

0393

BOX:

546

FOLDER:

4961

DESCRIPTION:

Thode, Jacob

DATE:

12/06/93



4961

0394

Witnesses:

70157
COURT OF OYER AND TERMINER.

Counsel,

Filed,

day of

1893

Pleads,

THE PEOPLE

vs.

B

Jacob Thode

General Sessions

Dec 8 93

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

VIOLATION OF THE EXCISE LAW.

Selling, etc., on Sunday.

[Chap. 401, Laws of 1892, § 32.]

R. J. Cross

Foreman.

Dec 22 93

0395

6131

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Jacob Rhode

The Grand Jury of the City and County of New York, by this indictment, accuse
Jacob Rhode
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND
BEER ON SUNDAY, committed as follows:

The said

Jacob Rhode

late of the City of New York, in the County of New York aforesaid, on the 25th
day of June in the year of our Lord one thousand eight hundred and
ninety-three, at the City and County aforesaid, the same being Sunday, certain strong
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

~~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
New York and their dignity.

SECOND COUNT—

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

Jacob Rhode
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,
WINES, ALE AND BEER, committed as follows:

The said

Jacob Rhode

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and
expose for sale to one

Thomas J. Gilfooly
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.

DE LANCEY NICOLL,

District Attorney.

0396

BOX:

546

FOLDER:

4961

DESCRIPTION:

Thompson, James

DATE:

12/11/93



4961

0397

POOR QUALITY
ORIGINAL

Witness:
No 1 Bailed by Sirano
Beannon 210 E. 126
Dec. 15/93

Notify John C. Coleman
10 Wall St. N.Y. two
days in advance of
trial. Will produce
witnesses

FILED DEC. 15
1896

COURT OF OYER AND TERMINER.

Counsel,

Filed,

Pleads,

11th day of Dec

1893

THE PEOPLE

vs.

James Thompson

General Sessions
of the Court of New York
and County of New York
Dec 11th 1893

E. LANCEY NICOLL

District Attorney

SUPREME COURT PART I,

December 22 1893

A TRUE BILL

INDICTMENT DISMISSED

R. J. Cross

Foreman

VIOLATION OF THE EXCISE LAWS
selling, etc., on Sunday
[Chap. 401, Laws of 1892, § 32]

0398

POOR QUALITY
ORIGINAL

Witnesses:

No 1 Bailed by Hiram
Beaman 210 E. 126
Dec. 15/93

Not by John C. Coleman
to Mar. 11 1894. two or
days in advance of
trial. Will produce
Witnesses

FILED DEC 15
1893

COURT OF OYER AND TERMINER.

Counsel,

Filed,

Pleads,

11th day of Dec 1893

THE PEOPLE

vs.

James Thompson

General Sessions
Dec 11th 93

By LANCEY NICOLL,

District Attorney.

SUPREME COURT PART I,

December 22 1893

A TRUE BILL.

INDICTMENT DISMISSED

R. J. Cross

Foreman.

VIOLATION OF THE EXCISE LAW
selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]

0399

NUMBER 5.

Premises: 270 Columbus Avenue.

Licensee: James Thompson.

McCully and Briggs entered premises Sunday October 29, 1893, at 7.50 P. M. Found three men in saloon. Briggs bought whiskey; paid fifteen cents for same; have sample of whiskey.

0400

Court of Oyer and Terminer

6231

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

James Thompson

The Grand Jury of the City and County of New York, by this indictment, accuse
James Thompson
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND
BEER ON SUNDAY, committed as follows:

The said *James Thompson*.

late of the City of New York, in the County of New York aforesaid, on the *Twenty-ninth*
day of *October*, in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous
liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to *one R. B. McElroy, J. W. Briggs*
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
New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
James Thompson
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,
WINES, ALE AND BEER, committed as follows:

The said *James Thompson*.

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and
expose for sale to *one R. B. McElroy, J. W. Briggs*.

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.

DE LANCEY NICOLL,

District Attorney.

0401

BOX:

546

FOLDER:

4961

DESCRIPTION:

Thompson, John

DATE:

12/22/93



4961

0402

Witnesses:

J. J. Speer
Jes Ayers

Counsel,

Filed

day of

189

Pleads,

not guilty et

THE PEOPLE

vs.

John Thompson
Part 2 - Jan. 3, 1894
on motion of District
Attorney defendant dis-
charged on his verbal recog-
nizance. DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

B. Lockwood

Foreman.

Grand Larceny, second Degree,
[Sections 528, 531, 530 Penal Code.]

Upon Reading the
Within which trial
of the complain-
ant. Jan of the
opinion that a con-
viction cannot be
obtained against the
defendant & recom-
mended a dismissal
of the indictment
Jan 3rd 1894
J. W. Brown
Deputy

0403

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

John Thompson

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. The defendant John Thompson claims that he was taken a walk when he met John Cullen who was driving the Wagon and was invited by him to take a ride. He accepted the invitation and had no idea that the Horse was stolen until he was arrested.

The defendant John Cullen has pleaded guilty and was sentenced for 4 years in State Prison. I have enquired as to the character of John Thompson and find that he was never arrested before and that he is the support of his mother. For the above reason and as I know that the defendant Cullen was an ex convict. I am satisfied that the defendant John Thompson is telling the truth and I respectfully request permission to withdraw the Complaint.

Sworn before me James J. Shearman
3rd day of January 1890

Wm. C. Winge
Notary Public N.Y.C.

0404

Police Court, 3 District.

1901

City and County of New York, ss.

Patrick Curry
 of No. 20th Precinct Street, aged _____ years,
 occupation Officer being duly sworn, deposes and says,
 that on the 9th day of December 1893 at the City of New
 York, in the County of New York, deponent arrested John

Thompson (now here) for the reasons
 that the defendant is now under
 indictment for Grand Larceny
 within County and deponent
 asks that defendant be held
 until he can be arrested upon
 a bench warrant issued upon
 said indictment

Sworn to before me
 this 10th December, 1893

Patrick Curry

Thompson
 Police Justice

0405

Police Court

2

District.

Affidavit—Larceny.

