf the steamer *Avonia* was lying at the foot of 24th St. on the 3rd of April. I saw the complainant and the defendant that day at half past twelve o'clock. I went on board the ship on the upper deck. I did not see the complainant go aboard that day. I saw the defendant on board

when I arrested him but I did not see him go on board. While I was on the upper deck one of the officers of the steamer and I heard a man hallooing down in the under deck that he had been robbed. We went down, and Hunter was holding Gilmartin; the steamboat officer was running after the other man I noticed that the complainant's coat was open and that there was not any button on the top of his vest. The complainant said he had been robbed by two men, and Gilmartin was one. I says to the defendant, "Did you rob this man?" He said, "you have got the wrong man, get the other man." I asked, "Who is the other man?" He said, "He has got away, he ran out of the steamer. I met him several times up in the saloon corner of Twenty Fourth street and Twelfth Avenue (He meant Thirteenth Ave) I don't know his name, but would know him if I saw him again. He has got the money, I have not." I searched Gilmartin, he did not have the money. The officers of the steamer said they did not know how the defendant and the other man got on board, for they had no right to go on board. The defendant did not put in any evidence. After a charge by the Court the jury rendered a verdict of guilty of grand larceny in the second degree. The defendant was sent to the State prison for four years and five months.

Perpleac Shorta



BEST QUALITY
ORIGINAL

1042

Testimony in the
case of
John Gorman
filed April
1891

1043

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

Daniel J. Moloney -
of No. *16 Recorder Office* Street, aged *37* years,
occupation *Police officer* being duly sworn deposes and says,
that on the *10* day of *June* 188*8*

at the City of New York, in the County of New York, *George Hughes*
(nowhere) is a material witness
against *John Gilman*
before and named in the annexed
Complaints deposited for the day
that the said *Hunter* has no
residence in New York State and
desires to be taken care of until his
Complaint is disposed of.
Deposant *Hughes* prays that the
said *Hunter* may be committed
to the house of detention

Daniel J. Moloney

Sworn to before me, this
10th day of June 1888
at New York
H. H. Madison
Police Justice

Police Court

District.

Affidavit—Larceny.

City and County } ss:
of New York,

of No. Kansas City George Hunter Street, aged 35 years,
occupation Miner being duly sworn,

deposes and says, that on the 4 day of April 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 day time, the following property, viz:

Gold and Laque Money -
of the United States issue
to the amount and value of
one hundred & forty dollars

the property of deponent

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

and John Doe who yet arrested
from the fact that at or about the
hour of 1230 P. M. on said date
deponent was on board of the
Steam Ship Arctic being up
the fork of West 24th Street - North from
and company with the said John
Gilman and Doe - that while
deponent was in the act of putting
some box clothes into a trunk in
said ship one of the said defendants
put his hand into deponent's inside
pocket and took some
and carry away said money.

Sworn to before me, this

189

day

Police Justice

from deponents friends and
person deponents called out
I am not here when the said
Gilman and Dr. started to
run away from deponents. Deponents
saw them hold Dr. the said Gilman
and caused arrest, the said
Dr. running away. Deponents
therefore pray that the said
Gilman may be held to answer

Exron before me } George Hunter
This 5 day of April 1841 }

Wm. Mahony

Pl. Justice

POOR QUALITY
ORIGINAL

1046

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

2

District Police Court.

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

Question. What is your name?

Answer. *John Gilmartin*

Question. How old are you?

Answer. *28 Years -*

Question. Where were you born?

Answer. *Belmont -*

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

Answer. *579 West 24th St. S. E. 8 Months -*

Question. What is your business or profession?

Answer. *House 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 -*
John Gilmartin

✓

Taken before me this

day of *June* 1891

Minister

Police Justice.

POOR QUALITY
ORIGINAL

1047

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

Police Court - 2. District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Hunter
John Schmeck

4. *H. D.*
Offence *Larceny*

Dated *June 5* 1891

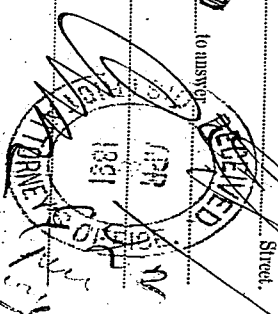
J. J. Mahoney, Magistrate.
J. J. Mahoney, Officer.

16. Precinct.

Witnesses *Civil Officer*
Emmanuel
Committee of the

Thomas J. Mahoney
in charge of Mahoney
Wards

No. _____
Street _____
\$2500 to answer



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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Twenty five* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.
Dated *June 5* 1891 *J. J. Mahoney* 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.

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 Gilmartin

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

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

The said

John Gilmartin

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

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

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

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

of the goods, chattels and personal property of one *George Hunter*
on the person of the said *George Hunter* then and there being found,
from the person of the said George Hunter
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

~~JOHN R. FELLOWS~~ District Attorney.

1049

BOX:

433

FOLDER:

3999

DESCRIPTION:

Giodici, Michael

DATE:

04/21/91



3999

POOR QUALITY
ORIGINAL

1050

Counsel, *L*
Filed *May 21 1891*
Plends, *1*

THE PEOPLE
vs.
Michael Jordan
Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code.)
DE LANCEY NICOLL
JOHN R. FELLOWS,
District Attorney.

