

0483

BOX:

20

FOLDER:

257

DESCRIPTION:

Smith, Edward

DATE:

09/10/80



257

0484

People's Choice!
June 11/85
ATC, Star

Filed *10* day of *Sept* 188*0*
Pleads *not Guilty*

THE PEOPLE

Edward Smith

Felonious Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Shaban Lash Foreman..

Apr 24th 1872. ^{count}
 Shows quality on record
SP 18 months
 term by order of Jas Bell

0485

Form

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

POLICE COURT—FIRST DISTRICT.

of No. 48 New Bowery Street, being duly sworn, deposes and says,
that on the 8 day of August 1880
at the City of New York, in the County of New York, he was violently and feloniously assaulted and
beaten by Edward Smith

who did willfully and feloniously
stab deponent on the right side of
the body with a pocket knife then
and there held in his hand causing
a serious wound

Deponent believes that said injury, as above set forth, was inflicted by said

with the felonious intent to take the life of deponent, or to do him 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~~ dealt with accord-

ing to law.

Arthur Geisner

Sworn to, before me, this
day of August 1880
Police Justice.

0486

Police Court—First District.

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

Edward Smith being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him states as follows, viz:

Question. What is your name?

Answer.

Edward Smith

Question. How old are you?

Answer.

21 Years

Question. Where were you born?

Answer.

U.S.

Question. Where do you live?

Answer.

101 Cherry St.

Question. What is your occupation?

Answer.

Lithographer

Question. Have you anything to say, and if so, what—relative to the charge

here preferred against you?

Answer.

*I am guilty not guilty
I stabbed him in self
defense. Edward Smith*

Taken before me, this

12 day of *March* 1880

Police Justice

0487

COUNSEL FOR COMPLAINANT.

Name, _____

Address, _____

COUNSEL FOR DEFENDANT.

Name, _____

Address, _____

Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Arthur Geomer
48 Ohio Street
Edward Smith

AFFIDAVIT—Felonious Assault & Battery

Dated,

12 August 1880

Smith Magistrate.

Clunker & Kelly Officer.

H Branch Clerk.

Witnesses, _____



\$ *1000* to answer

at General Sessions.

Received at Dist. Atty's Office,

BAILED:

No. 1, by _____

Residence, _____

No. 2, by _____

Residence, _____

No. 3, by _____

Residence, _____

No. 4, by _____

Residence, _____

No. 5, by _____

Residence, _____

No. 6, by _____

Residence, _____

0488

CITY AND COUNTY } ss.
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That *Edward Smith*
late of the City of New York, in the County of New York, aforesaid, on the
eight day of *August* in the year of our Lord
one thousand eight hundred and *eighty* with force and arms, at the City and
County aforesaid, in and upon the body of *Arthur Heisner*
in the peace of the said people then and there being, feloniously did make an assault
and *him* the said *Arthur Heisner*
with a certain *knife*
which the said *Edward Smith*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound
with intent *him* the said *Arthur Heisner*
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County
aforesaid, the said *Edward Smith* *Arthur Heisner*
with force and arms, in and upon the body of the said *Arthur Heisner*
then and there being, wilfully and feloniously did make an
assault and *him* the said *Arthur Heisner*
with a certain *knife* which the said *Edward Smith*
in *his* right hand, then and there
had and held, the same being then and there a sharp, dangerous weapon, wilfully
and feloniously, and without justifiable and excusable cause, did then and there beat,
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously
do bodily harm unto *him* the said *Arthur Heisner*
against the form of the Statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-
said, the said *Edward Smith* *Arthur Heisner*
with force and arms, in and upon the body of the said *Arthur Heisner*
in the peace of the said people then and there being, feloniously, did make another
assault and *him* the said *Arthur Heisner*
with a certain *knife*
which the said *Edward Smith* in *his* right
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,
and wound, the same being such means and force as was likely to produce the death
of *him* the said *Arthur Heisner* with intent *him* the

0489

said *Arthur Geismer* 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

Edward Smith with force and arms, in and upon the body of the said *Arthur Geismer* then and there being, wilfully and feloniously, did make another assault and the said *Arthur Geismer* with a certain *knife* which the said in *his* *Edward Smith's* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim the said 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.

BENJ. K. PHELPS, District Attorney.

*Rec'd
June 11/85
JAC. R.*

Charles West
June 24/85
Heard guilty on record
SS 18 months
Wm. L. G. 18 months

A TRUE BILL.
District Attorney.

Ben. K. Phelps
June 11/85
1880

Edward Smith
Felonious Assault and Battery.

THE PEOPLE
Filed 10 day of Sept 1880
Pleas entered

0490

BOX:

20

FOLDER:

257

DESCRIPTION:

Smith, George

DATE:

09/21/80



257

0492

162

Day of Trial

Counsel,

Filed 21 day of Sept 1880

Pleads

THE PEOPLE
vs.
George Smith
Burglary—Third Degree, and
Receiving [Stolen Goods.]

BENJ. K. PHELPS,

District Attorney.

A True Bill.

John L. Lull

Foreman

Part No Sept 21, 1880

pleads Guilty.

James R. Lull Sept 21,

0493

Police Office, Fourth District.

City and County
of New York,

ss.

George H. Steele
 of No. *248 West 43rd Street*, being duly sworn,
 deposes and says that the premises No. *149 Broadway*
 Street, *22* Ward, in the City and County aforesaid, the said being a *Store*
 and which was occupied by deponent, as a *West Store*

and entered by means of *forcibly breaking one light of glass*
in the front of window of the said Store
with intent to commit a crime therein

on the *night* of the *29th* day of *August* 1880
 and the following property feloniously taken, stolen and carried away, viz.:

Three black soft felt Hats - Three
Black stiff felt Hats - Two light soft
felt Hats and Two light straw Hats,
in all of the value of Twelve dollars

the property of *deponent's wife, Barbara A. Steele* and in
deponent's care and charge
 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 *George Smith, (now here)*

for the reasons following, to wit:

That deponent saw that the
glass in the window of the said Store was
well secured at the hour of half past twelve
o'clock on the afternoon of the 29th day of
August 1880, and that deponent was
informed by William Mulvaney on
the morning of the 30th day of August
1880, that the window in deponent's

there was broken and that he
 Mulvaney had forced the said
 George Smith sitting on the stoop
 of premises No. 42 West 43rd Street
 at about the hour of five o'clock in the morning of the 3rd day of
 August 1880, and having in his possession a number
 of hats, which hats have been taken to the
 22nd Police Precinct Station House at which
 place deponent examined and fully identified
 the property as belonging to deponent's wife.
 Wherefore deponent charges the said George
 Smith with the burglary and larceny
 of the property herein before described
 Shown to before me this } George H. Keale
 3rd day of August 1880 }
 Chas. H. Lawrence
 Police Justice.

City and County of New York ss:
 I William Mulvaney of No. 325
 West 42nd Street, in said city, being duly
 sworn deposes and says that he has
 read and the foregoing affidavit of
 George H. Keale, and as much thereof
 as relates to deponent is true of his own
 knowledge
 Shown to before me this } Wm. Mulvaney
 3rd day of August 1880 }
 Chas. H. Lawrence
 Police Justice.

0495

Police Court, Fourth District.

CITY AND COUNTY
OF NEW YORK, ss.

George Smith being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was
at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer.

George Smith.

Question. How old are you?

Answer.

Eighteen years of age.

Question. Where were you born?

Answer.

New York City.

Question. Where do you live?

Answer.

11th Holland Street, Buffalo, N.Y.

Question. What is your occupation?

Answer.

Baker.

Question. Have you anything to say, and if so what,—relative to the
charge here preferred against you?

Answer.

*I am guilty of taking six
bats; another boy took the glass out
and took five bats.*

George Smith

Taken before me this 20 day of August 1890

John J. Kelly
Police Justice.

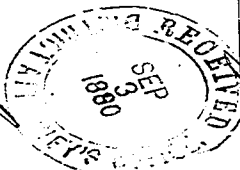
0496

Police Court--Fourth District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George W. Hale
#248 West 43rd St.

George Smith



Dated *August 31* 188*0*

G. A. Hammer Magistrate.

John Keeley Officer.

Clerk.