City and County }
of New York, } ss:James J. Sheering
of No. 345 West 24th Street, aged 45 years,

occupation Builder being duly sworn,

deposes and says, that on the 25th day of September 1893 at the City of

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

from the possession of deponent, in the _____ time, the following property, viz:

A live Horse, set of Harness, and
single Truck, in all of the amount
and value of about two hundred
and fifty dollars (\$250⁰⁰/₁₀₀)

the property of Deponent -

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-

ously taken, stolen and carried away by John Thompson (now here)

and John Cullen, who has been indicted, tried,

and sentenced, for said Larceny, and while

acting in concert with each other, from the

following facts, to wit: that deponent is

informed by George Ayers, of No 137 First

Avenue that about the hour of two o'clock

P.M. of said date, he left the aforesaid

Horse, Harness, and Truck, standing in the

street in front of premises No 523 West 28th

Street - and in a short time after he left

said property in said street. he returned and

immediately discovered said property gone

and missing from where he had left the

same, and that he then saw said property

in West 28th Street - and being driven away
 by said defendants in company with each
 other, and that he then followed said
 property and at the corner of 24th Street
 and 10th Avenue, he found the aforesaid
 property in the possession of the defendants
 who were in company with each other on
 said track. Applicant therefore asks that
 said defendants may be held to answer

to come to before me

this 11 day of December 1893

James J. Shearing

Police Justice

0407

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

George Ayers
aged 22 years, occupation Driver of No. 137-1st Avenue Street, being duly sworn, deposes and

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

Sworn to before me, this

day of December 1899

George Ayers

Charles H. [Signature]

Police Justice.

0408

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK,

2 District Police Court.

John Thompson 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 Thompson*

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. *435 West 25 Street - 3 months*

Question. What is your business or profession?

Answer. *Union Bond*

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

Answer.

I am not guilty -
John Thompson
(mark)

Taken before me this

day of

188

Police Justice.

0409

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 December 12 1893 Amphlett 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 _____ Amphlett Police Justice.

0410

Ex. ady. 6 12 Dec at 218

218
Police Court 263 District. 1332

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Sheering
vs. John Thompson

ss. 345 wt 27

Office
Lacey

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated Dec 18th 1893

Hogan Magistrate.

Hay & Barry Officer.

78 Precinct.

Witnesses G. Ayers.

No. 18 or 26th Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 1000 to answer

Cem



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 Thompson

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

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

The said

John Thompson

late of the City of New York, in the County of New York aforesaid, on the *25th* day of *September* in the year of our Lord, one thousand eight hundred and ninety *three* at the City and County aforesaid, with force and arms,

one horse of the value of one hundred and fifty dollars, one vehicle, to wit; one truck of the value of seventy-five dollars, one set of harness of the value of twenty-five dollars

of the goods, chattels and personal property of one

James J. Spearing

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.

04 12

SECOND COUNT—

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

John Thompson
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

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

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

of the goods, chattels and personal property of one

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

James J. Spearing
unlawfully and unjustly did feloniously receive and have; the said

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

DE LANCEY NICOLL,

District Attorney.

04 13

BOX:

546

FOLDER:

4961

DESCRIPTION:

Tickler, Samuel

DATE:

12/06/93



4961

04 14

Witnesses:

30 127
COURT OF OYER AND TERMINER.

Counsel,

Filed,

6th day of *Dec* 189*3*

Pleads,

Not guilty

THE PEOPLE

vs.

B
Samuel Tucker

General Sessions

Dec 8-2 93.

VIOLATION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. D. Cross Foreman.
of Special Sessions.

Part III, *Dec 20* 18*93*

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Samuel Gichler

The Grand Jury of the City and County of New York, by this indictment, accuse
Samuel Gichler
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND
BEER ON SUNDAY, committed as follows:

The said

Samuel Gichler

late of the City of New York, in the County of New York aforesaid, on the
day of *September* in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous
liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one *tenk*

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
New York and their dignity.

SECOND COUNT—

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

Samuel Gichler

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,
WINES, ALE AND BEER, committed as follows:

The said

Samuel Gichler

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and
expose for sale to one

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.

DE LANCEY NICOLL,

District Attorney.

04 16

BOX:

546

FOLDER:

4961

DESCRIPTION:

Tighe, Edward

DATE:

12/21/93



4961

0417

BOX:

546

FOLDER:

4961

DESCRIPTION:

Lee, John

DATE:

12/21/93



4961

04 18

236

X X

Witnesses;

Officer
Frank A. Schulke
14th Precinct

Sent for official
try

Counsel,

Filed

day of

1893

Pleads,

21
Guilty

THE PEOPLE

23
615215
driver
Edward Tigher

vs.

26
193-1
John Lee

Grand Larceny, 1st Degree.
[Sections 528, 531, Penal Code.]

DE LANCEY NICOLL,

Part 3 January 3 / District Attorney.
Both plead - Petit Larceny

A TRUE BILL.

Shen Harris
Part 6 Mrs Foreman.
January 5/94.
477

0419

1912

Police Court—3 District.

Affidavit—Larceny.

City and County } ss.
of New York,of No. 346 East 12 Street, aged 38 years.occupation Green being duly sworn,deposes and says, that on the 12 day of December 1899 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 day time, the following property, viz:

One barrel of wine valued
at Thirty-one dollars

the property of Deponent

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

Lee who were acting in concert, and Michael Napoleano did feloniously receive said property he well knowing the same to have been stolen for the reasons following to wit: For on the said date deponent missed the said barrel from in front of her store on East 12th Street and she is informed by Officer Frank R. Sabulsky that he Sabulsky was told by the defendant Ligne that the defendant Lee had stolen said wine and sold it to Michael

Sworn to before me, this

of Dec 17 1899

John J. Ryan
Police Justice

0420

Happlanus. He (Jahm) found
 in the possession of the defendant
 Happlanus the said Barrel of wine
 which property defendant has since
 sold and identified. The said
 he says that he and Fiehe
 sold to said Happlanus
 the said property for three ²⁰ in
 dollars. The said Happlanus
 being a grocer knew that the
 said wine was worth about
 thirty dollars when he bought
 it.