If witness:
W. Leavelle
Officer Holmes
10th Prec.

A True Bill.
James D. Griffin
May 21 1891 Foreman.
Charles H. Smith
Juvenile Criminal *P.B.M.*

POOR QUALITY
ORIGINAL

1051

Police Court—First District.

City and County } ss.:
of New York,

of No. 103 - Crosby Antonio Ciaramella Street, aged 9 years,

occupation School Boy being duly sworn

deposes and says, that on 15 day of April 1889 at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED ~~and beaten~~ by

Michael Godici (now here) who
did willfully and maliciously
stab and cut deponent on the
arm - with a knife then and
there held in his hand

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

of

15 day
April 1889

Antonio Ciaramella

J. P. Smith Police Justice

POOR QUALITY
ORIGINAL

1052

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Michael Gordici

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. *Michael Gordici*

Question. How old are you?

Answer. *9 years -*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *No 6 Jersey Street -*

Question. What is your business or profession?

Answer. *Nothing*

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

Michael Gordici
mark

Taken before me this
day of April 1891

Police Justice

J. J. McLaughlin

POOR QUALITY
ORIGINAL

1053

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

Police Court--- 573
District

THE PEOPLE, &
ON THE COMPLAINT OF

Antonio Caramella
703 E. 10th St.
Michael Stordei

Date

April 15 1911

Residence

Richie
Magistrate

Residence

Dennis
Officer

Residence

10
Precinct

Witness

Hugh Schulteis

No. 1

10 East 23
Street

No. 2

Street

No. 3

Street

No. 4

Street

\$

to answer
PPC

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 *3* 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, until discharge

Dated *April 15 1911* *Stellman* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

Court of
General Sessions

The People

vs.

Michael Justice

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

100 EAST 23^d STREET,

New York, April 19th 1891

CASE NO. 55858

DATE OF ARREST

CHARGE

OFFICER

Devine, 16th Prec.
April 15th 1891

Disrupt

AGE OF CHILD

RELIGION

FATHER

MOTHER

RESIDENCE

AN INVESTIGATION BY THE SOCIETY SHOWS THAT

10 years.
Catholic.
George
Mary
Society has
no record of boy's ever having been arrested
before. Boy's home is dirty and filthy,
and poorly furnished.

All which is respectfully submitted

To Dist. Atty

William L. King
Supt

POOR QUALITY
ORIGINAL

1055

Court of
General Sessions

The People

vs.
brother
Michael Justice.

PENAL CODE, §

§ 100.00

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

ELBRIDGE T. GERRY,
President, &c.,

100 East 23d Street,

NEW YORK CITY.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Michael Godici

The Grand Jury of the City and County of New York, by this indictment, accuse
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

Michael Godici

late of the City of New York, in the County of New York aforesaid, on the
fifteenth day of *April* in the year of our Lord
one thousand eight hundred and *ninety-one*, with force and arms, at the City and
County aforesaid, in and upon the body of one *Antonio Ciaramella*
in the Peace of the said People then and there being, feloniously did make an assault and
to, at and against *him* the said *Antonio Ciaramella* with
a certain ~~pistol~~ *knife* then and there loaded and charged with gunpowder and one leaden
bullet, which the said *Michael Godici*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did then and there ~~shoot off and discharge~~ *strike, stab, cut and wound*
with intent *him*, the said *Antonio Ciaramella*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Michael Godici

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said *Antonio Ciaramella* in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and to, at and against *him* the said
Antonio Ciaramella, with a certain *knife*
a certain ~~pistol~~ then and there charged and loaded with gunpowder and one leaden bullet,
which the said *Michael Godici*
in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully ~~shoot off and discharge~~ *strike, stab, cut 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.

De Lancey Nicoll,
JOHN R. FELLOWS,
District Attorney.

1057

BOX:

433

FOLDER:

3999

DESCRIPTION:

Giohotti, Francesco

DATE:

04/22/91



3999

Witnesses;

Michael Ropa

Officer Downing

6th Prec.

Counsel,

22

Filed

day of

April

1891

Pleads,

THE PEOPLE

vs.

Francesco Giachetti

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

DE LAUREY HOLL

JOHN R. FELLOWS

District Attorney.

A True Bill.

Comptroller

Sept 23/91

Foreman

James J. Ziegler

S. P. 3

P. Q. M.

1059

Police Court

District.

Affidavit—Larceny.

City and County } ss.
of New York,

Michael Lopa
of No. *54 Mulberry* Street, aged *34* years,
occupation *Restaurant Keeper* being duly sworn
deposes and says, that on the *18* day of *April* 18*9* at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
and person of deponent, in the *night* time, the following property, viz:

*one silver Watch of the value of
Twenty dollars*

\$20

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 *Frank Siletto (mark here)*

*from the fact that deponent saw said
defendant take said property from
the pocket of the vest then and
there run by him and ran away
that deponent pursued him
and caught him with said
property in his possession*

Michael Lopa
mar

Sworn to before me, this *18* day of *April* 18*9*

John J. [Signature]
Police Justice

Sec. 106-200.

CITY AND COUNTY } ss.
OF NEW YORK

District Police Court.

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

Question. What is your name?

