0446

BOX:
447

FOLDER:
4123

DESCRIPTION:
Regan, William

DATE:
08/14/91

4123

154

X

Witnesses:

Augustus Cordes
Officer McDonald

Counsel,

Filed 14 day of Aug 1891

Pleads,

THE PEOPLE

vs.

William Regan

Grand Larceny Second Degree.

[Sections 528, 531, — Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A True Bill.

Augt 14/91 *Foreman.*

S.P. 2½ yrs.

0448

(1305)

Police Court— 1 District. Affidavit—Larceny.

City and County of New York, } ss.

Augustus Cordes

of No. 34 Rector Street, aged 26 years,

occupation Grocer being duly sworn,

deposes and says, that on the 12 day of August 189/ 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 gold Watch of the value of Sixty dollars

the property of Deponent

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

Deponent says that he saw said defendant take said property from the pocket of a Vest that was hanging up behind the Counter in store No 56 West Street in said City - That said defendant was about leaving the place with the same when deponent caught him and took said property from his possession

August Cordes.

Sworn to before me, this 13 day of 189/

Police Justice.

0449

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

William Regan 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. William Regan

Question. How old are you?

Answer. 33 years

Question. Where were you born?

Answer. Boston Mass

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

Answer. 23 West St 6 mos.

Question. What is your business or profession?

Answer. Fireman

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

Answer.

I was drunk and did not know what I was doing

Wm Regan

Taken before me this 13 *day of* Aug 1891

Geo Ryan

Police Justice.

0450

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

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

Dated Aug 13 18 [illegible] 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.

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street

154 1070

Police Court--- 1 District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

Augustus Cordes
32d Rector St

William Regan

2 .....

3 .....

4 .....

Offence Larceny Felony

Dated Aug 13 1891

D. O. Reilly Magistrate.

McDonald Officer.

2 Precinct.

Witnesses Herman Becker

No. 34 Rector Street.

No. ..... Street.

No. ..... Street.

$ 1000 to answer G. S.

COMMITTED. G.L.

0452

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 Regan

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

of the CRIME OF GRAND LARCENY in the second degree committed as follows:

The said William Regan,

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

one watch of the value of sixty dollars

of the goods, chattels and personal property of one Augustus Bordes

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

0453

BOX:
447
FOLDER:
4123
DESCRIPTION:
Renner, Frederick

DATE:
08/13/91

4123

Witnesses,

John Hassett

Off Larkin

144

1045

Counsel,

Filed 13 day of Aug 1891

Pleads, Nolo Cont

THE PEOPLE

vs.

Frederick Renner

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

~~DE LANCEY NICOLL,~~
~~JOHN R. FELLOWS,~~

District Attorney.

A True Bill.

William Woodruff

Foreman.

Part III Sept 9/91

Part III
4798

Tried and Acquitted

0455

Police Court 1 District.

City and County of New York, } ss.:

John Hassett

of No. 93 New Chambers Street, aged 26 years, occupation Printer being duly sworn deposes and says, that on 7 day of August 1891 at the City of New York, in the County of New York, he was violently and feloniously ASSAULTED and BEATEN by Frederick Remmer (name fictitious) who wilfully and maliciously cut and stabbed deponent on the arm with a razor then and there held in his hand cutting and injuring him severely

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 7th day of August 1891 } John Hassett

D. [illegible] Police Justice.

0456

Sec. 198—200.

District Police Court

CITY AND COUNTY OF NEW YORK, } ss.

Fredwich Remmer 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. Fredwich Remmer

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. Gumany

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

Answer. 6 Greenwich St — 2 days

Question. What is your business or profession?

Answer. Waiter

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 never cut him with a razor I hit him

Fred Remmer.

Taken before me this 7 *day of* AUGUST, 1891

Police Justice.

0457

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

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

Dated Aug ..... *18*91 ..... *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.*

0458

1045

Police Court--- 1 District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

John Hassett
93 New Chambers St
Frederick Renner
2
3
4

Offence Assault
Felony

BAILED.

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated Aug 7 1891
D O Reilly Magistrate.
Larkin Officer.
6 Precinct.

Witnesses Michael McGratt
No. 1 Chatham Square Street.
& No 3 James Slip
No. Street.

No. Street
$500 to answer G S

Committed

0459

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frederick Renner

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

The said Frederick Renner late of the City of New York, in the County of New York aforesaid, on the seventh day of August, in the year of our Lord one thousand eight hundred and ~~eighty-nine~~ with force and arms, at the City and County aforesaid, in and upon the body of one John Hassett in the peace of the said People then and there being, feloniously did make an assault and ~~to, at and against~~ him the said John Hassett, with a certain ~~pistol then and there loaded and charged with gunpowder and one leaden bullet~~ razor, which the said Frederick Renner 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~~ stab, cut and wound, with intent him the said John Hassett 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 Frederick Renner of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Frederick Renner late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said John Hassett 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 John Hassett, with a certain razor ~~a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,~~ which the said Frederick Renner 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 stab, cut and wound ~~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.

DE LANCEY NICOLL,
JOHN R. FELLOWS,
District Attorney.

0460

BOX:
447

FOLDER:
4123

DESCRIPTION:
Rice, Thomas

DATE:
08/13/91

4123

Witnesses:

Pat H Mack

Off Liston

145

1029

Counsel,

Filed 13 day of Aug 1891

Pleads,

THE PEOPLE

vs.

Thomas Rice

35

Wolkstown St

Brooklyn

Robbery, Second degree.
[Sections 224 and 229, Penal Code].

DELANCEY NICOLL,
~~JOHN R. FELLOWS~~

District Attorney.

A True Bill.

Henry Woodruff

Aug 14/91

Foreman.

Herbert H. Robbyday

S.P. 6 yrs.

1946

0462

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

Police Court—First District.

Patrick H. Mack

of No. 166 West Street, being duly sworn, deposes and says, that on the First day of August 1891 at the Sixth Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent, by force and violence, without his consent and against his will, *the following property viz:* a pocket book containing good and lawful money all

of the value of Eight Dollars, the property of deponent who is 48 years old occupation Laborer

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by force and violence as aforesaid, by Thomas Rice (now here)

Deponent says that he was walking along Park Row near James Street in said City when said defendant walked towards him and struck him a violent blow on the face with his fist knocking him down and while lying down took the above described property from the pocket of the pantaloons then and there worn by him and ran away. That deponent

Sworn to, before me, this 1st day of August 1891

Police Justice.

pursued him and called out, stop thief and said defendant was caught by James E Liston of the 6th Precinct Police

Sworn to before me this 2d day of Aug 1891
To Police Justice

Patrick McK

Police Justice

0464

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

_____ District Police Court

Thomas Rice 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. Thomas Rice

Question. How old are you?

Answer. 35 years

Question. Where were you born?

Answer. U - S

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

Answer. 28 Madison Street 35 years

Question. What is your business or profession?