Given to be for me } Philomena, Feb-
 This 15th day of December } bite.
 1893

Philomena

0421

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation _____ of No. _____

144th Precinct Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Philomine Frabbe*

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

Sworn to before me, this *15th* day
of *December* 189*3*

Frank A. Sakulka

John Ryan

Police Justice.

0422

3

District Police Court.

Sec. 193-200.

CITY AND COUNTY
OF NEW YORK, ss.

John Lee 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 Lee*

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. *193 - First Ave. 7 Weeks*

Question. What is your business or profession?

Answer. *Printer*

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

Answer. *I assisted another man in taking the wine, we sold it to Michael Kapolanno and received Three dollars and twenty cents from Kapolanno for said wine. Edward Tighe got the said Three dollars and twenty cents and gave me One dollar and Fifty cents as my share.*

John Lee

Taken before me this *15*

day of *Dec*

1893

Police Justice.

0423

Sec. 193-200.

03

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Edward Sighe 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.

Edward Sighe

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

U. S.

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

Answer.

615 East 15th St. - 1 month

Question. What is your business or profession?

Answer.

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
as my wife and child were standing
I state the name Edward Sighe*

Taken before me this

15

day of

1893

Police Justice.

0424

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Napolitano
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. *Michael Napolitano*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *2412 - East 11th St. - 8 years*

Question. What is your business or profession?

Answer. *Grocer*

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

Answer. *I am not guilty*
Michael Napolitano
Wade R

Taken before me this

day of

1893

Police Justice.

0425

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

Defendants
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *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 *Dec 15 1893* *John Ryan* Police Justice.

I have admitted the above-named *Michael Gapolanno* to bail to answer by the undertaking here to annexed.

Dated *Dec 15 1893* 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..... 189..... Police Justice.

0426

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by *Augusto Napolitano*

Residence *195 Lewis* Street.

No. 4, by _____

Residence _____ Street

Police Court---

District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Philomena Frattola
346 East 12th
vs.
Edmund Tizhe
John Red
Michele Napolitano

separate
Dated *May 15* 189

Ryan Magistrate.

Sabulna Officer.

114 Precinct.

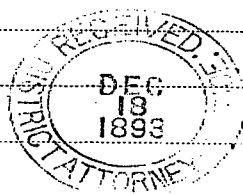
Witnesses *Officer*

No. _____ Street.

No. _____ Street.

No. _____ Street.

1000 East 12th to answer



0427

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 Tighe
and
John Lee

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

Edward Tighe and John Lee
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said

Edward Tighe and John Lee, both
late of the City of New York, in the County of New York aforesaid, on the *twelfth*
day of *December*, in the year of our Lord, one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, with force and arms,

*one barrel of wine of the
value of thirty dollars*

of the goods, chattels and personal property of one

Philomena Trabbita

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

*De Lancey Nicoll,
District Attorney.*

0428

BOX:

546

FOLDER:

4961

DESCRIPTION:

Timosulo, Genaro

DATE:

12/15/93



4961

0429

BOX:

546

FOLDER:

4961

DESCRIPTION:

Lorenzo, Antonio

DATE:

12/15/93



4961

0430

Witnesses:

Matteo Scalise

Counsel,

Filed,

day of

1893.

Pleads,

THE PEOPLE

~~us.~~ ~~B~~ ~~WA~~

Genaro Trucendo

~~B~~ ~~WA~~

Antonio Sorensen

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

DE LANCEY NICOLL,

District Attorney.

Part 2 - Jan. 25/94
Both tried and acquitted.

A TRUE BILL.

B. Lockwood

Foreman.

not before Jan 27/94 II

Bail on motion
of District Atty

\$1500 Jy.

No. 1. bailed January 11/94
By Samuel Anderson
261 Henry St.
City

No. 2. bailed January 11/94
By Pasquale Vendurieri
34 Mulberry St.
City

City and County of New York SS:

Falisi Scoleo being duly sworn deposes and says, that he resides at No. 165 Mott Street, in the City of New York, ~~and~~ and is the lessee of said premises.

That on the 13th day of October, 1893, while he was in lawful possession of the store of said premises, Genaro Timosulo and Antonio Lorenzo, acting in concert, with force and arms, in and upon ^{him} the said Falisi Scoleo, then and there being, feloniously did make an assault, ~~and they the said Genaro Timosulo and Antonio Lorenzo,~~ with a certain pistol, which the said Antonio Lorenzo, then and there in his hand, had and held, the said pistol being then and there a deadly weapon, and the said Genaro Timosulo, did then and there hold the said Falisi Scoleo, and with force and violence took from his pocket the key of said premises, and such means and force as ^{used did} were then and there ^{and the said Antonio Lorenzo} produced grievous bodily injury, ^{and} did, beat strike and wound with intent, him, the said Falisi Scoleo, then and there ^{to} feloniously wound and inflict grievous bodily injury.

Sworn to before me this

20th day of Oct. 1893.

Felice Scalise

*Julia A. Gaine
Notary Public
N. Y. C.*

0432

City and County of New York SS:

Gregorio Merigliano being duly sworn says, that he resides at No. 174 Hester Street in the City of New York. That on the 13th day of October, 1893, at the store of the premises known as No. 163 Mott Street, in the Fourteenth Ward of the City of New York, Genaro Timosulo and Antonio Lorenzo with force and arms in and upon the body of Falisi Scoleo, then and there being, feloniously did make an assault, and the said Genaro Timosulo did then and there hold the said Falisi Scoleo, and with force and violence take from his pocket a certain key, the property of the said Falisi Scoleo, and that at the same time and place the said Antonio Lorenzo, acting in consort with the said Genaro Timosulo, struck the said Falisi Scoleo upon the head with a revolver, which he then and there had and held in his hands, the same being then and there a deadly weapon, and with such means and force as were then and there likely to produce grievous bodily injury, feloniously did beat, strike and wound the said Falisi Scoleo with intent to commit a felony. *Gregorio Merigliano*

Sworn to before me this

20th day of Oct. 1893.

Julia C. Finney
Notary Public
N. Y. C.

