

0550

**BOX:**

367

**FOLDER:**

3446

**DESCRIPTION:**

Breitmeier, Jacob

**DATE:**

10/11/89



3446

WITNESSES:

*Off Mc Cord*

*Wm J. Rosch*

Counsel,

Filed

11 day of

1889

Pleads

*Indigently 10/1*

THE PEOPLE,

vs.

*B*

*Jacob Bretners*

VIOLATION OF EXCISE LAW

(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1083, Sec. 21 and  
page 1089, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Wm J. Rosch*

Foreman.

Complaint sent to the Court  
of Special Sessions,

Part III, Oct 16 1889.

0551



0552

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Jacob Breitmeier*

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

of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

*Jacob Breitmeier*  
late 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 eighty-nine, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one *Louis Mc Card*

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

SECOND COUNT—

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

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

The said

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

**JOHN R. FELLOWS,**

District Attorney.

0553

**BOX:**

367

**FOLDER:**

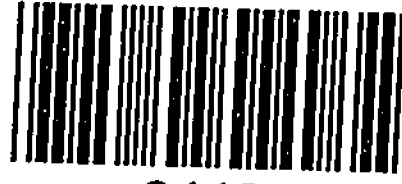
3446

**DESCRIPTION:**

Brown, Edward

**DATE:**

10/11/89



3446



0554

Bael \$1500.

W. H. C.

Witnesses:

C. M. Mearns  
off Mc Nally

(Counsel)

Filed

Pleas

day of

1889

THE PEOPLE

vs.

P

Edward Brown

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

JOHN R. FELLOWS,

District Attorney.

P. 2. Oct. 25-1889.  
Fried and convicted  
H. 3 dy

A True Bill

Per J. R. Mearns

W. H. C.

Foreman.

0555

STENOGRAPHER'S MINUTES.

*a* District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF  
*Charles W. Deagha*

vs.  
*Edward Brown*

BEFORE HON.

*J. Henry Ford*

POLICE JUSTICE,

*Sept 26 - 27* 188*7*

APPEARANCES:

For the People,

*Mr. Stone*

For the Defence,

*Mr. McCallum*

188

INDEX.

WITNESSES.	Direct Ex.	Cross Ex.	Re-Direct.	Re-Cross.
<i>Charles W. Deagha</i> <sup>489 20 35</sup>	1	4	19	
<i>Mary Lister</i> <sup>107 40 32</sup>	9	13	26, 32-35	
<i>Isabella Anglin</i> <sup>107 20 32</sup>	19	24		
<i>Edward Brown</i>	28			
<i>Wm B. Coley</i>	58			43
<i>W B. Schaffer</i>	41			
<i>Joseph Warner</i>	44			
<i>Oliver Jones</i>	45			
<i>Thos. Copley</i>	47			

*W. L. Ormsby*

Official Stenographer.



0556

2

DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF

Charles W. Meagher

agst. Edward Brown

Examination had Sept 26 - 27 1889

Before J. Henry Ford Police Justice.

I, W. L. Armory Stenographer of the 2 District Police

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

Mary Lester, Isabella Angle, Sergeant Trinn et al  
as taken by me on the above examination before said Justice.

Dated Sept 27 1889

W. L. Armory  
Stenographer.

J. Henry Ford  
Police Justice.

0557

Police Court  
Second District

The People vs  
Charles W. Meagher  
Edward Brown

Examination Before Justice Ford  
Sept 26 1899

For the People - du Stineau,

For the Defendant - Mr Mc Clelland

Charles W. Meagher the complaining  
witness being examined by the  
court deposes and says: - My  
name is Charles W. Meagher I live  
at 439 East 35th St. I am  
in the liquor business at the  
corner of 34th street and  
Eleventh Avenue.

2 On the 17th of August did  
you see the Defendant Brown?

A Yes sir

2 When and where did you see  
him

A I saw him in this house

0558

2 What time?

A About 2 o'clock, or quarter past two

2 Where was you?

A I was coming through the street after closing my place. I was crossing the street at 32nd street when I heard a woman cry "Police, murder". I went up to see what was the matter. She said "There is a man in there trying to murder us"

2 What was the number?

A 409 west 32nd street.

2 What did you do?

A There was no policeman near so I went and said "where", she said "In there" so I went inside and I said to this man what do you mean.

2 What part of the house did you go in?

A Up the stoop on the



0559

first floor. Defendant was sitting there in the room in the back room. I said what do you want? do you want to murder women? He said "Are you a detective?" I made him no answer. I said "If you take my advice you will go home." I was standing up. He got up and we walked out. When we got to the platform of the stoop I turned around and took hold of the door to close it and he took out something and stabbed me I do not know what it was.

2. Where did he stab you?

A. Here on the face and neck and arm and side (showing wounds to the court)

2. What occurred then?

A. I ran across the street. Then I returned. I saw



0560

There was blood coming out  
I said "Give me something"  
I am bleeding to death? They  
gave me a towel. Then they  
got a cab and I was  
taken to the hospital.

2 Did you see Defendant  
across the street?

A I saw him walking up the  
street on the same side of  
the street where this thing  
occurred.

2 How many times were you cut?

A I was cut on the head, and  
chest and neck and arm  
and jabbed in the arm.

2 Have you told all that  
occurred?

A Yes Sir.

Examined by Mr. McCalland.

2 This took place in the  
doorway when you were  
going to close the door?

4 A Yes. I was just about

0561

- Turning around to close it?
- Q You had had no diffidence with this man?
- A No; I never saw him before.
- Q You were merely acting as a good citizen protecting women who were threatened with murder?
- A Yes; that is it.
- Q You were just acting as a good citizen?
- A Yes.
- Q When you were taken to the hospital what name did you give?
- A Mulligan.
- Q Was that your name?
- A No Sir.
- Q You had done nothing wrong you say - why did you give the wrong name?
- A Yes sir - on account of the street ~~it~~ was in
- Q - It was on account of

0562

the street?

A Yes; I did not think  
this man would be found  
at the time.

Q When you went across the  
street after the cutting you saw  
him going up broad 7th Avenue?

A Yes Sir.

Q Was he walking?

A He was going at a pretty  
good gait.

Q Did you call to anybody to  
stop him?

A No Sir.

Q Did you say "arrest that  
man he is the man who  
has stabbed me?"

A No Sir; I did not on  
account of the street.

Q Is it not a fact that when  
you came into the house you  
saw a man playing there  
known as "Blind Tom"?

A I saw him.

Q Did you not hear that

6



0563

there was some trouble between him and Mrs. Angle with reference to a charge she had made for beer.

A Not that I know of.

Q You swear that is so?

A I swear it.

Q Had you ever been in that house before?

A No Sir.

Q Did you know Madame Angle?

A No Sir.

Q You never saw her before?

A No Sir; never.

Q Was the door closed at the time he stabbed you?

A I could not tell - I was right at the door knob.

Q Were you inside the house?

A No Sir. Outside; right at the door knob.

Q You were going out?

A Yes Sir; and he was right after me.



0564

Q You had no weapon?

A No

Q You did not strike him?

A No Sir.

Q Do you know how his hand became injured?

A No Sir.

Q What was your weight before this occurred?

A 195 pounds about.

Q When defendant was told to go out he walked out, and on the stoop he stabbed you?

A Yes Sir.

Q Did he say anything on his way out?

A Not that I know of.

Q And you say that without any reason he drew a knife and stabbed you the way you say?

A Yes Sir.

Q Did he say anything on his way out?

A Not that I know of

0565

2 - After being told to go out  
and without any reason he  
drew a knife and stabbed  
you?

A Yes.

2 What time was it?

A I cannot tell - it must  
have been 2 or quarter  
past two on Saturday morning

2 What time did you close?

A About half past one.

2 Have you ever been in court  
before?

A No sir. I was never locked  
up in my life.

( sworn to before me this  
26th day of September  
1889. J. Henry [unclear]  
O. H. [unclear] )

Mary Lester being duly sworn  
and examined as a witness for  
the People before me and say  
I live at 107 West 32nd St  
I am 20 years old. I have

0566

no business.

Q Do you remember the morning of the 17<sup>th</sup> of August?

A I do.

Q Do you remember seeing the defendant?

A Yes Sir

Q Where?

A He came in the house.

Q What is the number

A 107 West 32<sup>nd</sup> St.

Q What time did he come in?

A Between 3 and half past 3 in the morning.

Q Did you see him when he first came in?

A I did.

Q What took place?

A The Madam was playing cards. The errand boy had gone out and left the door ajar. The defendant came in unannounced, and he walked in the parlor. He said to the Madam, "I will



0567

Play you a game of cards  
for a dollar a game "

She said "I am no gambler  
I don't play cards or gamble  
for money. Then the gentle  
man called for a round of  
drinks and put down a  
quarter. The Madam said  
"I don't keep a bar room -  
if you have a round of drinks,  
here it will cost you a  
dollar." Then he said "Before  
I give you a dollar for  
drinks, I will rub your guts  
out." Then she went in  
the front room, and the  
dependant ran through the  
hall and struck her

Q. Struck her with what?

A. With his hand.

Q. His fist?

A. Yes Sir

Q. What next?

A. The madam went out on  
the stoop. I said to the



0568

man "Aint you ashamed  
to strike a woman" He  
said that if I did not  
look out he would give me  
worse. Then this gentleman  
"the complainant" came in  
through the hall and he  
asked the defendant what  
he wanted to assault women  
for. There was something said  
about a detective. I said  
"He wanted to kill me"  
The complainant said took  
the defendant by the arm  
and they went out in the  
street. In about three  
minutes McPhee came back  
to the house with his hand  
up to his neck and said  
"Call a cab" One of  
the ladies called a cab and  
he went to the hospital.

Q Did you see what occurred  
after you left the house.

A No Sir

0569

Q Did the Defendant go along with him willingly or did he resist.

A Quite willingly. He struggled at the door.

Q There was a struggle at the door?

A Yes Sir.

Q Before that he went along willingly.

A Quite willingly.

Q You do not know what took place outside?

A No Sir.

Q You did not see?

A No Sir.

Q Did you see anything of the scuffle?

A I did not hear any noise.

Cross examined by Mr. de Clarend

Q You say that after the scuffle on the stoop, the defendant came into the house.

0570

A Yes Sir

Q And said he was stabbed?

A Yes Sir

Q And asked you to call a cab?

A Yes

Q And a cab was obtained?

A Yes Sir

Q And some one in the house went for a cab?

A Yes.

Q And from the house he went to the hospital in a cab?

A Yes Sir.

Q Did Defendant come in and see this blind performer on the piano?

A Yes Sir

Q Did you hear Defendant speak to the pianist

A Yes Sir. He said "Do you know me" The pianist said "I can't see people; I recognize people by their



0571

voice.

2 Did Defendant ask the Plaintiff to drink?

A Yes Sir.

2 And did somebody bring two bottles of beer?

A Yes Sir.

2 And did he offer to pay

A - Yes Sir. He offered to pay a quarter to Mrs Angle

2 Did she say that was not enough?

A - Yes Sir.

2 He offered a quarter to Mrs. Angle and she refused to accept it.

A Yes Sir.

2 Then did he offer her fifty cents?

A Yes Sir.

2 Did he say "That is all I will give for two bottles of beer?"

A Yes Sir.

2 And she said "You have

0572

no right to order beer in  
this house?"

A No Sir: That he should  
pay a dollar.

2 After that the trouble  
began?

A Yes Sir.

2 Right after he said he  
would not pay more  
than fifty cents.

A Yes Sir.

2 And did not Mrs. Angle  
say that he could not go  
out of the place unless he  
paid a dollar for those  
drinks?

A No Sir.

2 Did he ~~attempt~~ attempt  
to go out of the house?

A No Sir.

2 What was the result of  
his refusal to pay more  
than fifty cents?

A - When he commenced to  
set cross the Madam

0573

went in the parlor

2 Did she order him out of the house?

A No sir.

2 Did he attempt to go out of the house?

A No sir.

2 Did she not say, "You can't go out of this house until you pay for those drinks?"

A No sir.

2 What did she do?

A She walked to the front parlor. He went through the hall. He followed her. He went after her.

2 Where was you?

A I was in the back room.

2 You remained in the back room until Meagher the complement came in?

A When the madam went out I followed.

17 2 Could you hear the con-



conversation in the Parlor?

A Yes sir.