Answer. Painter

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 know nothing about it

Thomas Rice

Taken before me this 7 *day of* AUGUST, 1891

[illegible] Police Justice

0465

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 Dey Vandaal

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

Dated AUGUST 2 1891 Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated AUGUST 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.

0466

Complainant bailed
by Henry Ehlers
170 West St

BAILED.

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

1029

Police Court--- 1st District.

THE PEOPLE, &c.
ON THE COMPLAINT OF
Patrick R. Mack
vs.
1 Thomas Rice
2
3
4

Offence Robbery

Dated AUGUST. 2 1891

D. O. Reilly Magistrate.

James E. Liston Officer.

Sixth Precinct.

Witnesses Officer

No. ..... Street.

Complainant committed to the House of Detention in default of $100 to testify

No. ..... Street.

$ 2000 to answer

DISTRICT AUG 6 1891 OFFICE

COMMITTED.

0467

FIRST DISTRICT POLICE COURT.

CITY AND COUNTY OF NEW YORK. } ss.

Recognizance to Testify.

BE IT REMEMBERED, That on the Third day of August in the year of our Lord 1891

Patrick H. Mack

of No. 166 West Street, in the City of New York,

and Henry Ehlers

of No. 170 West Street, in the said City,

personally came before the undersigned, one of the Police Justices in and for the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say; the said Mack

the sum of One Hundred Dollars;

and the said Ehlers

the sum of One Hundred Dollars,

seperately, of good and lawful money of the State of New York, to be levied and made of their respective goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition following, viz:

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

Thomas Rice

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

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

Patrick Mack

Henry Ehlers

J. J. Kelly

POLICE JUSTICE.

New York 1 Sessions.

THE PEOPLE, &c.,

vs.

Patk H Mack

RECOGNIZANCE TO TESTIFY

D A R POLICE JUSTICE.

Filed day of 18

CITY AND COUNTY OF NEW YORK, } ss.

Henry Ehlers, being duly sworn, says that he is a Inn keep holder in the within-named Bail, being duly sworn, says that he is a Inn keep holder in said City, and is worth Hundred Dollars, over and above the amount of all his debts and liabilities; and that his property consists of a house and lot situated in 129 West 53rd St. & the value of $30,000 (no incumbrances)

Sworn before me, this 9 day of Aug 1891

Henry Ehlers

Police Justice.

0469

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 1 DISTRICT.

James E Liston

of the 6th Precinct Police ~~Street, aged~~ ~~years,~~

~~occupation~~ ~~being duly sworn deposes and says,~~

that ~~on the~~ ~~day of~~ 189~~

~~at the City of New York, in the County of New York,~~ Patrick H. Mack

the within named Complainant is a necessary and material witness against Thomas Rice charged with a felony. Deponent says that he has no permanent home and also that he gave surety for his appearance to testify

James E. Liston

Sworn to before me, this 2 day of May 1891

Police Justice.

0470

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 Rice

The Grand Jury of the City and County of New York, by this indictment, accuse Thomas Rice of the CRIME OF ROBBERY in the second degree, committed as follows:

The said Thomas Rice, late of the City of New York, in the County of New York aforesaid, on the first day of August in the year of our Lord one thousand eight hundred and ninety one, in the night time of the said day, at the City and County aforesaid, with force and arms, in and upon one Patrick H. Mack in the peace of the said People, then and there being, feloniously did make an assault, and

$8.00 one promissory note for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of five dollars $ —; one promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of five dollars $ —; one United States Gold Certificate, of the denomination and value of five dollars $ —; one United States Silver Certificate, of the denomination and value of five dollars $ —;

one promissory note for the payment of money of the kind commonly called United States Treasury Notes, of the denomination and value of two dollars $ —; one promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of two dollars $ —; one United States Gold Certificate, of the denomination and value of two dollars $ —; one United States Silver Certificate, of the denomination and value of two dollars $ —; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of one dollar, and one pocket-book of the value of twenty-five cents

of the goods, chattels and personal property of the said Patrick H. Mack from the person of the said Patrick H. Mack against the will, and by violence to the person of the said Patrick H. Mack then and there violently and feloniously did rob, steal, take and carry away,

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

De Lancey Nicoll
District Attorney

0471

BOX:
447

FOLDER:
4123

DESCRIPTION:
Richio, Gasparo

DATE:
08/05/91

4123

Witnesses:

Lizzie Daily

35 X JBW 1002

Counsel,

Filed 5 day of Aug 1891

Pleads, Norquett C

THE PEOPLE

vs.

Gaspare Richio R

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

21 Feb

33

~~DE LA MARCELL,~~

~~JOHN R. FELLOWS,~~

District Attorney.

A True Bill.

Willis Woodruff

Foreman.

Aug 10/91

Pleads Assault 2deg

S.P. 4 yrs.

21609

0473

Police Court— 4 District.

City and County of New York, } ss.:

Lizzie Daily

of No. 332 East 32nd Street, aged 27 years, occupation Domestic being duly sworn deposes and says, that on 1st day of August 1887 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Gaspara Richio (now here) who cut and stabbed deponent at the shoulder with the blade of a knife then 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 2 day of August 1887 } Lizzie Daily her X mark

Henry Murray Police Justice.

0474

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

4 District Police Court.

Gaspare Riccio 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. Gaspare Riccio

Question. How old are you?

Answer. 28 yrs

Question. Where were you born?

Answer. Italy

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

Answer. 332 E 32 St — 15 days

Question. What is your business or profession?

Answer. Bootblack

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

Answer.

I am not guilty

his
Gaspare + Riccio
mark

Taken before me this 2 *day of* August 1897

Police Justice.

0475

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

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

Dated Aug 2nd 188 1 Henry Hornes 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.

0476

1002

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court— 24 —District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Lizzie Daly
332 E 32 St

Gaspare Ricci

1 _____
2 _____
3 _____
4 _____

Offence Felon-Assault

Dated August 2 1891

Murray Magistrate.

Snyder Officer.

21st Precinct.

Witnesses Catherine Ofield

No. _____ Street.

No. _____ Street.

No. _____ Street.

$ 1000 to answer

RECEIVED. AUG 1891 DISTRICT ATTORNEY'S OFFICE

0477

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Gaspare Richio

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

The said Gaspare Richio, late of the City of New York, in the County of New York aforesaid, on the first day of August, in the year of our Lord one thousand eight hundred and ~~eighty-nine~~, with force and arms, at the City and County aforesaid, in and upon the body of one Lizzie Daily in the peace of the said People then and there being, feloniously did make an assault and ~~to, at and against~~ her the said Lizzie Daily, with a certain knife ~~pistol then and there loaded and charged with gunpowder and one leaden bullet~~, which the said Gaspare Richio 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 her the said Lizzie Daily 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 Gaspare Richio of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Gaspare Richio 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 Lizzie Daily in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and ~~to, at and against~~ her the said Lizzie Daily, with a certain knife ~~a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,~~ which the said Gaspare Richio 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.

