

0859

BOX:

72

FOLDER:

813

DESCRIPTION:

Rand, Rufus

DATE:

07/07/82



813

0060

No. 21

WITNESSES.

Day of Trial,

Counsel,

Filed

Pleads

1882

7. day of July

THE PEOPLE

vs.

Rufus Rand

N.A.

THE PEOPLE
vs.
Rufus Rand

JOHN McKEON,

District Attorney.

A True Bill.

Emmanuel

Foreman.

0851

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Rufus Rand

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

Rufus Rand
of the CRIME OF ^{Grand} LARCENY

committed as follows:

The said

Rufus Rand

late of the First Ward of the City of New York, in the County of New York,
aforesaid, on the *eighteenth* day of *June* in the year of our Lord
one thousand eight hundred and eighty *two*, at the Ward, City and County
aforesaid, with force and arms

*fourteen horses of the
value of two hundred dollars each*

of the goods, chattels and personal property of one

John B. Darr

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

John McKeon
District Attorney

0862

H. D. Hadlock,
Counsellor at Law

Room No. 1, Centennial Block, 98 Exchange St.
Residence, Falmouth Hotel.

Portland, Me., Oct. 25 1882

Dear Sir:

I have the honor to acknowledge
the receipt of papers in the matter
of requisition for Rufus Rand.

Respectfully
Your obt. Servant

H. D. Hadlock

Hon. John M. Keon,
District Attorney,
New York.

State of New York
City and County of New York ss.

John B. Doerr being duly sworn says that he is a member of the firm of Fiss & Doerr, dealers in horses in said city at 155, 157 & 159 East 24th Street.

Deponent further says that on the 18th day of June, 1882 at said city, Rufus Rand feloniously intending to cheat and defraud him, obtained by false and fraudulent representations from him fourteen horses of the value of twenty four hundred and fifty dollars, that is to say the said Rand in order to induce deponent to part with his said property and to sell and deliver the same to said Rand, the said Rufus Rand wickedly wrongfully and feloniously represented to deponent that he had at said time twenty one hundred dollars to his credit on deposit in the First National Bank of Portland Maine, that he was a copartner of the firm Rand & Brother, his brother being the eldest partner in the horse business in Portland Maine, and that he with his brother was worth from forty five to fifty five thousand dollars, he being worth about eleven thousand

five hundred dollars in real estate consisting of three houses and a leasehold of one stable all in the said City of Portland State of Maine, and that deponent relying and confiding in the said statements and representations of said Rufus Rand sold and delivered to him the said fourteen horses at the price or sum of Twenty four hundred and fifty dollars, he received a check from said Rufus Rand payable at sight on said First National Bank of Portland State of Maine for the sum of eight hundred and fifty dollars on account, one check for eight hundred dollars on same bank payable June 30th 1882 and another check on same bank for the sum of Nine Hundred and fifty dollars payable July 3rd 1882.

That neither of said checks were paid by said First National Bank of Portland Maine on presentation, but on the contrary payments thereof refused on the ground that he had no money in said Bank.

That said eight check was deposited for collection on the 19th day of June 1882.
Deponent further says that as soon

as he discovered that said sight check had been dishonored. he went to Portland Maine on the 28th or 29th of June 1882 and saw said Rufus Rand, who told deponent that he was very sorry that he could not pay deponent, but would be willing to give him ten cents on the dollar, that he had sold the horses to different parties.

Deponent further says that he saw John F Rand the brother of said Rufus Rand, and the one whom he represented to be a partner in the aforesaid transaction who stated to deponent that he was never interested directly or indirectly with his brother in any business, and that he was not interested in any way shape or manner and that his brother the said Rufus Rand was a very worthless chap and that he was on his paper for ten thousand dollars & that the said Rufus was not worth a dollar.

Deponent further says that he ascertained that all the property that said Rufus Rand owned was one house which was encumbered by a mortgage for all of its value and held by his brother the said John F Rand since 1878.

Deponent further says that he ascertained by inquiry that the said Rufus Rand sold said horses immediately upon their arrival for a less sum than cost, to wit from fifty to sixty dollars per head less than cost at auction at a sale advertised for three or four days ahead of the sale and delivery of said horses to him by deponent and that the said Rufus Rand had stated prior to that sale, to John Sawyer of said Portland, Maine, about two or three weeks before said transaction with deponent, that he was going to fail and going to give the New Yorkers a "bounce", all of which said Sawyer informed this deponent on said visit to Portland.