0433

City and County of New York SS:

Mary Tomas being duly sworn says that she is 27 years of age, and resides at No. 165 Mott Street in the City of New York, that she knows Falisi Scoleo, Genaro Timosulo and Antonio Lorenzo. That on the 13th day of October, 1893, at about 12 M. Falisi Scoleo was in the store of ~~the~~ ^{in said city} premises at No. 163 Mott Street, and Genaro Timosulo and Antonio Lorenzo came in, and Genaro Timosulo laid violent hands upon said Falisi Scoleo and by force and arms took from his pocket a key, and at the same time the said Antonio Lorenzo drew a revolver and struck Falisi Scoleo two violent blows upon the head with said revolver causing a deep wound from which the blood flowed in streams, thereby inflicting grievous bodily injury.

Sworn to before me this

20th day of Oct. 1893.

her
Mary X Tomas
mark

Julia A. Hamey
Notary Public
N.Y.C.

0434

City and County of New York SS:

Philomina Francesco being duly sworn says, that she is eight and one half years of age, that she resides at No. 155 Mott Street, in the City of New York, that she knows Falisi Scoleo. That she saw two men who keep a beer saloon at No. 163 Mott Street, strike Falisi Scoleo in the store of No. 163 Mott Street. "One of the men held him and took a key out of his pocket, and the other struck him upon the head with a pistol." That she has indentify the men if she sees them but does not know their names.

"Falisi Scoleo did not do anything to the men at the time I saw them hold him and strike him. I go to Sunday school and know I will be punished if I tell a falsehood."

Sworn to before me this

20th day of Oct. 1893.

filomena franceschi
Julia C. Hiney,
Notary Public
N.Y.C.

0435

Please take notice that the within is a true
copy of an
this day duly in the office of the
Clerk of this Court in this action.
Dated N. Y. 189

Yours, &c.,

WILLIAM E. MORRIS,

Attorney for

Esq.

Atty for

Court.

Falisi Scoleo,

AGAINST

Plaintiff,

Genaro Timosulo and Antonio
Lorenzo

Defendant.

Affidavits.

WILLIAM E. MORRIS,

Plaintiff's Attorney.

Due and timely service of a copy within

..... is hereby admitted.

Dated N. Y. 189

Atty.

To Esq.

Atty.

Sworn to before me this
day of 189

Dependent further says that he knew the persons so served to be

0438

DISTRICT ATTORNEY'S OFFICE.
CITY AND COUNTY OF NEW YORK.

THE PEOPLE, ETC.

ON THE COMPLAINT OF

Salini Seles
165 West St
28.

General Timonide
Antonio Seles

Seles

Dated, *December 13,* 189 *3.*

Witnesses, *Gregorio Meriague*

No. *174 West* Street,

Manfama

No. *165 West* Street,

No. _____ Street,

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Ignacio Simonsdo and
Antonio Sorensen*

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

Ignacio Simonsdo and Antonio Sorensen

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

The said *Ignacio Simonsdo and Antonio
Sorensen, both*

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

Julie Seale
in, the peace of the said People then and there being, feloniously did wilfully and wrongfully
did make an assault ; and the said *Ignacio Simonsdo and
Antonio Sorensen,*

with a certain *pistol* which *they* the said
Ignacio Simonsdo and Antonio Sorensen
in *their* right hand s then and there had and held, the same being then and there
a weapon and an instrument likely to produce grievous bodily harm, *him* , the said
Julie Seale, then and there feloniously did wilfully and
wrongfully strike, beat , *and* bruise and wound, against the form of the statute
in such case made and provided, and against the peace of the People of the State of New York
and their dignity.

*Deborah M. Miller
District Attorney*

0438

BOX:

546

FOLDER:

4961

DESCRIPTION:

Toy, John S

DATE:

12/15/93



4961

0439

Witness:

Richard Mahoney

Counsel,

Filed 15 day of Dec 1893

Pleads,

THE PEOPLE

vs.

John S. Fox
Part 2 - Jan. 3, 1894
Guilty and convicted
of Petit Larceny, with
Recommendation to serve
Dec 20/93

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

City Prison

30 days.

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

Foreman:

I think the acceptance
of a plea of Petit Larceny
in the within case
a proper disposition
of the same.

Robert J. Janssens

Dec. 20th 93. Dash in att.

0440

Police Court

District.

Affidavit—Larceny.

City and County } ss.:
of New York,

of No. Johns Park Depot Richard Mahoney, aged 30 years,
 occupation Delivering Clerk being duly sworn,
 deposes and says, that on the 1st day of December 1894 at the City of New

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

One case of Shoppers of the
value of Twenty seven dollars
and fifty cents

the property of

R & C Wine in deponent's
charge and care

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken,
 stolen and carried away by John S. Jay from her

from the fact that while deponent
 was in charge of the delivering
 room in said Depot the
 defendant entered seized the property
 and was carrying the same
 away when detected and further
 that said Jay had no business
 in said premises

Richard Mahoney,

Sworn to before me, this 1st day of December 1894

John S. Jay
 Police Justice.

0441

(1885)

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

John S. Loy 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 ~~he~~ waiver cannot be used against ~~him~~ on the trial.

Question. What is your name?

Answer. *John S. Loy*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *MS*

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

Answer. *71 Bowens. J.C. Heights. N.J.*

Question. What is your business or profession?

Answer. *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*
John S Loy

Taken before me this

day of

189

at

Police Justice.

0442

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

Lee 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, Dec 7 189 Wm. Martin Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0443

12/ Police Court---

1293 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Richard Mahoney
John A. Jay

2 _____
3 _____
4 _____

Dated *Dec 4* 1893

Waring Magistrate.
Dike Officer.

Witnesses *Frank Russ* Precinct.

No. *13 Vestry* Street.

No. _____ Street.
No. _____ Street.

No. *1400* to answer *G.S.* Street.

committed

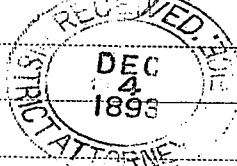
BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.



0444

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

11 11 11 11 11 11 11 11 11 11 11 11 11 11 11 11 11 11 11 11

THE PEOPLE,

VS.

JOHN S. TOY.

BEFORE

HCM. REHEUS B. COWING,

AND A JURY.

11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32

TRIED NEW YORK, JANUARY 4th, 1894.