DELANCEY NICOLL
~~JOHN R.~~ FELLOWS,
District Attorney.

0478

BOX:
447

FOLDER:
4123

DESCRIPTION:
Rock, Joseph

DATE:
08/13/91

4123

Indorsed,

James J. Malloy

Rob. De Lacy

118 Jas Gallagher 1058

Counsel,

Filed 13 day of Aug 18 91

Pleads Not guilty

THE PEOPLE

26 Wm Weston vs. 381 bookseller.

Joseph Rock

Grand Larceny, degree

(MISAPPROPRIATION.)

[Sections 528, 531, of the Penal Code].

~~DE LANCEY NICOLL,~~

~~JOHN R. FELLOWS,~~

District Attorney.

A True Bill.

Wm Woodruff

Foreman.

Part 3. Sept 9

Tried & Convicted.

Jail two years. In extreme mercy of Court.

Sept 11 91.

6460

COURT OF GENERAL SESSIONS, PART III.

The People of the State of New York, against Joseph Rock.	Before Hon. Fred'k Smyth, Recorder, and a Jury.

Indictment filed August 14, 1891.

Indicted for grand larceny in the second degree.

New York, September 9, 1891.

A P P E A R A N C E S:

For the People,

Asst. District-Attorney Henry H.E. Stapler;

For the Defendant,

Mr. J. Miller.

JAMES J. MALLOY, a witness for the People, sworn, testified:

I am a boatman and my business address is No. 1 Broadway. My boat plies the waters about New York. On the 25th. of July I was at No. 86 West Street in this city. A man by the name of Charles Delacy was with me on that occasion. No. 86 West Street is a bar-room. The defendant was the bar-tender there. I had fifty dollars in my possession and I left $45 of it with Mr. Rock for safe keeping. I asked him to take care of it for me and he said he would. I told him to keep it until I would return and get it. He took the money. Then he asked

me what would I do if he would go to South Beach and spend it, in a joking kind of a way. That is about all. I did not think he would, and he told me no, he didn't think he would. He knew he would not. The money was in nine five dollar bills. He wanted to give me a receipt for it, and I told him, as I had a witness that I had given him the money, I did not think a receipt was necessary. I left the place then and went to my boat. I returned on the following Monday and could not find Mr. Rock. I went to No. 86 West Street and asked the proprietor if I could see Mr. Rock. He told me his time to be there was ten o'clock. I waited there until ten o'clock and I did not see him. I waited until the afternoon and then I came up to the Tombs to get a subpoena, or a warrant, for him. I was too late on that day, but I got one the following day, Tuesday. I got a summons, I believe you call it, and my friend Mr. Delacy who was with me took the summons and served it upon the defendant. I saw the defendant on that day. I asked him for the money and he told me that he did not have it, that he had got rid of it, spent it or something like that. I don't remember exactly now what he said. We then had a drink. I thought he was joking me still about the money. The proprietor wanted him to compromise the matter by agreeing to pay me five dollars a week. Then he wanted to know if I would agree to take five dollars a week, and I said yes. He asked the boss if he would give him employment

until such time as he would have the money repaid to me and the boss said yes. I agreed to this proposition, provided the proprietor of the placewould be responsible in case Mr. Rock left his employment. The proprietor refused to be responsible. We did not come to any understanding. I left the place and walked across Albany Street. Mr. Rock followed me, knocked me down and struck me, splitting my skull so that an ambulance had to be called. Two or three stitches were put in my head at the Chambers Street Hospital and I made the best of my way to my boat. I was present before the Police Justice. I didn't hear him make any statement there that amounted to anything. He wanted me to withdraw my charge and not to appear against him, but I refused. Then he said he would give me $35 if I would be light upon him, and he would pay me all afterwards. I told him then that I was willing to take my money and drop the charge, as far as I was concerned, but that he would have to settle the matter with the court. I have never received my money back up to this time.

Cross-examination:

When I left the money with the defendant I had full confidence in him that he would take charge of the money and account to me for it. I did not know whether he was the proprietor or the bar-tender. I left the money with him on Saturday and the following Tuesday I got the warrant for his arrest . I made no demand upon him

for this money until after I had procured the warrant. I do not know my exact words in demanding the money, but I know that he told me he did not have it, that he had spent it. An agreement was drawn up by the proprietor of the store, No. 86 West Street, by the terms of which he was to pay me $5 a week until the whole amount of $45 was paid. This agreement was afterwards torn up, because the proprietor would not stipulate to be responsible in case the man left his employment. It was after the agreement had been torn up and while I was crossing the street that the defendant came up to me and knocked me down. I am positive that it was the defendant who struck me and knocked me down. I had only three drinks on the day when I was knocked down.

CHARLEY DELACY, a witness for the People, sworn, testified:

I am a boatman and my boats sail around New York Harbor. I was in No. 86 West Street on the day spoken of by the last witness and, in company with him. I saw the defendant Joseph Rock tending bar. I heard Malloy ask Mr. Rock whether he would keep a little money for him until such time as he would call for it. The defendant said he would. Mr. Malloy then counted out nine five dollar bills. Mr. Rock put it in a drawer and told Mr. Malloy he could have it whenever he called for it. I went to the boat with Malloy on that day and stayed with him over Sunday.. On Monday morning we came back and went to look for this man Rock, but he was not

in the saloon. On Tuesday we procured a summons for him and I served it on him in the liquor store. I was present while Malloy, the proprietor and Rock were talking over the matter of an agreement to pay five dollars a week. They did not come to any settlement and Malloy and I went out of the saloon. As we went across Albany Street this defendant caught hold of Malloy, turned him around and knocked him down. The proprietor of the saloon agreed to keep Rock in his employment, provided he would pay Malloy five dollars a week until the total amount of $45 was paid. After the defendant had knocked Malloy down he ran away. An ambulance came and Malloy was taken to the Chambers Street Hospital to have his wounds dressed.

Cross-examination:

My office is in the Washington Building. No. 1 Broadway. On the day this money was left with Rock I first saw Malloy at ten o'clock in the morning. He was quite sober. We had two or three drinks in the place where Rock was bar-tender before Malloy handed him over the $45. The defendant agreed on the following Tuesday to pay Malloy back his money and an agreement was drawn up by the proprietor. It was not signed.

ARTHUR A. CAREY, a witness for the People, sworn, testified:

I am a Police Officer attached to the Second

Precinct. I arrested this defendant about the 9th. or 10th. day of August on Franklin Street near Elm. I did not have a warrant for his arrest, but such a warrant had been issued, and the complainant had reported the case to the Captain of our precinct. When I arrested the defendant I took him to the Station House. I said to him: "Rock, I want you". He says: "All right". We started up towards the Station House and he seemed to know what he was arrested for. I said to him: "What did you do with that money?" and he said: "I got loaded and spent the money." That is the language he used.

Cross-examination:

I have known the defendant for two or three months. I know of nothing derogatory to his character. The defendant did not say that he got drunk and lost the money. His words were that he got loaded and spent the money.

D E F E N S E:

LOUIS ROCHE, of No. 168 Washington Street, and Mr. Alphonse Kemp of No. 81 West Street both testified to the good character of the defendant.

JOSEPH ROCK, the defendant, sworn, testified:

I live at 81 West Street and have lived there for two years. I worked anywhere for five years, and for the past ten or twelve months have been tending bar for Mr. Curtin at 86 West Street. I had charge of the

Precinct. I arrested this defendant about the 9th. or 10th. day of August on Franklin Street near Elm. I did not have a warrant for his arrest, but such a warrant had been issued, and the complainant had reported the case to the Captain of our precinct. When I arrested the defendant I took him to the Station House. I said to him: "Rock, I want you". He says: "All right". We started up towards the Station House and he seemed to know what he was arrested for. I said to him: "What did you do with that money?" and he said: "I got loaded and spent the money." That is the language he used.

Cross-examination:

I have known the defendant for two or three months. I know of nothing derogatory to his character. The defendant did not say that he got drunk and lost the money. His words were that he got loaded and spent the money.

D E F E N S E:

LOUIS ROCHE, of No. 163 Washington Street, and Mr. Alphonse Kemp of No. 81 West Street both testified to the good character of the defendant.

JOSEPH ROCK, the defendant, sworn, testified:

I live at 81 West Street and have lived there for two years. I worked anywhere for five years, and for the past ten or twelve months have been tending bar for Mr. Curtin at 86 West Street. I had charge of the

Precinct. I arrested this defendant about the 9th. or 10th. day of August on Franklin Street near Elm. I did not have a warrant for his arrest, but such a warrant had been issued, and the complainant had reported the case to the Captain of our precinct. When I arrested the defendant I took him to the Station House. I said to him: "Rock, I want you". He says: "All right". We started up towards the Station House and he seemed to know what he was arrested for. I said to him: "What did you do with that money?" and he said: "I got loaded and spent the money." That is the language he used.

Cross-examination:

I have known the defendant for two or three months. I know of nothing derogatory to his character. The defendant did not say that he got drunk and lost the money. His words were that he got loaded and spent the money.

D E F E N S E:

LOUIS ROCHE, of No. 168 Washington Street, and Mr. Alphonse Kemp of No. 81 West Street both testified to the good character of the defendant.

JOSEPH ROCK, the defendant, sworn, testified:

I live at 81 West Street and have lived there for two years. I worked anywhere for five years, and for the past ten or twelve months have been tending bar for Mr. Curtin at 86 West Street. I had charge of the

cash in Mr. Curtin's place and at times had as much as a hundred or two hundred dollars of his money in my possession. I was working behind the bar and was very busy on this Saturday morning when Mr. Malloy came in. I did not pay much attention to him. He counted out $45 on the bar and asked me if I would keep it for him. I said yes. I took the money from him and I put it on the back of the bar and left it there to go on with my work. I went on with my work and then put the money into my back pocket. I did not think anything more of it. I closed the store at 12 o'clock on Saturday night. After I had closed up I met a couple of friends and we walked around and got into several saloons, and we got loaded anyhow, and that was the last I knew of the money. I do not know where the money went to. All I know is that it was gone and the watch and chain was taken from me at the same time. The truth is, I got drunk on that night after I closed up the saloon, and when I came to my senses the following morning I found that the $45, together with my watch and chain, were gone. I saw the complainant the following Tuesday. He came into my saloon and his friend handed me a summons. I had no intention then of stealing this money or appropriating it to my own use. I did not go to the saloon on Monday because I was not feeling well. On Tuesday the complainant asked me for the money and I told him I did not have it, that I had lost it together with my watch and chain. He said he would have to get his money, and I agreed then and there

to pay it to him at five dollars a week. There was an agreement written out by the terms of which I was to pay the money in instalments of five dollars a week. There was some dispute over it, and finally it was torn up. The proprietor of the saloon said that he would not be responsible and give me work and that caused the dispute about the agreement. I was quite willing to pay the complainant his money in that way. I did not follow the complainant out of the saloon and strike him, as he has said. I remember the fact of being arrested by the officer. I told the officer that I got drunk and lost the money. I have never before been charged with any crime. I have been in the City Prison since the 7th. of August.

Cross-examination:

On the afternoon of Tuesday, when I had this conversation with the complainant, he went out and I went out at the same time. I did not come out of the same door, nor did I follow him across Albany Street. On Saturday night after I closed up the store, in company with my friends, we wandered around the City, through the Bowery and other streets on the East side.

The jury returned a verdict of "guilty of grand larceny in the second degree, with a recommendation to the mercy of the Court".

Indictment filed Aug.14,1891.

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

JOSEPH ROCK.

Abstract of testimony on trial New York, September 9th 1891.

City & County of New York ss:

Thomas Curtin being duly sworn says he knows the person known as Joseph Rock who was convicted of Grand Larceny on the 9th day of Sept 1891 before Hon Recorder Smyth in Part III General Sessions

That said Joseph Rock has been in defendants employ for about nine months previous to his arrest

That during all that time he enjoyed the confidence and trust of defendant and always proved himself an honest capable and trustworthy young man

That he has at different times during said employment had large sums of money belonging to defendant and always faithfully accounted for the same

That said Joseph Rock would if allowed a chance be able to fully establish his claim as a good citizen of this community and as a former employer defendant asks that he be given that chance

Sworn to before me
this 10th day of Sept 1891

Thomas Curtin

0491

Solomon Strassner
Notary Public, No 305
New York, County

Police Court 1 District. **Affidavit—Larceny.**

City and County of New York, } ss:

James J Malloy

of No 1 Broadway Street, aged 39 years,
occupation Boatman being duly sworn,
deposes and says, that on the 26th day of July 189/1 at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
the day time the following property, viz:

Good and lawful money of the United States consisting of Bank notes and bills of the value of

Forty five Dollars

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Joseph Rock (nowhere) for the reasons following to wit That on said day said defendant was the bartender in the saloon 86 West Street, and on said day deponent in the presence of Chas E Lacey of 1 Broadway gave the said defendant the aforesaid money to keep for him for a few days, and two days thereafter when deponent went to the said premises and asked defendant for said money defendant replied to him he didn't have it Deponent therefore charges him with the Larceny aforesaid

J J Malloy

Sworn to before me, this 10th day
of August 189/1

Police Justice.

0492

0493

Police Court 1 District. **Affidavit—Larceny.**

City and County of New York, } ss:

James J Malloy

of No 1 Broadway Street, aged 39 years,

occupation Bartender being duly sworn,

deposes and says, that on the 25th day of July 189 1 at the City of New York,

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

the day time the following property, viz:

Good and lawful money of the United States consisting of Bank notes and bills of the denomination of

Forty five Dollars

the property of

Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and

carried away by Joseph Black (Coloured)

for the reasons following to wit

That on said day said defendant was the bartender in the saloon 86 West Street and on said day deponent in the presence of Thos E Facey of 1 Broadway gave the said defendant the aforesaid money to keep for him for a few days, and two days thereafter deponent went to the said premises and asked defendant for said money, defendant replied to him he did not have it. Deponent therefore charges him with the larceny of the said

J J Malloy

Sworn to before me, this 10 day of August 189 1

Geo. Ulrich

Police Justice.

0494

CITY AND COUNTY OF NEW YORK, } ss.

James E Lacey

aged 35 years, occupation Boatman of No. 1 Broadway Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of James J Walsh and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 10th *day of* August 1890, } E H D E Lacey

Jas J C Rudd

Police Justice.

(3592)

0495

Sec. 198—200.

_____ District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Joseph Roch 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. Joseph Roch

Question. How old are you?

Answer. 7 years

Question. Where were you born?

Answer. Ireland

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

Answer. 8 West 3rd St 1 3 years

Question. What is your business or profession?

Answer. Bootblack

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

Joseph Roch

Taken before me this 10 *day of* August *1887*

[illegible] *Police Justice.*

0496

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

[illegible]

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

Dated August 12 1891 [illegible] 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.

0497

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

1058

Police Court--- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

1. Joseph Ellis

2.

3.

4.

Offence

Dated Aug 10 1889

O'Reilly Magistrate.

Carey Officer.

2d Precinct.

Witnesses Charles DeLacy No. 1 Broadway

$1000 E Aug 12 10 Street

No. Street.

No. Street.

$ 1000 to answer G

E Committed

0498

(1)

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Joseph Rock

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

The said Joseph Rock, late of the City of New York, in the County of New York aforesaid, on the 25th day of July in the year of our Lord one thousand eight hundred and ninety-one at the City and County aforesaid, being then and there the ~~clerk and servant of~~ bailee of one James J. Malloy and as such bailee ~~and as such clerk and servant~~ then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said James J. Malloy the true owner thereof, to wit: the sum of forty-five dollars in money, lawful money of the United States of America. and of the value of forty-five dollars, the said Joseph Rock afterwards. to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said sum of money to his own use, with intent to deprive and defraud the said James J. Malloy of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said James J. Malloy did then and there and thereby feloniously steal, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

~~JOHN R. FELLOWS,~~
~~District Attorney.~~

Second COUNT:—

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

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

The said Joseph Rock

late of the City of New York, in the County of New York aforesaid, on the 25th day of July in the year of our Lord one thousand eight hundred and ~~eighty~~ ninety-one, at the City and County aforesaid, with force and arms,

the sum of forty-five dollars in money, lawful money of the United States of America and of the value of the forty-five dollars

of the goods, chattels and personal property of one James J. Malloy

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.

DeLancey Nicoll,
District Attorney

0500

BOX:
447
FOLDER:
4123
DESCRIPTION:
Roddy, John
DATE:
08/14/91

4123

158

Witnesses:

Joseph Roddy

Counsel,

Filed 14 day of Aug 1891

Pleads,

THE PEOPLE

vs.

John Roddy

Grand Larceny Second Degree.

[Sections 528, 531 — Penal Code.]

21 yrs old
1 of 1 Plumber

DE LANCEY NICOLL,

District Attorney.

A True Bill.

Wm J Wadsworth

Aug 14 91

Foreman.

Leander W. Jones

Examiner

1050

2050

POOR QUALITY
ORIGINAL

0503

(1865)

Police Court— 1 District.

Affidavit—Larceny.

City and County of New York, } ss.

Thomas Davis

of No. 258 West Street, aged 27 years,

occupation Hotel Keeper being duly sworn,

deposes and says, that on the 31 day of August 189 1 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of ~~deponent~~ an unknown man, in the night time, the following property, viz:

Good and lawful money of the United States of the amount and value of twenty dollars

$20 00

the property of an unknown man and in the care and custody of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Thomas Rogge (now here who was employed by deponent as Hotel Clerk) for the reason the following facts: Deponent was informed by the said unknown man, who had registered at Deponents Hotel as H. Thomas that he had given the defendant twenty dollars to mind for him, the defendant giving the unknown man a receipt for said money. The defendant left said Hotel with the said money on the same evening. Deponent was informed by Horace Davis (mentioned) that he Davis saw the defendant receive the money from the said unknown man.

August Quick

Sworn to before me, this 1st day of August 189 1

Police Justice.

0504

CITY AND COUNTY OF NEW YORK, } ss.

Isaac Lewis

aged 46 years, occupation Lawyer of No. 231 East Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Isaac Lewis, and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 8 *day of* August 1890,

his
Isaac x Lewis
mark

Police Justice.

(3699)

0505

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Germany Rogge 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. Germany Rogge

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. Germany

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

Answer. 258 - West 27. 1 month

Question. What is your business or profession?

Answer. Bar tender

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

Answer. I am not guilty

Fred Rogge

Taken before me this 5 *day of* January 1895

Police Justice.

0506

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 [illegible]

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

Dated Aug 7 18 [illegible] 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.

0507

1046

Police Court--- 1 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mayor James
128 West 10
Francis Rozzie.

2

3

4

Assault & Battery

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated Jly 8 189

J Riley Magistrate.

J Johnson Officer.

5 Precinct.

Witnesses Horace Lewis

No. 231 - 10th. Street.

No. Street.

No. Street.

$ 1500 to answer

Committed

0508

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Frederick Rogge

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

The said Frederick Rogge

late of the City of New York, in the County of New York aforesaid, on the fifth day of August in the year of our Lord one thousand eight hundred and ninety-one, at the City and County aforesaid, being then and there the ~~clerk and servant of~~ bailee of a certain man whose name is to the Grand Jury aforesaid unknown, and as such bailee

~~and as such clerk and servant~~ then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said man

the true owner thereof, to wit: the sum of seventy dollars in money, lawful money of the United States of America and of the value of seventy dollars,

the said Frederick Rogge afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said sum of money

to his own use, with intent to deprive and defraud the said man

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said man

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

~~JOHN R. FELLOWS,~~
~~District Attorney.~~

0509

CORRECTION

05 10

BOX:
447

FOLDER:
4123

DESCRIPTION:
Roddy, John

DATE:
08/14/91

4123

158

Witnesses:

Joseph Roddy

Counsel,

Filed 14 day of Aug 189 1

Pleads,

THE PEOPLE

vs.

John Roddy

Grand Larceny Second Degree.

[Sections 528, 531 — Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A True Bill.

Foreman.