Deponent further says that about the same time the said Rufus Rand feloniously obtained from Jacob Straus of the City of New York two horses of the value of four hundred and thirty five dollars and gave a check therefor due July 7, 1882, and from Charles Leary one horse of the value of two hundred and twenty five dollars for which he gave a check payable June 30 1882 on the same bank.

neither of which have been said.

Deponent therefore charges that the said Rufus Rand wickedly and deliberately and feloniously procured from deponents said firm the horses aforesaid upon the representations aforesaid and by the trick and device aforesaid and cheated and defrauded the said firm of deponents out of the said horses of which horses they were the owners thereof at the time of the said transaction with said Rand and of the value thereof, and that the said Rand knowing he was going to fail and knowing that the representations by him made as to his money and property were untrue wrongfully and feloniously intending to defraud deponents said firm out of the said property, did so feloniously cheat and defraud the firm of deponent out of the said fourteen horses of the value of Twenty four hundred and fifty dollars.

Wherefore deponent prays that the said Rufus Rand may be arrested and

dealt with according to law.

Deponent further says that about one week before the foregoing transaction deponent sold said Rufus Rand some horses for five hundred dollars and received a check therefor payable on the 23 of June and that said Rand told deponent at the time of the sale of the 14 horses that he had paid check and that the money was in bank to meet it, which representation was also false and made with the intent to induce deponent to sell him the balance of said horses as aforesaid and deponent relied upon said statement of said Rand and believed him to be telling the truth, - that said check for five hundred dollars was not paid and the money was not in bank to meet it and said Rand knew it when he made the statement.

Sworn to before me this

6 day of July 1882

John A. O'Brien

Notary Public
Me

J. B. Doery

0069

The People of the State of New York

appt

Rufus Rand

Officer

F.R.

City & County of New York ss

Henry Hayman of no 370 East 25th Street in said city being duly sworn says - that he is in the employment of Fies & Doer Dealers in Horses at 155 East 24th Street in said city

Deponent was present at said stable on the 18 day of June 1882 and saw Rufus Rand there -

That deponent was the salesman that sold the horses for said firm to said deponent. Rand.

That said Rand told deponent at said time that he had thirty five or forty large horses home in Portland and he wished to buy some small horses to mix with them and that he owned a couple of houses & a big stable in Portland and that he did not know owe any person any money and that he had paid the five hundred dollar check.

That Fies & Doer told deponent not to sell him any more unless the check was paid - that said Rand told deponent that the money for the eight hundred & fifty dollars check was in the bank at that time that the

delivery of check.

Sworn to before me this

6 day of June 1882

John A. O'Brien

Notary Public

H. H. Hayman

City & County of New York ss.

Charles Levy being duly sworn says that he is a wholesale dealer in horses at 158 East 24th Street in said city

That he is acquainted with Rufus Rand the party referred to in the annexed affidavit of John B. Doerr

That on the 18th day of June 1882 the said Rufus Rand of Portland Maine, at the City of New York in order to induce deponent to part with and sell to him the said Rand a horse of the value of two hundred and twenty five dollars that he was the owner of thirty horses in Portland Maine and did not owe a dollar thereon and was not indebted to anyone and that he owned a house in Portland Maine and that the same was free and clear and that deponent would run no risk by taking his check.

That relying upon the representations aforesaid and confiding in the said deponent sold said horse to said Rufus Rand and received from him check payable June 30th in First National Bank of Portland Maine which check was not cashed, but was

0072

dishonored on the ground that said Rand had
no money there

That all of the representations made by
said Rand at said time were false and
known by him to be false at the time
he made the same to deponent and
were so made by him as aforesaid with
the intent to cheat and defraud
deponent as aforesaid
Sworn to before me this

6th day of July 1882

John A. Quinn
Notary Public
N.Y.C.

Charles Levy

City & County of New York ss.

Jacob Straus being duly sworn says that he is a dealer in horses at No 158 East 24th Street in the City of New York.

That he knows Rufus Rand and the annexed affidavits referred to.

That the said Rufus Rand on the 18 day of June 1882, represented to deponent that he was the owner of a house in Portland Maine free and clear and had no debts and was the owner of Thirty horses all paid for and that believing these statements to be true deponent sold the said Rufus Rand two horses for the sum of four hundred and thirty five dollars and was induced by said Rand to take a check therefor on the 1st National Bank of Portland Maine payable July 7, 1882.