Witnesses
William Maloney
325 West 42nd St.
Thomas Keeley
27. Phil. Street }

e/m 13

Received in District Office
Edmund

BAILED :

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

0497

STATE OF NEW YORK.



Roe & Co. Albany, N.Y.

Executive Chamber.

Albany, April 14, 1886.

Sir: Application having been made to the Governor for the Pardon of George Smith who was sentenced on September 25, 1880, in your County, for the crime of Murder 2^d degree for the term of 30 years and to the State Prison Albany Reformatory you are respectfully requested (in pursuance of Chapter 310, Laws 1849) to furnish the Governor with a concise statement of the case as proven on the trial, together with any other facts or circumstances which may have a bearing on the question of granting or refusing a Pardon. Be pleased also to state the previous character of the convict.

Each letter of inquiry from this Department should be answered on a separate sheet.

Very respectfully, your obedient servant,

Alfred A. Maggall

Pardon Clerk.

To Daniel G. Rollins, Esq.

District Attorney, &c.

0498

CITY AND COUNTY } ss.
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

George Smith

late of the ~~twenty second~~ Ward of the City of New York, in the County of New York,
aforesaid, on the ~~twenty ninth~~ day of *August* in the year of our Lord one
thousand eight hundred and eighty ~~with force and arms, at the Ward,~~
City and County aforesaid, the *store* of

Bartholomew A. Neale

there situate, feloniously and
burglariously, did break into and enter, the same being a building in which divers
goods, merchandise, and valuable things were then and there kept for use, sale and
deposit, to wit: the goods, chattels, and personal property hereinafter described, with
intent the said goods, chattels, and personal property of the said

Bartholomew A. Neale

then and there being, then and there
feloniously and burglariously to steal, take and carry away, and

*Ten hats of the value of one dollar
and twenty cents each*

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

George A. Neale

so kept as aforesaid in the said *store* then and there being, 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.

George A. Neale

0499

And the Jurors aforesaid, upon their oath aforesaid, do further present
THAT the said

George Smith

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

*Ten hats of the value of one
dollar and twenty cents each*

of the goods, chattels and personal property of

Barbara H. Neale

by a certain person or persons to the Jurors aforesaid unknown, then lately before
feloniously stolen of the said

Barbara H. Neale

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have
(the said

George Smith

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

BENJ. K. PHELPS, District Attorney.

0500

BOX:

20

FOLDER:

257

DESCRIPTION:

Smith, John

DATE:

09/09/80



257

0501

Filed 9 day of Sept 1880

Plends

Assault and Battery—Felony.
Ft. Cairns.

THE PEOPLE

vs.

John Smith.

I.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Charles Lee

Foreman.

Part two Sept. 9, 1880.
Reads Gblt. picked out
to try.

SP 54 par.

0502

Police Court—Third District.

CITY AND COUNTY } ss.
OF NEW YORK, }

John Smith. being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to *him*, states as follows, viz.:

Question.—What is your name?

Answer.—

John Smith.

Question.—How old are you?

Answer.—

Fifty years.

Question.—Where were you born?

Answer.—

In England.

Question.—Where do you live?

Answer.—

Sailor. On the sea

Question.—What is your occupation?

Answer.—

Sailor.

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

*I done it in self defence.
he threatened to take my life.
John Smith*

Taken before me, this

21st day of March 1878

Police Justice.

0503

Bellone Hospital

July 26,

This is to state that
Henry Hardy is in a very
dangerous condition

Dr. Henry J. Wildman
Surgeon in charge

0504

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

James Cullen

of No. 13 Dry Dock

Street,

being duly sworn, deposes and says that on the 25th day of July 1880, at the City of New York, in the County of New York.

(nowher) did wilfully and feloniously assault and beat one Henry Hardy that deponent saw the said John Smith join and discharge a certain pistol then aimed charged with primer ball against the body of the said Henry Hardy the ball entering the mouth of the said Hardy and causing such wound that the said Hardy is now lying in consequence thereof in a very dangerous condition at the Bellevue Hospital. That the said injury was committed upon the person of the said Hardy on or about five o'clock and a half in the afternoon of the 25th day of July 1880 at the foot of East 11th St. the said John Smith being at the time of shooting on board the schooner "Erastus Wymann" wherefore deponent prays that the said John Smith may be held to await the result of inquires of the said Henry Hardy.

James H. Cullen

Sworn to this day of July 1880

before me

McCauley

day of July

1880

Police Justice.

0505

POLICE OFFICE, THIRD DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Cullen

John Smith

*7th Street
Affidavit -
Dated from
Hurry Hard*

Dated *July 26* 1880

Van Rensselaer
11
JUSTICE.
OFFICER.

WITNESSES:

*for Ex to arrest
the result of injuries*

0506

Form 15.

Police Court—Third District.

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

of No.

being duly sworn, deposes and says that

Street

on

the

in the year 1888 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

*John Smith - now present -
who aimed and discharged
at and against deponent
the contents of one chamber
of a revolver pistol - loaded
with powder and lead -
wounding deponent in the
mouth - knocking out two of his
teeth - and also wounding depo-
nent in the neck.*

Henry Hardy

with the felonious intent to take the life of deponent, or do him 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, &c., and be dealt with according to law.

Sworn before me, this
of

August 25th 1888

Hardy - Hardy

W. C. Vandell

Police Justice.

0507

Form 15.

Police Court—Third District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Sandy
House of Protection

vs.
John Smith

Dated *21 Aug* 188*0*

Magistrate.

Officer.

Witness:

James C. Sullivan
13 Day St. - St. Paul

1500 to Henry C. M.

0508

CITY AND COUNTY } ss.:
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
*in and for the body of the City and County of New York, upon
their Oath, present:*

That

John Smith

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

on the *twenty-fifth* day of *July* in the year of our Lord
one thousand eight hundred and eighty *with force and arms, at the City and*
County aforesaid, in and upon the body of *Henry Hardy*
in the peace of the said People then and there being, feloniously did make an assault
and to, at and against *him* the said *Henry Hardy*
a certain *pistol* then and there loaded and charged with gunpowder and one
lead bullet, which the said *John Smith*
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 *him* the said *Henry Hardy*
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 Jurors aforesaid, upon their Oath aforesaid, do further present: That
afterwards, to wit, on the day and in the year aforesaid, at the City and County
aforesaid, the said

John Smith
with force and arms, in and upon the body of the said *Henry Hardy*
in the peace of the said people then and there being, wilfully and feloniously did make
an assault and to, at and against *him* the said *Henry Hardy*
a certain *pistol* then and there loaded and charged with gunpowder and one
lead bullet, which the said *John Smith*

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 attempt to discharge,
with intent *him* the said *Henry Hardy*

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.

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

John Smith with force and arms, in and upon the body of the said Henry Hardy then and there being, wilfully and feloniously did make an assault and to, at and against him the said Henry Hardy a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which pistol the said in his right hand, then and there had and held, wilfully and feloniously, and without justifiable and excusable cause, did then and there shoot off and discharge, with intent, then and there, thereby him the said

Henry Hardy wilfully and feloniously then and there to injure, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

John Smith with force and arms, in and upon the body of the said Henry Hardy then and there being, wilfully and feloniously, did make an assault and to, at and against him the said Henry Hardy a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which pistol the said in his right hand, then and there had and held, wilfully and feloniously, and without justifiable and excusable cause, did then and there attempt to shoot off and discharge, with intent, then and there, thereby him the said

Henry Hardy wilfully and feloniously then and there to injure, 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.

BENJ. K. PHELPS, District Attorney.

0510

BOX:

20

FOLDER:

257

DESCRIPTION:

Smith, John

DATE:

09/20/80



257

0511

1880
Prel

Counsel,
Filed 2 day of Sept. 1880
Pleads, Not Guilty per 20

THE PEOPLE
vs.
P.
John Smith.
BURGLARY—Third Degree, and
Grand Larceny.

BENJ. K. PHELPS,
District Attorney.

A True Bill.
Abraham Seid
Foreman.

Sep. 21. 1880.

Verdict of Guilty should specify of which count.

Guilty of Guilt
if an attempt.
P.D. Dyre.

05 12

POLICE COURT—

DISTRICT.