Answer. *Frank Siletto*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *111 Mulberry St 4 years*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer.

I am guilty of the charge

Francesco Siglotti

Taken before me this
day of

[Signature]
Police Justice

1061

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

Police Court--- District 524

THE PEOPLE, vs.,
ON THE COMPLAINT

*Michael David
of 47 Chambers
Frank S. Seltzer*

2 _____
3 _____
4 _____

Offence *Laundering
from the prison*

Dated *Apr 18* 1891

Duffy Magistrate.

Dennings Officer.

Witnesses, *E. S. Dennings*
Edith Dennings



No. _____
Street _____
\$ _____

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

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

Dated *Apr 18* 1891 *Alvin Duffy* 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.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Francesco Giobotti

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

Francesco Giobotti
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said *Francesco Giobotti*

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

*one watch of the
value of twenty dollars*

of the goods, chattels and personal property of one
on the person of the said

Michael Lopa
then and there being found, from the person of the said

Michael Lopa
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.

Michael Lopa
He Lancy Nicoll,
District Attorney.

1063

BOX:

433

FOLDER:

3999

DESCRIPTION:

Gorman, William

DATE:

04/30/91



3999

POOR QUALITY
ORIGINAL

1064

437
Counsel, *Wm. H. Murray*
Filed *29* day of *April* 1891
Pleas, *Not guilty*

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday.)
[III Rev. Stat. (7th Edition), Page 1090, Sec. 5.]

THE PEOPLE
vs. *B*

William E. Roman

Chas. L. [illegible]
United States Marshal
District of Columbia

JOHN R. FELLOWS
District Attorney.

A True Bill.

Ernest R. Lippin
Foreman.

Witnesses:
Wm. H. Murray
16 P. 1891

POOR QUALITY
ORIGINAL

1065

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 Gorman

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

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG
AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *William Gorman*

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

DE LANCEY NICOLL,
JOHN R. FELLOWS,

District Attorney.

1066

BOX:

433

FOLDER:

3999

DESCRIPTION:

Green, Charles

DATE:

04/01/91



3999

POOR QUALITY
ORIGINAL

1067

Witnesses:
Joseph Kanner
May 4th 1891
Wm. H. Deery
7-1

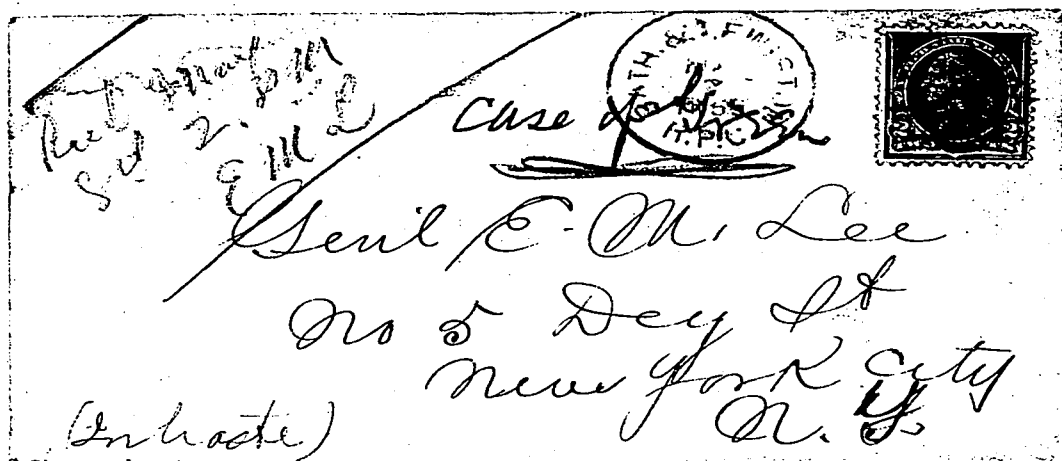
THE PEOPLE
vs.
Charles Soren
[Section 498, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550]

DE LANCEY NICOLL
JOHN R. FELLOWS
April 15/91 District Attorney.
Open Courtroom
May 3/91
A True Bill.

Copy sent
13th Foreman.
April 20/91
11th Judge
May 15/91
May 1/91

POOR QUALITY
ORIGINAL

1068



POOR QUALITY
ORIGINAL

1069

Police Court— District.

City and County
of New York ss.:

of No. 164 East 3rd Street, aged 23 years,
occupation Barber, being duly sworn

deposes and says, that the premises No. 164 East 3rd Street, 17th Ward

in the City and County aforesaid the said being a tenement building,
the 2nd floor of which was occupied by deponent as a dwelling apartment
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly opening a door
leading to said first floor with
a jimmy, and which door was
securely locked

on the 25th day of March 1891, in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Wearing apparel of
the value of about
One hundred dollars

the property of in care and charge of deponent
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Charles Green (nowhere)
and another not yet arrested

for the reasons following, to wit: Deponent says, — That about
5 P.M. of said date he was aroused by hearing
his dog bark, and going to investigate,
saw defendant leave the hallway of
said premises, together with another
not arrested, and seized defendant and
held him until the approach of Officer
Thomas J. Diamond of the 14th Precinct.