11 11 11 11 11 11 11 11 11 11 11

INDICTED FOR GRAND LARCENY IN THE SECOND DEGREE.

INDICTMENT FILED DECEMBER 15TH, 1893.

11 11 11 11 11 11 11 11 11 11 11

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY JAMES W. OSBORNE,

FOR THE PEOPLE.

P. A. McMANUS, ESQ.,

FOR THE DEFENSE.

////

0445

2

RICHARD MAHONEY, testified that he lived at No 30 Downing Street, and was employed by the New York Central & Hudson River railroad, as delivery clerk. He was so employed on December 1st, 1893. He had charge of the Delivery room, at the New York Central railroad Depot, which is bounded by Hudson, Var- ick, Beach and Laight Street. In that room there were goods in his, the witness's, custody. On that date he had a case of slippers, worth \$27.50. On that date he, the witness, saw the defendant, who came in and took the case of slippers. He took it about 100 yards. He, the witness, asked the defendant if he had any papers for the bill for the case of slippers, and he said no, and he, the witness, then asked him whether he had any business in there, and he said no, and then he, the witness, called Officer Pike, who arrested the defendant. He, the defendant, said that he rode downtown with a truckman, that morning, and that the truckman went into the office to pay

0446

3

the bill for the goods, but he could not recognize the truckman, he said.

In

CROSS-EXAMINATION,

the witness testified that he the defendant, said that the truckman was employed by L. & C. Weiss. The goods were marked, "The Weiss Slipper Co.," In going out of that place, it is necessary to pass some officer of the company, some watchman,-- it is necessary to have some slip or authority to pass by that watchman. There was also about twenty employees in that section or department. The defendant was detained there until the officer placed him under arrest. He, the witness, had not before known the defendant. He, the witness, knew the value of the goods to be \$27.50, because he received an itemized report from the clerk of the department where they were going to.

In

RE-DIRECT-EXAMINATION

The witness testified that he asked the defendant about his authority, because the goods were in

0447

4

his, the witness's, possession, and he did not want the defendant to take them away unless he was duly authorized to take them. He, the defendant, just came in and picked up the goods, and was walking out, when he, the witness, stopped him, and asked him whether he had any papers for the goods, and he said no, and he said that he rode downtown, that morning, with a truckman, and that the truckman sent him, the defendant, in to get these goods together, and that he would be in later on with the paid bills for them. He did not know the name of the truckman, and that he would not know him if he saw him. He, the defendant, told him the witness, that the truckman told him, the defendant, to get all the gasses of shoes and slippers that were marked for the L.&C. Weiss Co. and he ~~had~~ the defendant, ^{had} on his shoulder when he, the witness, caught up with him. He was then going to the door. When he, the witness, told the defendant to stand still, and that he, the witness, was going to have him arrested, the defendant did not attempt to escape.

CHARLES S. PIKE, testified that he arrested the defendant.

He, the witness, asked the defendant, why he took the goods, and the defendant said that another driver asked him to go in there and collect them for him, but the defendant did not know the man and could not find him. The defendant cried, and said he felt sorry, and that his mother was dead, and that his father was away from him, and that he had two sisters.

In

CROSS-EXAMINATION,

the witness, testified that he took the defendant and the case of goods to the station-house, The foreman called him, the witness, in, and said that the defendant had stolen the case, and that he, the witness, wanted the defendant arrested, and, therefor, he, the witness, arrested the defendant.

RICHARD MAHONEY, being recalled for further cross-examination, by defendant's counsel, testified that the case was about 18 or 20 inches wide, but he did not

0449

6

know how many shoes or slippers it contained, and he knew the value of the box only from information that he had received. It was examined at the station-house. he, the witness, had no personal knowledge of the value of the box and contents.

THE DEFENSE.

JOHN S. TOY, THE DEFENDANT, testified that his full name was John Scott Toy, and that he was 26 years of age, and that at the time of his arrest, he was living at Jersey City Heights. He, the defendant, had never been convicted. He, the defendant, was arrested at about 10 o'clock in the morning, at St. John's Park. He, the defendant, came from Jersey, and started to go downtown and, when he got to Hudson and Christopher Street, he got on a truck and he knew the truck-driver, who had been working for L.C. & C. Weiss. He, the defendant, had been employed by seven or eight firms as a driver. He, the defendant, did not know the name

0450

7

of the truckman just referred to, but could identify him. The witness testified further, "I asked him where he was going, and he said, downtown, and I jumped on the truck to ride downtown with him, and he stopped at St. John's Park, and I asked him if he had any goods there, and he said, yes, that he was going in for some bills, and I said, 'I will help you,' and he went inside of the Park, and I thought he was looking for shoes, and the freight was all piled up, and it is dark there, and I saw the case was marked in pencil, and all that I could make out was the name, 'Weiss,' and I carried it about 100 feet, to where I told him I would meet him, and I then saw the mark was, 'The Weiss Slipper Co.,' and I started to put it back at the complainant's desk, and he asked me where I was taking the case, and I said I was going back with it to where it belonged, and he said, 'what right had you to touch it? Have you papers?' And I said, 'No; the driver is outside, with the papers,' and I said if he would walk as far as the gate with me, I would see if the

driver was there, and he wouldn't do it, but called in the officer and arrested me. He, the defendant, knew that every door of the freight depot has a gateman, who demands a ticket before allowing a person to go out with anything. He, the defendant, had been in this City about two years, and had formerly lived in Troy, for over 20 years, where he was born.

In

CROSS-EXAMINATION

the defendant testified that he met the truckman, already referred to, at the corner of Hudson and Christopher Street. He, the defendant, had been out of work about three days, having been discharged by a man named Seaman. He, the defendant, left the truckman outside in the office, getting the bills, and the, he, the truckman, was to go into the depot, with his truck, for the goods. He, the defendant, did not go in with the truck, and the truckman did not wait for him outside with the bills. He, the defendant, could not go in and pick up the box and go out

0452

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with it. The truckman might have gone in with his truck, and he, the defendant, might not have seen him. There are five or six different gangways in the building. He, the defendant, was going to gather the freight for the truckman because all the freight in the depot is mixed together. He, the defendant, knew that the truckman worked for weiss, in Reade street, and he went in to collect cases of shoes because he knew that those were what the truckman wanted. He, the defendant, had been at that place a thousand times before to look for shoes for the firm for whom he, the defendant, had been driving. He, the defendant, knew that the truckman worked for L & C. Weiss, and that the truckman would want all goods marked with their name. That was the only reason why he, the defendant, went in the depot and picked up the case of shoes in question, and walked away with it. It would be impossible for him, the defendant, to get out of the depot without a pass. He, the defendant had not seen the truckman since. The complainant detained him the defendant 15 or 20

10

minutes, while the messenger went for the officer, and, during that time, he, the defendant, asked the complainant to walk with him, the defendant, around to the Varick Street Gate, to see if the truckman was there. He, the defendant, did not send to L.&C. Weiss, on Broadway, to find out the truckman, because he, the defendant, did not have a chance to do so.

In

RE-DIRECT-EXAMINATION

the defendant testified that he knew the truckman only by sight. He, the defendant, knew many drivers by sight, but not by name, and might see them one day and not see them again for six months afterwards.

In

CROSS-EXAMINATION,

the defendant testified that he did not tell the officer that he was sorry he did it, and he did not tell the officer that he did not know the man's name and could not tell him if he saw him. ^{he} defendant testified further, "I asked him to go

out with me and see if the truckman was there, and he said, 'If that man comes in with the bills I will fix you all right; it will be all right.' "And the man didn't come in right away, and I asked him to walk as far as the gate with me, but he wouldn't do it." He, the defendant, had been a truckman for a number of years, and was in the habit of going into freight depots, with his bills, and sorting out his freight, but this was the first time he ever went in that freight depot without any bills of his own. It is customary for truckmen to collect goods before they have their bills fixed---to collect the m so that they can get them at their convenience. The way that he the defendant, knew that the goods were for the truckman was because the truckman always did business for L.&C. Weiss Co. He, the defendant, his counsel and friend, endeavored to find the truckman but failed to do so.

RICHARD MAHONEY, being recalled by The Court testified as that the defendant did not tell him the witness

0455

12

that he did not know the name of the truckman, and he did not say that he would not know the truckman if he should see him again.

In

CROSS-EXAMINATION

the witness testified that he said that he did not know the man and did not ^{know} his name. The goods in question are in the storehouse. The defendant was not returning with the goods when he the witness, took hold of him. No one has permission to go into the freight depot, without bills, for goods. It is not the custom to go in and collect freight in the depot before the truckman goes in. Afterwards, the witness, testified, "I think it is the custom for truckmen to go in and look up freight and see if it is there, before the truckman goes in with his bills." When a driver goes in for freight, he, the witness, sometimes help them. He, the witness, had been employed in that place for 15 years---since he was 14 years of age---for seven years in this special department. Truckmen are not allowed to go in

0456

13

and pick out their goods without bills of lading. They must have permission before they can enter the freight depot. He, the defendant, was the only man in charge of the room where ^{they} were stored. No body is allowed to take away any goods from that room without his, the witness's, permission .

" " " " " " " " " " " "

JOHNS. TOY. testified that he is the father of the defendant, who lived, with him, the witness, until 5 years ago since that time he has been living in the City of New York and Saratoga. He attended school and worked in the office of Robinson & Foster in Troy, and then went to Saratoga where he was employed in the Geyser Springs. He was there for two seasons and then came to New York. The defendant, had never, to his, the witness's, knowledge, been accused or convicted of crime. He, the witness, had been a United States Marshal for the Northern District of New York for four years. (The District Attorney admits that the character of the defendant, up to the time of the present accusation, was good.)

0457

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(The Jury rendered a verdict of Grand Larceny
in the Second Degree, with a recommendation
to the mercy of the Court.)

0458

JAMES K. AVERILL.
LAW OFFICES,
Room 705 Temple Court,
Corner Beekman and Nassau Streets,
NEW YORK.

NEW YORK

Dec^r 21 1893

I certify that I have read the certificate of William North of this date in regard to the case of John D. Toy who was yesterday tried for Larceny in the Court of General Sessions, and I most heartily endorse all the statements therein made. I resided and practiced law in the City of Troy for many years, and during that time was intimately acquainted with the young man's father Captain John Toy who was during my entire residence in the City of Troy, a Deputy Sheriff of the County of Rensselaer, and for four years a Deputy United States Marshal for

the Northern District of New York.
 Captain Joy was a faithful and efficient
 official, and both he and his family
 are of the highest respectability

Orin Gambell

I am able and very glad to endorse
 all Mr. Gambell has stated re-
 specting Capt John Joy - at the
 time I know best of the young man
 (when he was employed by Messrs
 Robinson & Fortin) I know him as
 well worthy the record Mr. Smith
 has certified to, since then I have
 not met him. I shall be glad if
 the Court can consistently yield him
 the benefit of previous good character

James M. Smith

0460

Wm. North,
Counsellor-at-Law,
202 Broadway.

New York, December 21st 1895

It is with pleasure I certify that I have well and intimately known John S. Toy who was yesterday tried for larceny in the Court of General Sessions Part I. before His Honor Justice Cowing, and to my knowledge the defendant John S. Toy who was employed in the office of Robertson & Foster Attorneys At Law Troy N.Y. during the term of the District Attorneyship for Rensselaer, County of Samuel Foster and of which firm I was then manager, and afterwards partner, and with whom I was also for long previously well acquainted, was at all times honest, faithful and industrious.

His father and family, for many years are well known to me, with the former of whom I have had most intimate relation in his various offices of Deputy U.S. Marshal for the Northern District of N.Y., for four years, and for many years, in the Sheriff's office of Rensselaer County, and Mr. Toy has always maintained, and maintains the highest regard for his strict adherence to the duties of his offices and for his family and private character.

Wm. North

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 S. Jay

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

John S. Jay
of the CRIME OF GRAND LARCENY IN THE *Second* DEGREE, committed
as follows:

The said

John S. Jay

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

*two hundred slippers of the value
of twenty-five cents each and
one case of the value of one
dollar*

of the goods, chattels and personal property of one *Leopold Wiese*

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

DeLancey Nicoll
District Attorney.