2 You testified that you heard the conversation between Meagher and Mr. Doyle on the sidewalk?

A The door was open they were not on the sidewalk.

2 You saw nothing of what occurred on the stoop?

A No sir.

2 You did not see Meagher strike Brown in that place?

A No sir.

2 You say that when Brown was told by Meagher to go out he went out quietly with him?

A Yes.

2 And what transpired on the stoop you do not know?

A No.

2 What was the hour?

18 A It was between three

0575

and half past three o'clock

known to before me this  
27th day of September  
1889.

John W. Meagher

O'Shea Justice

Charles W. Meagher, the complement  
recalled

2— Do you know the number  
of the house where this thing  
occurred

A It was 407 or 409.

2 That would be near 2nd  
Avenue!

A— I do not know the number  
I live at 439. I think  
the number of this house is  
107 or 109.

known to before me this  
28th day of September  
1889

O'Shea Justice

19 Isabella Angel being duly

0576

sworn and examined as a  
witness for the people deposes  
and says:- I live at 107  
West 32nd Street I keep  
a boarding house.

2 Do you remember the occurrence  
at your house on August 17?

A I do

2 Did you see defendant there?

A Yes sir that is the man.

2 What time did he come in?

A Between 2 and 4

2 Did you see him when  
he first came in?

A Yes sir

2 State what occurred?

A The door was open and  
this gentleman walked in.  
I was playing a game of  
solitaire I had these two  
girls close by. This man  
took a seat right beside me.  
He said "I will play you a  
game of cards at a dollar  
a game. I said I am not



0577

gamble. I dont play for money. Then he went over to this blind mans place and said "Halloa Jon - I have not seen you for five or six years. . . Then they had some talk - I did not exactly understand. Then dependant said "Give me a glass of beer for me and the Professor." He then down a quarter. I said "I dont keep a bar room: when I serve a round of beer I charge a dollar." He said "Before I would pay you a dollar for a round of beer I would cut your guts out you God damned fat bitch." I looked at the man and he looked like that with staring eyes. Then I walked around the room through the middle passage door

0578

I was going out to see if  
I could see anybody. Then  
as I went away I felt  
him strike me a blow in  
the back and I fell  
against the door. I turned  
around and this young  
woman came to my rescue.  
She said to him "What are  
you doing" I went down  
after a policeman. I went  
out on the street and I  
met the complainant. He  
was passing. He said  
"What is the matter Madam?"  
I said "There is a man  
inside wants to kill me."  
Then I turned around and  
went back to the house  
with him. The defendant  
Brown was then sitting  
down. Neaphe said to  
him "What are you  
doing here - fighting women?"  
"You had better go right home"

0579

The defendant said "What have you got to do with it? Are you a detective?" I cannot tell what Meagher said about that, I heard him say: "You had better go out of here."

2 Who said that?

A - The complainant Mr. Meagher.  
- I never saw him in my life before - The defendant walked out with him. Then the door closed. I could not say what occurred outside.

2 Do you positively identify the defendant?

A I identify the man.

2 What occurred after?

A About three or four minutes -  
- It could not have been five minutes after the complainant came in and he was cut. I went out to look for an officer. When I got back I found that one of the guys had put a cab and



0580

sent him to the hospital.

2 Did you see any of the trouble that took place between the men?

A No Sir: I did not.

Levon examined by the the Clerk.

2 This man disputed with you about paying a dollar for two bottles of beer?

A He did not.

2 Did he order two bottles of beer?

A No Sir. He ordered a drink for him and the blind man and threw down a quarter.

2 Did he not offer you half a dollar?

A If he did I did not see it.

2 The previous witness swore that he did?

A I did not see it.

2 Did you give him any beer.

0581

A I did not: if he got beer  
he did not get it of me.

2 When Meagher came in did  
he say whether he was a  
detective or not?

A Defendant said "show me  
your shield if you are a  
detective"

2 - Did Meagher say he was a  
detective?

A I know that Brown asked  
"are you a detective?" whether  
Meagher said he was or not  
I did not hear.

2 Did not Meagher say "I am  
a detective and I want you  
to get out of here?"

A I can't say. I did not  
hear that.

2 Will you say he did not  
say it?

A I do not know whether  
he did or not.

2 What other guys were  
in the place besides the

0582

one who has testified

A - There was a couple - Eva  
Raymond and Kitty something  
I do not know her other  
name. There girls and  
myself were there

Q Did you know Meagher?

A - No Sir. I never saw him  
in my life before

Q Do you know where the  
Defendant was arrested?

A No Sir.

Sworn to before me this

26th day of September

1889

J. H. Thompson

Notary Public

Mary Lester, recalled as a witness  
for the People and examined  
by the <sup>the charged</sup> ~~Prosecution~~ and  
says:-

Q You testified that Brown  
~~and~~ offered Mr. Angel  
half a dollar?

26 A

Yes Sir



2 Did she refuse it?

A - Yes Sir.

2 After defendant had been drinking?

A - Yes Sir.

2 Did Mrs Angel drink?

A - No Sir.

2 Mr Angel was there?

A - Yes.

2 That was the commencement of this trouble about the payment for these drinks?

A - Yes.

2 Did Mrs Angel go out of the room when the beer was brought in?

A - No Sir.

2 Was she in the front parlor?

A - She was in the back.

2 Where were you?

A - In the back.

2 She saw the girls drinking beer?

A - Yes Sir.

( sworn to before me this  
26th day of September  
1889

J. H. Murphy

Notary Public

0584

Edward Brown the Defendant states in his own behalf: I am a steam fitter. I live at 455 West 34th Street. I am employed by The Baker Steam Fitting Company. I have been employed by them about ten months.

2 state what occurred on this occasion?

A I had been to the Theater I came through Thirty second street. I saw the door open. I knew what the house was. I said I would just go in. I went inside and saw the Madam here. She was playing cards. I said I would play her a game for a dollar a game, just for fun. She declined to ~~play~~ play. Then I knew the name player. I said to him Helloa Tom, How are you? I had seen him

0585

down town before, I don't  
know where. He said "How  
do you do?" I said "Do  
you know me?" He said  
I do not recognize your  
voice. I said "Have a  
drink?" There was a couple  
of bottles of beer brought.  
I then down a quarter and  
started out. She took hold  
of me and shoved me  
2 into

A Madame Angelle - Then she  
began scolding the blind man  
and said asked what son  
of a bitch he had coming  
there. I said to her "Don't  
abuse the poor blind man,  
He said here is half a dollar  
for two bottles of beer" Then  
I started out. She turned  
and grabbed me and shoved  
me in the back room. She  
said "You won't go out of here  
until you pay me a dollar"



0586

I said "I won't pay you a dollar; I don't owe you a dollar." I saw there was no use fighting with her. I sat down. She started off. I did not know where she was going. I started out of the house and went down the street a few doors. This man, the complainant, followed me, and tapped me on the shoulder. He said "you owe a bill in the house." I said "I do not; I will go back with you." When we got back he punched me in the nose and struck me.

2 Is this the man who struck you - this Meagher or Mulligan?

A Yes; that is the man.

2 What else?

A I said "If you are a detective I will go with you to the station house." I told him not to strike me. He said

0587

I owed the woman a dollar..  
I said I had offered her  
half a dollar and she was  
not going to let me out.  
I told him that if he wanted  
to arrest me I would go to the  
station house. He kept striking  
me when I started to go  
out he knocked me over  
in the corner by the door  
He struck me blow after  
blow.. Then I pulled out  
my knife and struck  
him

2 Did you believe you were  
in danger?

A I was in a corner and  
he was beating me.

2 You were in a corner?

A I was in a corner and  
he was striking me

2 Then you drew your knife.

A I drew my knife and struck  
at him twice

2 Was you cut at that time?

0588

A. I was cut and I cut him. When I got away I went down Seventh Avenue and then to the Station house in 30th St., and from there I was sent to the hospital. I cannot tell what was the name of the officer I met. I told them at the Station house where I was cut. I had a hundred dollars about me in my pocket, and I thought the complainant was a pickpocket, and wanted to go through me.

Mary Lester re-called for further examination by Mr. Stone Deposes and says:-

2 From the time that Brown the defendant came into the house had he been out

32 A. No Sir



0589

Q He was not out while Meagher came?

A No Sir.

Q He went out at the time Meagher came in?

A Yes Sir.

Cron examined

Q You said that after Brown had disputed about the payment of money for beer he sat down in the parlor?

A Yes Sir he did.

Q Did Mrs Angle order him out of the house?

A No Sir.

Q Why did he remain?

A I do not know.

Q He never went out of the house?

A No Sir.

Q He had refused to pay for drinks and after Mrs Angle went out he made no effort to go out of the

0590

house at all?

A - He did not.

Q - He remained there?

A - Yes Sir; he did

Q - Sitting quietly in the  
back parlor?

A - Yes Sir.

Re-direct

Q - Did you notice anything  
peculiar about the face  
of defendant when he came  
in?

A - Yes; he had a black eye.

Re-Cross examined

Q - You did not speak of that  
before

A - No Sir; I was not asked

Q - And the reason you did  
not speak of it was  
because you was not asked.

A - Certainly.

Re-direct

34 Q - You had never seen

0591

this man in the house before?  
 A - No Sir. I had never seen  
 either one of them before.

sworn to before me  
 the 26th day of  
 September 1889

John W. Ford

Police Justice

Adjourned to Friday  
 Sept 27 1889  
 at 2 P.M.

Examination Continued Sept 27

Mary Tesler recalled for further  
 cross-examination by the counsel  
 for defendant deposes and  
 says

2 You stated yesterday that  
 you noticed a black eye that  
 defendant Brown had when  
 he was in the house?

A Yes Sir.

2 Which eye was it?

A I could not say.

2 How did you come to  
 notice it?

A I was looking at the man.

35-2 Was it very black?



0592

- A - No sir; not very bad; it was black
- Q What part?
- A Here (pointing to the <sup>under</sup> part)
- Re-direct
- Q - When was it that Mr Brown paid the fifty cents
- A After complainant Meagher came in
- Q Before he went out?
- A Yes sir
- Q Meagher came in with whom?
- A With the madam.
- Q It was then that he paid the 50 cents?
- A Yes; but it was before that that he offered a quarter.
- Q You stated yesterday that you heard the conversation that occurred between Mrs. Angie M. Meagher and Mr. Brown, will you kindly state what distance you was away

0593

from them at that time.

A I was standing in the back  
parlor.

Q about how far?

A Just in the door.

Q The distance from her to the  
wall?

A Ya - (about 15 feet)

Q Could you hear distinctly?

A Yes Sir

Q Did you give all the  
conversation that you heard?

A Ya Sir.

Q You testified yesterday that  
you did not hear the con-  
versation on the sidewalk?

A No; I could hear what  
was said in the vestibule.

Q You testified that after  
Mr. Angle had remonstrated  
with him about receiving  
25 cents that he ~~found~~ <sup>offered</sup> her  
fifty cents and she refused.

A After Meyer came in  
Brown offered her 50 cents

0594

and she took it.

2 - After Mr. Angel came in with Meagher, Brown offered 50 cents a second time?

A Yes sir and she took it.

2 She did not take it the first time?

A No sir she refused it.

Sworn to before me this

27th day of September

1889 J. M. M. D. D.

Notary Public

William B. Coley M. D., being duly sworn as a witness for the <sup>Defendant</sup> People deposes and says: I am a physician at the New York Hospital. On August 17 last I was House Surgeon. I received the Defendant as a patient.

2 What time?

32 A It was about half past four A.M.



0595

2 Where did you get him?

A He was brought in in an ambulance.

2 What was his condition?

A He had a very bad cut upon his wrist which had been dressed by the ambulance surgeon. The cut extended entirely across the back of the hand; all the tendons were severed. It was the left hand.

2 In your opinion how could such an injury have been received? Could such an injury have been self-inflicted?

A Very easily.

2 What was the statement that defendant made as to how he was hurt?

A I did not question him very carefully about it. He was suffering from his wound.

39 2 - Did you notice any

0596

discoloration about his eyes:

A I noticed a slight discoloration about his eyes. He had a little discoloration under both eyes.

Q Did he have any bruises about him that you noticed?

A I did not notice any.

By the Court

Q Can you tell whether the bruises about the eyes were recently inflicted?

A No sir; I could not.

Q They might have been there some time, or have just been done?

A Yes sir; there was no abrasion. It might have been done a day or two before or on that evening.

By the Defendant

Q - It would take some time for the eyes to get black?

0597

A About 15 minutes  
known to before me the  
27<sup>th</sup> day of September 1889  
J. Henry Bond  
Police Justice

W. G. Schaeffler being duly  
sworn and examined as a  
witness for Defendant before  
and says: - I am assistant  
surgeon of the Second Surgical  
Division. On the 17<sup>th</sup> of August  
I was acting assistant surgeon.  
I received the Defendant  
Brown as Ambulance Surgeon  
at the 19<sup>th</sup> Precinct  
What was his condition.

2  
A - I found him sitting up  
and bleeding profusely. His  
wrist was cut clean through  
to the bone, severing the blood  
vessels tendons - everything  
the joint was laid bare.  
2  
Did he give you any  
history of the transaction?



0598

- A He did not. He said he did not know how it happened.
- Q What time was it?
- A I had it dressed at 4:21 A.M.
- Q Did you notice anything about his condition?
- A He was weak from loss of blood.
- Q About the appearance of his face?
- A I noticed both eyes had dark rings around them.
- Q Both eyes?
- A Both eyes had dark rings around them at that time.
- Q Were there any other evidence of violence?
- A I found nothing except the cut on the left wrist.
- Q (By the Court) Can you tell whether that discoloration of the eye was the result of

0599

a recent blow.

A I could not say.

2 Were they discolored?

A They were white he was  
in the hospital we noticed  
it. He was in our ward.

Answer to before me this  
27<sup>th</sup> day of September  
1889  
J. H. Herring D. C.  
Robert Fisher

Dr Wm B. Coley recalled points  
out to the court the various  
injuries upon the person of  
the complainant. One scar  
was on the lobe of the  
ear: another on the cheek and  
neck. One down as far  
as the collar bone: one on  
the arm which had been  
an inch deep: two abrasions  
on the top of the head.  
Here, the doctor said had  
cut through the scalp, about  
three quarters of an inch or

0600

an inch long, and two or three large arteries were bleeding freely.

Joseph Warner being duly sworn as a witness for Dependant Depores and says:- I am officer of the 19 Precinct. My post on August 17 was on Seventh Avenue from 234 to 272nd Street

Q Did you see the Dependant that night?

A Yes Sir: I saw him come along 7th Avenue, running. I asked what was the matter. This was about 4:00 clock. He asked where was the station house. I told him it was at 30th St. I asked what was the matter. He showed me the cut. I asked him who done it. He said a man in Forty -



0501

second street house. I went  
up there and he went to  
the station house.

Q Did he give you the number?

A No number - of the house or  
32nd st. I saw nothing  
up there.

sworn to before me this {  
27th day of September  
1889 J. H. [unclear] D. [unclear]  
Police Justice }

Oliver Trins being only sworn  
as a witness for defendant  
deposes and says: - I am a  
Police Sergeant of the 19th  
precinct. On the morning of  
August 17 I was at the desk.

Q Do you remember Defendant  
coming to the station?

A Yes Sir

Q Did he make any statement  
to you?

A Yes

45 Q So on and state what

0602

transpired?

A He was hurt. He said he was cut and wanted a doctor. I said we had no doctor, but I would send him to the hospital. I asked him who cut him. He said "I do not know him: he is a son of a bitch and I will get square with him."

2 Did you make any entry on the station house blotter?

A Yes Sir

2 The entry is in your handwriting?

A Yes Sir (Blotter produced)

2 Read your entry on the blotter

A Reading " 3.45 A.M. Edward  
" Brown, 34 years of age, of 234  
" West 34th St. Came to this  
" station suffering from a  
" severe cut on the wrist and  
" left hand, which he stated  
" he received in the house of  
" Mortimer No 105 West 32nd

0603

"st. by some unknown Man  
"who made his escape. Brown  
was sent to the hospital in an  
ambulance. Romanman Thomas  
Coytlan started up to find  
the assailant. ~~of~~ Coytlan  
is present and can tell  
what he did. Defendant was made a  
prisoner <sup>that same day</sup>

sworn to before me this }  
 27th day of September }  
 1885 J. Henry Ford }  
 Obed Justice }

Romanman Thomas Coytlan being  
 duly sworn as a witness for the  
 defendant deposes and says:-  
 I am a Romanman off the  
 19th Regiment.

Q Was you sent on August 77 to  
 look for the man who had  
 stabbed Mr. Brown here?

A I was by sergeant Fims.

Q Did you go around to the  
 premises indicated?

47 A I did.



0604

Q Did you see any of these parties here?

A No.

Q When did you find Meyer?

A I did not find him. I found the next day when I went to report for duty that he was in New York Hospital.

known to keep me then  
27 to day of September  
1889

Edith Parker

In re Clelland. I move that the defendant be discharged

Motion denied. Defendant is held to answer \$5000 bond

0605

Police Court—2nd District.

City and County { ss.:  
of New York,

of No. 439 West 35th Street, aged 32 years,  
occupation Sign of Dealer being duly sworn

deposes and says, that on the 17th day of August 1888 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Edward Brown

did wilfully and maliciously cut and  
stab deponent with some sharp instrument  
he defendant held in his hand in the side  
of the head in the left side of the neck in  
the left shoulder and left arm and said  
assault was committed.

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

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

Sworn to before me, this 28th day  
of August 1888

O. M. Meagher

John J. Brown Police Justice.

0606

Sec. 197-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

2 District Police Court.

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

Question. What is your name?

Answer. *Edward Brown*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *New York State*

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

Answer. *434 West 24th St 2 weeks*

Question. What is your business or profession?

Answer. *Steam fitter*

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

Answer. *I am not guilty*

*Edward Brown*

Taken before me this  
day of *Sept* 188*7*

*76*

*Richard J. [illegible]*  
Police Justice.



0607

Sec. 151.

Police Court \_\_\_\_\_ District.

CITY AND COUNTY }  
OF NEW YORK. }

*In the name of the People of the State of New York; To the Sheriff of the County of New York, or any Marshal or Policeman of the City of New York, GREETING:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Charles W. Meagher

of No. 439 West 35<sup>th</sup> Street, that on the 17<sup>th</sup> day of August

1889 at the City of New York, in the County of New York,

and feloniously Edward Brown who did

he was violently Assaulted and Beaten by

Wilfully and maliciously cut and stab defendant with some sharp instrument defendant held in his hand

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 1<sup>st</sup> DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 20<sup>th</sup> day of August 1889

J. H. Brown POLICE JUSTICE.

0608

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

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

Dated Sept 27 188 G. Henry Bond Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.



0609

Sept 26<sup>th</sup> 2<sup>nd</sup> Precinct  
" " 29 2<sup>nd</sup> Precinct

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

(W)  
Police Court---

2<sup>nd</sup> District.  
1767

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles W. Meagher

439<sup>th</sup> West 35<sup>th</sup> St.

Edward Brown

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

Dated \_\_\_\_\_ 188

\_\_\_\_\_ Magistrate.

\_\_\_\_\_ Officer.

\_\_\_\_\_ Precinct.

Witnesses \_\_\_\_\_

No. \_\_\_\_\_ Street.

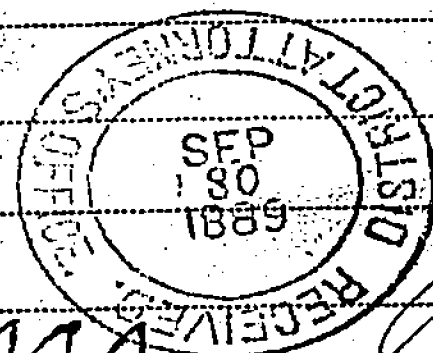
No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

\$ \_\_\_\_\_ to answer

Committed





06 10

COURT OF GENERAL SESSIONS.

-----X  
The People :  
v. :  
Edward Brown : Tried Oct. 24, 1889, before  
Indictment filed Oct. 11, 89: Hon. Randolph B. Martine  
Indicted for assault in the : and a Jury.  
first degree. :  
-----X

Assistant District Attorney Macdona for the People.

James D. McClelland, Esq., for the Defense.

-----  
C H A R L E S   W.   M E A G H E R,   the complain-  
ant, testified that he was a liquor dealer and carried on  
business at Eleventh Avenue and 34th Street.   On the  
morning of the 18th of   of August, 1889, he left his  
place of business between half past one and two o'clock.  
He generally cleaned up on Friday nights after he closed  
his saloon.   He was cleaning up on that night and was  
detained later than usual.   He went through 34th Street  
and he met a friend at Seventh Avenue and 34th Street,  
and conversed with him for a short time.   Then he went

0611

2

over to Broadway to get something to eat. He was crossing 32d Street at Sixth Avenue going down town when he heard a woman scream. He afterwards knew the woman as Madame Angle. She occupied a house three or four doors from the corner of Sixth Avenue on 32d Street. He went to her and asked her what was the matter. In consequence of what she said he went into her house. He saw the defendant sitting in the back room. He said to the defendant, "What do you want to do? Murder a lot of defenseless women?" The defendant said, "What are you--a detective?" He, the complainant, saw what kind of a house he was in and said, "Young fellow, I give you the advice to go home," and then he, the complainant, intended to go home, and walked right out in front of the defendant. When they got on the platform of the stoop outside of the door the complainant reached out to catch the knob of the door to close it behind him. He turned to see where the knob was, and he remembered nothing after that until he found himself across the street bleeding. Then he crossed the street back to the house and said, "For God's sake some one go and get a coach and take me to the nearest hospital." He saw the defendant put his hand in his pocket as he turned around to see where the

06 12

3

knob of the door was. There was nobody else besides Brown and himself on the stoop. He did not see Brown take anything out of his pocket. He did not see Brown's hand raised to strike him. He was cut about the throat and arm. He was also cut on the top of the head, and the cut extended down to his ear and severed eighteen sinews. A number of stitches were put into the wound in his arm. He was in the hospital for twelve days.

Under Cross Examination, he testified that after he recovered consciousness he saw Brown going down the street. He had never been convicted of any offense. He was a married man with a family. Madame Angle came to him and appealed to him to go in and protect her and some other women from a man who was murdering them. The defendant asked him if he was a detective, but he, the complainant, did not say that he was not. He simply said, "Young man, if you take my advice you will go home." Then they both started to walk out of the house. He gave the name of Mulligan in the hospital because the street had such a bad name. He gave his right name in the hospital on the Sunday morning following when Detective Schmittberger came up to him and said "Here, you had bet-



06 13

4

ter come and tell the true facts of this or else the papers will be keeping at you the whole time. We have got the people upstairs that cut you," and he the complainant, said, "All right if you have; you know my name already." He was not disposed to prosecute the defendant until then. He would have prosecuted him if he could have done so without getting his name into the papers. He dreaded the publicity of an affray in so unsavory a street. He had never visited the house before in his life. He did not remember Madame Angle saying to him in the street the the defendant had robbed her of a five-dollar bill. He did not remember whether there was any conversation after he entered the house as to the defendant paying for some beer that he drank there. He could not remember whether there was a dispute about some beer and the defendant saying that he had been charged an excessive price. He did not know any of the girls in Madame Angle's house. He never carried any weapon in his life, and he had only a small pocket knife in his pocket that night. He would not swear whether he was or was not in the bar room at Sixth Avenue and 32d Street on that night. He had stopped in that saloon before that night. He knew Bennett, the proprietor

0614

5

by sight. He might drop in there once a month or once in six months. It was not a fact that when he went to the house with Madame Angle that the defendant was walking towards Seventh Avenue in 32d Street, and that he, the complainant, went up and stopped him and told him that he was a detective and asked him to walk back to the house with him. It was also not true that when he got the complainant in the house that he asked him to pay for the beer that he had had. The defendant did not then say, "If you are a detective, I will go with you to the station house. He did not then beat the defendant and drive him into a corner in the hall. It was not then while he was beating the defendant in the corner that the defendant pulled out the knife and cut him. He had never seen the defendant before he entered the house and saw him in the back room. At that time he lived at 439 West 35th Street.

I S A B E L L A A N G L E testified that she lived at 107 West 32d Street. The defendant entered her house on the morning of August 18th a little before three o'clock. She, the witness, was sitting down and had a pack of cards in her hands playing solitaire in the back parlor. Some of the girls were sitting around.



06 15

6

She had treated them to a glass of beer. The defendant walked in and said, "I will play you a game of poker for a dollar." She, the witness, said, "I am no gambler; I don't play cards for money." She, the witness, had in her employ a blind professor who played the piano. He had been stone blind for about thirty years. The defendant walked up to the piano player and put his hand on his shoulder and said, "How do you do, Tom." The piano player said, "I don't know you. I can't see who you are, but I can sometimes tell a man's voice." The defendant said, "I think I have seen you before. It must be four or five years ago, when I worked down town. I have been away since then." The defendant turned around and said to her, the witness, "Give me something to drink, and give the Professor a drink," and threw down a quarter. She, the witness, said, "I don't keep no bar room; when you generally get a drink in this house they cost a dollar." Then the defendant called her a God damned fat old bitch, and said, "Before I would give you a dollar or anybody else a dollar for a round of beer I would cut your damned guts out." She looked at the women and thought he was jesting. She then looked at



06 16

7

him and saw that he was in earnest, and had a queer look in his eyes. She walked into the front parlor and was going upstairs and had got into the hall near the front door, when the defendant gave her two blows in her back which sent her against the door. Then this May Lester, one of the girls in the house said, "What are you doing?" She saw something in his hand and she said, "Madame, run for your life; he has got a pistol and is going to kill you." She, the witness, went down into the basement and the defendant walked back into the back parlor.

She, the witness, could not get out of the basement and she went out of the front door and went to the corner. When near the corner she met the complainant coming across Sixth Avenue and brought him to the house. The witness then corroborated the complainant's account of what had happened after he entered the house.

Under Cross Examination, the witness testified that her house was the second door from the corner of Sixth Avenue. She owned both houses, 105 and 107. She kept a house of prostitution.

M A Y L E S T E R testified that she was an inmate of Mrs. Angle's house. On the morning of the 18th

06 17

8

of August she saw the defendant Brown in that house between three and half past three in the morning. She and the other girls who were inmates of the house were sitting in the parlor. The Madame was playing cards when the defendant entered in the back parlor. He sat down and called for a round of ~~drinks~~ beer and threw a quarter down for it, and the Madame said, "I don't keep a public bar room. If you buy a round of drinks it will cost you a dollar." Then Brown said before he would pay a dollar for it he would cut her guts out. Then the witness corroborated Madame Angle as to what occurred afterwards. She, the witness, saw the gleam of something in the defendant's hand in the gaslight, when he was pursuing the Madame. The witness also corroborated the complainant as to his version of what occurred in the house.

Under Cross Examination, the witness testified that she had been an inmate of Madame Angle's house for about two years.

D R. W I L L I A M B. C O L E Y testified that he was connected with the house staff of the New York Hospital. On the 18th of August he was Acting

06 18

9

House Surgeon. Meagher was brought into the hospital on that morning. He then gave the name of Mulligan. There were three wounds--one on the scalp on the left side, going down nearly to the skull. The wound was about an inch in diameter and bleeding profusely. It was a punctured wound, just as though it was made with a gouging cut on the head. On the same side was a wound beginning at the tip of the ear and cutting through the tip and going down through the skin and muscles and extending to the collar bone. It had separated some of the muscles, arteries and part of the sterno-mastoid muscle. Another wound extended from the shoulder down the arm. It required ten stitches to close the wound. It was about three quarters of an inch broad. It was about eight or nine inches in length. There were also two abrasions of the skin on the anterior part of the same arm. The wounds were made in his opinion with a sharp instrument. He examined the complainant's clothing. He had on a coat, a waistcoat and two shirts and all of the clothing was cut through. The wounds were in a dangerous locality, but they were not sufficiently deep to make them dangerous. If they had been deeper



0619

10

the complainant would probably have died of hemorrhage before he was taken to the Hospital. The wounds were probably made with a sharp knife or a razor. He was unable to say which.

Under Cross Examination, the witness testified that the defendant was also treated by him in the hospital. He, the witness, was at work in the operating room on the complainant's wounds when the defendant was brought in in the ambulance. He was left in the ante-room until he, the witness, finished with Mr. Meagher. The defendant had a wound of the wrist joint--the left wrist--cutting all the extensory tendons and opening the joint, and also slight ecchymosis of the eye--not very marked. The defendant's hand was bleeding freely from a severed artery on the back of the hand. His hand was hanging down limp. He, the Doctor, had been in practice since June, 1888, in the New York Hospital. He had attended to many cases of wounded or injured persons.

JAMES G. DEMOREST testified, for the defense, that he lived at 69 Kosciusko Street, Brooklyn. He was the foreman of the Baker Heater Company at 566 West 34th Street. He knew the defendant Brown. He had known him for about a year. The defendant had

0620

11

worked under him. He knew other people that knew the defendant. His general reputation for peace and quietness was good. He was a hard-working, industrious man.

OFFICER THOMAS McNALLY, called by the People, testified that he was attached to the 19th Precinct. He arrested the defendant in the New York Hospital. He had a conversation with the defendant. He asked the defendant how he did the cutting. The defendant said he had to do something. The defendant said that the complainant was a bigger man than he was and he thought that the complainant was the bouncer of the house and he had to do something to protect himself.

Under Cross Examination, the witness testified that he was doing special duty on the morning of the affray and that he had one block--32d Street, between Sixth and Seventh Avenues. At about three o'clock that night he was standing opposite 111, a livery stable about two hundred feet from Mrs. Angle's house. He did not see either Brown or the complainant on that night. If there had been any outcry he probably would have heard it.

EDWARD BROWN the defendant, testified



0621

12

that on the night in question he saw the front door of Madame Angle's house open, and there was a light burning, and he knew the house to be a house of prostitution. He had never been in there before. He walked in. Madame Angle was playing cards at a little table at the end of the hallway. He walked back to her and he said, "Hello, playing cards?" and then he said, "I will play you a game for a dollar," and she said, "I don't play cards for money." He, the defendant, looked around the room and there were three or four girls sitting there, and a man was sitting at the piano. He looked at the piano player and saw that he was a man that he had seen down town in a concert saloon. He said to the piano player, "Are you up here now," and the player said yes, and he, the defendant, said, "I thought you were down town somewhere," and the piano player said, "I have not been down town in five years." He, the defendant, said, "Will you have a drink," and the piano player said, "I don't mind if I do." Then he asked the piano player if he knew him. The piano player said, "Your voice sounds kind of familiar, but I can't remember you." He, the defendant, said, "My name is Brown. I don't know if you know me or not. Will you have a drink?" Then he, the defendant, asked



0622

13

Madame Angle to give them a couple of glasses of beer. Madame Angle brought in the beer and began passing it around and he, the defendant, threw a quarter upon the table. Madame Angle passed the beer around to the girls in little whisky glasses, and gave them each a little taste in the bottom of the glass. She gave the piano player a little taste, and didn't give him, the defendant, any. When he threw down the quarter she said, "That is a dollar; anything you get in this house is a dollar." He, the defendant, said "I won't give it to you; I won't pay you any dollar for two glasses of beer." She said, "God damn you, you will give it to me!" He, the defendant, said, "I won't do anything of the kind. Then she asked the blind man what he meant by bringing in his pauper friend to her house. She said that he had no money and called for drinks without paying for them. She abused him, the defendant, and the piano player. He, the defendant, said, "Don't abuse the blind man; he ain't done nothing to you." He, the defendant, then opened his pocketbook. He had a half a dollar and some bills. He said, "There is a half a dollar, that is all the money I will give you," and Madame Angle said, "I want another half a dollar." He, the defendant,

0623

14

said, "I wouldn't give it to you," and she said, "I will get somebody that will make you give it to me damned quick." He, the defendant, said, "Go ahead and get him." He tried to get out of the room and the Madame pushed him back into the room. Then Miss Lester said, "Madame, he struck you in the back," and Madame Angle said, "Yes, you did strike me, damn you." He, the defendant, said, "No, I didn't strike you," and she said, "God damn you, I will get somebody that will fix you." He, the defendant, said to the blind man, "This is a nice way to treat a man, but I am no sucker; I won't pay a dollar for that beer." He turned around again and saw Madame Angle going out of the hall door. Then he, the defendant, went out of the house, intending to go home. He lived in 34th Street, between Ninth and Tenth Avenues. He got about fifty feet from the door when he looked around and he saw the complainant. The complainant had caught hold of him by his left shoulder. Madame Angle was with the complainant. She said, "This man stole five dollars out of my pocket." He, the defendant, said "You lie, you damned bitch, I have not been near your pocket." Then he turned to the complainant and said, "I went into that house to order two glasses of beer,

0624

15

and this woman wanted to stick me for a dollar, and I told her I wouldn't give her no dollar, but I told her I would give her half a dollar, and that was all there was about it." He, the complainant, said, "You had better go back to the house," and he, the defendant, said, "Who are you?" The complainant said, "I am a detective," and he, the defendant, said, "Let me see your badge." The complainant said, "Never mind the badge, you come back to the house." He looked like a detective, being a big, strong man, and he, the defendant, went back to the house and walked into the back room and sat down in the same chair that he was sitting in before. They had some conversation about paying for the beer. Then he, the defendant, said he would not give more than fifty cents for the beer, and believing that the complainant was not a detective he got frightened and determined to get out of the house. He said to the complainant, "If you are a detective, I will go around to the station house with you, but I won't pay any more money. He, the defendant, started for the front door, walking pretty fast. When he got about five feet from the door the complainant grabbed him by the left shoulder and struck him on the head, knocking him ~~down~~ over into



0625

16

the corner inside of the vestibule door. He, the defendant put up his hand before him, and said, "Don't strike me; I will go around to the station house with you." He was frightened, because, in showing his pocket book to show that he had fifty cents in it to pay for the beer, he had also exhibited one hundred dollars that he had in the pocket book. He thought the complainant was the pimp or bouncer of the house and that he intended to rob him and kill him. He was in a corner and believed that he couldn't get away from the complainant, and he pulled out his knife and cut him. The complainant jumped back to the stairway and gave him, the defendant, a chance to run down the steps. Then, as he was going down the steps, he felt a cut upon his hand. On the corner of Seventh Avenue he saw a police officer and said, "I am cut very bad; go up and arrest the man with the sandy Mustache; he cut me. Where is the station house?" The officer said, "It is around in 30th Street. When he, the defendant, got there he told the sergeant that he had been cut in a whorehouse in 32d Street. The sergeant told him to go into the back room and put some rags around his hand. He got faint and remembered only the doctor coming there and dressing him and taking

0626

17

him to the hospital. He was a steam fitter by trade.

Under Cross Examination, he testified that he cut the complainant at the time he was in the corner and the complainant was actually striking him. He used an ordinary pocket knife. After he cut the complainant he got into the street as fast as he could. The defendant pursued him and at the head of the steps he turned to make another cut at the complainant, and a moment afterwards he felt that his own hand was wounded.

T H O M A S J. Q U I N L A N testified that he lived at 831 Third Avenue, and was an awning manufacturer at 271 Third Avenue. He knew the defendant Edward Brown, and had known him for five years. He knew others that knew him. His general character for peace and quietness was good.

Police Sergeant OLIVER TIMS testified that on the morning of August the 17th, between twelve and six o'clock, he was on duty at the desk in the Nineteenth Precinct station house. He remembered the defendant Edward Brown coming to the station house. He was bleeding profusely. He made an entry in the station house blotter to the effect that the defendant was suffering from a severe cut on the wrist of the left hand. The



0627

18

defendant stated to him that he had just received the wound in a house of prostitution at No. 105 West 32d Street from an unknown man who had escaped. Brown was sent to the hospital in the ambulance.

Under Cross Examination, the witness testified that the defendant said that he had been cut by a large man with brown whiskers. First he said that he wanted him arrested, and afterwards he said that he didn't care-- that he would get square with the son of a bitch when he got well. The defendant said that he was in the house talking to the women when he was cut. The defendant did not say that he had taken out a knife and cut the man who had cut him, but said that they had had an altercation. He left the impression on the witness' mind that he had not done any cutting.

O F F I C E R J O S E P H W A R N E R testified that he was attached to the Nineteenth Precinct police. He was on duty on Seventh Avenue from 23d to 32d Street on the morning of August 18th. He was at the corner of 32d Street and Seventh Avenue at about three o'clock on that morning. He remembered seeing the defendant. The defendant came up to him and said, "Where is the station house?" and he, the witness, said, "Around in 30th Street. What is the matter with



0628

19

you ?" The defendant said, "I have been cut." He, the witness, asked him where, and he said up in 32d Street. He, the witness, directed him to the station house. The defendant described the man that cut him as a tall man with a sandy mustache. He did not say that he had been cut in Madame Angle's house.

HENRY CRISP testified that he lived at 206 East 30th Street. He was a professional nurse. He knew the defendant, Edward Brown, very well. He had known him for about seven years and knew others that knew him. His general character for peace and quietness was good.

Samuel Burke, sail maker, of 561 Hudson Street, and John Carmody, of Oswego, New York, testified to the same effect.

---

0629

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Edward Brown*

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

*Edward Brown*

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

The said *Edward Brown*

late of the City of New York, in the County of New York aforesaid, on the  
*seventeenth* day of *August* in the year of our Lord  
one thousand eight hundred and *eighty-nine* with force and arms, at the City and  
County aforesaid, in and upon the body of one *Charles W. Meagher*  
in the Peace of the said People then and there being, feloniously did make an assault  
and *him* the said *Charles W. Meagher*  
with a certain *sharp instrument to the Grand*  
*Jury aforesaid unknown*  
which the said *Edward Brown*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

*him* the said *Charles W. Meagher*  
with intent thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT—

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

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

The said *Edward Brown*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said *Charles W. Meagher* in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and *him* the said  
*Charles W. Meagher*  
with a certain *sharp instrument to the*  
*Grand Jury aforesaid unknown*  
which the said *Edward Brown*  
in *his* right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York,  
and their dignity.

0630

THIRD COUNT—

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

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

The said

*Edward Brown*

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

*Charles W. Meagher* in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and

him the said *Charles W. Meagher*  
with a certain sharp instrument to the

*Grand Jury* aforesaid unknown  
which he the said *Edward Brown*

in his right hand then and there had and held, in and upon the head, neck,

shoulder & arm of him the said *Charles W. Meagher*

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said *Charles W. Meagher*

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

JOHN R. FELLOWS,

District Attorney.



0631

**BOX:**

367

**FOLDER:**

3446

**DESCRIPTION:**

Brown, Fanny

**DATE:**

10/24/89



3446

0632

Witnesses:

George H. H. H.  
Off. Rick: Cogan  
22 Pruch

Counsel,  
Filed  
Pleads,  
188

THE PEOPLE

Fanny Brown

H.D.

JOHN R. FELLOWS,

District Attorney.

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

Oct 31 1909

A TRUE BILL.

Mr. L. L. L.  
Foreman.

Spec. & connected  
2 Mrs. H. H. H.

0633

4-7

The People  
 vs.  
 Fanny Brown Court of General Session, Part I  
 Before Recorder Smyth. Nov. 11. 1889  
 Indictment for grand larceny in the second  
 degree.

George Hurst, sworn and examined, testified:  
 I live in Chicago and have been in  
 this country twenty two years. I came  
 to New York from Liverpool, Eng. on  
 Friday and this occurred on the Monday  
 night after. I met the defendant. I had  
 seventy seven dollars and had between  
 three and four dollars in my pocket  
 book besides. The seventy seven dollars  
 was in twenty, tens and fives. I had  
 it in my vest pocket and the pocket  
 book I had in my pantaloons pocket. I  
 wore a soft felt hat. I was walking  
 on the street, I cannot say the  
 names of the streets, for I am not  
 acquainted with them. I met another  
 woman and I got talking with her. She  
 said, "will you take a walk up with  
 me? I had been up there once before.  
 She took me up and introduced me  
 to the defendant; she (the defendant) said,  
 "we will have something to drink." I  
 said, "if that is so, I will pay for it."  
 I took out my pocket book and gave  
 her money to pay for it, twenty five cents.



0634

The liquor took a little effect on me; she wanted to make an agreement with me (the defendant) to go to bed and stop with her all night. She did not see my seventy seven dollars then. I made an agreement to pay her two dollars for that night. So when I went to bed I was going to take my clothes off. I was going to take my vest and put it under the pillow. There was a man there at the time; she says to me, "Have you got anything in your vest that you are frightened about?" I say, "Yes, I have got some money there." She says, "It is best for you to give me that and I will take charge of it till tomorrow morning." I said, "If that is a safe thing I will do it. It don't seem to be very safe, I would rather have it in my vest." "O No," she says, "it will be just as sure as ~~as~~ <sup>when</sup> you have got it in your pocket." So I took the money out of my vest and delivered it to her to take care of it. Then we went to bed, I went to sleep very quick. In the morning very early she came and pulled me and says, "I want

0635

you out of here." I cannot rightly tell what time it was, it was pretty early in the morning. She says, "I want you out of this place." I says, "What is the matter?" She says, "Get away from here, I don't want your acquaintance round here." I got up and dressed myself. I says, "Will you please let me have my money?" She says, "Money! what have you got to do with money? There is no money here for you." I says, "Yes; let me have my money right away and there will be no bother about it, but if there is going to be this here, I will bring somebody that will get the money." So when I got to the door I said, "Please let me have a hat." It was my own hat I asked for. She says, "There is no hat here for you." She was going to shove me out and she was not able to do it. So there was another man - I don't know the man - I would not hardly know the man by face, he came and shoved me outside of the door; they both shoved me outside the door.

0636

I says, "I must have a hat. if I am going out on the street." So she took an old hat, not my own hat, and threw it at me - a regular old hat with a lot of holes in it. So when I got out I says, "If you dont let me have my money, I will go and get somebody what will get it." I went down stairs and when I had gone half a block I met a policeman there and I told him what was the matter. He says, "You must excuse me, I am not on duty at present, but I will get you one who will do it. He got one and he is over there, officer Jagan. I was standing about three or four houses from there, I saw her coming down; she went across the street to buy some old - there was some jewelry. I dont know what kind of stuff. I pointed her out to the officer and took him over there and he arrested her. I have not got my money yet, but she took the money out and was going to throw it away. The officer caught the money in her hand; it was wrapped up in a red handkerchief. I had no talk with her.



0637

Cross Examined. I left Chicago on the 10th of July and came here to go to Liverpool. I only stopped here half a day and went to Liverpool. I am a Machinist.

I met a woman in Greenwich St. and she took me up into her apartments.

(Counsel read the deposition of the complainant taken before the Magistrate.)

- Q You swear here on the stand that a woman, another woman met you in the street and accosted you and brought you up to the house of Fanny Brown, and before the Police Magistrate you swore that Fanny Brown met you on the street, accosted you and brought you up, which of the two statements is correct? A. It was the first one brought me up. I never saw her on the street at all (This defendant) Q This statement before the Magistrate to the effect that she met you on the street and brought you up is not true? A. No it is not true. I had crossed the Ocean and had been to Leeds. I was three days in New York before this thing happened. I had nineteen pounds in English money when I landed in New York. I bought a

0638

few things. I did not earn any money when I went to Liverpool from New York. I landed at Castle Garden. I took a cab and went to Eleventh street in New York. I stayed there from Friday till Monday. I went round to different places. I was in that woman's house on Saturday night, the day before I had her arrested. I drank some every day I was here. I had no friends here. It was in the evening that I reached Greenwich St. but I could not tell the time, it was dark. I was just taking a walk round. I don't know the names of the streets. I had a few glasses of beer where I was staying. I met a woman in the street, she took me to this house, ~~but I did not go~~ ~~and I went to bed~~ with her. I was in the house several hours before I went to bed. I gave her 25 cents to go out for beer, and what I took had a great effect upon me. I could not tell you what became of the woman whom I met on the street. I saw the man when I was going to bed. I gave the defendant two dollars in the presence of these other parties. I got up between twelve and one o'clock to go out into the yard to attend a call of nature.

0639

I came back again and went to bed and remained in bed till morning. I was out in the yard about half an hour.

Richard J. Logan, sworn. I am an officer attached to The Second Precinct and on the 21<sup>st</sup> of October arrested the defendant upon a charge of larceny preferred by the complainant. I was patrolling my post on Greenwich St. between ten and twelve o'clock and the complainant made a complaint to me. I went up and took the defendant from one of those pedlars who was going along the street. I said to her, "Come along with me; this man is making a complaint against you for stealing some money from him." I brought her to the station house. I said, "You had better give this man the money; if you do not, you will get in trouble." She said, "I have not got the money; come over here across the street and I will get the money off my husband; if he wants that money that he lost I will give it to him." I walked across the street with her but I did not want her to go up stairs. I said, "No, you are under arrest and I won't let you go any further; you had better come with me then I



0640

went to take her she said, "I want go any further with you." I said, "If you dont come, I will put you on a wagon," and she laid down in the street, and I threw over her the wagon and brought her to the station house with the assistance of Officer Clarkson. Before I put her on the wagon and when I was across the street she was getting her hand towards her pocket on the right side; she happened to pull something out halfway and I grabbed her hand and took the pocket book out of her hand with a blue handkerchief around it. I examined it in the station house and found seventy five dollars and a pair of ear rings on a card. The judge told me to bring the money to Headquarters: it is at the Property Clerk's.

Jenny Brown, sworn and examined in her own behalf testified. The money that was found on me - forty dollars of it belonged to my husband, Charlie Brown, and the rest of it belonged to me - my lodging money for beds; there was one silver dollar, which Nellie gave me for the bed which she

0641

and the man used. I never received a cent from the man and did not steal any from him. I will tell you the truth and nothing but the truth. I have got a witness to prove it. I was washing on a Monday. I had a big wash. About 8 o'clock Monday evening I was after taking my wash off the roof; my husband was lying on the bed; he had a sore foot, he had his foot lanced. This woman Nellie came to my house several times; she knocked at the door and brought this man in; I never saw him before; he testified he was in my house Saturday night, but I never saw him before. She says to me, "Mrs. Brown, this is my husband;" and I says, "Where did you come to have a husband?" I am not telling you a lie, I am married. we want a bed for the night." I say, "All right, you can have my bed in the house." I had a large room and three beds were in the room, a double bed. I have only one room and one bed; curtains are all around the bed for a partition; the other two beds are in the right hand side as you come in.



0642

Kellie asked him if he was going to treat? I pulled in my clothes and had them piled up. In the mean time I don't know what occurred between him and Kellie. Kellie goes and gets something to drink and my husband and I drank some of it. They were both talking, and what the conversation was I do not know. In a little while she handed me a silver dollar and I put it in the pocket of a loose wrapper with the rest of the money. They lay in bed till eleven o'clock; she wanted to go away and I followed her and pulled her in; she said, "I want to go down after beer." She said to me, "Fanny, have you any objection to send Charlie down for beer?" I said, "Charlie's foot is too sore." She went down herself and brought up a can of beer and a bottle of whiskey from Mr. Adams' downstairs; we live over a liquor store. Whether she took the bottle away or drank the whiskey I do not know. She got up and dressed herself and said, "I am going out, I will



0643

be in later." She went out, and when I was there folding my clothes I began to mend and to sew. My husband was lying in bed, and he (the complainant) got up in the bed and commenced to fight. He said, "Didn't I pay you two dollars for sleeping with me all night?" He said, he paid me another two dollars as he was going out, and that I picked him off the street. I never picked a man up from the street. My husband said, "Are you crazy?" He said, "I want some more drink." I said, "It is too late, you go to bed and behave yourself." He took the pocket book and threw it over at me and said, "Go and get me beer." I said, "I will get no beer." He said, "I won't take the money back." I threw up the pocket book. My husband picked up the pocket book; he would not take it, but insisted upon going to bed with me. He lay on the bed about 20 minutes. Undressed and told my husband to go to bed and never mind him. He was cursing and swearing that he picked me up on the street. He said, "I will give you three dollars if you will sleep with me till morning." I said, "I am

0644

a married woman, I am not going to sleep with you or any other man. He said, "You have got to sleep with me." He insisted upon my taking the pocket book. I left the pocket book on the pillow. I did not have anything to do with it. He insisted on my ~~keeping~~ the pocket book and taking three dollars out of it and going to bed with him. I said, No, I don't make money in that way. My husband said, "Kellie has gone out that brought you in here." He said, No, he brought me in (meaning me). My husband said, "You are crazy. This woman did not go on the street to pick you up, she is my wife." I said, "You go to bed like a man and I will get you a drink in the morning." He said, "Will you take charge of my money till morning?" I said, "Yes, nothing will happen, we are all in the one room and I have the key in my pocket." He went over and laid on the bed. I said, "You look how much money you have." The complainant and my husband went at the table. I did not see a penny in the pocket book whether it was silver or gold. My.



0645

husband said, "it is not worth bothering about." The complainant reached for the pocket book and said, "you keep it till morning for me." I said, Go to bed and behave yourself. He was not so minutes a half an hour in bed when he jumps up off the bed and commenced and makes to go to bed with me; he insisted upon going into the bed. I jumped out of bed and said to my husband, "you put him out, he is crazy." He said, Give me the money I gave you." I handed him the pocket book out of my own hand. He put on his drawers with no pants and went into the street. It was a few minutes past one. About a quarter to four in the morning my husband and I found him coming up stairs; we never shut the door; we thought he would be back. One of the boarders found him on the stoop lying paralyzed drunk. He brought him into the house. He laid down on the bed at one o'clock and at eight o'clock woke up and said, "I want my money." I said, If you swear that is your money, you can have it, but I am sure that is not your money.



0646

Cross Examined. My husband and I keep  
lodgers in three rooms in Washington St.  
Sammy Brown is my right name. I went  
by the name of Catherine Barrow three  
years ago in this Court in a law suit - a  
larceny case. I was married two years ago  
on the 17<sup>th</sup> of Oct. I could not tell how  
many husbands Melbie has; she told  
me she (the complainant) was her  
husband. I never was in the penitentiary  
I had a month for being drunk in the  
workhouse. I was really drunk when I was  
arrested and I did not want to go with  
the officer. I said to the officer "If this  
man will swear that this was his  
money I was willing to give it to  
him. I did not think he would take  
his oath that it was his money.  
I had a wrapper with a pocket, I  
took it out to show it to the officer  
when the officer grabbed it out of  
my hands.

The jury rendered a verdict  
of guilty.

0647

Testimony in  
case of  
Fanny Brown

filed Oct.  
1889.

0648

Department of Public Charities and Correction.

HENRY H. PORTER, Pres't.,  
CHARLES E. SIMMONS,  
EDWARD C. SHEEHY.

Office of City Prison, Cor. Franklin and Centre Streets,  
New York.

CHARLES OSBORNE,  
Warden.

1889

Warden Osborne

Dear Sir:

I hereby certify that  
Fanny Brown has been  
in Hospital for a few days  
with a Menstrual flux.  
She is now convalescent.

Yours truly

Wm. H. H. H.



0649

Department of Public Charities and Correction.

HENRY H. PORTER, Pres't.,  
CHARLES E. SIMMONS,  
EDWARD C. SHEEHY.

Office of City Prison, Cor. Franklin and Centre Streets,  
CHARLES OSBORNE,  
Warden.

New York, Nov 9 1889

A. D. Parker Esq.,  
Asst. Dist Atty

Dear Sir:

I enclose the prison  
physicians certificate in  
the case of the prisoners  
Fanny Brown.

Yours  
Charles Osborne  
Warden

0650

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, DISTRICT.

Richard J. Logan  
of Second Precinct Street, aged 26 years,  
occupation Policeman being duly sworn deposes and says

that on the day of 188  
at the City of New York, in the County of New York, that George Hurst

the within named Complainant is a  
resident of the City of Chicago and  
is a necessary and material witness  
for the prosecution

Wherefore deponent prays  
that said Hurst give surety  
for his appearance to testify

Richard J. Logan

Sworn to before me, this  
of 1889 day

Police Justice.



0651

Police Court—

District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of Chicago

George Ernst

Street, aged 42 years,

occupation Machinist.

being duly sworn

deposes and says, that on the 21 day of October 1889 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property, viz:

Good and lawful money of the United States consisting of divers bills of divers denominations of the amount and of the value of seventy seven dollars and one cent that 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 Fanny Brown (now free)

Deponent says that about the hour 8 1/2 P. M. on said date he was walking along Greenwich Street when said defendant accosted him and induced him to accompany her to No 87 Greenwich Street in said City.

Deponent says that he took the aforesaid money from his vest pocket in said premises and she defendant requested him to give her the same for safe keeping and that she would return the same in the morning - Deponent says that he went to bed with defendant and

Sworn to before me this 18 day of October 1889  
Police Justice.



0652

arrived this A. M. and requested  
defendant to return the money. The  
defendant threw a hat at him  
and said she did not want  
anything further to do with him  
and put him out of the house and  
refused to return said money.  
Therefore defendant charged said  
defendant with feloniously taking  
stealing and appropriating the  
same with intent to deprive the  
true owner of the same.

George Hurst -

Sworn to before me

This 22 day of Oct 1889

J. H. Bell, Justice

0653

Sec. 198-200.

1st District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer. *Fanny Brann*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Scotland*

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

Answer. *87 Greenwich St 3 weeks*

Question. What is your business or profession?

Answer. *Married woman*

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

Answer. *I am not guilty*

*I her  
Fanny + Brann  
mark*

Taken before me this

22

day of OCTOBER.

1889

Police Justice.



0654

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

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

Dated Oct 22 18 89 De J. C. Kelly Police Justice.

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

Dated.....18..... Police Justice.

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

Dated.....18..... Police Justice.



0655

Police Court---

1593 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

George Hurst

Fanny Brown

Offence. Larceny

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Dated Oct 22 1889

D. O. Reilly Magistrate.

Cogan Officer.

2d Precinct.

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

Do Iceberg Police Justice

No. \$1500 to answer

COMMITTED.

9.22 money

0656

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Fanny Brown*

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

this indictment, accuse

*Fanny Brown*

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE,

committed as follows:

The said

*Fanny Brown*

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

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

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

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

*and one hat of the  
value of two dollars*

of the goods, chattels and personal property of one

*George Hurst*  
then and there being found,

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

JOHN R. FELLOWS, *District Attorney.*

0657

**BOX:**

367

**FOLDER:**

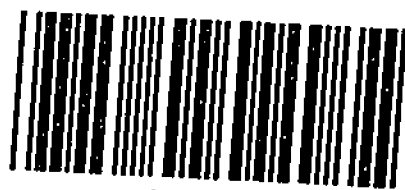
3446

**DESCRIPTION:**

Buchanan, James

**DATE:**

10/24/89



3446



0658

**BOX:**

367

**FOLDER:**

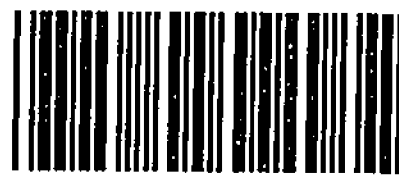
3446

**DESCRIPTION:**

Wilson, Charles

**DATE:**

10/24/89



3446

0659

Witnesses:

Quinn Rafferty

M<sup>r</sup>. Condon

off. Fitzgerald

207 Puck

Upon the testimony with  
are especially inform  
into own there is clearly  
no case for the people of  
off. Wilson, I am sorry  
recommending the dismissal  
of the defendant as with  
him.

Nov 6/89. D. Parker  
Defendant

John. Barker

res on 10/20  
of 10/20/89  
Sept 10/89.

P.P.

Counsel,

Filed

Pleads

203 203

203 203

3rd Nov 38

THE PEOPLE

vs.

James Buchanan  
and

Charles H. Wilson

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

JOHN R. FELLOWS,

District Attorney.

Indictment returned by  
the Grand Jury

A True Bill.

M. L. Cole, Foreman.

F. 2. Oct. 25. 1889

Ad. Pleas A. 2 dg

S. 1. 5 years.



0660

Police Court— 2 District.

City and County { ss.:  
of New York,

Owen Rafferty

of No. 622 West 52nd Street, aged 23 years,

occupation Cart driver being duly sworn

deposes and says, that on the 29th day of September 1889 at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

James  
Buchanan and Charles Wilton, now here

under the following circumstances:— The  
defendants met deponent in West  
Twenty-ninth street and both the defendants  
struck deponent several blows with their  
fists, and, when deponent ran away,  
the defendant Buchanan followed  
deponent and shot deponent with a  
loaded pistol destroying the sight of  
deponent's right eye.

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

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

Sworn to before me, this 1 day  
of October 1889.

Owen Rafferty

John J. [Signature] Police Justice.



0661

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer. *Charles Wilson*

Question. How old are you?

Answer. *22*

Question. Where were you born?

Answer. *Philadelphia N.S.*

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

Answer. *422 West 41st - 5 months.*

Question. What is your business or profession?

Answer. *Clack Driver*

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

Answer. *I am not guilty. I  
did not raise my hand  
to a single man and  
did not strike defendant.*

*Chas. Wilson*

Taken before me this

day of *October* 188*9*

*John J. McInerney*  
District Police Justice.

0662

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer.

James Buchanan

Question. How old are you?

Answer.

32 years

Question. Where were you born?

Answer.

N.Y.

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

Answer.

344 West 34th St. 1 year

Question. What is your business or profession?

Answer.

Butcher

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

Answer.

I am not guilty. I did not  
have any pistol. I never carry  
a pistol.

James Buchanan  
mark

Taken before me this

day of

October

188

John J. Buchanan  
Police Justice

0663

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

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

Dated Oct 8 1889 John J. Hermann Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.



0664

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court---

1527  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Owen Rafferty  
622 West 62nd St

James Buchanan  
Charles Wilson

Assault  
Felony  
Offence

3.....

4.....

Dated Oct 8 1889

Gorman

Magistrate.

Fitzgerald

Officer.

20

Precinct.

Witnesses William Condon

No. 510 West 38th Street.

Joseph Gallagher

No. 503 West 35th Street.

Not by Mr. Brien

No. 482 9th Ave Street.

\$ 1500 to answer

Can

Ans on  
prosec

0665

ROOSEVELT HOSPITAL,

59TH STREET AND NINTH AVENUE,

JAS. R. LATHROP,  
SUPERINTENDENT.

New York, Oct 2<sup>d</sup>, 1889  
To His Honor, Judge Ford;  
2<sup>d</sup> District Police Court.

This is to certify  
that Owen Rafferty, admitted  
to Roosevelt Hospital Sept. 29<sup>th</sup>  
1889, for treatment of  
Bullet-wound of the Right Orbit  
and Eye, has been operated  
upon for extirpation of the  
wounded eye; that he  
remains a patient in  
the Wards of Roosevelt Hospital,  
his present condition and  
progress in convalescence  
being satisfactory.

C. L. Harrison  
House Surgeon.

0666

ROOSEVELT HOSPITAL,

59TH STREET AND NINTH AVENUE,

JAS. R. LATHROP,  
SUPERINTENDENT.

New York, Sept. 30<sup>th</sup> 1889

This is to certify  
that Owen Rafferty was  
admitted to the Wards of  
Roosevelt Hospital on Sept.  
29<sup>th</sup> inst., for treatment of  
bullet-wound of the  
right orbit; that he  
presented a bullet-wound  
of entrance and of exit  
on the frontal bone, tract  
of bullet traversing and  
destroying the right eye  
without apparently entering  
the cranium.

C. L. Harrison  
House Surgeon.



0667

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

Sworn to before me, this

of

188

and

Police Inspector

of No. 20th Precinct Police Street, aged 38 years,  
occupation Police Officer being duly sworn deposes and says  
that on the 29th day of September 1888  
at the City of New York, in the County of New York Dependent arrested  
James Buchanan and Charles Wilson  
both now here for feloniously assaulting  
and beating Chas Rafferty of No 522 West  
52nd Street said defendant Wilson struck  
said Rafferty a violent blow on the face with his  
fist and said defendant Buchanan pointed  
aimed and discharged two barrels of a  
pistol loaded with ball cartridges at the  
body of said Rafferty one of the cartridges  
so discharged taking effect in the right  
eye of said Rafferty inflicting injuries

0668

Police Court-- District.

THE PEOPLE, & C.,

ON THE COMPLAINT OF

Maurice Fitzgerald

James Buchanan

Charles Wilson

Dated

1889

Sept 30

1889

Magistrate.

Officer.

Fitzgerald

W. J. Gallagher

503 West 33rd St

William Leonard

510 West 33rd St

Disposition, Remit to

await verdict of

jury

Police Justice

from which said Rafferty is now confined  
to the Roosevelt Hospital and is unable  
to appear in Court. Said Rafferty identified  
the defendant, Buchanan in the presence of  
deponent as the person that shot said Rafferty  
wherefore deponent prays that the said  
defendants may be held to answer the charges  
of said injuries.  
Maurice Fitzgerald

Sworn to before me this

30th day of Sept 1889

AFFIDAVIT.



0669

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*James Buchanan*  
and  
*Charles H. Wilson*

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

*James Buchanan and Charles H. Wilson*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

*James Buchanan and Charles H. Wilson, both*

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

*twenty-ninth* day of *September*, in the year of our Lord  
one thousand eight hundred and eighty*nine*, with force and arms, at the City and County  
aforesaid, in and upon the body of one *Owen Rafferty*

in the peace of the said People then and there being, feloniously did make an assault and  
to, at and against *him* the said *Owen Rafferty*

a certain pistol then and there loaded and charged with gunpowder and one leaden  
bullet, which the said *James Buchanan and Charles H. Wilson*

in *their* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,  
with intent *him* the said *Owen Rafferty*

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

SECOND COUNT—

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

*James Buchanan and Charles H. Wilson*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*James Buchanan and Charles H. Wilson, both*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year

aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said *Owen Rafferty* in the peace of

the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and to, at and against *him* the said

*Owen Rafferty*

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,  
which the said *James Buchanan and Charles H. Wilson*

in *their* right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did

wilfully and wrongfully shoot off and discharge, against the form of the statute in such case  
made and provided, and against the peace of the People of the State of New York and

their dignity.

JOHN R. FELLOWS,

District Attorney.



0670

XX  
BOX:

367

FOLDER:

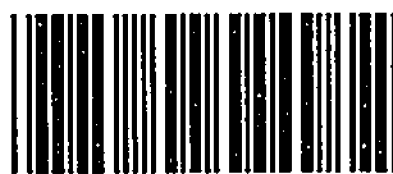
3446

DESCRIPTION:

Buckley, James

DATE:

10/29/89



3446

0671

Witnesses:

Off. Michael Reidy  
22 Puch

244

Counsel,

Filed

Pleads,

188

day of

Oct 9

THE PEOPLE

vs.

R

James Buckley

Grand Larceny, 5th Degree.  
(From the Person.)  
[Sections 528, 580 Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. L. Cole Foreman.  
J. J. Jany  
S. P. Jany  
R. B. M.





0673

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *James Buckley*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *17 West St. all my life*

Question. What is your business or profession?

Answer. *Printing*

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

Answer. *I am not guilty*

*James <sup>his</sup> Buckley*  
*mark*

Taken before me this *19*

day of *October* 188*9*

*W. J. P. Smith*  
Police Justice.

0674

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

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

Dated Dec 19 1889 P. J. McCall Police Justice.

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

Dated.....18..... Police Justice.

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

Dated.....18..... Police Justice.



0675

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court---

1580

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Charles Stanthorn*  
vs.  
*James Buckley*

2 .....

3 .....

4 .....

*Lacy from person*  
Officer

Dated *Oct 19* 188*9*

*O'Reilly* Magistrate.

*Reidy* Officer.

*2d* Precinct.

Witnesses *Michael J. Reidy*

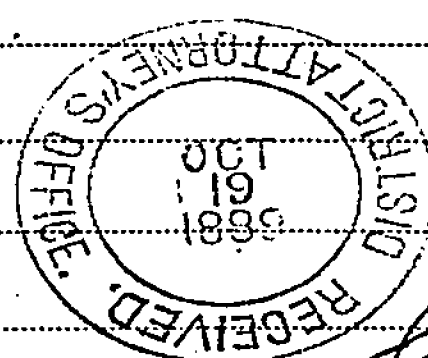
No. *2nd Precinct* Street.

No. .... Street.

No. .... Street.

\$ *1000* to answer

COMMITTED.



*GS*  
*92 person*



0676

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*James Buckley*

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

*James Buckley*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

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

*one watch of the  
value of seven dollars*

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

*John R. Fellows,  
District Attorney*

0677

**BOX:**

367

**FOLDER:**

3446

**DESCRIPTION:**

Burns, John

**DATE:**

10/31/89



3446

0678

BOX:

367

FOLDER:

3446

DESCRIPTION:

Hines, James

DATE:

10/31/89



3446



Mary Ann Chudson  
off slowly 77<sup>th</sup> prc.

THE PEOPLE

5/11/94

vs.

John Burns

James Blaine

id

id

Burglary in the second degree,

and Petit Larceny,

[Section 49, 50, 51, 52 and 53].

*District Attorney.*

# A True Bill,

Mr. L. B. Foreman.  
Oct 31/94  
Robert L. Foreman  
Boston, V. 2 yrs. B.S.M.

0679

0680

Police Court—2 District.

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

of No. 357 West 37th Street, aged 37 years,  
occupation Housekeeper

deposes and says, that the premises No 357 West 37th Street,  
in the City and County aforesaid, the said being a four story brick  
Dwelling

and which was occupied by deponent as a dwelling on the second floor and cellar  
and in which there was at the time a human being, by name deponent

were **BURGLARIOUSLY** entered by means of forcibly breaking  
off a padlock on the cellar door of  
said premises

on the 24th day of October 1885 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

a quantity of  
personal clothing, a stove, and  
household goods, of the value of  
about twenty dollars (\$20)

the property of deponent and members of her family  
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

John Burns and James Hynes

for the reasons following, to wit: deponent securely locked and  
closed the said premises about four weeks  
ago, at which time said property was  
securely locked in said cellar. Deponent  
was called about 2 o'clock p.m. on the  
24th day of October by Mrs Catherine  
Begnan, now here, who saw the defendants  
in the said cellar, and deponent went  
to the said cellar and there saw

0681

the defendants in the act of moving  
the said goods feloniously, and part  
of the said property had been placed  
in sacks ready for removal. Defendant  
caused the arrest of the defendants  
immediately, and now asks that they  
be dealt with as the law directs.

Sworn to before me this } Margaret Shalderson  
25<sup>th</sup> day of October  
1889 }  
J. H. [Signature]  
Police Justice

Police Court — District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

vs.

Burglary — Degree.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Sred.



0682

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK }

2 District Police Court.

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

Question. What is your name?

Answer.

John Burns

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

349 Bowery 3 months

Question. What is your business or profession?

Answer.

Ragman

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

Answer.

I met a party at the  
door who sent me down  
for a lot of old iron.  
I deny that I broke any  
lock or stole anything.

John, Burns

Taken before me this

25

day of October

1889

Police Justice.

0683

Sec. 198—200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

James Hyner

Question. How old are you?

Answer.

36 years

Question. Where were you born?

Answer.

N.Y.

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

Answer.

149 Bowery. 9 months

Question. What is your business or profession?

Answer.

Ragman.

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

Answer.

I did not steal anything. I was with the defendant Burns when the party sent him to the cell to get old iron. We did not break any lock.

James Hyner

Taken before this  
day of October

1885

25

Police Justice.

0684

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

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

Dated Oct 25 1889

[Signature] Police Justice.

I have admitted the above-named.....

to bail to answer by the undertaking hereto annexed.

Dated..... 188

..... Police Justice.

There being no sufficient cause to believe the within named.....

..... guilty of the offence within mentioned. I order h to be discharged.

Dated..... 188

..... Police Justice.



0685

Police Court--- 2 1615 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Margaret Sheldon  
357 West 37<sup>th</sup>  
John Burns  
James Hynes

Offence *Murder*

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated *Oct 25* 188 *9*

*Hogan* Magistrate.

*Howes* Officer.

*20* Precinct.

Witnesses *Catherine Dequan*

No. *357 West 37<sup>th</sup>* Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

\$ *500* to answer *E. S.*

*Leon*



0686

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Burns and  
James Shiner*

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

*John Burns and James Shiner*  
of the CRIME OF BURGLARY IN THE *second* DEGREE, committed as follows:

The said

*John Burns and James Shiner*  
*Shiner, doth*

late of the *Twentieth* Ward of the City of New York, in the County of New York  
aforesaid, on the *Twenty-fourth* day of *October*, in the year  
of our Lord one thousand eight hundred and eighty-*nine*, with force and arms, about the  
hour of *Two* o'clock in the *day* time of the same day, at the Ward,  
City and County aforesaid, the dwelling house of one *Margaret Sheldon*,

there situate, feloniously and burglariously did break into and enter, there being then and there  
some human being, to wit:

*The said Margaret Sheldon,*

within the said dwelling house, with intent to commit some crime therein, to wit: the goods  
chattels and personal property of the said *Margaret Sheldon*.

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,

0687

SECOND COUNT—

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

*John Dumas and James Hines*  
of the CRIME OF *the* LARCENY \_\_\_\_\_ committed as follows:

The said

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

*one stone of the value of ten dollars,*  
*several articles of clothing and wearing*  
*apparel, of a number and description*  
*to the Grand Jury aforesaid unknown,*  
*of the value of seven dollars, and*  
*several other goods, chattels and*  
*personal property, of a kind and*  
*description to the Grand Jury aforesaid*  
*unknown, of the value of eight dollars,*  
of the goods, chattels and personal property of one *Margaret Sheldon,*  
in the dwelling house of the said *Margaret Sheldon.*

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

*John D. Hines*  
*John D. Hines*



0688

**BOX:**

367

**FOLDER:**

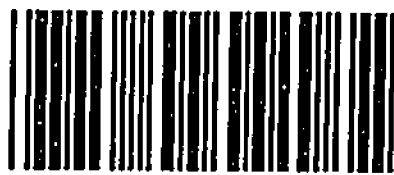
3446

**DESCRIPTION:**

Burns, Thomas

**DATE:**

10/02/89



3446

0689

**BOX:**

367

**FOLDER:**

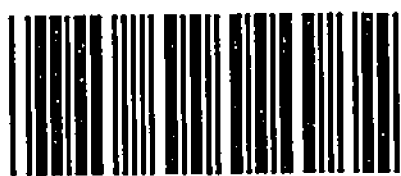
3446

**DESCRIPTION:**

Flood, Michael

**DATE:**

10/02/89



3446

0690

BOX:

367

FOLDER:

3446

DESCRIPTION:

Turner, John

DATE:

10/02/89



3446



Witnesses:

Henry C. McPherson  
Off James L. Henry  
28th Precinct

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

Thomas Burns  
Michael Flood,  
John Turner  
H.D.

JOHN R. FELLOWS,

District Attorney.

Grand Larceny Second degree.

[Sections 628, 581 — Penal Code].

A TRUE BILL.

Chas. D. Dolan  
Oct 8/79  
Foreman.  
Fred J. M. McPherson

0691

0692

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

of No. 28 Precinct Police Street, aged 35 years,  
occupation Police Officer being duly sworn deposes and says  
that on the 30 day of Sept 188

at the City of New York, in the County of New York Henry E. McMahon  
(nowhere) who is the complaining  
witness in a case of larceny and  
why is necessary witness in  
the prosecution and if allowed  
to go will not prosecute

Wherefore Applicant  
prays that the said Henry E. McMahon  
shall be committed to the House  
of Detention till the said  
case shall have been determined  
James L. Henry

Sworn to before me, this

of

188

day

Police Justice.



0693

Police Court-- 2 District.

THE PEOPLE, & c.,

ON THE COMPLAINT OF

Jas L Henry  
vs.  
Henry E W Henry

AFFIDAVIT.

Dated Sept 30 1887

Fmd Magistrate.

Henry 2d Officer.

Witness,

Disposition, Out to house

of Detention



0694

Police Court—

District—

Affidavit—Larceny.

City and County } ss.:  
of New York,

Henry E. McPherson

of No. Home

Street, aged 38 years,

occupation

Soldier U.S. Army

being duly sworn

deposes and says, that on the

29<sup>th</sup> day of

September

1889 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property, viz:

Good and lawful money of the  
United States to the amount  
and of the value of five hundred  
dollars. (\$500)

the property of

Deponent

and that this deponent

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

Thomas Burns and Michael  
Plood. and John Turner. (All named)  
from the fact that at about the hour of  
8.30 o'clock P.M. said date deponent  
was taken on board the Steam Ship  
Spain of the National Line of Steamers.  
which said Steam Ship was lying at  
Pier 39 North River foot of West Houston  
Street. and at that time deponent had a  
sum of money in the inside pocket of  
his blouse. deponent was taken by the said  
Burns and Turner into the boatwains  
room of said Steam Ship. deponent who  
had been drinking and was slightly under  
the influence of liquor laid down in a

Sworn to before me this  
29<sup>th</sup> day of September  
1889

Police Justice

0695

bunk and went to sleep. and slept until  
 about 1.30 o'clock A.M. Sept 30th. and  
 after depment awoke. depment discovered  
 that his coat with said sum of money  
 in the pocket was missing. depment then  
 looked about the room. and while so looking  
 about the defendant Flood who was in the  
 room said to depment I suppose you have  
 lost some money. depment then told him  
 yes I have lost some money. Flood  
 then rushed at depment and struck depment  
 several violent blows in the face with his fist  
 depment then made his escape. and running  
 up the pier found Officer James L.  
 Henry of the 28th Precinct Police. who went  
 back on board of said Steamship and into  
 said room with depment. and depment is now  
 informed by said Officer that when he the Officer  
 entered said room he found the defendants  
 Flood and Burns. lying down in bunks in  
 said room. and found depments coat under  
 the head of the defendant Burns the Officer  
 then examined the coat but there was no money  
 in the pocket of said coat at that time. he  
 the Officer then searched the room and the  
 bunks but failed to find any money in  
 said room. he the Officer then arrested the  
 defendants Flood and Burns and at about  
 the hour of 6 o'clock A.M. Sept 30th he  
 the Officer then went back into said room  
 and found the defendant Turner lying in a  
 bunk in said room.

Wherefore depment charges the said defendants  
 with being together and acting in concert with each  
 other and feloniously taking stealing and  
 carrying away said sum of money.

Sworn to before me  
 this 30th day of Sept 1889  
 J. Henry Ford

Henry L. McPherson

Police Justice



0696

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation \_\_\_\_\_ of No. \_\_\_\_\_

28 Precinct Police

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Henry E. McPherson

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

Sworn to before me, this

30

day of

Sept

188

J. Henry Bond

Police Justice.



0697

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

2 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*  
*Thomas Burns*  
*mark*

Taken before me this

day of

188

*John J. [Signature]*  
Police Justice.

*[Signature]*

0698

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK } ss.

2 District Police Court.

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

Question. What is your name?

Answer.

*Michael Flood*

Question. How old are you?

Answer.

*46 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*Steamship Span*

Question. What is your business or profession?

Answer.

*Boatswain*

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

Answer.

*Am not guilty*  
*Michael Flood*  
*mark*

Taken before me this

day of

188

*John W. ...*

Police Justice.

0699

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK

2 District Police Court.

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

Question. What is your name?

Answer. *John Turner*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *Cottuid*

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

Answer. *Steinshup & Fair*

Question. What is your business or profession?

Answer. *Boatswain's mate*

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

Answer. *Am not guilty*  
*John Turner*  
*not guilty*

Taken before me this  
day of *Sept*  
188*7*

*John Turner*  
Police Justice.



0700

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

*Thomas Burns*  
*Michael Ford and John Turner*

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

Dated *Sept 30* 188 *J. Henry Bond* Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 188 Police Justice.

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

Dated 188 Police Justice.

0701

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court---

1474  
District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry E. M. Thuermer  
vs.  
1 Thomas Burns  
2 Michael Flood  
3 John Turner  
4 \_\_\_\_\_

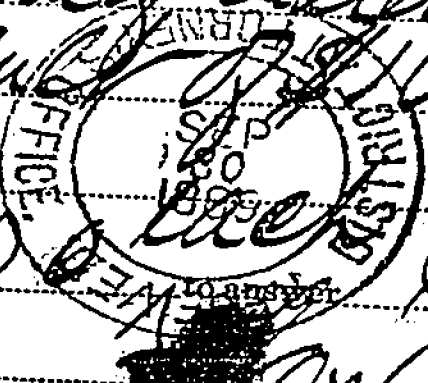
Harvey J. [unclear]

Dated Sept. 31 1899  
Magistrate.  
Henry Officer.  
Precinct.

Witnesses Jas L. Henry  
No. 12 8th Precinct Street.

Complainant, Com to the  
House of Detention in  
defaul of \$1000 bail

No. \_\_\_\_\_ Street.  
\$ 2000 each G.B.





0702

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Michael Blood*  
*Thomas Burns and*  
*John Turner*

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

this indictment, accuse

*Michael Blood, Thomas Burns*  
*and John Turner*

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

The said

*Michael Blood, Thomas Burns*  
*and John Turner, do*

late of the City of New York, in the County of New York aforesaid, on the *29<sup>th</sup>*  
day of *September*, in the year of our Lord one thousand eight hundred and  
eighty- *nine*, at the City and County aforesaid, with force and arms, in the  
*month* time of the same day, divers promissory notes for the payment of money, being  
then and there due and unsatisfied (and of the kind known as United States Treasury  
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the  
payment of and of the value of *one hundred*

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

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

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

of the goods, chattels and personal property of one

*Henry E. McPherson* then and there being found,

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

JOHN R. FELLOWS, *District Attorney.*



0703

**BOX:**

367

**FOLDER:**

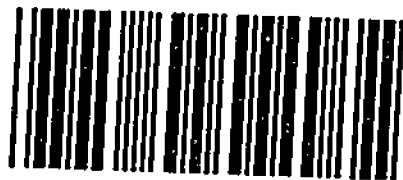
3446

**DESCRIPTION:**

Burnnett, Daniel

**DATE:**

10/01/89



3446

0704

200

Witnesses:

Samuel B. Bland

Counsel,

Filed

Pleads,

day of

1889

Oct

THE PEOPLE

vs.

Daniel A. Burkhett

Crime against nature  
(Sec. 303, Penal Code)

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Chas. B. DeLoach

Foreman.

Readers Society  
Nov: Me Yr. to com-  
mence after expiration  
of one year sentence -

0705

Police Court, 2<sup>d</sup> District.City and County } ss.  
of New York,

Emanuel Burlando

of No. 100 East 23<sup>d</sup> Street, aged 36 years,  
occupation Agent Society, P.C.C. being duly sworn, deposes and says,  
that on the 9<sup>th</sup> day of September 1889, at the City of New  
York, in the County of New York, and on other days and

times. Daniel Burtrutt (now here) did  
in a room in the premises No 411  
West 24<sup>th</sup> Street. put his the said  
defendants penis into the mouth of one  
Wallace Crawford a boy of the age of  
six years and nine months. then took  
the said Wallace Crawford penis in  
his the defendants mouth. as deponent  
truly believes from the fact that deponent  
is informed by the said Wallace Crawford.

Wherefore deponent charges the said  
defendant with feloniously committing  
the aforesaid detestable and abominable  
crime against nature in violation of  
subdivision 2 section 203 of the Penal  
Code of the State of New York. and prays  
the said defendant may be held  
and dealt with according to law.

Sworn to before me }  
this 13<sup>th</sup> day of Sept 1889 )  
J. Thompson

Emanuel Burlando

Police Justice



0706

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Daniel A. Burtrett*

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

Question. What is your name?

Answer. *Daniel A. Burtrett*

Question. How old are you?

Answer. *42 years old*

Question. Where were you born?

Answer. *New York*

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

Answer. *411 W. 34 St. one year*

Question. What is your business or profession?

Answer. *District Agent*

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

Answer.

*I am guilty*

*Daniel A. Burtrett*

Taken before me this *13*  
day of *April* 188*9*

*J. W. M. [Signature]*

Police Justice.

0707

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

*Defendant*

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

Dated *Sept 12* 188*9* *J. M. Bennett* Police Justice.

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

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

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

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

0708

Police Court---

2-1390 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Emmanuel Burlando

vs.  
Daniel A. Burtlett

2  
3  
4

Crime against Nature  
since

BAILED,

No. 1, by  
Residence Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

Dated Sept 13<sup>th</sup> 1889

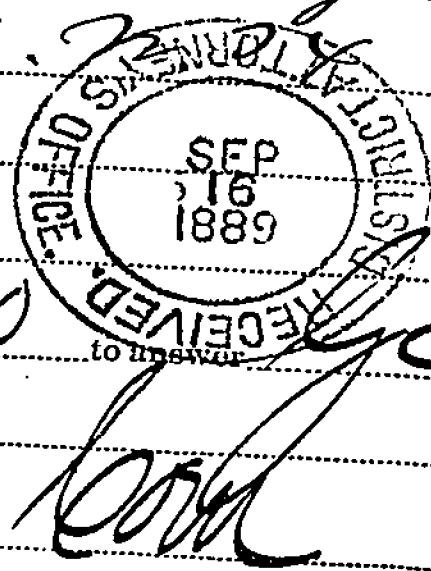
Ford

Herman Wagner Officer.  
20 Precinct.

Witnesses Wallace Crawford  
No. 432 N. 34<sup>th</sup> Street.

Charles Hayes  
No. 426 Street.

No. 2000 Street.  
\$ to receive





0709

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

David A. Burdett

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

Indictment accuse

David A. Burdett

of the crime of

against nature,

committed as follows:

The said

David A. Burdett

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

ninth

day of

September,

in the year of our Lord one thousand

eight hundred and eighty-

nine

, at the City and County aforesaid,

in and upon one Wallace Bradford, a  
male person, feloniously made an  
assault, and upon the said Wallace  
Bradford, in a manner contrary to  
nature, then and there feloniously did  
carnally know; against the form of  
the Statute in such case made and  
provided, and against the peace of  
the People of the State of New  
York, and their dignity.

0710

Second COUNT.

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

Daniel A. Guntz  
of the CRIME of against nature,

committed as follows:

The said Daniel A. Guntz,

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid,  
at the City and County aforesaid, voluntarily and knowingly  
submitted to carnal knowledge of himself  
by one Wallace Bradford, a male person,  
in a manner contrary to nature; against  
the form of the Statute in such case  
made and provided, and against the  
peace of the People of the State of  
New York, and their dignity

John A. Williams,

District Attorney

0711

**BOX:**

367

**FOLDER:**

3446

**DESCRIPTION:**

Buscietto, Pasquale

**DATE:**

10/02/89



3446



Witnesses:

Nicholas Occhiello

219  
Counsel, Racey  
Filed 21 Oct 1889  
Pleads, Chynuly

THE PEOPLE

vs.

R

Saquala Buscietto

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

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

Chas. S. Woodard

Part II October 10/89 Foreman.

Tricked and Deceitful  
on motion of

Racey off to Court

S. J.

W. A.

0712

0713

Police Court—1<sup>st</sup> District.

CITY AND COUNTY  
OF NEW YORK, } ss.

of No. 35 Mulberry Street,

being duly sworn, deposes and says, that  
on Wednesday the 11<sup>th</sup> day of September  
in the year 1887 at the City of New York, in the County of New York,

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

Pasquale B. Buscietto, now  
here, who did wilfully  
aim and point a pistol  
at deponent, and while  
so holding said pistol so  
aimed and pointed at  
deponent did deliberately  
fire off and discharge the  
contents of one chamber  
of said pistol at deponent  
thereby said chamber being  
then loaded with a ball  
cartridge. That deponent  
was so Assaulted

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

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

Sworn to before me, this 12<sup>th</sup> day  
of September 1887

O. J. Gann  
POLICE JUSTICE.

Nicola Occhiotto  
Ment

0714

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Pasquale Buscietto*

Question. How old are you?

Answer. *22 years of age*

Question. Where were you born?

Answer. *Italy*

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

Answer. *39 Mulberry St. 4 years.*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I did not fire off a  
pistol at all. I was  
attacked and run  
away*

*Pasquale Buscietto*  
*Chas*  
*Mark*

Taken before me this

*12*

day of September 1885

Police Justice.



0715

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

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

Dated Sept. 12 188 9 Ed. Hogan Police Justice.

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

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

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

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

0716

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court---

1404 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Nidia Occhiuto*  
*35 Mulberry St*  
*Rosale Buscetta*

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Dated *Sept. 12* 188*8*

*Hogan* Magistrate.

*Henry C. Busch* Officer.

*6th* Precinct.

Witnesses *Sarah Lane*

No. *55 Mulberry* Street.

*John Reilly*

No. *90* Street.

*Can* Officer.

No. \_\_\_\_\_ Street.

\$ *2000* to answer.

*Comd*

*10/10/88*



0717

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Pasquale Buscietto*

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

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

The said

*Pasquale Buscietto*

late of the City of New York, in the County of New York aforesaid, on the *eleventh* day of *September* in the year of our Lord one thousand eight hundred and eighty *nine* with force and arms, at the City and County aforesaid, in and upon the body of one *Nicola Occhiello* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *Nicola Occhiello* a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *Pasquale Buscietto* 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 *Nicola Occhiello* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

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

The said

*Pasquale Buscietto*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Nicola Occhiello* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against *him* the said *Nicola Occhiello* a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said *Pasquale Buscietto* in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.