That the representations made by said Rand were false and known by him to be false when he made them and were made by him with the intent to cheat and defraud deponent.

That said Rand has cheated and defrauded others on similar representations.

0074

at the time he made said representations
to deponent and that he deliberately came
on from Portland to this city for the
purpose of cheating and defrauding
deponents and others and by obtaining
property feloniously by the trick and
device and false representations
aforesaid and that he never did
intend to pay for the same

Sworn to before me this

6th day of July 1882

John A. Quinn

Notary Public
Me.

Jacob Strawn

733

The People &c

vs

Rufus Rand

Affidavit of Complaint



[Faint handwritten notes and signatures at the bottom of the page]

0075

BOX:

72

FOLDER:

813

DESCRIPTION:

Reilly, John

DATE:

07/13/82



813

0876

2091

Counsel

Filed 13 day of

1882

July

Pleads

THE PEOPLE

vs.

John Reilly

BURGLARY - First Degree, and
Larceny.

JOHN McKEON,

District Attorney.

A True Bill.

Edmond W. Campbell

Foreman.

Verdict of Guilty should specify of which count.

July 14/82

Pleads Guilty 3 day
S.P. 3 1/2 year.

0877

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 Reilly

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

John Reilly

of the CRIME OF BURGLARY in the second Degree, committed as follows:

The said

John Reilly

late of the Eighteenth Ward of the City of New York, in the County of New York, aforesaid, on the third day of July in the year of our Lord one thousand eight hundred and eighty-two with force and arms, about the hour of five o'clock in the day time of the same day, at the Ward, City and County aforesaid, the dwelling house of

Bernhard J. Ludwig

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

forcibly breaking open an

outer window thereof

whilst there was then and there some human being, to wit, one

Wagner

within the said dwelling-house, the said

John Reilly

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

Bernhard J. Ludwig

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

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

John Reilly

of the CRIME OF ~~GRAND LARCENY IN A DWELLING HOUSE~~, committed as follows:

The said

John Reilly

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, about the hour of five o'clock in the day time of said day, one pair of sleeve

buttons of the value of fifty cents

and one pair of socks of the value

of twenty five cents.

of the goods, chattels, and personal property of

Bernhard

J. Ludwig

in the said dwelling house of one

Bernhard J. Ludwig then and there being found

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

JOHN McKEON, District Attorney.

0070

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

Police Court-4 756 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward J. Sullivan
308 E. 18 St.
John Reilly

Offence, *Burglary*
and Larceny

Dated *July 3^d* 1882

Attest Magistrate.

Edward Keenan Officer.

Clerk.

Witnesses, *and Officer Keenan*

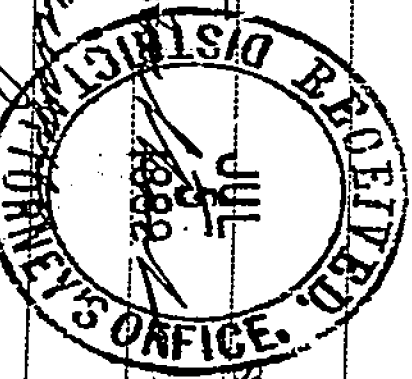
No. *18* Street, *West*

No. *308* Street, *East*

No. *18* Street, *West*

No. _____ Street, _____

No. _____ Street, _____



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

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

Dated *July 3^d* 1882 *Marcus Otterbein* Police Justice.

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

Dated _____ 1882 _____ 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 _____ 1882 _____ Police Justice.

0079

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK } ss.

DISTRICT POLICE COURT.

John Reilly 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 Reilly

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. New York

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

Answer. 510 East 14 Street, for about two months

Question. What is your business or profession?

Answer. I drive a horse and cart

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 took the buttons and the cuffs, the window was up, and the articles were on the back of the window

John X Reilly
mark

Taken before me, this 30

day of July 1882

McMullen Police Justice

0000

Police Office, Fourth District.

City and County }
of New York, } ss.