0462

BOX:

546

FOLDER:

4961

DESCRIPTION:

Trahey, Patrick

DATE:

12/07/93



4961

0463

Witnesses:

officer *Wm H Myer*
29th Precinct

Subpoena officer
✓ & compel for
15th

Counsel,

Filed

day of

1893

Pleads,

42 Cantor
(Berlingham character)
7 Dec
THE PEOPLE
16 last Christmas
3 are 11th & 13th Sts
between of Bridge St & 1st St
Patrick Draney

men days

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Woodward

Part 2 - Dec. 11, 1893, Foreman.
Trick and Committed

Gal Ref
Dec. 15/93
My

attached
Burglary in the Third Degree.

[Section 498, Penal Code, 1.]

15

0464

Police Court— District.

City and County } ss.:
of New York,of No. 2493 2nd Ave Street, aged XX years,
occupation Shoemaker being duly sworndeposes and says, that the premises No. 2493 2nd Ave Street, 1st Ward
in the City and County aforesaid the said being a four story brickhouse and which was occupied by deponent as a shoe shop and dwelling
and in which there was at the time a human being, by name Stephen Cabagenattempted to be
were **BURGLARIOUSLY** entered by means of forcibly breaking the
glass in the front door.on the 25 day of November 1887 in the Night time, and the
following property feloniously taken, stolen, and carried away, viz:

the property of

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY attempted to be committed with the aforesaid property taken, stolen and carried away byPatrick Toohy (nowhere)

for the reasons following, to wit:

From the fact that deponent
is informed by Officer William H. Meyer
that at the hour of 1.30 o'clock A.M. said
date, he saw this deponent break
said glass. Wherefore deponent charge
the said deponent with attempting to burglariously
enter said shop in the manner aforesaid
with the intent to steal. Stephen Cabagen
Sworn before me
25th Nov 1887 John J. Sullivan

0465

Sec. 198-200.

5

1882

District Police Court.

City and County of New York, ss:

Patrick Trahey being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is h ☐ right to make a statement in relation to a 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.

Patrick Trahey

Question. How old are you?

Answer.

16 years old

Question. Where were you born?

Answer.

Bridgeport - Conn

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

Answer.

3rd Ave near 114th St Six weeks

Question. What is your business or profession?

Answer.

Tread maker out of work

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
Pat Trahey

Taken before me this

day of

189

Police Justice.

0466

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

William H Meyers
aged 29 years, occupation Police officer of No. 29 Cleaver Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Stephen Cabagen
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 25 day of Nov 1893 } Wm H. Meyers
Chas F. Sullivan
Police Justice.

0467

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

Alfred Hendant
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, *Nov 23* 189 *3* *Thos. J. Leitch* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

0468

1262

Police Court, 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Stephen Carbage
2493 vs. 2407
Pat Trahey

Attempted
Burglary
offense

2
3
4

Dated, *Nov 25* 189 *3*

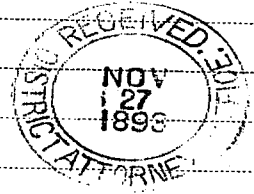
Feltner Magistrate.
Mayer Officer.
29 Precinct.

Witnesses
No _____ Street.

No. _____ Street.

No. _____ Street.

\$ *500* to answer *GS*



My atty
B...

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0469

COURT OF GENERAL SESSIONS OF THE PEACE,

City and County of New York.

The People,

vs.

PATRICK TRAHEY.

Before

HON. FREDERICK SMYTH,

and a Jury.

Tried, DECEMBER 11TH, 1893.

Indicted for BURGLARY, in the THIRD DEGREE.

Indictment filed, DECEMBER 7TH, 1893.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY THOMAS J. BRADLEY,

For THE PEOPLE.

MR. THOMAS CANTON,

For THE DEFENSE.

0470

2

STEPHEN CABAGEN, THE COMPLAINANT, being duly sworn, testified, through the Official Interpreter, that he lived at 2,493 Second avenue, between 127th and 128th streets. He was a shoe-maker, and had a shop on the ground floor at that address. On the night of the 25th of November, 1893, he closed his shop about 10 o'clock. At that time the windows were in perfect order, and all the doors and windows were locked. He returned to his store about half-past 5 or 6 o'clock on the following morning, and found the pane of glass in the door of his shop broken. He slept in the rear of the store. He heard a noise about half-past 1, and then he heard it again twice after that. The last time, he heard the sound of breaking glass, and he and his partner ran to the door. He then saw the police officer on the other side of the street. The police officer took the defendant over to where he, the complainant, was. On the night in question he had property in his store of the value of \$12.

In cross-examination the complainant testified that the shoes in his store were about five

0471

3

or six feet away from the broken window.

WILLIAM HENRY MEYERS, being duly sworn, testified that he was a police officer, connected with the 29th precinct. On the morning of the 26th of November, 1893, he was standing on the corner of 128th street and Second avenue, about 1:30. He saw the defendant going through 128th street towards Second avenue. When the defendant reached Second avenue he turned down the avenue towards 127th street, on the west side. The defendant went up to the door of the building in question, and stood with his back to it. He saw the defendant lift up his foot and drive it backwards through the glass in the door. The glass in the door was about two feet above the ground. The defendant was alone. The defendant, after breaking the glass with his heel, walked down a couple of doors below, and stood watching the store in question. When the defendant saw that the complainant was in the back part of the store, he started to run, and ran across to the east side of Second avenue

0472

4

and then walked. He followed the defendant and arrested him. He arrested the defendant for breaking the glass, and the defendant said he didn't do it. The defendant said that a man who had run towards the lumber yard had broken the glass; but there was no one else in the neighborhood when the glass was broken.

In cross-examination the witness testified that he could not be mistaken in saying that the defendant was the man whom he saw break the glass, although he had never seen the defendant before. The premises in question were in the Twelfth ward of the city of New York.

FOR THE DEFENCE, PATRICK TRAHEY, THE DEFENDANT, being duly sworn, testified, in his own behalf, that he was sixteen years of age. He lived on Third avenue, between 114th and 115th streets. He had worked in Bridgeport. He had been in New York about two months. The officer's story about his actions on the night in question was not true. He was on his way home

from Harlem Bridge, and the officer was standing at the corner of 129th street and Second avenue. The officer said to him, "Come here, boy; did you break that window?" The officer tapped him on the shoulder. He said, "No, I don't know anything about the window." The officer asked him if he was sure, and he said that he was. The officer then said, "Come up to the house, and I will find out whether you did or not." The officer took him to the station house. He did not run across the street. He did not see the officer take out his pistol.

In cross-examination the defendant testified that his parents were alive, and were living on Third avenue, between 114th and 115th streets. His parents had been with him in Bridgeport. He had not done any work since he had been in New York. On the night in question he had taken his brother's supper to where his brother was working. He did not know the name of the avenue on which his brother was working, but it was near the railroad bridge and between 135th and 136th streets. He left his

0474

6

brother about 9 o'clock. The officer did not arrest him at half-past 1 o'clock in the morning. It was not later than half-past 11 at night when he was arrested. He did not tell the officer that the man who broke the window had gone into the lumber yard. He had never seen the officer before, and he did not know that the officer had any grudge against him. He had never been arrested before.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Patrick Trahey

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

Patrick Trahey
of attempting to commit
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

Patrick Trahey

late of the *12th* Ward of the City of New York, in the County of New York, aforesaid, on the
twenty-fifth day of *November* in the year of our Lord one
thousand eight hundred and ninety-*three*, in the *night* time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *shop* of
one *Stephen Cabagen*

there situate, feloniously and burglariously did ^{attempt to} break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said
Stephen Cabagen in the said *shop*
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.

De Lancey Nicoll,
District Attorney

0476

BOX:

546

FOLDER:

4961

DESCRIPTION:

Troger, Henry

DATE:

12/22/93



4961

0477

Witnesses:

308
noted

COURT OF OYER AND TERMINER.

Counsel,

Filed,

22

day of

Dec 1893

Pleads,

THE PEOPLE

v. B

Henry

Groger

General Receiver

Dec 22

DE LANCEY NICOLL,

District Attorney.

VIOLATION OF THE EXCISE LAW.

Selling, etc., on Sunday.

[Chap. 401, Laws of 1892, § 32.]

A TRUE BILL.

and for its disposition.

Foreman.

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Henry Roger

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

Henry Roger

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

Henry Roger

late of the City of New York, in the County of New York aforesaid, on the *eighteenth* day of *November* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

and to certain other persons whose *John J. Brady* 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 New York and their dignity.

SECOND COUNT—

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

Henry Roger

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Henry Roger

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose *John J. Brady* 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.

DE LANCEY NICOLL,

District Attorney.

0479

BOX:

546

FOLDER:

4961

DESCRIPTION:

Tucker, Joseph

DATE:

12/04/93



4961

0480

Witnesses:

Bailed by
Christian Herbert Tucker
341 43 43 W. 22 St.

10 1297
Court of Oyer and Terminer.

Counsel,

Filed 4 day of Dec 1897

Pleads,

THE PEOPLE

vs.

NA

JOSEPH TUCKER.

Misdemeanor.

[Section 41, W, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Ordered to the COURT of

A True Bill.

General Sessions
R. D. Cross Foreman.
Jan 13/99.
Bail Discharged.

THE PEOPLE

against

JOSEPH TUCKER.

Every effort has been made to find the defendant and his bondsman. The record does not disclose the name of the complainant.

The indictment being one for a misdemeanor in not filing a list of election expenses as a delegate to the Constitutional convention, there is no desire to further prosecute in view of all the circumstances of the case, and therefore recommend the discharge of the defendant upon his own undertaking.

New York, January 11th, 1899.

Alfred W. Tamm

Assistant District Attorney.

0482

JOSEPH TUCKER

SESTER

THE PEOPLE

COURT OF OYER AND TERMINER,
Of the City and County of New York.

THE PEOPLE OF THE STATE OF NEW YORK,

--against--

JOSEPH TUCKER.

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK,
by this Indictment, A c c u s e JOSEPH TUCKER of a Mis-
demeanor, committed as follows:

T h e said JOSEPH TUCKER, late of the City of New York, in the County of New York aforesaid, having been a candidate voted for by the electors of the Tenth Senate District of said State, at the general election, held throughout this State and in the said City and County of New York on the Eighth day of November, 1893, to wit: a candidate for the office of Delegate to the Constitutional Convention of this State for the said Tenth Senate District, and being by law required within ten days after such election to file in the office of the Clerk of the said City and County an itemized statement in the form and containing the matter provided by law, showing in detail all the moneys contributed or expended by him, directly or indirectly, by himself or through any other person, in aid of his election to the said office at the said election, unlawfully did wholly neglect to file such statement as so required by law as aforesaid, within ten days after the said election;

A G A I N S T the form of the statute in such case made and provided, and against the peace of The People of the State of New York, and their dignity.

DE LANCEY NICOLL,

District Attorney.

0483

JOSEPH LUCKER

SECTY

THE PEOPLE

COURT OF OYER AND TERMINER,

Of the City and County of New York.

THE PEOPLE OF THE STATE OF NEW YORK,

--against--

JOSEPH TUCKER.

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

by this Indictment, A c c u s e JOSEPH TUCKER of a Misdemeanor, committed as follows:

T h e said JOSEPH TUCKER, late of the City of New York, in the County of New York aforesaid, having been a candidate voted for by the electors of the Tenth Senate District of said State, at the general election, held throughout this State and in the said City and County of New York on the Eighth day of November, 1893, to wit: a candidate for the office of Delegate to the Constitutional Convention of this State for the said Tenth Senate District, and being by law required within ten days after such election to file in the office of the Clerk of the said City and County an itemized statement in the form and containing the matter provided by law, showing in detail all the moneys contributed or expended by him, directly or indirectly, by himself or through any other person, in aid of his election to the said office at the said election, unlawfully did wholly neglect to file such statement as so required by law as aforesaid, within ten days after the said election;

A G A I N S T the form of the statute in such case made and provided, and against the peace of The People of the State of New York, and their dignity.

DE LANCEY NICOLL,

District Attorney.