City and County }
of New York, } ss:

Edwin M. Baldwin
of No. *203 East 84th* Street, being duly sworn,
deposes and says, that the premises No. *203 East 84th*
Street, *19th* Ward, in the City and County aforesaid, the said being a *Frame*

stone front building
and which was occupied by deponent as a *dwelling house*

was attempted to be **BURGLARIOUSLY**

entered by means *of forcibly breaking open a*
door of deponent's apartments on
the 2^d floor of said premises

on the *afternoon* of the *07th* day of *August* 18 *80*

and the following property *forcibly broken open, stolen, and carried away, viz:*

with the felonious intent to commit
a larceny therein, said apartments
then containing personal property
consisting of furniture and clothing
of the value in all of two hundred
dollars

the property of *deponent*

and deponent further says, that he has great cause to believe, and does believe, that
the aforesaid **BURGLARY** was committed *attempted to be* and the aforesaid property taken, stolen, and
carried away by *John Smith, now here.*

for the reasons following, to wit:

that at said time deponent's family was
absent in the country, and said apartments
were securely closed and fastened and
said property was then within said
apartments. That deponent is now
therein informed by Edward Wadhams
and Elizabeth Wadhams, then present,
who live on the third floor of said

premises, that they did at the time
aforesaid detect said defendant in
the act of attempting to break open
and enter defendants said premises
through the kitchen door.

Sworn to before me this Edw. M. Baldwin
18th day of August 1880

J. M. Patterson J. Police Justice

City and County of New York, N.Y.

Elizabeth Wadhams, of 203 East
84th Street, being duly sworn deposes
and says - that about the year of
3 o'clock on the afternoon of the 17th
day of August 1880, defendant saw
the prisoner, John Smith, now
here, on the 2^d floor of said
premises, and defendant saw him
come out of the water closet and
go to the kitchen door of the
Complainant in the foregoing affidavit
and try to break said door in
force in said door by pressing
his hands against the top and
sides of said door. That said John
Smith does not reside in said
premises and had no right or
business there.

Sworn to before me this Elizabeth Wadhams
18th day of August 1880

J. M. Patterson J. Police Justice

0514

Police Court—Fifth District.

CITY AND COUNTY }
OF NEW YORK, } ss

John Smith being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live?

Answer.

Question. What is your occupation?

Answer.

Question. Have you anything to say, and if so, what,—relative to the charge here preferred against you?

Answer.

Taken before me, this

day of *August*

1880

John Smith

J. M. Patton

Police Justice.

(Over)

0515

City and County of New York, C.D.

Edward Wadhams of 203 East
54th Street, being duly sworn says -
that on the afternoon of the 15th
inst. dependent detected the prisoner
John Smith, now living, in the
water closet of the second floor
of said premises. That dependent
caused his arrest in said water
closet, and then found the
couch of Meliton Keys, now here
shown, in the pipe of said water
closet.

That said John Smith does not
reside in said premises and had
no right or business therein.

Sworn to before me this
15th day of August 1881

Edward Wadhams

J. M. Patterson, Police Justice

05 16

POLICE COURT - DISTRICT

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward M. Madhama

203 West 84th St.
apt 2-49 Broadway

John Smith

RECEIVED

Dated August 18, 1880

Magistrate.

Alvan J. Jacoby, Clerk.

McK Clerk.

Witnesses: Charles Madhama

203 West 84th St.

Edward Madhama

203 West 84th St.

Committed in default of \$1000. Bail.

Bailed by Conrad

No. Street.

0517

The People
vs
John Smith

Court of General Sessions Before Judge Gilder
Sleeve September 21, 1880. Indictment for
burglary in the third degree and grand larceny.
Elizabeth Madhams, sworn and examined, tes-
tified. I live at 203 East 84th St. and have lived
there over a year; it is a flat house I occupy
the third floor. I know Edwin M. Baldwin, he oc-
cupies the floor underneath, the second floor
in the house. Mr. Baldwin's family were not in the
house on the 17th of August; they were out of town.
I am acquainted with them personally. I have been
in their apartments, they are furnished apartments.
I saw the prisoner at 203 East 84th St. I was pass-
ing through the hall to my floor about 3 or 3 1/2
o'clock. I was looking down through I could see in
the back part of the hall underneath me. I saw
the water closet open and shut several times. I
finally saw the prisoner coming out of the water
closet and going to the back kitchen door and
press or push against the door. He went in and out
several times, he was interrupted as there was
noise down stairs in the hall people going in
and out. After I watched him a while I called
my husband out. The water closet opened out
of the public hall he pressed or pushed against
the kitchen door. Did you ever see him before?
No sir. Does he live in that house? No sir. You
know everybody that lives in that house? Yes.
Was the front door of that house kept locked?

0518

Q. Yes sir. Was he able to get in the door that he pressed,
did he get in? A. No sir. He merely pressed against
the door. Q. Yes sir, he was trying the fastenings to
see how strong it was fastened. Do you know how
he got in the front door? A. I do not. It is a French
flat; there are four families residing in the house;
they all have free access to the door. I don't know
whether the hall door was open or shut. I was present
when the search was made in the water closet two
or three hours after the prisoner was arrested. It
is not a public water closet; it is occupied by the
family on the floor and it is kept locked. A
 bunch of five keys were found and I gave them
to the officer. They fitted all the doors in the house
down stairs and up stairs. He did not try Mr.
Baldwin's doors; they were all locked and the
folks were away from home. He did not go into
Mr. Baldwin's room. I simply saw him at the
door shoving. Did you see him at any lock
of the door? A. No sir. You did not see him under-
take to use a key or instrument at any lock?
A. No sir. How do you know he pushed? A. I could see
by the motion of his hands; he put his hand up
to see how strong the fastenings of the door were;
there were night latches on the door. There I saw
him was right next the water closet. I had never
seen him about the premises before. I did not
know him. My husband found the keys hours

0519

after the prisoner was arrested I was standing by the door holding a light. We were sent up to the Municipal Court and when we came back it was about two hours I should judge, two or three hours after the arrest. I called my husband, he came down and locked the water closet door, then he was arrested. I did not see him searched. Edward Madhams, sworn. I am the husband of the last witness. I was at home on the 17th of August reading in my front room. My wife called me and I went out in the hall. I saw a man's head on the door knob of the water closet wide enough for him to put his head out as if he was watching or listening for something. I saw him open and shut the door. I could not see his head. I was too high or his head was too high for the landing. I then went in and got my revolver and club and came down. As I was going down stairs he closed the door and I turned the key on him. I told him if he made any attempt to come out of there that I would blow his head off. I went on the sidewalk and gave the alarm rap but did not get any response. I called two blacksmiths on the opposite side of the street to assist me, they came over. I then went up and unlocked the door and brought him down stairs and I sent a boy to the Inspector's office for an officer. The Dean came down and handed the prisoner to him. I told him I believed he was a burglar and he was

0520

making an attempt. I said that to Dean in the presence of Smith, he (the prisoner) said, "I am no burglar, I was short taken and I went up to use the water closet; there was a water closet on the first floor and on all the floors alike; he went up one flight of stairs; there is a similar closet on the first floor off the sidewalk. The houses are four stories high, brown stone, there is a cellar under the house, not occupied, only for wood and coal; there are three houses together. The Dean took the prisoner off, I put on my clothes and went to the Inspector's office. I returned and searched the water closet. I could not say if the water closet was kept locked. I never tried it. I believe it was kept locked. I found two keys in the pan of the water closet. I then had a poker sharpened at the blacksmith's shop and bent. I asked a plumber on the corner how I could get into the pan of a patent water closet; he came with me, put his hand down and brought up three keys - that made five which we found. I took them to the Inspector's office. The prisoner said he was using the water closet. I struck a match and looked into the pan and saw a little decayed paper &c. fermenting too, it had not been used.

The jury rendered a verdict of guilty of an attempt at burglary in the third degree. The Court sentenced the prisoner to the State prison for two years.

0521

Testimony in the case of

John Smith

filed Sept. 20.

0522

CITY AND COUNTY
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

John Smith

late of the ~~nineteenth~~ ^{seventeenth} Ward of the City of New York, in the County of New York, aforesaid, on the ~~seventeenth~~ ^{August} day of ~~August~~ in the year of our Lord one thousand eight hundred and ~~seventy-eight~~ ^{eighty} with force and arms, about the hour of ~~three~~ o'clock in the ~~day~~ time of the same day, at the Ward, City and County aforesaid, the dwelling house of

Edwin M. Baldwin

there situate, feloniously and burglariously did break into and enter by means of forcibly

he the said

John Smith

then and there intending to commit some crime therein, to wit: the goods, chattels, and personal property of

Edwin M. Baldwin

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.

~~And the jurors aforesaid, upon their oath aforesaid, do further present. That afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, the said~~

~~late of the Ward, City, and County aforesaid,~~

~~of the goods, chattels, and personal property of the said~~

~~in the said dwelling house then and there being, 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.~~

BENJ. K. PHELPS, District Attorney.

0523

BOX:

20

FOLDER:

257

DESCRIPTION:

Smith, John

DATE:

09/21/80



257

0524

Counsel,

Filed 24 day of Sept 1880.

Pleads

THE PEOPLE

vs.

John Smith

INDICTMENT.
Larceny from the person.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Charles Lent

Sept. 22/1880 Foreman.

James G. Gentry

S. P. One year & no

0525

Form 112.
STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss:

Police Court—First District.

of No. 512 East 14th St Street, being duly sworn, deposes
and says, that on the 12 day of Sept 1888

at the City of New York, in the County of New York, was feloniously taken, stolen, and carried
away from the possession of deponent, And from deponent's

the following property, viz:

One Silver Watch

of the value of Twenty 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 Thos Smith

now present for the reason that
deponent was riding in a Railroad
Car that was passing along Chatham
Square when the prisoner jumped
on and taking hold of deponent by
the collar of his coat he suddenly
snatched said watch from a
pocket of deponent's coat which
he and ran away

Antonio Pettila

Sworn to before me this 13 day of Sept 1888

Police Justice.

0526

Police Court—First District.

CITY AND COUNTY } ss.
OF NEW YORK.

John Smith being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live?

Answer.

Question. What is your occupation?

Answer.

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.

John Smith

Taken before me, this 13

day of

18

Police Justice.

0527

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

Police Court—First District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Antonio Catello

\$12 & 14

14

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BAILED

No. 1, by

Resident

No. 2, by

Resident

No. 3, by

Resident

No. 4, by

Resident

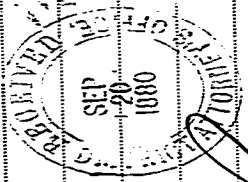
No. 5, by

Resident

No. 6, by

Resident

Affidavit—Larceny.



Dated

Sept 13

1880

Magistrate.

Leahy

Officer.

Clerk.

William Clarke

William Clarke

William Clarke

William Clarke

William Clarke

William Clarke

William Clarke

William Clarke

William Clarke

William Clarke

William Clarke

William Clarke

William Clarke

William Clarke

William Clarke

William Clarke

William Clarke

William Clarke

William Clarke

\$ 1500

to answer

at

Year

Sessions

Received at Dist. Atty's office

0528

CITY AND COUNTY } ss.
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

John Smith

late of the First Ward of the City of New York, in the County of New York, aforesaid,

on the *twelfth* day of *September*, in the year of our Lord one
thousand eight hundred and eighty — at the Ward, 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 *Antonio Pittella*
on the person of the said *Antonio Pittella* then and there being found,
from the person of the said *Antonio Pittella* 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.

BENJ. K. PHELPS, District Attorney.

0529

BOX:

20

FOLDER:

257

DESCRIPTION:

Smith, Kate

DATE:

09/24/80



257

0530

IN SENATE
JANUARY 1877
REPORT OF THE COMMISSIONERS OF THE LAND OFFICE
OF THE STATE OF NEW YORK
IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE
JANUARY 1876

THE COMMISSIONERS OF THE LAND OFFICE
OF THE STATE OF NEW YORK
IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE
JANUARY 1876

210
Counsel
Filed 24 day of Sept 1877
Plends Robt. G. Gully

THE PEOPLE
vs.
Kate Smith
Indictment
Larceny

BENJ. K. PHELPS,
District Attorney

A TRUE BILL.
Sept 27 1877
J. J. [Signature]
J. J. [Signature]
J. J. [Signature]

2 m e

The People v. Kate Smith } Court of General Sessions. Before
Judge Gildersleeve. September 27. 1880.

Indictment for grand larceny.

Ernestine Merquet, sworn and examined. I live at 111 Bleeker St. and lived there on the 11th of Sept. I only knew the prisoner one week. I engaged her for general housework; she was in my employ on the morning of the 11th of Sept. I engaged this woman by the week as a servant, and the first week she asked me three dollars and a half. The second week she came at half past six; at 8 1/2 I went in the kitchen and told her to bring the breakfast. She asked me to keep 75 cents for her; she wanted to buy a pair of shoes; I took the money, put it in my bureau and locked it and put the key in my pocket; before I went out I had a bad suspicion, I opened the drawer and saw the 75 cents with my gold watch and two gold rings. When she was arrested I went to the station house and asked her, "Kate, what did you do with my things?" She was drunk; she made an answer, "I did not take your jewelry, I took only my 75 cents." I put the 75 cents in my jewelry box and my watch and rings. There was some other money there; it went away too. The box was in the drawer of the bureau and the drawer was locked. When I went back I

0532

found the drawer locked. I do not know how the prisoner opened it. The watch I brought from France, it cost me thirty five dollars, the two gold rings were worth ten dollars. Cross Examined. I knew she had a husband. I was not up when she came to my house at 6 1/2 o'clock. At 8 1/2 o'clock I told her to bring the breakfast in the front room. Who was in the front room when your breakfast came in? My husband and two children. What room was it contained the bureau in which the jewelry was? The middle room; the kitchen is in the back. There is a hall way and there are stairs leading to the third and fourth floors of the house. There is no door leading from the hallway to the yard. How do you get out in the yard? Through the kitchen door. I was in the front room when she stole the things. I did not see her steal the watch; it was taken from my bureau in the middle room. I was in the front room. I told her to sweep everything; it was Saturday morning. It took me about 20 minutes to eat my breakfast. After you ate your breakfast did she come in for the dishes? No sir, she was gone; I did not see her again. This woman gave me seventy five cents to keep for her. I saved it for her in my bureau. I spoke to her in the station house about the seventy five cents; she admitted she took it. There were people in the station house at the time, but nobody could

understand; she spoke German; they were all Americans; she was under the influence of liquor. I speak German but I am French.

Edward Gilgan, sworn and examined, testified. I am an officer of the municipal police attached to the Fifteenth precinct. Did you arrest the prisoner on the 11th of Sept? I did, sir at two o'clock in the afternoon in No 117 Elizabeth St. between Broome and Grand Sts. It is a boarding house and a lager beer saloon down stairs; she was in the beer saloon. What condition was she in when you arrested her in regard to sobriety? She looked as though she had been drinking lager beer; I would say about half drunk. I told her what I arrested her for; she denied it; she said she did not steal anything. You searched her and found nothing on her? Yes sir; this was 2 o'clock in the afternoon. Kate Smith, sworn and examined in her own behalf testified. I went to work for the complainant on the 11th of Sept. I was there 1/4 past six o'clock Saturday morning. I had to clean the stove and build the fire and clean two back houses. Friday night she bought curtains and told me I had to sew curtains. I could not sew all of it Friday night and told her I would sew the other in the morning. I drank a bowl of coffee for breakfast; she told me to hurry up. I had lots of work to do. I am seven years in

0534

the country and I never had such a boss as that. I drank the coffee and I threw it up. I went to 277 Broome St. where I live. I asked the woman there if my husband was home and she said she saw him go out. Did you go to Elizabeth St.? Yes sir. I took five dollars in my pocket. I gave the complainant 75 cents to keep early Saturday morning. I wanted to buy a pair of shoes. When you got to Mrs. Schwenck's house in Elizabeth St. did you tell her anything in relation to this money? Yes I did. I say, I forgot. I gave 75 cents to the woman. I was so mad. I will have to go back. I did not see anything of the ladies' watch or rings. I did not take them. I never admitted to the complainant at the station house that I took the 75 cents out of the bureau. I told the policeman who was in citizen's clothes that I had 75 cents at the house of the complainant. I was once arrested before charged with stealing a pair of pantaloons and was discharged at Jefferson Market. I could not go back to get the 75 cents, for the detective took me. Rosina Schwenck sworn. I know the prisoner four years; she came to my house Saturday morning about 9 o'clock; she said she was badly treated in her situation and wanted me to give her a room; she said she had 75 cents coming to her and wanted to go out. I never heard anything against her honesty. The jury rendered a verdict of guilty.

0535

Testimony in the case of
Kate Smith
filed Sept. 24.

0536

STATE OF NEW YORK, } FORM 89½
CITY AND COUNTY OF NEW YORK, } SS. POLICE COURT—SECOND DISTRICT.

of No. Ernestine Marquet
111 Bleeker Street, being duly sworn, deposes
and says, that on the 11 day of September 1888
at the City of New York, in the County of New York, was feloniously taken, stolen and carried
away, from the possession of deponent,

the following property, to wit: One double case gold
watch of the value of thirty five
dollars. Two gold rings of the value
of two dollars. and one United
States legal tender note of the de-
nomination and value of five
dollars. in all.

of the value of 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 Kate Smith

now present. from the fact that
said watch, rings and money
were locked in a bureau drawer
in the room. where said Smith
was alone cleaning.

That she left during deponent's
absence from the room. without
deponent's knowledge, and de-
ponent immediately missed
said articles.

Ernestine Marquet

Sworn to before me this

September 1888

day

Police Justice

0537

Police Court—Second District.

CITY AND COUNTY)
OF NEW YORK.) ss

Kate Smith being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to *her*, states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

Kate Smith.

QUESTION.—How old are you?

ANSWER.—

Thirty one years.

QUESTION.—Where were you born?

ANSWER.—

In Germany

QUESTION.—Where do you live?

ANSWER.—

277 Brooklyn Avenue Dr.

QUESTION.—What is your occupation?

ANSWER.—

Washerwoman.

QUESTION.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

ANSWER.—

I am not guilty.

Benjamin A. Smith

Taken before me, this

13th day of Sept.

1880

Police Justice.

0538

Police Court—Second District.

CITY AND COUNTY)
OF NEW YORK. } ss

Kate Smith being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to ~~he~~ states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

Kate Smith.

QUESTION.—How old are you?

ANSWER.—

Thirty one years.

QUESTION.—Where were you born?

ANSWER.—

In Germany

QUESTION.—Where do you live?

ANSWER.—

277 Brooklyn Avenue

QUESTION.—What is your occupation?

ANSWER.—

Washerwoman.

QUESTION.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

ANSWER.—

I am not guilty.

Forfeiture of fine?

Taken before me, this

19

day of

Sept

1880

Police Justice.

0539

Form 894.
POLICE COURT—SECOND DISTRICT.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

Ernestus Marquardt
III Blescher St.

Make further

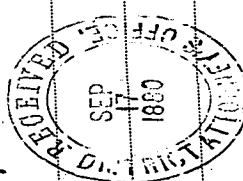
DATED *13 Sept* 18*98*

MAGISTRATE.

W. H. Gilman 15th

OFFICER.

WITNESS:



J. M. Brown
TO ANS.

BAILED BY

No. STREET.

0540

CITY AND COUNTY } ss.
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Kate Smith

late of the First Ward of the City of New York, in the County of New York, afore-
said, on the *eleventh* day of *September* in the year of our Lord one
thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City and County
aforesaid, with force and arms

*One watch of the value of thirty five
dollar*

*Two rings of the value of five dollars
each*

One Promissory Note for the payment of money, the same being then and there
due and unsatisfied, and of the kind known as *a* United States Treasury Note of the
denomination of *five* dollars and of the value of *five* dollars.

One Promissory Note for the payment of money, the same being then and there
due and unsatisfied, and of the kind known as *a* Bank Note of the denomination of
five dollars and of the value of *five* dollars.

of the goods, chattels and personal property of one

Ernestine Marguet

then and
there being found, 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.

BENJ. K. PHELPS, District Attorney.

0541

BOX:

20

FOLDER:

257

DESCRIPTION:

Solomon, William

DATE:

09/15/80



257

0542

110
Counsel,
Filed *15 Sept.* 1880
Pleads

THE PEOPLE

vs.

Larceny, and Receiving Stolen Goods.

Wm. Solomon
P.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Chas. L. Lunt

Foreman.

Part No Sept 15, 1880.

pleads G.L.

1 P. one year.

0543

Form 112.

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

Police Court—First District.

of No. 54 Howard Oscar Whitehead
and says, that on the 31st day of August 1880
at the City of New York, in the County of New York, was feloniously taken, stolen, and carried
away from the possession of deponent,

the following property, viz: Fifteen pairs of pantaloons

of the value of about fifty Dollars,
the property of Sazarus Whitehead, Sueman Levinson
and Herman Levinson copartners and in
Care and charge of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property
was feloniously taken, stolen, and carried away by William Solomon

(now here) for the reason that deponent
saw said Solomon take steal and carry
away the aforesaid property

Sworn to before me, this

August

1880

Police Justice.

Oscar Whitehead

0544

Police Court—First District.

CITY AND COUNTY } ss.
OF NEW YORK, }

William Solomon being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer. William Solomon

Question. How old are you?

Answer, 10 Years

Question. Where were you born?

Answer. Ch. S.

Question. Where do you live?

Answer 5th St. - 1st Ave.

Question. What is your occupation?

Answer. Soldier

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer. I am not guilty

William Solomon

Taken before me, this

31

day of

August 1890

Police Justice.

0545

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

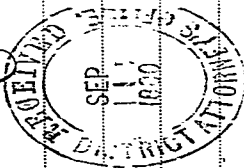
Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Al Cal. Whithead
84 Howard St.

William Solomon



57 August 1890
Dated,

Smith Magistrate.

Chapman Officer.
5 Aug 90

Witnesses:

\$1000 to answer
at *General Sessions*
Received at Dist. Atty's office

BAILED

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

0546

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
*in and for the body of the City and County of New York, upon
their Oath, present:*

That

William Solomon

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

*Fifteen pair of pantaloons of the value of
three dollars each pair.*

*Fifteen pair of pantaloons of the value of
three dollars and twenty - five cents each
pair*

of the goods, chattels, and personal property of one *Lazarus Whitehead,*
Susman Lewinson and Herman Lewinson then and
there being found, 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.

0547

And the Jurors aforesaid, upon their oath aforesaid, do further present
That the said

William Solomon

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

*Fifteen pairs of pantaloons of the value
of three dollars each pair.*
*Fifteen pair of pantaloons of the value
of three dollars and twenty-five cents
each pair.*

of the goods, chattels, and personal property of the said *Lazarus Whitehead*
Susman Lewinson and Herman Lewinson
by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously
stolen of the said *Lazarus Whitehead, Susman Lewinson*
and Herman Lewinson

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

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

BENJ. K. PHELPS, District Attorney.

0548

BOX:

20

FOLDER:

257

DESCRIPTION:

Steinberg, Henry

DATE:

09/16/80



257

0549

DEPARTMENT OF
Public Charities and Correction.

CITY PRISON,

New York, Sept 24th 1880

Judge Murray.
Dear Sir:

I find the
woman has gonorrhoea.
The child has gonorrhoea
also.

Yours Respectfully
H. W. Jackson M.D.

0550

Police Court—First District.

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

Mary Wagner
of No. 24 Elizabeth Street,
being duly sworn, deposes and says, that on the 29
day of August 1880, at the City and County of
New York,

The Harry Stienberg living
in the premises No 137 W 25
Street did feloniously make
an assault upon Katie Wagner
now here a female child under
the age of ten years and her
the said Katie then and there
did wickedly unlawfully and
carnally know — that said
Katie is the daughter of deponent
and is of the age of four years
that the private parts and sexual
organs of the body of said Katie
have been recently lacerated and
made sore and the same are
affected with a certain infectious
disease arising from the practice
of debauchery that deponent
is informed by said Katie that
said lacerations of her body and
said soreness and disease thereof
were caused by such violence
and ravishment of her body by
only said Stienberg and
deponent believes the same
to be true and therefore
prays that the said
Stienberg may be arrested
and dealt with according
to law

Mary Wagner
deponent

Witness to before me
this 03 day of September 1880

at New York
Harry Stienberg
(Defendant)

met,

0552

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Henry Steinberg

late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the *twentyninth* day of *August* in the year of our Lord one
thousand eight hundred and ~~and~~ *eighty* at the Ward, City, and County aforesaid,
with force and arms, in and upon one *Katie Hafner*
wilfully and feloniously made an assault, and that the said

Katie Hafner her the said
Katie Hafner then and there by force and with
violence to her, the said *Katie Hafner* and against her
will, did wilfully and feloniously ravish and carnally know *Katie Hafner*
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.

And the jurors aforesaid, upon their oath aforesaid, do further present: That the said

Henry Steinberg

late of the Ward, City, and County aforesaid, afterwards, to wit, on the
day and in the year aforesaid, and at the place aforesaid, with force and arms, in and
upon her, the said *Katie Hafner* wilfully and feloniously
made an assault, with intent her the said *Katie Hafner*
against her will, and by force and violence, to then and there wilfully and feloniously
ravish and carnally know, against the form of the Statute in such case made and pro-
vided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

0553

BOX:

20

FOLDER:

257

DESCRIPTION:

Stevens, William

DATE:

09/14/80



257

0554

BOX:

20

FOLDER:

257

DESCRIPTION:

Moore, John H.

DATE:

09/14/80



257

NO. 1.

Bailed by

Joseph O'Donnell

154 W. 20th St.

103

for

1 C. Shaker
2 J. O. Moore

Counsel,

Filed 4 day of Sept. 1880.

Am Pleadg vs. Gentry

THE PEOPLE

vs.

William Stevens

John A. Moore

BENJ. K. PHELPS,

District Attorney.

1001. Bail returned to
\$300. by consent

A True Bill.

Chas. A. Smith

Part 2nd Sept 21, 1880. Foreman.

No 2. Shaker, O'Donnell &
Moore. Bail returned to
\$300. by consent

0555

0556

Form 123.

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

Police Court—Second District.

James Mooneyof No. 125 West 24 Street, being duly sworn, deposes and says,that on the first day of September 1888

at 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, and against the will of deponent, the following property, viz.:

One bill of the value of
one dollar and Silver coin
in allof the value of One 65/100 Dollarsthe property of Deponent— Dollars.

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, and against

his will, by William Stevens and John Moore
(nowhere) that said Stevens did
strike deponent which caused
deponent to fall on the ground
whereupon said Stevens and said
Moore did assault and beat deponent
and said Moore did take said
and carry away said money
from the pocket of the pants
then on deponent's person—James MooneySworn to before me this
day of Sept 1888

Police Justice.

0557

Police Court—Fifth District.

CITY AND COUNTY } ss.
OF NEW YORK.

William Stevens being duly examined before the undersigned, according to law, on the annexed charge: and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer. *William Stevens*

Question. How old are you?

Answer. *24*

Question. Where were you born?

Answer. *New York*

Question. Where do you live?

Answer. *100 West 10th St. New York*

Question. What is your occupation?

Answer. *None*

Question. Have you anything to say, and if so, what,—relative to the charge here preferred against you?

Answer. *Nothing*

Taken before me, this *24* day of *Sept* 18*78* *W Stevens*

Police Justice.

0558

Police Court—Fifth District.

CITY AND COUNTY
OF NEW YORK. ss.

John H. Moore being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question. What is your name?

Answer. *John H. Moore*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *St. Louis, Mo.*

Question. Where do you live?

Answer. *121 West 12th St., New York City.*

Question. What is your occupation?

Answer. *None.*

Question. Have you anything to say, and if so, what,—relative to the charge here preferred against you?

Answer. *Nothing to say.*

Taken before me, this *24*
day of *April* 187*8*

John H. Moore

Police Justice.

0559

Form 123

POLICE COURT—SECOND DISTRICT

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Affidavit—Robbery.

James Mooney
125 W 24th St
vs.

William Stevens

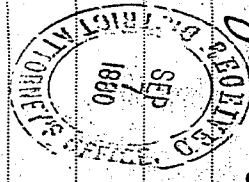
John Moore

Dated 2 Sept 1880

Smith Magistrate.

Sammuel George 29 officer.

Witness,



\$1500 to ans. G.S. Each Bond

Bailed by

No. Street.

0560

CITY AND COUNTY } ss.
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That *William Stevens* and *John H. Moore*
Each -

late of the First Ward of the City of New York, in the County of New York aforesaid,
on the *first* day of *September* in the year of our Lord
one thousand eight hundred and ~~twenty~~ *Eighty* at the Ward, City and County
aforesaid, with force and arms, in and upon one *James Mooney*
in the peace of the said People then and there being, feloniously did make an assault and

divers sums of a number and denomination
to the jurors aforesaid unknown, and a more
accurate description of which can not
now be given of the value of sixty five
centimes

One Promissory Note for the payment of money, the same being then and there
due and unsatisfied, and of the kind known as *a* United States Treasury Note of the
denomination of *One* dollar and of the value of *One* dollar.

One Promissory Note for the payment of money, the same being then and there
due and unsatisfied, and of the kind known as *a* Bank Note of the denomination of
One dollar and of the value of *One* dollar.

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

James Mooney
from the person of said *James Mooney* and against
the will and by violence to the person of the said *James Mooney*
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.

Benjamin K. Phelps.
District Attorney

0561

BOX:

20

FOLDER:

257

DESCRIPTION:

Sullivan, John

DATE:

09/09/80



257

0562

176

Counsel

Filed

9 day of Sept 1880

Pleas

THE PEOPLE

vs.

John Sullivan

INDICTMENT.
Larceny of Money, &c., from the person
in the night time.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Benjamin Lark
Sept. 9. 1880. Foreman.
Wm. J. Lark
Grand Juror.
State Reformatory, Elm.

0563

Form 112.

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

Police Court—First District.

of No. 71 Matt Mary Sullivan
and says, that on the 18 day of August 1888
at the City of New York, in the County of New York, was feloniously taken, stolen, and carried
away from the possession of deponent, and from deponent's person

the following property, viz: One apron, and good and lawful
Consisting of one bill of the denomination and
value of five dollars. One bill of the denomination
and value of two dollars. and silver coins of the
value of two dollars in all

of the value of Nine 19/100 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 Sullivan
(now here) for the reason that deponent
saw said Sullivan take steal and
carry away the aforesaid ~~property~~
property from deponent's person

Mary + Sullivan
her mark

Sworn to, before me, this

August 18 day

Police Justice.

0564

Police Court—First District.

CITY AND COUNTY }
OF NEW YORK. } ss.

John Sullivan being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

John Sullivan

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

U.S.

Question. Where do you live?

Answer.

5 Mulberry St

Question. What is your occupation?

Answer.

Junk

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.

I am not guilty.

John Sullivan

Subscribed before me, this

day of

18

Police Justice.

0565

COUNSEL FOR COMPLAINANT.

Name, _____

Address, _____

COUNSEL FOR DEFENDANT.

Name, _____

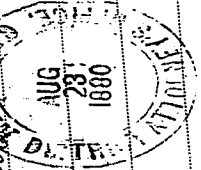
Address, _____

Police Court—First District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Mary Sullivan
County of DeWitt
vs.
John J. Sullivan
Comd

John J. Sullivan
Comd



BAILED

No. 1, by _____

Residence, _____

No. 2, by _____

Residence, _____

No. 3, by _____

Residence, _____

No. 4, by _____

Residence, _____

No. 5, by _____

Residence, _____

No. 6, by _____

Residence, _____

Dated, *19 Aug* 1880

Smith Magistrate.

Thompson Officer.

14 per Clerk

Witnesses: _____

\$ *1000* to answer
at *Quincy* Sessions
Comd

Received at Dist. Atty's office

0566

CITY AND COUNTY } ss.
OF NEW YORK, }THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York, upon
their Oath, present:That *John Sullivan*

late of the First Ward of the City of New York, in the County of New York, aforesaid,

on the *Eighteenth* day of *August* in the year of our Lord one thousand eight hundred and eighty at the Ward, City and County aforesaid, with force and arms, in the night time of said day, three 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 the denomination of one thousand dollars, and of the value of one thousand dollars each: three 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 the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty 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 the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty 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 the denomination of fifty dollars, and of the value of fifty dollars each: fifty 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 the denomination of twenty dollars, and of the value of twenty dollars each: sixty 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 the denomination of ten dollars, and of the value of ten dollars each: eighty 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 the denomination of five dollars, and of the value of five dollars each: ninety 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 the denomination of three dollars, and of the value of three dollars each: one hundred 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 the denomination of two dollars, and of the value of two dollars each: one hundred and twenty 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 the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

On a prom of the value of ten cents

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

BENJ. K. PHELPS, District Attorney.

0567

BOX:

20

FOLDER:

257

DESCRIPTION:

Sullivan, John

DATE:

09/16/80



257

0568

131

Counsel, *E. L. Sullivan*
Filed *6* day of *Sept.* 188*6*.
Plends, *et al* Guilty

THE PEOPLE

vs.

John Sullivan

Robbery—First Degree, and Receiving
Stolen Goods.

BENJ. K. PHELPS,

District Attorney.

Part no Sept 21. 1886.

plea do guilty
Sept. 18 on Oct. 1

A True Bill.

Charles L. Paul

Foreman.

0569

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

Police Court--First District.

Thomas Frame
of No. 32 1/2 Hamilton Ave South Brooklyn St, being duly sworn, deposes

and says, that on the 26 day of August 1880

at the Third (attempted to be) 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:

One Bran Watch and about two dollars in money in all

of the value of four 00/100 Dollars,
the property of deponent

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

John Sullivan (nowhere)
and two unknown persons that two of said three persons had deponent while the third person searched the pockets of the clothing then and there on deponent's body - deponent cried aloud for help and did break away from said three men and did escape -

Thomas Frame

Sworn to, before me, this

August - 27 - 1880

day

Police Justice.

0570

Police Court--First District.

CITY AND COUNTY
OF NEW YORK. } ss.

John Sullivan being duly examined before the undersigned, according to law. on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live?

Answer.

Question. What is your occupation?

Answer.

Question. Have you anything to say, and if so, what—relative to the charge

here preferred against you?

Answer.

Taken before me, this

day of

18

Police Justice.

Police Justice.

0571

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

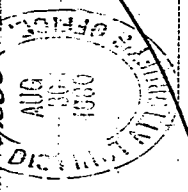
Name,

Address,

Police Court--First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas Fram
224 Hamilton Ave
St. Paul, Minn
John Sullivan



1
2
3
4
5
6

Dated *27 August* 19*00*

Justice

Officer

Clerk

Smith

Heeling 27

Witness:

1000

to cash
at Quind
Received at Dist. Atty's office

BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

0572

CITY AND COUNTY } ss.
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That *John Sullivan*

late of the First Ward of the City of New York, in the County of New York aforesaid,
on the *Twenty Sixth* day of *August* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City and County
aforesaid, with force and arms, in and upon one *Thomas Frame*
in the peace of the said People then and there being, feloniously did make an assault and
One watch of the value of two dollars

Divers Promissory Notes for the payment of money, the same being then and there
due and unsatisfied, and of the kind known as United States Treasury Notes, of a number
and denomination to the Jurors aforesaid unknown, and a more accurate description of
which cannot now be given, of the value of *Two Dollars*

Divers Promissory Notes for the payment of money, the same being then and there
due and unsatisfied, and of the kind known as Bank Notes, of a number and denomina-
tion to the Jurors aforesaid unknown, and a more accurate description of which cannot
now be given, of the value of *Two Dollars*

Divers Due Bills of the United States of America, the same being then and there
due and unsatisfied, and of the kind known as Fractional Currency, of a number and
denomination to the Jurors aforesaid unknown, and a more accurate description of
which cannot now be given, of the value of *Two Dollars*

Divers Coins, of a number, kind, and denomination to the Jurors aforesaid un-
known, and a more accurate description of which cannot now be given, of the value of
Two Dollars

of the goods, chattels, and personal property of the said *Thomas Frame*
from the person of said *Thomas Frame* and against
the will and by violence to the person of the said *Thomas Frame*
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.

Bay K Phelps
District Attorney

0573

BOX:

20

FOLDER:

257

DESCRIPTION:

Sullivan, John

DATE:

09/30/80



257

0574

245
C. J. P.

Counsel,
Filed 30 day of Sept 1880
Hears in Court (Oct 1)

THE PEOPLE
vs.
John Sullivan.
Burglary—First Degree, and
Carrying a Dangerous Weapon.
P.
arrested & brought from Spain
on bench warrant and
cont. by Court - Apr 11/82
BENJ. K. PHILIPS
Attorney.

157
A True Bill.
J. H. C. Conk
Foreman.

Verdict of Jury, guilty as charged.
Jury returned Verdict of
Guilty as charged.
Jury returned Verdict of
Guilty as charged.

Hotel
666

0575

The Court of General Sessions
of the Peace for the City & County of New York

John Sullivan
vs
The People of the State of New York

And the said John Sullivan, being now here as aforesaid, in his proper person, says that the said plea by him the said John Sullivan above and heretofore pleaded herein, and the matters therein contained are sufficient in law to bar the said people from further prosecuting the said John Sullivan, by reason of the premises in the indictment to which the said plea is above pleaded, and this he is ready to verify.

Wherefore he prays judgment that he may be dismissed this Court without delay except so far as said indictment charges and includes an attempt to commit burglary in the first degree and that as to so much thereof the defendant may be allowed to plead Not Guilty.

John C. Mott
of Counsel for defendant John Sullivan

My General Agents

John Sullivan

add

The People

London in America

John W. D.
of Counsel for
John Sullivan

at
New York City 31/10/21

0576

0577

At a General Term of the
Supreme Court of the State of New
York for the First Judicial Depart-
ment held at the County Court
House in the City of New York
on the 10th day of April 1882.

Present— Hon. Noah Davis Presiding Justice
" John R. Brady and
" Charles Daniels } Justices

John Sullivan
Plaintiff in error
vs
The People of the
State of New York
Defendants in error

This Cause
having come on for Argument upon the
writ of Error and bill of exceptions herein
and after hearing John O. Mott of Counsel
for Plaintiff in error and John Vincent Esq
Assistant District Attorney of Counsel for
Defendants in error;

It is ordered that the judgment
and conviction and sentence therein be, and
the same is hereby vacated, reversed and
set aside, and a new trial ordered to

0578

Conech
1881

we had herein-

a Copy
Jno A Butler
Clerk

Supreme Court
John Sullivan
Def. in Error
vs

The People of the State
of New York
Def. in Error

Certified Copy Ordered
Returning Judgment
vs

John A. Wood
Clerk for Def. in Error

Filed April 14 1881

0579

CITY AND COUNTY } ss.
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

John Sullivan

late of the *First* Ward of the City of New York, in the County of
New York, aforesaid,

on the *twenty-fifth* day of *September* in the year
of our Lord one thousand eight hundred and *seventy-eight*
with force and arms, about the hour of *two* o'clock in the *night* time
of the same day, at the Ward, City and County aforesaid, the Dwelling-house of

Nicholas Smith

there situate, feloniously and burglariously did break into and enter by means of
forcibly breaking open an outer window of
said dwelling house
whilst there was then and there some human being to wit, one *Nicholas*
Smith within the said dwelling-house he, the said

John Sullivan

then and there intending to commit some crime therein, to wit, the goods, chattels, and
personal property of *Nicholas Smith*

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.

~~And the jurors aforesaid, upon their oath aforesaid, do further present. That~~
~~afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County~~
~~aforesaid, about the hour of~~ ~~o'clock in the~~ ~~time of said day,~~
~~the said~~

~~late of the Ward, City, and County aforesaid,~~

~~of the goods, chattels, and personal property of~~

~~in the said dwelling-house of one~~
~~, then and there being found~~

~~in 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.~~

BENJ. K. PHELPS, District Attorney.

0580

BOX:

20

FOLDER:

257

DESCRIPTION:

Sullivan, William

DATE:

09/10/80



257

0581

BOX:

20

FOLDER:

257

DESCRIPTION:

O'Hare, James

DATE:

09/10/80



257

0582

70

Day of Trial
Counsel,
Filed *10* day of *Sept.* 188*9*
Hears

BURGLARY—Third Degree, and
[Receiving Stolen Goods]

THE PEOPLE

vs.

William Sullivan

James O'Hare

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Thompson
Sep 10/90
Foreman
Read Jury 3 day
1. State Refusing Entry
2. Return One Year

0583

POLICE COURT First DISTRICT.City and County }
of New York, } ss:of No. 360 Pearl Charles Partridge Street, being duly sworn,deposes and says, that the premises No. 360 Pearl Street, 4 Ward, in the City and County aforesaid, the said being a brick buildingand which was occupied by deponent as a as a furniture warehouseentered by means forcibly entering through a broken ^{were BURGLARIOUSLY} pane of glass in a door which leads from the rear part of the premises and entering thereinon the day of the 27 day of August 1880

and the following property feloniously taken, stolen, and carried away, viz:

one coat and one pair of
pantaloons in all of the value
of twenty eight dollars

the property 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 William Sullivan and James
O'Hare (both now present) and two other persons not arrested
 for the reasons following, to wit; that deponent was informed
by Jerry Sullivan that said William Sullivan
gave him the ticket for the aforesaid property
deponent further says that he was informed
by officer Kelly that said James O'Hare
confessed to him (said officer) that he got
a portion of the money which was
on the aforesaid property which was pawned
Chas. Partridge

deponent to be sworn
 21st day of August 1880

Police Justice

0584

City and County
of New York } ss

No 58 New Chamber being duly sworn
says that he has heard read the foregoing
affidavit and the statement therein contained
on information from deponent is true

Sworn to before me this 3
31 day of August 1880

Jerry Sullivan
Police Justice

City and County
of New York } ss

John Kelly
of the 4th Precinct Police being duly
sworn says that he has heard
read the foregoing affidavit
and the statement contained on information
from deponent is true

Sworn to before me this 3
31 day of August 1880

John Kelly
Police Justice

0585

Police Court—First District.

CITY AND COUNTY }
OF NEW YORK, } ss.

William Sullivan being duly examined before the undersigned,
according to law, on the annexed charge, and being informed that he was at liberty
to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer. *William Sullivan*

Question. How old are you?

Answer. *16*

Question. Where were you born?

Answer. *Ireland*

Question. Where do you live?

Answer. *329 Wall St.*

Question. What is your occupation?

Answer. *None*

Question. Have you anything to say, and if so, what—relative to the charge here
preferred against you?

Answer. *Nothing to say.*

William Sullivan

Taken before me, this

5th

day of

March

1891

at

Police

Court

First

District.

0586

Police Court—First District.

CITY AND COUNTY } ss.
OF NEW YORK,

James O'Hare being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

James O'Hare

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

Cherry St - U. S.

Question. Where do you live?

Answer.

14 Cherry St -

Question. What is your occupation?

Answer.

Schoolboy

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.

I am not-guilty.
James O'Hare

Taken before me, this

day of *Aug* 18*87*

POLICE JUSTICE.

0587

101
POLICE COURT - First DISTRICT.

THE PEOPLE, &c.
ON THE COMPLAINT OF
Charles Partridge
360 Pearl St.
vs.
William Sullivan
James O'Hare

BURGLARY AND LARCENY.
Dated 21 August 1880
at New York
1. J. Kelly + Charles
4 P.M. Clerk.

Witnesses:
John Sullivan
58 New-Chambers

RECEIVED
SEP 1 1880
DISTRICT ATTORNEY
Committed in default of \$1000 Bail. Cash

Bailed by
No. Street.

Alice M. H. 71
Foreman

0588

POLICE COURT First DISTRICT.City and County }
of New York, } ss:deposes and says, that the premises No. 360 Pearl Street, being duly sworn,Street, 4 Ward, in the City and County aforesaid, the said being a brick buildingand which was occupied by deponent as a as a furniture warehouseentered by means forcibly entering through a broken ^{were BURGLARIOUSLY}
pane of glass in a door which leads from the
rear part of the premises and entering thereinon the day of the 27 day of August 1888
and the following property feloniously taken, stolen, and carried away, viz:one coat and one pair of
pantaloon in all of the value
of twenty eight dollars

the property 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 William Sullivan and James
O'Hare (both now present) and two other persons not arrested
for the reasons following, to wit: that deponent was informed
by Jerry Sullivan that said William Sullivan
gave him the ^{ticket} for the aforesaid property
deponent further says that he was informed
by officer Kelly that said James O'Hare
confessed to him (said officer) that he got
a portion of the money ~~which was~~ ^{was} pawned
on the aforesaid property which was pawned
Chas. Partridge

deponent to be sworn
21st day of August 1888

Police Justice

City and County
of New York } ss

No 58 New Chamber being duly sworn
says that he has heard read the foregoing
affidavit and the statement therein contained
on information from deponent is true

Sworn to before me this 3

31 day of August 1880

Jerry Sullivan
Police Justice

City and County
of New York } ss

John Kelly
of the 4th Precinct Police being duly
sworn says that he has heard
read the foregoing affidavit
and the statement contained on information
from deponent is true

Sworn to before me this 3

31 day of August 1880

John Kelly
Police Justice

0590

Police Court—First District.

CITY AND COUNTY } ss.
OF NEW YORK,

William Sullivan being duly examined before the undersigned,
according to law, on the annexed charge, and being informed that he was at liberty
to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

William Sullivan

Question. How old are you?

Answer.

16

Question. Where were you born?

Answer.

Ireland

Question. Where do you live?

Answer.

329 Wall St

Question. What is your occupation?

Answer.

None

Question. Have you anything to say, and if so, what—relative to the charge here
preferred against you?

Answer.

I am not guilty

William Sullivan

Taken before me, this

5th day of

1890

Police Justice.

0591

Police Court—First District.

CITY AND COUNTY } ss.
OF NEW YORK,

James O'Hare being duly examined before the undersigned,
according to law, on the annexed charge, and being informed that he was at liberty
to refuse to answer any question that may be put to him *in*, states as follows, viz:

Question. What is your name?

Answer.

James O'Hare

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

Cherry St - U. S.

Question. Where do you live?

Answer.

14 Cherry St -

Question. What is your occupation?

Answer.

Schoolboy

Question. Have you anything to say, and if so, what—relative to the charge here
preferred against you?

Answer.

*I am not-guilty,
James O'Hare*

Taken before me, this

day of

1891

POLICE JUSTICE

0592

101
POLICE COURT - 1st DISTRICT.

THE PEOPLE, &c.

ON THE COMPLAINT OF

Charles Partridge
360 Pearl St.
vs.
William Sullivan
James O'Hare

Dated 21 August 1880

Magistrate

J. P. Kelly & Clarke, Officer.

4 Poor Clerk.

Witnesses: John Sullivan
58 New-Church



Committed in default of Bail.

Bailed by

No. Street.

A true Bill
Foreman

0593

CITY AND COUNTY } ss.
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That *William Sullivan and James O'Hare*
Each

late of the *Fourth* Ward of the City of New York, in the County of New York,
aforesaid, on the *twentieth* day of *August* in the year of our Lord one
thousand eight hundred and eighty *_____* with force and arms, at the Ward,
City and County aforesaid, the *warehouse* of

Charles Partridge *_____* there situate, feloniously and
burglariously, did break into and enter, the same being a building in which divers
goods, merchandise, and valuable things were then and there kept for use, sale and
deposit, to wit: the goods, chattels, and personal property hereinafter described, with
intent the said goods, chattels, and personal property of the said

Charles Partridge *_____* then and there being, then and there
feloniously and burglariously to steal, take and carry away, and

One coat of the value of twenty dollars
One pair of pantaloons of the value
of eight dollars *_____*

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

Charles Partridge *_____*

so kept as aforesaid in the said *warehouse* then and there being, 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.

0594

And the Jurors aforesaid, upon their oath aforesaid, do further present

THAT the said

William Sullivan & James O'Hare each

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

One coat of the value of twenty dollars
one pair of pantaloons, of the value
of eight dollars

of the goods, chattels and personal property of

Charles Partridge

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

Charles Partridge

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

William Sullivan & James O'Hare

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

BENJ. K. PHELPS, District Attorney.