Deponent further says, — after an

POOR QUALITY ORIGINAL

10-70

investigation he elicited that considerable property of the herein apprehended amount had been disturbed and some prepared for removal, and is informed by said Officer that a jimmy was found in defendants possession that corresponded with the jimmy mark made on said door.

Wherefore, deponent prays that defendant be held and dealt with as the law directs.
Subscribed & sworn to before me this 26th day of August 1883

Joseph A. Heiser
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Hundred Dollars of the City of New York, until he give such bail. I have admitted the above named to bail to answer by the undertaking hereto annexed.

Dated 1883 Police Justice.

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

Dated 1883 Police Justice.

Police Court, District,	Offence—BURGLARY.
THE PEOPLE, &c., on the complaint of	
1	
2	
3	
4	
Dated 1883	Magistrate.
	Officer.
	Clerk.
Witness.	
No.	Street,
No.	Street,
No.	Street,
No.	to answer General Sessions.

POOR QUALITY
ORIGINAL

1071

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation _____ of No. _____

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

Sworn to before me, this _____ day of _____, 1898.

Police Justice.

POOR QUALITY
ORIGINAL

1072

Sec. 199-200.

CITY AND COUNTY OF NEW YORK, ss.

3 District Police Court.

Charles Green being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is his right to
make a statement in relation to the charge against him and 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 Green

Question. How old are you?

Answer.

21 yrs

Question. Where were you born?

Answer.

United States

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

Answer.

Ordmore House - Bowery - 2 years

Question. What is your business or profession?

Answer.

Corker

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.

Charles Green

Taken before me this

day of

John W. [Signature]

Police Justice

POOR QUALITY
ORIGINAL

1073

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

Police Court... 2- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles J. Ryan
Charles J. Ryan

2
3
4

Office *Burglary*

Dated

March 26 1891

Residence

Charles J. Ryan Magistrate.

Charles J. Ryan Officer.

Residence

Charles J. Ryan Precinct.

Witness

Charles J. Ryan

No.

Charles J. Ryan Street.

No.

Charles J. Ryan Street.



No.

Charles J. Ryan Street.

No.

Charles J. Ryan Street.

Charles J. Ryan

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 _____

Charles J. Ryan
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *100* Hundred Dollars, _____ and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give surety bail.

Dated *March 26 1891* *Charles J. Ryan* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

The People
Charles Green
Court of General Sessions. Part I
Before Judge Martine April 15, 1891
Indictment for burglary in the third degree.
Joseph Keiser, sworn and examined, testified.
I work at No. 164 East Third street attending bar,
I live above the store on the first floor; there
are four families beside mine residing there.
I have lived there for the last thirteen years
and lived there on the 25th of March of this
year. I occupy four rooms there. There were
in that place on the 25th of March, a toilet
set, a clock and four overcoats and four
pairs of pantaloons; the clothing was in the
bed room leading from the front room.
The rooms are connected, kitchen, bedroom
and parlor and another bed room. The
coats belonged to myself and father. I am
23 years old and know something of the
value of coats. I valued them at seventy five
dollars altogether including the pantaloons.
My mother and father slept in the bed room.
The door that led to the bed room was unlocked.
I left the apartments about seven o'clock in
the evening up stairs and went down stairs
to attend to business in the store. My mother
and sister were up stairs and where I left
the door to the bed room was unlocked. I
did not go back up stairs again until
after the officer came. He took the prisoner.

up stairs between eight and half past eight o'clock. I saw that there was a toilet set lying on the floor, which was taken from the shelf, and a clock valued at twenty dollars lying on the floor, part of which was out in the hallway. I heard the dogs bark about a quarter past eight o'clock when I left the saloon. I held this prisoner and sent for an officer I had seen the prisoner before that going out of the door at the hallway; he had a "jimmy", and I held him by the throat. I sent for an officer; the officer came and he took him up stairs to see whether anything was missing. I went up with him and found these things lying around on the floor in the parlor and a hat box taken from the shelf in the bed room; the coats were hanging there. The officer asked the prisoner if he had any tools or weapons about him? He said, No, and then the officer opened his coat and found the "jimmy" in his pocket. The officer asked the prisoner what he was doing in the place? He said he went to go to the closet. I noticed when I went back that the door leading to the bed room where the coats were was open; there were no marks on that door, but the door leading to the parlor, the bolt

was run out and the lock was wrenched out with a "jimmy." and the door was split up. Did you see anybody else with the prisoner at the time you caught him? There was another young man that left the house right after I had hold of him, and I says to him, "What were you doing up stairs?" He says, "I want to go to the closet; you ask that friend of mine, there he goes, call him back." Where did that friend go? He walked off, he ran away; first he walked, and when he got to the grocery store, about seventy five feet away he started to run. I suppose he thought I would let go of him and go after the other one. It was the barking of the dog up stairs that attracted my attention to the prisoner; the dog was in the kitchen. I first asked my father to go up and see. I went out through the store, the front way, and as I got to the hall door this man came out and I held him from ~~examined~~ examined. I never saw the defendant at our place before. I don't know what my father paid for his clothing; the overcoats had been worn about a year. I valued all the clothes as worth about seventy five dollars. I paid thirty two dollars for my overcoat. The stair way leads up to our residence and the prisoner was going out of that door way.