Aug 14 91

Leave to S. 2 day

Admin Rep.

0512

Police Court 3rd District.

Affidavit—Larceny.

City and County of New York, } ss:

of No. 165 — 1st Avenue Street, aged 27 years, occupation Plumber being duly sworn, deposes and says, that on the 11 day of August 189 1 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One "Coat and one pair of Pants alltogether of the value of Thirty dollars ($30.00)

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by John Roddy (now here) for the reasons following to wit: on said date the said property was deponents bed room at no 165 - 1st Aven he missed said property and defendant admitted that he had stolen said property and had pawned ~~him the~~ it - Deponent further says that Defendant gave him the Pawn tickets for said property -

Joseph Roddy

Sworn to before me, this 12 day of August 1891

Police Justice.

0513

Sec. 198—200.

3rd District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name.

Answer. John Roddy

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York City

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

Answer. 165 First Avenue — about 3 months

Question. What is your business or profession?

Answer. Plumber

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 John Roddy

Taken before me this 17th *day of* December 1891

Police Justice.

0514

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 August 12th *18* 91 ..... *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.*

0515

158 1065

Police Court--- 2nd **District.**

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Rodd
165 1st Avenue
1 John Roddy
2
3
4

Offence: Larceny (Felony)

Dated August 12th 1891

Duffy Magistrate.

Uhl Officer.

14 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 500 to answer G S.

RECEIVED AUG 1891 DIST ATTORNEY'S

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

0516

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 Roddy

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

of the CRIME OF GRAND LARCENY in the Second degree committed as follows:

The said John Roddy

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

One coat of the value of twenty dollars and one pair of trousers of the value of ten dollars

of the goods, chattels and personal property of one Joseph Roddy

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.

0517

BOX:
447

FOLDER:
4123

DESCRIPTION:
Rogge, Frederick

DATE:
08/12/91

4123

Witnesses;

August Quick

The complainant having reported that he is unable to find the witness Lewis, I therefore recommend that deft be discharged on his own recognizance
Sept 28. 91
Barrow Arks
ADA.

Counsel, Jno Gallagher

Filed 12 day of Aug 1891

Pleads, Not guilty

THE PEOPLE

vs.

Frederick Rogge

Grand Larceny, and degree
MISAPPROPRIATION,
[Sections 528, 531, — of the Penal Code].

~~DELANCEY NICOLL,~~
~~JOHN R. FELLOWS,~~
District Attorney.

Sept 28/91
Discharged on his own recognizance

A True Bill.

William Woodruff
~~*Foreman.*~~

Sept 14/91 B.W.
Sept 28/91 B.W.

1046

0519

0520

Police Court— 1 District.

(1365)

Affidavit—Larceny.

City and County of New York, } ss.

Thomas Lewis

of No. 250 West Street, aged 27 years,

occupation Hotel Keeper being duly sworn,

deposes and says, that on the 31 day of August 189 1 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of ~~defendant~~ an unknown man, in the night time, the following property, viz:

Good and lawful money of the United States of the amount and value of twenty dollars

$20 00

the property of an unknown man and in the care and custody of defendant

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 Rogge (now here who was employed by defendant as Hotel Clerk) for the reason the following facts: Defendant was informed by the said unknown man who had registered in defendants Hotel as H. Thomas that he had given the defendant twenty dollars to mind for him, he defendant giving the unknown man a receipt for said money. The defendant left said Hotel with the said money on the same night and defendant was informed by Horace Lewis (member thereof) that he saw the defendant receive the money from the said unknown man.

August Quick

Sworn to before me, this day of August 189 1

Police Justice.

0521

CITY AND COUNTY OF NEW YORK, } ss.

aged 46 years, occupation Roman of No. 231 [illegible] Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of [illegible] and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 8 *day of* August 1890.

his
mark

Police Justice.

(3692)

0522

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Thomas Boggs

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. Germany

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

Answer. 258 - West 41. 1 month

Question. What is your business or profession?

Answer. Bar tender

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

Answer. I am not guilty

Fred Boggs

Taken before me this 5 day of August 1885

[illegible] Police Justice.

0523

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

defendant

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

Dated Aug 7 18 8 P. S. J. Ce Ass'd 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.

0524

1046

Police Court--- ..... **District**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Aymar Lewis
231 West 18th St
Seamus Rozzie.

2

3

4

Charge Grand Larceny

BAILED.

No. 1, by .....

Residence ..... *Street.*

No. 2, by .....

Residence ..... *Street.*

No. 3, by .....

Residence ..... *Street.*

No. 4, by .....

Residence ..... *Street*

Dated ..... July 8 189

O'Reilly ..... Magistrate.

Johnson ..... Officer.

5 ..... Precinct.

Witnesses Horace Lewis

No. 231 West 18th Street.

No. ..... Street.

No. ..... Street.

$ 1500 ..... to answer G S

Committed

0525

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Frederick Rogge

The Grand Jury of the City and County of New York, by this indictment, accuse Frederick Rogge of the CRIME OF ~~Grand~~ LARCENY, in the second degree, committed as follows:

The said Frederick Rogge

late of the City of New York, in the County of New York aforesaid, on the fifth day of August in the year of our Lord one thousand eight hundred and ninety-one, at the City and County aforesaid, being then and there the ~~clerk and servant of~~ bailee of a certain man whose name is to the Grand Jury aforesaid unknown, and as such bailee ~~and as such clerk and servant~~ then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said man

the true owner thereof, to wit: the sum of seventy dollars in money, lawful money of the United States of America and of the value of seventy dollars,

the said Frederick Rogge afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said sum of money

to his own use, with intent to deprive and defraud the said man

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said man

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

~~JOHN R. FELLOWS,~~
~~District Attorney.~~

0526

Second COUNT:—

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

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

The said Frederick Rogge

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

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

of the goods, chattels and personal property of ~~one~~ a certain man, whose name is to the Grand Jury aforesaid unknown,

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.

0527

BOX:
447

FOLDER:
4123

DESCRIPTION:
Russ, Nellie

DATE:
08/10/91

4123

0528

BOX:
447

FOLDER:
4123

DESCRIPTION:
Russ, John

DATE:
08/10/91

4123

Witnesses:

Chas. A. B. Harris

Geo. Reed

96 / L.B.a 1001 /

Counsel,

Filed 10 day of Aug 1891

Pleads, Nolle Pros

THE PEOPLE

vs.

Nellie Russ

John Russ

Assault in the First Degree, Etc.

(Sections 217 and 218, Penal Code).

JOHN R. FELLOWS

District Attorney.

A True Bill.

Foreman.

Last 3 - Sept. 16, 1891.

Both tried and convicted

assault in the Second Degree.

April - 2 yr 5. 6 mos Pen

No 2. 3 yr 8 mos S.P.

Ft 22

COURT OF GENERAL SESSIONS, PART III.

The People of the State of New York, against John Russ and Nellie Russ.	Before Hon. Frederick Smyth and a Jury.

New York, September 16, 1891.

Indictment filed August 10, 1891.

Indicted for assault in the first degree.

A P P E A R A N C E S:

For the People,

Asst. District-Atty. Henry E.E.Stapler;

For the Defendant,

J. Berlinger, Esq.,

THOMAS B. HARRIS, a witness for the People, sworn, testified:

I live at No. 128 West 30th. Street in this city. On the 29th. day of July last I was standing at the corner of 30th. Street and Seventh Avenue beside the house where the female defendant lives. She called me upstairs. I went up to her premises on the second floor in the front part of the house. When I went to the door I saw Mr. Russ and another young fellow and my wife sitting in the room. When I saw my wife I would not go into the room, because we were not on good terms. Mrs. Russ said: "Come in and have a glass of beer". I said: "I don't care for it". She urged me to come in and her husband pulled a chair and told me to sit down. I would

not sit down in the chair and Mrs. Russ grabbed me by the neck and said to her husband "Kill him". Mrs. Russ then struck me with a razor. It went through my shirt and I have the mark on my body still. I was lying on the floor and shouting "murder". The defendant John Russ held me while his wife, who sits beside him, struck me with the razor. I was down on the ground and helpless at the time she cut me. After she cut me her husband hit me on the face. She shouted several times to her husband for him to kill me. When I hollered "murder" an officer ran upstairs and they were arrested.

Cross-examination:

Q How many times has your wife had you arrested ? A I was only once arrested on account of my wife. She has left me.

Q Were you arrested for beating her ? A No, sir. She ran away from me and then went to court and had me arrested. I never was arrested for beating her since we were married.

Q Did you sleep in the apartments of Mrs. Russ on the night before this cutting ? A No, sir.

Q Did you see the razor when Mrs. Russ was cutting you with it ? A Yes, sir. I am positive I saw it.

Q You did not have to go to the hospital ? A No, sir.

Q Isn't it a fact that you commenced beating your wife in those rooms ? A No, sir.

Q Where is your wife now ? A I cannot tell you . We

have not lived together for a good while.

Q How long is it since you have seen her ? A I have not seen her for two weeks.

Q You did not do anything to Mrs. Russ or her husband ? A No, sir.

Q She called you upstairs and the minute you got there she assaulted you ? A Yes, sir.

Q Do you know what became of the razor ? A No, sir; I do not.

Q You did not see it after you were cut ? A No, sir.

GEORGE W. REED, a witness for the People, sworn, testified:

I am a police officer in this city. I arrested the defendants on the 29th. of July. I heard shouts of murder and I saw Harris come running up the street. He told me that Mrs. Russ and her husband had cut him. I went up into the house. He pointed out the parties to me and I told them they would have to come to the Station House. I did not find any razor or instrument of any kind in the premises. I saw Harris' coat cut when he was in the Station House. I also saw blood on him. His clothes were cut right clean through to the skin. I met Harris a quarter of a block from the house in which the defendants reside. When I arrested the man and woman they denied that they had cut the defendant.

Cross-examination:

Q How long before you saw the complainant Harris coming did

you hear the cry ? A Not very long. I heard the cry of murder and then I saw Harris come running down the street.

Q You heard the cry of murder ? A Yes, sir.

Q And directly after that you heard Harris coming along ? A Yes, sir.

Q He came out of the back way ? A Yes, sir.

Q Did he have his coat on ? A No, sir. His coat was thrown out of the window by the female defendant.

Q Was it necessary to send him to the hospital ? A No, sir.

Q Did you look for a razor in the house ? A I did not make any search, but I did not see anything around. I did not go to look for it.

ANN DAVIS, a witness for the People, sworn, testified:

I live at No. 160 West 30th. Street, corner of Seventh Avenue. I was in the house in which John and Nellie Russ lived on the 29th. of July. My rooms are directly before the rooms occupied by these defendants. I passed their door at the time the man was hollering murder and when the cutting was taking place. When I came in from the street I heard loud talking of the lowest kind of language. I heard a woman say: "I will cut your heart out. I will cut your throat", and all that sort of thing. When I came upstairs I thought it was a fight downstairs. I went down to try and get an officer and, as I passedthe door of the room occupied by the defendants, I saw John Russ knock Harris down and

I saw Nellie Russ with a razor in her hand, and she said: "I will cut your heart out". The man shouted "murder" and shortly afterwards an officer came up and arrested the defendants. I leaned out of the window and shouted "murder" at the time Harris was running down the street.

Cross-examination:

Q Are you a married woman ? A No, sir. I keep house there alone. They are my own apartments.

Q What time did this take place ? A Half past eleven o'clock in the evening, I think.

Q How many times did you see Mrs. Russ strike at the defendant ? A I could not tell how many times. I heard him shout murder and I heard him crying.

Q Harris says that the moment he got to the door that he was assaulted ? A Yes, sir. It was just outside of the door that I saw him being struck by the woman. I heard cursing and swearing and very low talk in these rooms on several occasions.

Q Did you see the razor ? A Yes, sir. I know it was either a sharp knife or a razor. I was quite frightened at the time. I have not spoken about this case to anybody.

D E F E N C E:

NELLIE RUSS, a defendant, sworn, testified:

I live on the corner of 30th. Street and 7th. Avenue. I remember the 29th. day of July. The complainant Harris came to my rooms on that day. He had been lodging in that house with me for several nights

and the night before he had stayed out all night. His wife came into our rooms and was inquiring for him. She commenced to tell me about her troubles and she asked if her husband had been home last night. I told her I did not know where he was. I looked out of the window and I saw him passing and I called him up. When he came into the house his wife was sitting on a chair. He got into a discussion with his wife while in our rooms and was about to strike her. I screamed "murder" and my husband caught him by the wrist and threw him right out the door. I told him that he must get out of the house. He then begun to call my husband vile names and he finally went out and got a policeman and had the two of us arrested. I did not have any razor on this occasion, nor did I stab the defendant with a razor or any other sharp instrument. I have known Harris altogether for about five weeks and never had any dispute with him before. I have never been arrested for any crime.

Cross-examination:

Q Did you throw this man's coat out of the window ? A Yes, sir. He left his coat in our rooms and I threw it out.

Q You did not take the coat off his back? A No, sir.

Q You were there when the police officer came ? A Yes, sir.

Q This complainant had been sleeping in your rooms ? A Yes sir; my husband had allowed him to sleep in our rooms.

JOHN RUSK, a defendant, sworn, testified:

I have never been arrested before for any crime.

I have been married to the female defendant five years. On the 29th. of July I lived at the corner of 7th. Avenue and 30th. Street. I did not use a razor or a knife on the person of the complainant on that day. I did not help my wife to assault the complainant in any way on that day. The complainant came into my rooms and began to quarrel with his wife and was about to strike her when I interfered and put him out of the house. He begun calling her and my wife and myself vile names, and that is the rason that I put him out of the rooms. I did not use a razor or any other instrument on him at all. He went out and called a policeman and had us arrested. This occurred at about seven o'clock in the evening and not at 11 o'clock, as Mrs. Davis has testified.

The jury returned a verdict of "guilty of assault in the second degree".

Indictment filed Aug.10, 1891

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

JOHN RUSS and NELLIE RUSS.

Abstract of testimony on trial, New York, September 16th 1891.

0538

Police Court— 2 District.

City and County of New York, } ss.:

Thomas B Harris

of No. 128 West 30 Street, aged 38 years,

occupation Cook being duly sworn

deposes and says, that on the 29 day of July 189 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Nellie Russ and John Russ, husband and wife, who took hold of deponent and threw deponent on the floor and while deponent was lying prostrate, the defendant Nellie Russ, cut and stabbed deponent several times on the body with a razor, which she then and there had in her hand and the defendant John Russ held deponent down and struck deponent several violent blows with his clenched fist. Deponent further says that such assault was committed

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

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

Sworn to before me, this 30 day of July 189 1

Thomas B Harris
mark

John S Kelly Police Justice.

0539

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Nellie Russ 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. Nellie Russ

Question. How old are you?

Answer. 39 years

Question. Where were you born?

Answer. Virginia

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

Answer. No 360 West 30th 3 months

Question. What is your business or profession?

Answer. Keep Home

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

her
Nellie X Russ
mark

Taken before me this 3 day of July 1897

Police Justice.

0540

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

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

Question. What is your name?

Answer. John Russ

Question. How old are you?

Answer. 24 years old

Question. Where were you born?

Answer. Virginia

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

Answer. No 230 West 30th St — 3 months

Question. What is your business or profession?

Answer. Cook

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

Answer. I am not guilty.

his
John X Russ
mark

Taken before me this 7th day of July 1884

John Ellis

Police Justice.

0541

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

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

Dated July 30 *18* 91 John E Kelly *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.*

0542

BAILED.

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

1001

Police Court--- 3 ..... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thos O Harris
12 8th St. N. 30 th St

1 Nellie Russ

2 John Russ

3 .....

4 .....

Offence Assault & Battery

Dated July 30 1891

Kelly ..... Magistrate.

Rice ..... Officer.

19 ..... Precinct.

Witnesses .....

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ 1600 each ..... Justice.

Comm

0543

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Nellie Russ

and

John Russ

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

The said Nellie Russ and John Russ, both late of the City of New York, in the County of New York aforesaid, on the 29th day of July —, in the year of our Lord one thousand eight hundred and ~~eighty-ninety-nine~~ with force and arms, at the City and County aforesaid, in and upon the body of one Thomas B. Harris in the peace of the said People then and there being feloniously did make an assault and ~~to, at and against~~ him the said Thomas B. Harris with a certain ~~pistol then and there loaded and charged with gunpowder and one leaden bullet,~~ razor which the said Nellie Russ and John Russ in their 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 Thomas B. Harris 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 Nellie Russ and John Russ of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Nellie Russ and John Russ, both late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Thomas B. Harris 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 Thomas B. Harris, with a certain razor ~~a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,~~ which the said Nellie Russ and John Russ in their right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, stab, cut and wound ~~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.

DELANCEY NICOLL.

~~JOHN R. FELLOWS,~~

District Attorney.

0544

BOX:
447

FOLDER:
4123

DESCRIPTION:
Ryan, William

DATE:
08/04/91

4123

0545

Witnesses:

Geo. Thos. Smith

Counsel,

Filed 4 day of Aug 1891

Pleads, Not guilty

987

THE PEOPLE

vs.

William Ryan

CRIME AGAINST NATURE

[Sec. 303, Penal Code.]

De Lancey Nicoll

~~JOHN R. FELLOWS,~~

District Attorney.

A TRUE BILL.

William Mudroff

Aug 10/91 *Foreman.*

Tried & Acquitted

0546

Police Court 1 **District**

City and County of New York, } ss.

of No. 300 Police Street, aged 32 years, occupation Police Officer being duly sworn, deposes and says, that on the 26 day of July 189 , at the City of New York, in the County of New York,

Jacob Bromer and William Ryan (both now here) did feloniously carnally know each other in a manner contrary to nature in violation of Section 303 of the Penal Code for the reason following to wit: on the said date at the hour of midnight the deponent saw the defendants in a urinal in Battery Park, and he saw the defendant Bromer with the penis of defendant Ryan in his Bromer's mouth the said Bromer was manipulating said penis and the said Ryan was voluntarily partaking to such carnal knowledge.

Sworn to before me this 27th day of July 1899

Thomas Smith

Police Justice

0547

Sec. 198—200.

CITY AND COUNTY OF NEW YORK } ss.

District Police Court.

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

Question. What is your name?

Answer. William Ryan

Question. How old are you?

Answer. 45 years

Question. Where were you born?

Answer. New York

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

Answer. 406 W. 39th St. 7 years.

Question. What is your business or profession?

Answer. Porter

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

Answer. I am not guilty

William Ryan

Taken before me this [illegible]

day of [illegible] 189[illegible]

[illegible]

Police Justice.

0548

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Jacob Brauer 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. Jacob Brauer

Question. How old are you?

Answer. 30 years.

Question. Where were you born?

Answer. Switzerland

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

Answer. No home

Question. What is your business or profession?

Answer. Gambler.

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

Jacob Lilienthal

Taken before me this 2 *day of* July 188[illegible]

[illegible] *Police Justice.*

0549

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

.....

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

Dated ..... *18* ..... *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.*

0550

987

Police Court--- 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Thomas Smith
vs.
Jacob Brown
William Ryan
3. Separate
4. indictments

Offence, Grand Larceny

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated July 27 1887

Helm Magistrate.

Smith Officer.

Pass 1 Precinct.

Witnesses .....

No. ..... Street.

No. ..... Street.

No. ..... Street.

8 Pass to answer G. J.

Committed

0551

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 Ryan

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse William Ryan of the CRIME AGAINST NATURE, committed as follows:

The said William Ryan, late of the City of New York, in the County of New York aforesaid, on the twenty-sixth day of July, in the year of our Lord one thousand eight hundred and ninety one, at the City and County aforesaid, with force and arms, in and upon one Jacob Brosmer, a male person, then and there being, feloniously did make an assault, and the said Jacob Brosmer, in a manner contrary to nature, then and there feloniously did carnally know; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

SECOND COUNT:—

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

of the same CRIME AGAINST NATURE, committed as follows:

The said William Rugan, —

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, feloniously did voluntarily submit to carnal knowledge of ~~him~~ self by one Jacob Bromer, a male person, in a manner contrary to nature; 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.

DeLancey Nicoll
~~JOHN B. FELLOWS,~~

District Attorney.