Bernard Ludwig, aged 29 years
of No. merchant, residing at 308 Street, being duly sworn,
deposes and says, that the premises No. *308 East 18 Street*
Street, 18th Ward, in the City and County aforesaid, the said being a *brick dwelling*
house and which was occupied by deponent as a *dwelling*

were **BURGLARIOUSLY**
entered by means *of lifting* forcibly raising
the sash of the window opening into
the basement room in the front of
said building
on the *morning* of the *third* day of *July* 18*82*
and the following property feloniously taken, stolen and carried away, viz.:

one pair of sleeve buttons of the
value of fifty Cents, and one pair
of cuffs of the value of twenty-five
Cents, in all of the value of —
Seventy-five Cents,

the property of *deponent*
and deponent further says, that he has great cause to believe, and does believe, that
the aforesaid **BURGLARY** was committed, and the aforesaid property taken, stolen
and carried away by *John Reilly, (now here)*

for the reasons following, to wit: *that* *deponent is in,*
joined by officer Bernard Kearney
of the 18th Precinct Police, that *said*
day at about a quarter past five o'clock
in the morning he saw said Reilly in
front of said basement window with

0001

said cuffs and sleeve buttons in his possession; Depueat further says that he is informed by Mary Wagner here present; that she immediately previous to said burglary, said window ~~was~~ of said basement window, was closed by to with said lask down. That the said cuffs and said sleeve buttons were contained in said basement room, ~~and~~ on the ^{inside} window sill -

x Penhaght Reading.

known to before see this

3^d day of July 1882

Merrett Clerk

Police Justice

City and County of New York ss. Bernard Keenan an officer of the 18th Precinct Police being duly sworn, says that on the 3^d day of July 1882 at about a quarter ^{past} five o'clock in the morning he arrested John Reilly the defendant named in foregoing affidavit in front of a basement window of house 308 East 18th Street said City, with the cuffs and sleeve buttons here shown in his possession Bernard Keenan

City and County of New York ss. Mary Wagner aged 24 years, domestic of 308 East 18th Street said City, being duly sworn says she resides at 308 East 18th Street said City and on the morning of the 3^d day of July 1882 at about half past four o'clock in the morning she saw that the window mentioned in foregoing affidavit, was closed to with the lask ~~down~~ ^{down} that the panes of glass in said window were then all saved and in opening said window

Mary Wagner

known to before see this 3^d day of July 1882

Merrett Clerk

Police Justice

known to before see this 3^d day of July 1882

Merrett Clerk

Police Justice

0882

BOX:

72

FOLDER:

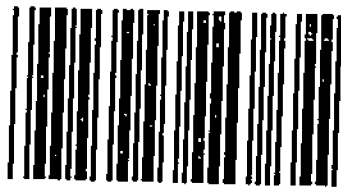
813

DESCRIPTION:

Roth, Emma

DATE:

07/11/82



813

0003

WITNESSES.

Sept 11. 1882

The Defendant has been used as a witness for the People against Samuel Harlow who received the property - it was an understanding that she should be discharged made with the prosecuting Officer who put her in the case in charge. Mr. Byrne - I advise that same

W. J. Wilson
Ct. Reporter

2036

Day of Trial,

Counsel,

Filed 11 day of

188

July 2

Pleads

THE PEOPLE

vs.

Emma Roter

P

JOHN McKEON,

District Attorney.

A True Bill.

Conrad Van Vorst
Foreman.

July 12/82

Pleads guilty

Sept 11. 1882

Indigent suspended and defendant discharged

0004

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

THE POPE OF THE STATE OF NEW YORK,

against

Emma Roth

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

Emma Roth

of the CRIME OF GRAND LARCENY, committed as follows:

The said

Emma Roth

late of the First Ward of the City of New York, in the County of New York aforesaid,
on the ~~sixteenth~~ day of ~~May~~ in the year of our Lord one
thousand eight hundred and eighty ~~two~~, at the Ward, City and County
aforesaid, with force and arms

one watch of the value
of fifty dollars, one chain of the
value of fifty dollars, and one
bracelet of the value of fifty dollars

of the goods, chattels and personal property of one

John R. Judd

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

John McKeon
District Attorney

0005

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

Police Court 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John A. Duane

103 West 73rd St.

Emma Roth

Offence, *Grand Larceny*

Dated

July 1st 1882

Edmund Magistrate.

Officer.

Clerk.