The hall does not lead to the closet in the yard. There are two hallways; one leads to the yard and one leads to the front. I saw the officer take the "jimmy" out of the prisoner's pocket. Carpenters use tools like that "jimmy". I have never heard of the trade known as "caulkers". It was about eight o'clock in the evening that I saw the prisoner come out of the door; there is a clock in the saloon and that is the way I know the time. When I heard the dog bark I went out of the saloon into the street and went to the hall door. I had two dogs in my place; one I have ten years and the other five. I never saw the other man who passed out before in our place and have not seen him since. Where does the hallway lead to that you saw the prisoner coming out of? It leads to the stairway up to our premises. There is another hallway which leads to the yard where the closets are.

Thomas J. Diamond sworn and examined. I am an officer connected with the 14th precinct, and on the evening of the 25th of March I was at the premises No. 164, East Third street. I arrived there about eight o'clock in the evening; the prisoner was held by the last witness who told me he found him

going out of the hall. He told me that this man was breaking into his apartments and I took him up stairs to see what was the matter and I found the door of the front room had been broken open; there were marks on the door, and the lock and the bolt had been forced. There was four boxes and a clock on the floor and everything was disturbed, to say the least in the front room. I did not go into the hall bed room. I asked the prisoner if he had a "jimmy?" He said, No. I looked at the door and when I saw the marks and the dents on the wood work of the door and where the bolt had been forced. I felt around his person and I found this instrument upon him (producing what is called a spike). It was in the rear pocket of his pantaloons. The marks on the door resembled marks that could have been made by that "jimmy". Did he say anything else to you on that occasion? No sir. Did you say anything to him? No sir. You took him immediately to the station house? Yes. What Ward is this place in? The Seventeenth Ward and Fourteenth Precinct.

Mr. Mc Intyre: The People rest
Counsel for the defence requested the Court
to direct the jury to acquit on the ground that
the people did not make out their case. Motion
denied

Charles Green, sworn and examined, testified I was residing at the Yardmore house in the Bowery. I am 21 years old. Have been in New York since the first of December 1890. I lived formerly in Bath, Me.. I have heard the accusation made against me by the complainant; it is untrue. I was in the bar room about the time he speaks of. I left the Yardmore house about six o'clock, and I went to see a friend at 19 Delancey street, and from there I went to East Forty Fifth street to see a friend who was about to get me a situation as a caulker on the Cable Road, his name is Sam Watters, and he loaned me this instrument, which is a tool used by caulkers. That is my trade. I came down on the Elevated Railroad from Forty Fifth street and got off I think at the Fourteenth street station and I proceeded down Third avenue till I got to the Bowery, and from there I went down Fourth street to see a friend who worked in the Devining house. I wanted to see if he wished to come up on the Bowery to see the Barmine parade; it was the evening of the Parade. He said that he did not as he had an engagement in Brooklyn. I went down to Avenue B with him and came up Third street. I was going along on the left hand side going

up towards the Bovey and when I got to this house - (I had been there before) with a friend two weeks previous to that & I went in to get a drink). I knew there was a "sanitary" or water closet in the complainant's place. I had occasion to go there when I was there before. I went in this hall door, and he directed me to go out to this sanitary through the side door. By going out of the side door in his place you could get out to the yard where the Sanitary was. As I was coming back again out through the hallway the complainant grabbed me by both hands and held me up against the wall. I did not offer any resistance until the officer came. I was not on any floor of that building except the bar room floor. I never went up stairs.

Cross Examined. I came to New York in December 1895. I lived in Bath, Me., previous to that time. I had been in Bath four years. I lived all my life in a small town called Harding four miles out of Bath. I worked at firing and caulking up to eight months ago - at a water supply station to throw water into Bath, Me., I worked at caulking iron water mains. I used the instrument which was found upon me in my business; we use even on eight different kind of tools. I was born in Quincy, Mass.; my folks moved from

Quincey to Bath when I was quite small. I worked for the Bath Pumping Station about four years all told as caulker and fireman. We used a good many instruments, they ranged in number and size. There was a machinist came from Brooklyn to overhaul the pumps there and I was working at caulking and he was supposed to take laborers from his place of business in Brooklyn; he came down with no helper and he gave me a position as helper in the pumping station at Hardings, which throws the water into Bath. The company were laying four miles of pipe. I left Bath to go with this machinist to Brooklyn; he worked for the Hydraulic Works. His name is James Welkers. I worked for him about eight weeks. I went to work for him around October 1890. He said he would give me a better job than I had in Maine. I worked in Butler, N. J., it is about 25 or 28 miles from Jersey City. That was about New Years, January 1891. Between December the first and January the first I worked on Long Island for John H. Starnes. I was caulking. I worked for him until they shut down the Works and then I went to Butler, N. J. I worked there as a machinist's assistant. I left because he had no more work for me.

Then where did you go to? I was looking around for other work. I could not state the time, it was not in January, it was around the last of February or around the first of March. From the first of January down to the time you left, which you think was about the last of February or the first of March you were working in Butler, N.J.? Yes. Then who did you work for? I worked for nobody. From the first of March down to the time of your arrest you were not working? No sir. Where were you living? I was living in the Yardmore house on the Bowery. I think it is between West 1st and Grand streets. I was simply lodging there. Between the time you left the place in Butler, N.J. down to the time of your arrest while you were living in the Yardmore house in the city of New York what were your means of support? Money I had saved up - thirty eight or forty dollars. How much a week did you get in New Jersey? I was getting fifteen dollars a week and expenses, which included railroad fare and daily expenses for food. I paid one dollar and twenty five cents a week for my lodging in the Yardmore house. Then did you seek employment from after you left your position in Butler, N.J.? Mr. Walters on East 14th Street. What kind of business did he

carry on? He is a caulker of iron pipe. Who else did you seek employment of? No one else. Have you ever been convicted of any crime? No sir. Were you not arrested and held as a suspicious person before Justice Ryan of this city? No sir. You are positive of that? Yes. On the 25th of March do you remember where you were in the morning of that day? Yes, I was down town around the bulletin of the World office. There is a printer's bulletin put out every morning. I was down there from about seven to ten o'clock and then after that I went around the city. I went up to a friend's house No. 19 Delancey street, Samuel Ockney. I could not state for certain what time it was, sometime in the forenoon; it was before twelve o'clock. How long did you stay there? I stayed there until about three o'clock. Then where did you go? I went down to the Yardmore house and read the paper. How long did you stay there? Till about five o'clock. Then I went back to No. 19 Delancey street to see my friend the compositor; his name is Peter Weston; he is a compositor about twenty years of age and slight in build. How long did you remain with him? I remained with him till about half past five o'clock. Then I went

to Forty Fifth street to Mr. Walters. It is East Forty Fifth street, I don't know the number; it is near Third Avenue towards the East River on the left hand side going down. How many houses east of Third Avenue? I could not say, may be ten, may be twenty; he is a man of about 22 years of age. How much time did you spend with him? I spent probably three quarters of an hour or an hour. What was the time about that you got to his house? I did not take any notice of the time. What time did you leave? I left about half past seven o'clock. What is Walter's business? He is a caulker. Who was he working for? I don't know who he was working for. Did you ever ask him for whom he was working? No. Do you know as matter of fact he was working? I took it for granted that he was working from his appearance. Can you not state what time you got there to his house? No sir. Was it before five o'clock? No, it was not before five, it may have been between five and six o'clock. I won't swear it was before six o'clock, it was between half past five and a quarter past six o'clock. I met him as he was coming from work. I did not go in the house with him. What time did you leave him? I left him about half past seven o'clock. I did not have

very lengthy conversation with him. I was walking around Forty Fifth street after I had a conversation with him. I sat down at the elevated station I think on Forty Second st. I smoked a cigar and stayed there about fifteen minutes. I went on the Third Avenue Elevated Railroad and got off at Fourteenth St. it was near eight o'clock. I then walked down to Fourth St. and saw a friend in regard to seeing Barren's show; his name is Charles O'Connor at 200 East Fourth St. near Avenue B; he is a feeder of a press at the Evening Printing House. He did not go to the Parade with me; he had an engagement in Brooklyn. I went up Avenue B with him; he told me he was going up to see a show on the Beroey. I went up to Forty Fifth St. to borrow some tools to work for the Cable road that is going to be put in Broadway near Liberty St. Had you made an agreement to get employment with any one? Yes, with the party who loaned me the tools. I asked him to let me take such caulking tools as he had to spare. They have to take up all the water mains lying in the street in order to get the pipe for the Cable Road and put in new pipe more to the one side; then the road is to be put in.

consequently they have to put in new pipe. He did not have the tools I asked for, I expected to borrow money of this friend in Delancey st. until I would pay it back. I could use the tool I had in putting hemp between the pipe. The water main was under the tracks; the diameter of the water pipes in Broadway is 18 inches and twelve feet long. The instrument which I had was an iron spike. I left this friend at the corner of Third street and Avenue B, he was going up towards the Bowery. I was at 164 East Third street about two weeks previous to this. I went in with the owner to get a drink. I don't know how many hallways there are to those premises. I did not go into the bar room the night of this burglary. I did not ask anybody where this water closet was. I am quite sure of that. I swore before that I asked the complainant where the closet was, but that was not the night of the burglary; it was when I was in there before; he directed me to the door out in the yard; there was a stair case in the hallway through which I went that night which leads to the complainant's house, this apartments on the first floor. The policeman brought me up there after the arrest. I went to the closet on that

occasion. I opened the door and went through the rear to the yard I remained there about five minutes and came back through the hall way, and as I did I saw another man. I did not speak to him, he was walking. I did not hear a dog bark. When the complainant came out and caught me by the shoulder I did not attempt to get away. Did you say to him, "you can ask this man who I am and what I am doing here? No. When he testifies to that fact upon this stand he testifies falsely and incorrectly does he? Yes. He held me until the officer came. The officer asked me if I had a "pin" on my person and I said I had not. The tool that I had was not covered with damp paint when I got it and I do not know that there was paint on it when the officer took it from me.

Joseph Keiser recalled by Mr. McIntyre. I had never seen the prisoner before this night. He never came into my place and asked where the water closet was. I saw the officer take the spike from him; it was covered with paint; the door had been painted only the day before I was near the officer when he took it from him; this was about eight o'clock in the evening. There is no water closet near

Byformed

the hall door where I caught the defendant. How could he go to the water closet from there? He would have to go through this one hall and go to the rear and find a little side entrance and then go through the side hall and through the yard to get into the closet. Is it locked? It is generally closed, it is not locked. He could go through that hall to the front? Yes. You took your supper as I understood it about seven o'clock? Yes. Who lived there? Father, mother, sister and myself. What became of your father and mother? My father was down stairs and my mother and sister went to the church service; the service was at half past seven o'clock. That left the house empty? Yes, that left the house empty. So I understand you that you occupy the saloon on the first floor? Yes. You are there most of the time are you not? Yes. It frequently occurs that patrons of the place ask me where the water closet is. Very few strangers enter the place; they are mostly friends of mine because I belong to different associations and that is where I get the patronage from. A person to get to the water closet would have to go through the saloon. There is a little kitchen back of the saloon and then there is a door from that side. He would not go through the hallway? No.

By Counsel How do you know he would not? He could not go; there is no other entrance to the hall from the saloon. Does not the door from the bar room lead to the yard within which the closet is? No sir, the door through the kitchen leads to the hallway there is no door leads from the bar room to the closet. Thomas J. Diamond recalled by the Court. When I took the spike from the defendant it had fresh paint on it, and it corresponded with the fresh paint on the door. I have the spike in my possession ever since. Charles Green recalled by Counsel. Will you state to the jury briefly what door it was you went out of from the saloon when you went to the water closet? Then I went into the bar room? What door, if any, did you go through to get to the water closet the night of the burglary? The day I went there with this friend to get a drink? No, get back to the very night of the burglary? I just came in off the street and went in through the hallway and out into the yard. I did not go through any kitchen or bar room. I had learned the location of the water closet when I went there before. The jury rendered a verdict of guilty of burglary in the third degree. The prisoner was remanded for sentence.

POOR QUALITY
ORIGINAL

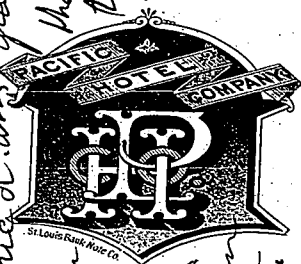
1090

Testimony in the
case of
Charles Green
filed
April 1891.

POOR QUALITY
ORIGINAL

1091

Form 30.



OFFICE AND STOREHOUSE,
—CAGANA, N.E.—

J.E. MARKEL,
THOS. SWOBE,
M.H. GOBLE.

Sacramento, May 1. 1880

Dear Brother—

Was so glad to get your letter & know that you could even write at all, hope as the warmer weather comes on that your wrist will be better. "Daps" rec'd all right.

Lee Bristol & his wife have just been up to make us a visit. It seems so funny for him to have a wife. "Daffy" is very much troubled with a sore eye has had it for some time, she can't read or write or sew with any comfort. The rest are all well.

I have just rec'd a letter from Henry Newton containing a "Statement" of our legacy, doubtless you have had the same. Wish you would dictate a letter, if Essie will write it, as soon as you receive this & tell me what you think about the matter, is it

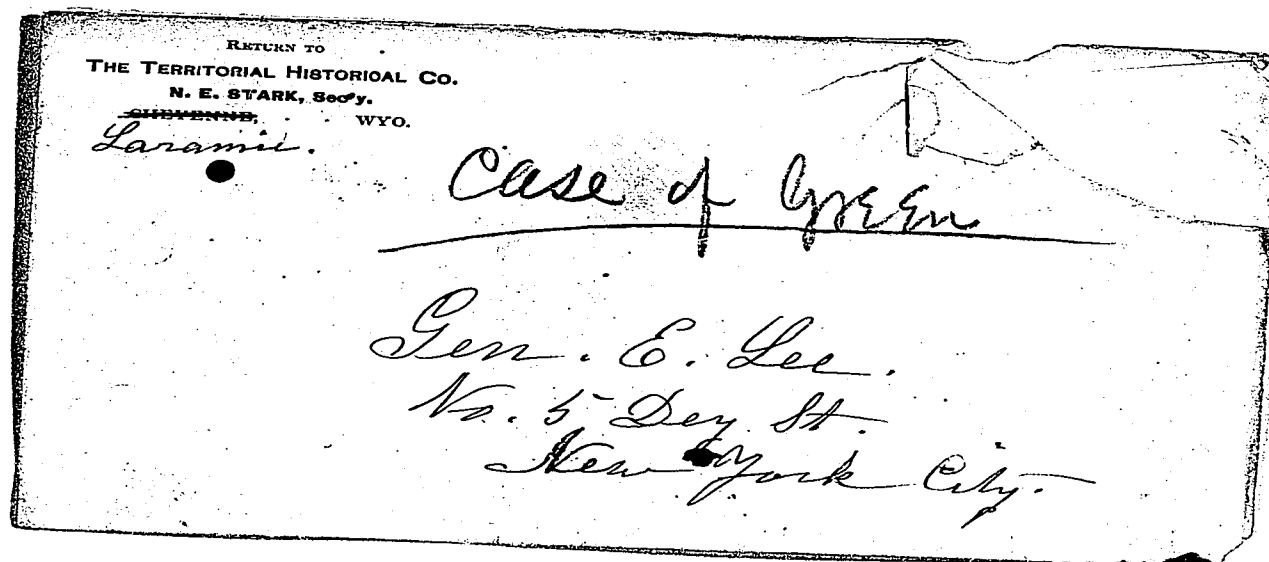
best to accept the \$85. offer now,
or wait for lawsuit which if suc-
cessful I suppose would give us a-
bout \$180. each? Is Henry playing
a lawyer's game, saying that he
thinks we would do better to wait
than to accept his offer. I don't
know what to think about, only
that "a bird in hand is worth two
in the bush". If I understand it a-
right, the amount which could
now be divided, making about
\$1 each, must be held in reserve
to pay court expenses in case it
goes against us, that is, I mean
if we wait for the lawsuit, & do not
accept his \$85. offer now. Is this so?
I shall wait for your reply to this
letter before I answer Henry's letter.

I have also written to Charles Merriam
for his opinion, perhaps you will con-
sult him also, I think he understands
the lay of the case pretty well.

Henry's letter says that Ruth Lee is
engaged to be married but doesn't say who
the lucky man is. Why will girls be in such
a hurry. Love to Edwin. aff sister -

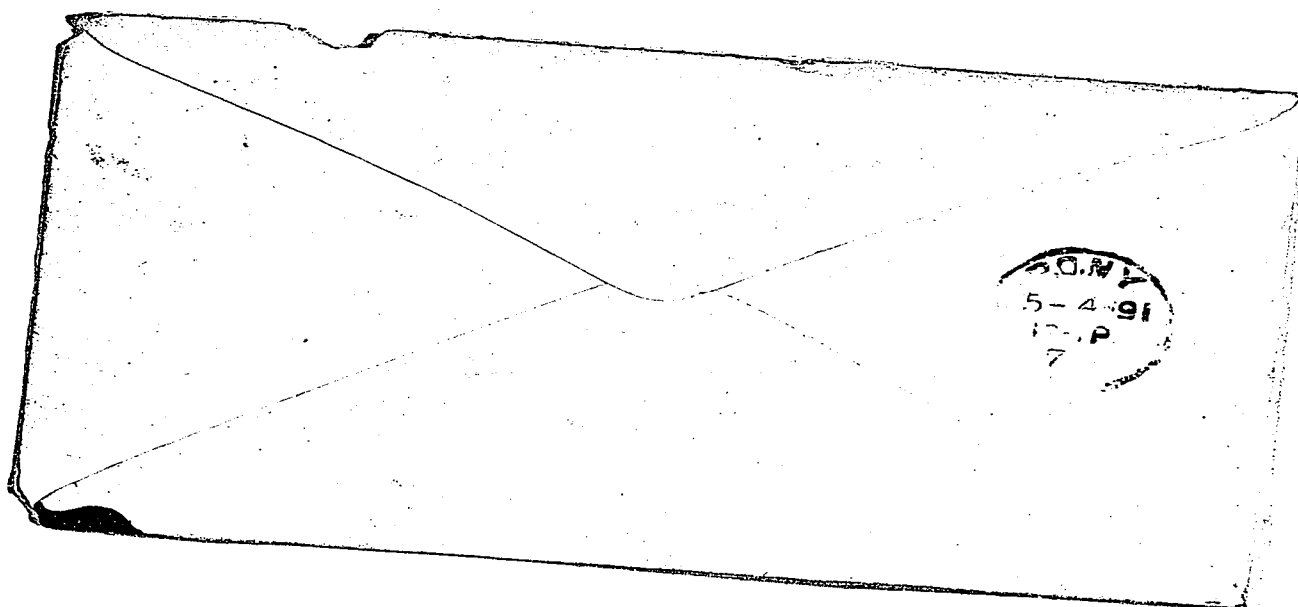
POOR QUALITY
ORIGINAL

1093



**POOR QUALITY
ORIGINAL**

1094



Genl C M Lee Bath Me May 5 1891

Dear Sir

Nothing surprised me so much as to hear of Charles Green's trouble, why I am greatly surprised, he always acted the perfect gentleman while working here, I had him employed for me, I always found ^{him} very honest, a good worker and one that was always willing, I was greatly taken back when he told me ^{he} wanted to go to New York, only I am so busy, I would go on to help his case, if I only had him here now, he could be so useful to me, it is hard to get one just now to fill his place, as the work is starting up with a big rush now, do all you can for him, his family is most respectable, it would break his poor old Mother's heart to hear of it, I am so sorry for him poor unfortunate Charles

N.B. One of his principal bosses is away now, or he would ^{recommend him} ^{appended} ^{recommendations}

Yours truly
John H. Daffey
Bath Me

POOR QUALITY
ORIGINAL

1096

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Charles Green

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

Charles Green

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

The said

Charles Green

late of the *Seventeenth* Ward of the City of New York, in the County of New York
aforesaid, on the *twenty-fifth* day of *March* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
night time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one

Joseph A. Kesser

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

Joseph A. Kesser

in the said dwelling house 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.

POOR QUALITY
ORIGINAL

1097

SECOND COUNT—

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

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

The said

Charles Green
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,

diverse articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of one hundred dollars

Joseph A. Keiser
of the goods, chattels and personal property of one

in the dwelling house of the said

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

De Lancey Nicoll
District Attorney

1098

**END OF
BOX**