Witnesses,

Wm. Hamilton & Stanley
Central Office

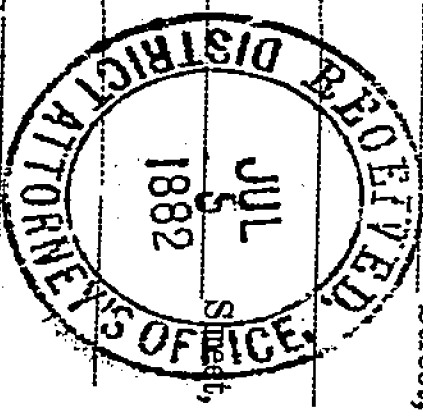
No. _____

Street.

No. _____

\$ _____

to answer



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

guilty thereof, I order that she be held to answer the same and she 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

July 1st 1882

188

Solomon B. Smith

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.

0006

Sec. 797.

2

DISTRICT POLICE COURT

CITY AND COUNTY }
OF NEW YORK, } ss.

In the name of the People of the State of New York; To any Policeman of said City :

Proof by affidavit having been this day made before me Solon B. Smith Esquire,
Police Justice of said City, by John R. Dudd of No. 105 West 36th

Street, in the said City, that the following property, to wit :

One diamond bracelet, (containing
three stones)

Has been feloniously taken, stolen, and carried away by

Emma Roth
and that he has a probable cause to suspect, and does suspect that the said bracelet
or part thereof now concealed in the dwelling house or premises of E. Harlem

20th situate on a lot of ground fronting on No. 112 West 31st Street, in the
Ward of said City.

THESE ARE, THEREFORE, in the name of the People of the State of New York, to command and
authorize you, with proper assistance, in the day time, to enter into the house or premises of the said

E. Harlem situate as aforesaid, and there make immediate search for the said bracelet
and if the same, or any part thereof, shall be found, then you are likewise
commanded to bring the same so found, together with the said E. Harlem

or the person in whose custody the same shall be so found, before me or some other Police Justice in and for the said City
and County, to be dealt with as the law directs. This Warrant unless executed within five days after its date is void.

Given at the City of New York aforesaid, under my hand and seal,

this 15th day of July one thousand

eight hundred and eighty two

Solon B. Smith Police Justice



Inventory of property taken bythe Policeman by whom this warrant was executed:

City and County of New York, ss:

I, Ashibala Kaur

the Officer by whom this warrant was executed.

do swear that I made a search for the within described property and could not find it, or any trace of the same

Sworn to before me, this 2d

day of July 1888

Subscribed to before me, this 22
day of July 1882
John B. Smith
Police.

Police Justice.

Everetald Hamilton

Police Court— District,

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Search Warrant.

vs.

Dated..

881

Justice

Officer

0000

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

2 DISTRICT POLICE COURT.

Emma Rock being duly examined before the under-
signed, according to law, on the annexed charge: and being informed that it is *her* right to
make a statement in relation to the charge against *her*; that the statement is designed to
enable *her* if she see fit to answer the charge and explain the facts alleged against *her*
that she is at liberty to waive making a statement, and that *her* waiver cannot be used
against *her* 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 took the bracelet and
chain and pawned them ten dollars
for
Emma Rock
mark*

Taken before me, this

day of *July* 188 *1*

Solomon Smith
Police Justice.

0009

2

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss

of No. 103 West 36-

Street.

John R. Dred

Professor

being duly sworn, deposes and says, that on the 16th day of May 1882

at the above premises

City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, and from a trunk in said house the following property, viz:

one gold chain and one plated watch
and one gold bracelet set with diamonds
and of it all of the value of one hundred
and fifty dollars

the property of

Deponent

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

reason that said Emma admitted and
confessed to deponent that she took stole
and carried away said property and
that she pawned the said bracelet with one E. Harlan
at 112 West 31st Street in the City of New York
and received for the same the sum of eight
dollars and that she pawned the said
watch and chain with another pawnbroker
whose name is unknown to deponent

J. R. Dred

Sworn before me this

2nd day of

July

1882

Police Justice.

0890

Emma Roth 13 years servant 103 West 36th
 Street being duly sworn says that on the 16th
 day of May 1882 she stole from the house of
 John R. Duda at 112 West 36th Street one plated
 watch one gold chain and one gold bracelet
 set with diamonds and in all of the value of
 one hundred and fifty dollars and that
 she pawned the said bracelet with one E. Harlem
 at 112 West 31st in said City of New York.
 Said watch and chain deposited pawned at
 another pawn shop the name of the proprietor
 of said shop being unknown to deponent.

Sworn to before me
 this 3rd day of July 1882
 Emma Roth
 Solange R. Smith
 Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION