

0009

Witnesses:

Wm C. Jordan

280 B' way

Amos D. Swell

J. C. Austin

~~1887~~

15 Bullford

Counsel for Plaintiff Mutual Life Insurance Co.

Filed 5 day of Aug 1889

Pleads, No liability

THE PEOPLE

vs.

Thomas Brennan

Defendant

Delivered on Aug 1889

JOHN R. FELLOWS,

District Attorney.

Off. Wm. L. Linn

A TRUE BILL.

Alfred M. Mearns

Oct 17th 1889 J. M. D. Foreman.

Wm. H. H. - Oct. 17th 1889

Sec. 541, Code Ed.

00 10

CITY AND COUNTY OF NEW YORK. SS:

Lawyer aged 32, residing 116 E. 56th St. New York City, being sworn at
 WILLIAM C. DAVIDSON being
 duly sworn says; That on November 17th. 1881, One Delia

O'Connor departed this life, leaving a last will and testa-
 ment, which was duly admitted to probate by the Surrogate
 of the City and County of New York, December 8th. 1881, by
 which she bequeathed to Thomas Brennan as Testamentary
 Trustee her entire estate both real and personal in trust
~~thereof~~ *to receive the rents and profits or interest thereof*
 and in the words of said will "to pay to my said
 grand-daughters Mary Eliza Devlin and Annie Delia Devlin
 during their minority for their own use the rents issues
 and profits collected from my said estate, or in case of
 the sale thereof the interest received from any investment
 remaining in his hands after payment of all proper taxes
 assessments or other proper charges" and on their majority
 to pay over said property to said grand-children share and
 share alike as their sole and separate property; and where-
 by said Thomas Brennan was also appointed Executor, and
 that said Brennan thereafter duly qualified as said Execut-
 or and Trustee and proceeded to administer the estate of
 said decedent.

That on October 8th. 1887, said Annie D. Dev-
 lin filed a petition with the Surrogate of this County pray-
 ing that a citation be issued requiring the said executor
 and Trustee Thomas Brennan to show cause why he should not
 render and settle an account of his proceedings as such
 executor and Trustee, and why the same should not be judici-
 ally settled; and a citation was thereupon issued and serv-

0011

on said Brennan.

That on October 10th. 1887, an order was duly made and filed herein appointing deponent, William C. Davidson, Counsellor at-Law, Special Guardian of the said Annie D. Devlin.

That in obedience to said citation said Brennan on March 1st. 1888, filed his account as Executor and Trustee of the estate of said decedent which account showed a balance of \$6,175.59 in the hands of said Brennan to the credit of this estate.

That on March 8th. 1888, deponent filed exceptions to said account in behalf of said Annie D. Devlin a copy of which was duly served on said Thomas Brennan.

That on March 14th. 1888, an order was duly made and entered herein by which the said account of said executor Thomas Brennan was referred to Jerome Buck, Esq., who was therein appointed referee to examine said account and to hear and determine the questions arising upon the settlement of said account, a copy of which order was thereafter duly served upon said Brennan.

That said Brennan thereafter attended before said Referee upon said reference and his testimony was taken by said referee.

That said Brennan testified under oath before Jerome Buck, Esq., the referee on the accounting herein, on April 5, 1888, that he had a balance of \$6,175.59 in his hands to the credit of this estate ready to be handed over at any moment and that this amount was in UNITED STATES BONDS.

00 12

That on May 25th. 1888, an order having been duly made and filed herein in accordance with said decision directing that said executor Thomas Brennan, deposit the said UNITED STATES BONDS belonging to the estate of said Delia O'Connor in the Mercantile Trust Company of the City of New York within three days from the date of the service of a copy of said order on said executor, that a certified copy of said order was duly served on said Brennan on the 29th. day of May, 1888, and at the time of making such service on said Brennan a demand was made on said Brennan that he deposit said Bonds in accordance with the terms of said order.

That said Brennan has wilfully refused and neglected to deposit said bonds as directed by said order and that the time for making such deposit has expired. That said Brennan has no residence stated in the New York directory. That he has an office apparently at No. 7 Murray Street New York City, and deponent states on information and belief that said Brennan has not been seen at said office for the past three months. That said Brennan has left the City of New York, and his whereabouts is unknown to deponent.

Deponent states on information and belief that said Thomas Brennan has feloniously appropriated said UNITED STATES BONDS, amounting to the sum of Six Thousand One Hundred and Seventy-five 59-100 Dollars (\$6,175.59) to his own use and feloniously and unlawfully refuses to deliver

00 13

or deposit said Bonds to or with the said Mercantile Trust
Company. and does certify the true
owners of the same and beneficiaries
thereof

Sworn to before me }
this 15 day of March 1899 } William C. [Signature]
John [Signature]
Notary Public

[Faint handwritten signature]

0014

Court.

Plaintiff

against

Defendant

Attendant of
William C. Davidson.

WILLIAM C. DAVIDSON,

Attorney for

280 BROADWAY,

New York City.

To

Esq.

Attorney for

Due and timely service of a copy of the within

is hereby admitted.

Dated

188

Attorney for

0015

I, Delia O'Connor, now residing in the city of New York and being of sound mind and memory, do make, publish and declare this my last will and testament, as follows:

I. I direct my executor hereinafter named to pay all my just debts and funeral expenses, out of any money that may come into his possession from my estate, as soon after my decease as may be practicable.

II I give, devise, and bequeath to my executor, hereinafter named, all my real and personal property of every kind and wheresoever situate which I may own or possess, or may be entitled to, or interested in at my decease, to have and to hold the same to, upon, and for the following uses and trusts: to collect the rents issues and profits of my said real estate, with full power to sell and dispose of my said estate both real and personal, or either, at public or private sale, at any time, that in his judgment may be for the best interests and advantage of my said estate; and, in case of such sale, after the payment of all proper charges, to invest the proceeds

0016

on Bond and mortgage, or other good security, in the City of New York or in the City of Brooklyn, untill my two grandchildren Annie Delia and Mary Eliza Devlin, shall each arrive at the age of twenty-one years, when the ^{Principal} sum or sums so invested, with all ^{increase} ~~income~~ of interest, shall be divided equally and paid over to each of them share and share alike, as and for their sole and separate property, and free from the control of any husband that either of them may have -

III In case of the death of ^{either} my said two grandchildren, in the foregoing second clause mentioned, before arriving at the age of Twenty one years, without leaving lawful issue her surviving, then and ⁱⁿ such case her sister, the surviving grandchild above mentioned, shall take the whole. and I hereby direct my executor to give and pay over to ~~such~~ surviving grand-child, as above intended, the whole of said principal with the interest -

But should both of my two said grandchildren, above named, die before arriving at the age of twenty-one years, leaving no lawful issue, then

0017

and in such case, their share or shares shall go to my two grandsons, Daniel and James Devlin, the brothers of Annie Delia and Mary Eliza aforesaid, share and share alike; and I hereby direct my executor to pay them upon their coming at the age of twenty one years; or, in case of the death of either, to the survivor, the said share or shares to which the said two girls, above named, would be entitled under this will, if living.

IX I direct my executor to pay to my said two grand-daughters, during their minority, for their own use, or in case of the death of either ~~within~~ that time then to the survivor, the rents, issues and profits collected from my said estate, or in the case of the sale thereof, the interest received from any investments, remaining in his hands after the payment of all taxes, assessments, or other proper charges; and in case of the death of both said grand ~~children~~ daughters, then in like manner and for the like object the said rents and profits or interest shall go to my said two grandsons heretofore mentioned; or in case of the death of either, to the survivor.

0018

during their or his minority aforesaid.

Whereas my daughter by a former husband, Catharine Hayes, now Mrs. Catharine Phelps, being always a most disobedient girl, having caused great annoyance and very much pain and in consequence I am not willing that she should share in my ~~estate~~ or its proceeds, and therefore it is my will that she shall have the sum of fifty dollars only, which sum I hereby direct my executor to pay to her if living, and in case of her death or of her refusal to accept the same, it shall go to my two granddaughters, with the other proceeds of my estate, or in case of their death, to my said two grand sons with the other shares in the way and manner and under the circumstances, as hereinbefore directed.

V. I hereby nominate and appoint my friend Thomas Drumman of 90 7 Murray Street in the City of New York the executor of this will; and I request him as a favor to me to act as guardian of the said Annie Maria and Mary Eliza during their minority and to see that their interests are safely and properly cared for and attended to, and

0019

Form G1.

STATE OF NEW YORK, }
City and County of New York, } ss.

I, JAMES F. McLAUGHLIN, Clerk of the Surrogate's Court of said County, do hereby certify that I have compared the foregoing copy of ~~the instrument propounded as the last Will and Testament~~

of *Julia O'Connor*. deceased,

with the original record thereof, now remaining in this office, and have found the same to be a correct transcript therefrom and of the whole of such original record.

P

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of the Surrogate's Court, this *3rd* day of *July* - in the year of our Lord one thousand eight hundred and eighty-*nine* -

James F. McLaughlin
Clerk of the Surrogate's Court

0020

lastly I hereby revoke any and all wills by me at any time heretofore made -

In Witness whereof I have hereunto set my hand and seal this 21st day of July 1880.

The seventh word "either" which follows the word "of" in the first line of the 3rd clause on page 2 was written before the signing, executing and witnessing of the foregoing instrument. Delia O'Connor (S)

Signed, sealed, published and declared by Delia O'Connor, the testatrix above named to be her last Will and Testament, and we did at her request and in her presence, and in the presence of each other, subscribe our names as witnesses thereto -

Mr. H. Fopping 369 Franklin ave
Brooklyn N.Y.

James J. Brennan 62 1/2 11th St. N.Y. City

0021

Last Will and
Testament of

Walter O'Connor

Certified copy of
Will.

Frederick J. Vincent

0022

192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.
OF NEW YORK,

An information having been laid before John J. Gorman a Police Justice
of the City of New York, charging Thomas Brennan Defendant with
the offence of Grand Larceny

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

We, Thomas Brennan Defendant of No. 479
West 22nd Street; by occupation a Lawyer
and Julius Storck of No. 190 Fulton
Street, by occupation a Restaurant Surety, hereby jointly and severally undertake that
the above named Thomas Brennan Defendant
shall personally appear before the said Justice. at the 1 District Police Court in the City of New York
during the said examination, or that we will pay to the People of the State of New York the sum of ten thousand
~~Hundred~~ Dollars.

Taken and acknowledged before me, this 22

day of May 1889.

John J. Gorman POLICE JUSTICE.

Thomas Brennan
Julius Storck

0023

CITY AND COUNTY } ss.
OF NEW YORK, }

Sworn to before me, this
day of May 1889
Police Justice.

the within named Bail and Surety being duly sworn, says, that he is a resident and
holder within the said County and State, and is worth *Twenty thousand* Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and
liabilities, and that his property consists of *House No 316 State*

Street in the City of Brooklyn in the County of
Kings of the value of Seven thousand dollars and the
Restaurant at No 190 Fulton Street of the value
of five thousand dollars and money in Bank and
on deposit of the value of Five thousand dollars

Julius Storck

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs.

Taken the day of 1889

I hereby certify that this is
a true copy of a bond
now on file in this Court.
June 4, 1889
Wm. Sedley
Clerk

0024

Se

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

I, Julius Storck the surety mentioned in the
annexed recognizance to answer, do hereby authorize and empower any Police-
man of the City of New York, or _____
or either of them, in my name, place, and stead, to take, seize and surrender the
said Thomas Brenner (in the said bond named as
defendant) to the Court therein mentioned, or deliver him to the custody of the
authorities of said City and County, in my exoneration as surety on said recog-
nizance.

Dated June 4 1889

Julius Storck Surety.

0025

Surrendered to
his purity to
Com. for Gov.
June 5/88

0026

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before John J. Brennan a Police Justice
of the City of New York, charging Thomas Brennan Defendant with
the offence of Grand Larceny

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

We, Thomas Brennan Defendant of No. 479
West 22 Street; by occupation a Lawyer
and Julius Storch of No. 190 Fulton
Street, by occupation a Restaurant Surety, hereby jointly and severally undertake that
the above named Thomas Brennan Defendant
shall personally appear before the said Justice. at the 1 District Police Court in the City of New York
during the said examination, or that we will pay to the People of the State of New York the sum of Ten thousand
~~Hundred~~ Dollars.

Taken and acknowledged before me, this 22

day of May 1889

John J. Brennan POLICE JUSTICE.

0027

CITY AND COUNTY }
OF NEW YORK, } ss.

John J. [Signature]
1889
Police Justice

Sworn to before me, this

24

the within named Bail and Surety being duly sworn, says, that he is a resident and *free*
holder within the ~~said~~ *City of New York* County and State, and is worth *Twenty Thousand* Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and
liabilities, and that his property consists of *House & lot N^o 316 State*

*Street in the City of Brooklyn, in the County of Kings,
of the value of Seven Thousand dollars, and
the Real Estate at N^o 190 Fulton Street of the value
of Five Thousand dollars and money
in Bank and on deposit of the value of
Five Thousand dollars*

Julius [Signature]

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Underlying to appear
during the Examination.

vs.

Taken the day of 188

Justice.

0028

At a Surrogate's Court, held in and for
the County of New York, at the Coun-
ty Court House in the City of New
York on the 25th day of May, 1888.

Present, Hon. Rufus S. Ransom,

Surrogate.

-----X)	
IN THE MATTER	:	
)	
of	:	Copy Order Direct-
)	ing Deposit of Bonds
The Accounting of Thomas Brennan,	:	
)	
as Executor and Trustee,	:	
)	
of	:	
)	
Delia O'Connor, deceased.	:	
-----X)	

An order to show cause having been made herein,
returnable before this Court, why said Executor Thomas
Brennan should not be punished for his misconduct in
wilfully disobeying the direction of the Referee on the
accounting herein, in failing and neglecting to produce
before said Referee the bonds in his possession belong-
ing to this estate, as appears by the affidavit of
WILLIAM C. DAVIDSON annexed to said order to show cause
and on the original testimony taken before Jerome Buck,
Referee, as for a contempt of this Court, and why said
Brennan should not forthwith produce said Bonds before

0029

said Referee and why said Bonds should not be by said Referee deposited in the Union Trust Company to the credit of this action to await the further action of this Court, and why the reference in this proceeding should not be held from day to day until it is concluded, and why such other and further relief in the premises should not be granted as may be just and reasonable, with costs of this motion.

Now, on said motion coming on to be heard, and on reading and filing said order to show cause and said affidavit of William C. Davidson, with proof of due service thereof on said Executor Thomas Brennan on April 26th, 1888, and upon all the testimony taken by said Referee on the accounting herein, and after hearing William C. Davidson, Special Guardian of Annie D. Devlin, in favor of said motion, and James J. Brennan, Attorney for said Executor Thomas Brennan, in opposition thereto it is

ORDERED that said Executor, Thomas Brennan, deposit the United States Bonds described in the said affidavit of William C. Davidson, Special Guardian belonging to the estate of said Dolia O'Connor in the Mercantile Trust Company of the City of New York, within three days from the date of the service of a copy of this order on said Executor, and that the reference herein before Jerome Buck, Esq., proceed on such days as may be fixed by said Referee.

(Sd.) Rastus S. Ransom,
Surrogate.

RECEIVED

May 25 1888

James J. McLaughlin

0030

THE MERCANTILE TRUST COMPANY.

NEW YORK.

May 27th 1889

To the Hon. Rastus S. Ransom,

Surrogate of the County of New York:

THIS IS TO CERTIFY that no United States Bonds, cash or other securities have been deposited or offered for deposit with The Mercantile Trust Company, of the City of New York, by Thomas Brennan, or by any person on his account, to the credit of the Estate of Delia O'Connor or otherwise.

THE MERCANTILE TRUST COMPANY,

By *[Signature]*

Secretary,

0031

Sec. 109-200.

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer. *Thomas Brennan*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *New York City - 30 years*

Question. What is your business or profession?

Answer. *Lawyer.*

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 and demand an Examination*

T. Brennan

Taken before me this
day of *July* 188*9*
Police Justice.

0032

Sec. 151.

Police Court. 1 District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*
OF NEW YORK, } *of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by William C. Bassideau
of No. 380 Broadway Street, that on the 25 day of May
1889 at the City of New York, in the County of New York, the following article to wit:

good & lawful money of the United States in all

of the value of six thousand one hundred & seventy five Dollars,
the property of James W. Blodgett by Annie Blodgett
w as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and
believe, by Thomas Brennan

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

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

Dated at the City of New York, this 1 day of March 1889

John H. Hannon POLICE JUSTICE.

0033

Police Court 1- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wm Davidson

vs.

Thomas Brennan

Warrant-Larceny.

Dated *March 1* - 188*9*

Gorman Magistrate
Herdelberg - *Dolan* - *Trill*
O'Connor Officer.

The Defendant *Thomas Brennan*
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

Patrick Dolan Officer.

Dated *May 22* 188*9*

This Warrant may be executed on Sunday or at
night.

Police Justice.

4 floor

Dated 188

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.

The within named

Police Justice.

0034

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

Thomas Brennan
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *fifty* Hundred Dollars, *and* 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 2nd* 188 *9* *W. Hagan* 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.

0035

ad 2 P.M.

May 23rd 1889

2 P.M.

ad May 28th 2 P.M.

May 31 2 1/2 P.M.

June 7 2 P.M.

" 24 2 P.M.

by consent of dept.

BAILED

July 1st 2 P.M.

No. 1, by by consent of Dept. Street.

Residence July 2 - 2 P.M.

No. 2, by Street.

Residence No. 3, by

Residence No. 4, by

Residence No. 5, by

Residence No. 6, by

Residence No. 7, by

Residence No. 8, by

Residence No. 9, by

Residence No. 10, by

Residence No. 11, by

Residence No. 12, by

Residence No. 13, by

Residence No. 14, by

Residence No. 15, by

Residence No. 16, by

Residence No. 17, by

Residence No. 18, by

Residence No. 19, by

Residence No. 20, by

Residence No. 21, by

Residence No. 22, by

Residence No. 23, by

Residence No. 24, by

Residence No. 25, by

Residence No. 26, by

Police Court---

1 949 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wm. C. Davidson

280 Broadway

1. Thomas Newman

2. ?

3. ?

4. ?

Dated May 12 1889

James Magistrate.

Walan Officer.

60 Precinct.

Witnesses Horace E. Deming

Mercantile Trust Co

No. 120 Broadway

For trial

Annie D. Berlin

No. 161 280 Broadway

G.W. Arquist 18 S. William St

No. Geo C. Austin 20 Nassau St

\$5000. to answer

Conrad

0036

Court of General Sessions

The People

agst.

Thomas Brennan

The complainant herein makes the following statement - that in his opinion the interests of justice will be furthered by the discharge of the aforesaid defendant upon his own recognizance; the Surrogate of the County of New York having already ^{withdrawn} ~~discontinued~~ the warrant of commitment against him.

Dated N. Y. Dec. 5, 1889.

William C. Davidson
Complainant.

0037

District Attorney's Office.

PEOPLE

vs.

The People.

*Put on Calendar
of Part 1, 5,
for Thursday.
J.R.A.*

0038

John Vincent,

Law Offices,
Mutual Life Ins. Building,
32 Nassau Street,

New York, 1889.

Peoples
v

Thomas Brennan

My dear Sir:

I would be
very much obliged if you would not
place above case on the Calendar before
week after next at the earliest

Yours respy
John Vincent

John May

0039

DISTRICT
POLICE COURT

1900
5712

Exhibit in the case of
William C. Davidson
against
Thomas Brennan }
Grand Jurors

Copy of Will

0040

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas Brennan

The Grand Jury of the City and County of New York, by this
Indictment accuse Thomas Brennan

of the crime of Grand Larceny in the first degree,

committed as follows:

The said Thomas Brennan,

late of the City of New York, in the County of New York, aforesaid, on the
Twenty-ninth day of May, in the year of our Lord one thousand
eight hundred and eighty-eight, at the City and County aforesaid,
was a person acting as executor and
trustee, to wit: as the executor of the
last will and Testament of Delia
O'Connor, deceased, having been ap-
pointed, as under and by the said last
will and Testament, which was duly
admitted to probate by the Surrogate
of the said City and County of New
York, on the eighth day of December, 1887,
by which said last will and
Testament the said Delia O'Connor,
deceased, bequeathed to him the said
Thomas Brennan, as Testamentary

0041

Trustee, her entire estate, both real and personal, in trust, to receive the rents and profits and interest thereof and to pay to Mary Eliza Devlin and Annie Delia Devlin, during their minority for their own use, the rents, issues and profits collected from the said estate, or in case of the sale thereof, the interest received from any investments remaining in the hands of the said Thomas Brennan, after the payment of all proper taxes, assessments or other proper charges, and on their attaining majority to pay over the said property to the said Mary Eliza Devlin and Annie Delia Devlin, share and share alike, as their sole and separate property.

And on the said twentieth ninth day of May, 1888, the said Thomas Brennan, so being such executor and Trustee, (having duly qualified as such) and then and there acting as such, had in his possession and custody by virtue of his said appointment, divers, money, goods, things in action, securities, evidences of debt and property, and valuable things, and the proceeds thereof, to wit: the sum of six thousand, one hundred and seventy-five

0043

And so having the said money, goods, things in action, securities, evidences of debt and of property, valuable things and proceeds in his possession and custody. By virtue of his said appointment as aforesaid, the said Thomas Brennan, so having such executor and trustee, and acting as such, afterwards to wit: on the day and in the year aforesaid, at the City and County aforesaid, did feloniously secrete, withhold and appropriate the same to his own use, whereby, by force of the Statute in such case made and provided the said Thomas Brennan is deemed to have committed the crime of grand larceny in the first degree, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Bellows

Attorney at Law

0044

BOX:

362

FOLDER:

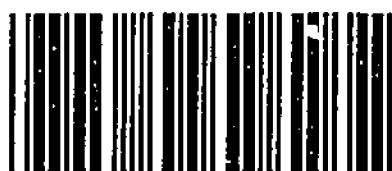
3400

DESCRIPTION:

Brown, Ann Eliza

DATE:

08/12/89



3400

Witnesses:

Off Wilson

Mary L. Hall

130 Purdy

Counsel,

Filed 12 day of Aug 1889
Pleads, for Gully (13)

THE PEOPLE

vs. *W. H. B.*
119 -

Ann Eliza Brown

KEEPING A HOUSE OF ILL FAME, ETC.
[Sections 322 and 385, Penal Code]

JOHN R. FELLOWS,

Pr. Sept. 17, 1889 District Attorney.

tried & convicted

Pen 30 days.
A True Bill.

Alfred J. Munn

Foreman.

Sept 17th

R. S. B.

0045

0046

COURT OF GENERAL SESSIONS.

-----X
The People :
v. :
Ann Eliza Brown, : Tried Sep. 17, 1889, before
Indictment filed Aug. 12, '89: Hon. Rufus B. Cowing and
Indicted for keeping a dis- : a Jury.
orderly house. :
-----X

Assistant District Attorney Bedford, for the People.
Messrs. Purdy & McLaughlin, for the Defense.

M A R Y L. H A L L, the complainant, testified
that she lived at 121 West 27th Street. On the first
of May, 1889, the defendant kept the house at 119 West
27th Street. She kept a restaurant in the basement.
On the top floor she kept a lot of men known as the New
York Baseball Club. She, the witness, had been on the
top floor and all over Mrs. Brown's house. The men were
known also as the Cuban Giants. On the second floor
lived prostitutes, and in the back extension on the first
floor there were also women of questionable character.

0047

2

On the parlor floor front there was a piano, and also an upright bedstead that the defendant occupied herself when it was not otherwise engaged. The defendant let out this part of the house to transient couples. The defendant used also to give dances there, charging ten and fifteen cents admission. Those who paid the admission were allowed to dance the Buzzard, the Buck and the Can-can. The defendant's own children took part in the dancing. She, the witness, had been present and had seen the dancing. The Buzzard and the Buck dances were about the same. The women pulled up their clothes and threw up their legs and made vulgar motions. She also saw women pick up men on the street. She also saw a woman come out of the house of the defendant and make a bargain with a man. He was a white man. She asked him to go upstairs in the defendant's house, and he asked how much she would charge, and she said one dollar, and he said he could go into the Black Chapel and get it for a quarter. Then the man started off and she called him back and took him upstairs. She also saw two women at the window, and then she saw the two women go in bed in a very peculiar position. The defendant also had in her house a set of men called the African Savages. They

0048

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were up on the top floor. The African Savages had one room and the Cuban Giants had another. The African Savages used to hang their clothes on a line near the window and dance naked and shake things that they used in the museum. Then they used to go up to the window and shake themselves in front of the window. She, the witness, told Mrs. Brown about this and asked her if she knew it, and Mrs. Brown replied that she had heard of it before, and she said that the law couldn't do anything to her, because there were no women up there. She, the witness, saw women up there dancing, and the defendant's children were up there, too. She had seen prostitutes go in and out of the house and seen them take men upstairs in the house, and saw a man in bed with one of the prostitutes--a woman who was arrested for soliciting on Seventh Avenue on the 21st of July. The defendant kept the house.

Under Cross Examination, the witness testified that she was a married woman, and that she lived with her husband at 121 West 27th Street. Her husband was at work in this city. Her husband's name was John Hall. Her husband was a white man. They had been married fourteen years. She had lived right next door to the

0049

4

defendant for about a year on the 19th of November. She occupied two back rooms. The two rooms were occupied by the witness and her husband and her daughter and her daughter's husband. Her daughter's name was Florence Redding. Her daughter's husband was a mulatto. She had never been charged with any crime. She had been in the Tombs for eight days. She had been committed to the Tombs and stayed there eight days because she couldn't get bail. She knew Officer McCullagh. She was charged with throwing a lamp at that officer, and was held in five hundred dollars' bail to keep the peace for three months. She didn't get the bail and was called out to go to the Island, but she was not taken to the Island because she got bail. She was convicted of this offense. She had known Mrs. Brown for about six years and visited her for three years. The defendant had been keeping a disorderly house between three and four years, and she the complainant made a complaint on the 15th of 16th of July. She had not made a complaint before, because the defendant had not given her any cause. While she, the complainant, was at work on the 14th of July Mrs. Brown and the complainant's daughter had some words. The next morning, she, the complainant, heard

0050

5

Mrs. Brown abusing her, the complainant, in her back yard, and she went in to Mrs. Brown's to have a talk with her. Mrs. Brown said that she was going to have the complainant's daughter arrested, because the complainant's daughter had told her that she kept a whorehouse. She the complainant said, "Mrs. Brown, you know you do; you know what the whole neighborhood says." Mrs. Brown replied, "I will show you that you can't interfere with my whorehouse. I pay McCullagh and Kelly to keep it. You stay on the front stoop to watch my house all night." She, the complainant, said, "I don't do so. The carryings on around your door is perfectly terrible with women and men." She, the complainant, did not know that Mrs. Brown had got out a warrant for her daughter's arrest. A summons had been issued, she understood, by Justice Ford. The summons was thrown into the room by Mrs. Brown's daughter. Before she went to the court with her daughter she wrote a note to the Society for the Prevention of Cruelty to Children, to complain about the defendant having her children in the disorderly house. She the complainant, remembered that she had been arrested two or three times for disorderly conduct. She had not

0051

6

been arrested for soliciting. She had got into trouble several times on account of her daughter, who was a very pretty girl and she kept her above the average of colored people and tried to bring her up a lady.

Her daughter was not a prostitute and had never been arrested for soliciting.

M R S. F L O R E N C E O P H E L I A R E D D - I N G testified that she lived at 121 West 27th Street. The complainant was her mother. She, the witness, had seen women of ill fame known to the police as prostitutes and inmates of the defendant's house, sitting on the stoop morning, noon and night, making gestures to men passing by and taking the men upstairs, both white men and colored men. She formerly dined in Mrs. Brown's restaurant, and that is how she came to see things.. She had seen the can-can and the Buzzard and the Buck danced by her boarders and her daughters. There was a match there one day to see who could kick the highest. The defendant's daughter, fifteen years old, participated in the contest. She told the defendant that it was a very improper proceeding for a young girl. The girl said that her mother didn't care. She had also seen the Africans who worked in a museum. She had stood on

0052

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the opposite side of the street and seen these Africans make vulgar gestures to women on the opposite side of the street with their persons. She had also seen women arrested for soliciting right in front of Mrs. Brown's door. The defendant had been arrested for soliciting a detective. The defendant was fined ten dollars. She had heard the defendant's son say that he must speak to his mother and ask the women not to take men upstairs in the daytime.

Under Cross Examination, the witness testified that she was a married woman, and had been married to Charles A. Redding for about three years and a half. Her husband was a waiter at the Berkeley, at Fifth Avenue and 9th Street. She lived with her husband. Her mother and father had one room and the witness and her husband another. What she had seen she had seen when she was sitting on the stoop of her house. She, the witness, had been arrested twice--for fighting with a woman named Mamie Washington, a colored woman. They were fighting in 34th Street. Mamie Washington insulted her and she struck her and was arrested and fined ten dollars. She was fined ten dollars both times, and her husband paid her fines. She did not try to cut the throat of Fred-

0053

8

erick Allen with a butcher knife. The first time she had any trouble with Mrs. Brown was when one of Mrs. Brown's woman boarders left her house. The defendant's daughter Adelina was putting up a notice of a front room to let and she, the witness, said, "Who has left you?" and Adelina said, "Mrs. Jones," and when the boarder came back again she, the witness, said, "I am surprised to see you back, because I thought you had left," and Mrs. Jones replied, "No, I am back." Then Mrs. Brown scandalized the witness over her back fence in the most shameful manner, and she went into Mrs. Brown's house and asked her to explain, and the defendant picked up a spade and attempted to brain her with it, and the defendant might have killed her, the witness, but her husband took her out of the house. And then, when the witness's mother returned from her work she told her mother about the occurrence, and her mother went into the house to get an explanation. She knew the name of one of the women that had lived in Mrs. Brown's house. It was Ada Stewart.

B E R T H A P A R K E R testified that she was a married woman. She had occupied a room in the house

0054

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at 119 West 27th Street. She had occupied the back parlor with her husband. She remained there two months. When she was in the house Mrs. Brown kept a woman by the name of Frankie Johnson and another woman by the name of Jennie Oldfield, who solicited men. They were prostitutes. They lived in the defendant's house. She had not only seen them solicit men, but had changed money for the women to give Mrs. Brown money for the beds. They had used her room in her absence, and she came in suddenly and found a woman in bed with a man. On one occasion she saw Frankie Johnson in bed with a white man. They were undressed.

Under Cross Examination, she testified that she lived at present at 188 Eleventh Avenue. She paid three dollars and a half a week for the room. She did not take her meals in the defendant's restaurant, but in the house where she worked at 229 West 16th Street. She had been once arrested. A girl snatched some money from her and she followed the girl and a policeman locked her up, but she was discharged. She had been out of Mrs. Brown's house for almost a year. The defendant did not charge her with stealing a watch. One of the girls brought in a watch that was broken, and she, the witness, said, at

0055

10

the request of the girl that she would have it fixed for her. Then Mrs. Brown said that she would pay for it, and the watch was still at the jeweller's in 24th Street.

P A T R I C K M U R R A Y testified that he had seen women in the windows of the defendant's house soliciting men, and also had seen women on the stoop and also men on the stoop. He was ~~solicited~~ solicited from the front window of the house. There was a crowd on the stoop of men and women nearly all the time. He spoke to the defendant about the kind of house that she kept. The defendant told him that the women in her house were married women, and he told her that he thought it was funny that married women should solicit from the windows, and she said that she couldn't help it.

Under Cross Examination, the witness testified that he was a ^{house} ~~master~~ painter and lived at 107 West 27th Street. He had to pass the defendant's house at least twenty times a day in the course of his business. He did belong to a society of the neighbors who desired to make the neighborhood better. The society had made a complaint against No. 119 West 27th Street. He did not make a complaint against the defendant because she promised to

0056

11

do better. He had been in business as a house painter for forty years.

C H A R L E S S T E V E N S O N, waiter, testified that he lived in the house at 119 West 27th Street, having hired a room there, and clothing had been stolen from his room while he was at work and Mrs. Brown had the key. Mrs. Brown said the clothes must have flown out of the window and called him some vile names, and she and her daughter and her son seized a shovel and a hatchet and some other instruments and threw him out of the house and his trunk after him. He had paid the defendant twenty-five cents for having intercourse with women in the house, and he had been solicited in the house by women. The witness had been arrested but once, in a house at 101 West 27th Street when the police made a raid there. He was a porter and boot-black at Nick Engel's in 27th Street.

O F F I C E R A U G U S T I N E J. W I L S O N testified that he was an officer of the New York Society for the Prevention of Cruelty to Children. He had visited the defendant's home to notify the defendant to go to Court with her two children. He took the children

0057

12

to the Second District Police Court. They were the children of the defendant. He went upstairs while the officer who accompanied him was in charge of the children, and was solicited on the second floor by a woman.

Under Cross Examination, he testified that the woman who solicited him was a colored woman. There was a man in her room--the second floor front room--at the time. He did not know that Mrs. Redding had made a complaint to his society about the children being in the house of the defendant. He had received his orders from the Superintendent of the Society. He had been employed in the Department of Public Works for about four months. He was discharged for political reasons. The children were at present in the Juvenile Asylum. They had been committed by Justice Gorman. They were ~~tw~~ twelve and fourteen years of age, respectively.

A N N E L I Z A B R O W N, the defendant, testified for the Defense that she had never been charged with any offense in her life before. She was born in Amelia County, Virginia, and was a married woman. Her husband was in court. She had been married about twenty

0058

13

two years and had six living children--four boys and two girls. She rented the house in 27th Street from Mr. Daniels and had occupied it for about four years. She paid the landlord one hundred dollars a month. She had none but respectable tenants to whom she rented rooms, and she had never been aware of any disorder in her house. Her husband was a night watchman in the 59th Street Riding Academy. She did not keep a disorderly house and was surprised when the charge was made against her. She had had the difficulty with the complainant and her daughter that they had described, and they had made the charge against her as a result of that quarrel.

H E N R Y B R O W N, the defendant's husband, corroborated her as to the character of the house.

Under Cross Examination he testified that he saw very little of the house, because he was at work all night and was asleep nearly all day.

E M M A A U G U S T A B U R F I N E, grocer, of 120 West 27th Street, testified that she had never seen any disorderly conduct in or about Mrs. Brown's house.

D O M I N I C O M O G L I A, a fruit dealer at the corner of Sixth Avenue and 27th Street, testified

0059

14

that he had lived next door to Mrs. Brown's house for about fifteen years and he had never noticed anything disorderly about the house.

GEORGE W. PICO testified that he had occupied a basement next door to Mrs. Brown's house for some years. He had taken meals in her restaurant. He had never seen anything disorderly in or about her house.

Maria Elizabeth Johnson, laundress, testified that she worked for Mr. Pico, and that the reputation of Mrs. Brown's house was good so far as she knew. She had never been upstairs in her house though she had taken meals there.

WILLIAM THEODORE RICHARDSON testified that his last place of employment was on the Grand Truck Railroad, and that he had known Mrs. Brown for about three years. He had lived in Mrs. Brown's house, which was about two years before the date of the trial. He had taken meals in her restaurant. He had never seen anything disorderly about her house.

Under Cross Examination he testified that he had been arrested upon the charge of forgery upon the complaint of a colored man, his partner, but he was dis-

0060

15

charged by Judge Gildersleeve. He had been engaged with a partner in the house-cleaning business and out of this business grew the charge of forgery.

THOMAS F. SAYLES testified that he was an upholsterer by trade, and the night watchman of 126 and 128 West 27th Street. He was the night watchman for the Sanchez estate. Mrs. Sanchez, the original owner of the property was dead, and Colonel Mix was the present owner. He had never seen anything disorderly, night or day, in or about the defendant's house.

Under Cross Examination, he testified that there had been some trouble about prostitutes in the buildings that he watched, but he had been instructed to report any irregularities on the part of the women tenants to Col. Mix, and in that way he had been instrumental in disposing some of the tenants. The houses had been houses of prostitution in the lifetime of Mrs. Sanchez.

Officer THOMAS McCULLAGH testified that he belonged to the 19th Precinct. He was on post in 27th Street from Fourth to Seventh Avenue. He knew the defendant, Mrs. Brown. Her house was on his post. He had never seen anything disorderly about the house. He had never

0061

16

had occasion to enter the house.

Under Cross Examination he testified that before he went on that post the street was full of disorderly houses. There were none in that immediate neighborhood to his knowledge now.

0062

Samuel Moran 126 NW 7th
Grocery Store
Mrs. Eppright 1.17 W 27th
Mr. & Mrs. H. Hurkult. 138 W 30th
Sandra Cook 120 W 30th

0063

New York Sept. 18/89
To the Hon. Judge Cowing,

We the undersigned, are willing to testify that we know Mrs. Eliza Brown, who is now up for sentence, we know her to keep a respectful house, take in lodgers, gentlemen only, and a small Restaurant also, and in every respect, a hard working woman.

Louis Stauffmann 1644 1/2 E 11th Ave
Thos. H. Wright

No 101 W 27th St
John Perry 109 W 27th St

Isaac Strauss 117 West 27th St
Fred Burfeind 120 West 27th St
Fred Borgwardt 135 West 27th St
Carl Muser 127 West 27th St
Mr. C. Fields 112 West 27th St.

M. Bataria 128 Ave 29
Mr. Mately 146 West 27th St

Mr & Mrs J. Guichard
John & J. J. J. Dealers 126 W 27th St
Chas. Smith 102 W 27th St
Brown St 116 102 W 27th St
W. H. Johnson P. O. # 110 W. 27th St.

0064

W H C Kenley, M.D. 137 W 26th
Daniel Morrison 110 W 27th
Edward S Flow 129 W 27th

0065

Samuel Moran 126 NW 27th
Grocery Store
Mrs. Eppright 1.17 W 27th
Mr. & Mrs. H. Hurlbut. 138 W. 30th
Sandra Cook 120 W 30 St

0066

Sec. 322, Penal Code.

CITY AND COUNTY OF NEW YORK.

2 District Police Court.

Mary L. Hall
of No 121 West 27 Street, in said City, being duly sworn says
that at the premises known as Number 119 West 27 Street,
in the City and County of New York, on the 11 day of May 1889, and on divers
other days and times, between that day and the day of making this complaint

(one) Ann Eliza Brown
did unlawfully keep and maintain and yet continue to keep and maintain a Disorderly
House and did then, and on the said other days and times, there unlawfully procure
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil
name and fame there to be and remain drinking, dancing, ~~fighting~~, disturbing the peace, whoring and misbehaving
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and
there passing is habitually disturbed, in violation of the statute in such case made and provided

Deponent therefore prays, that the said *Ann Eliza Brown*
~~and all other disorderly and improper persons found upon the premises, occupied by said~~

may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this

day of

July 1889

Mary L. Hall
Police Justice.

Mary L. Hall
marks

0067

Police Court— 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary L. Hall

Ann Eliza Brown

AFFIDAVIT—Keeping Disorderly House, &c.

Dated 17 July 1889

Gorman Justice.

Officer.

Precinct.

WITNESSES :

\$500 bail for Ex
2 P.M. July 17/89

0068

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Ann Eliza Brown being duly examined before the undersigned 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. *Ann Eliza Brown*

Question. How old are you?

Answer. *36 years*

Question. Where were you born?

Answer. *Virginia.*

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

Answer. *119 West 27. Street 4 years*

Question. What is your business or profession?

Answer. *I keep a Restaurant*

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 and demand a trial by jury*

Ann Eliza Brown
Brown

Taken before me this

day of

188

Police Justice.

0069

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 \$100 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 17 1889 John Thomas Police Justice.

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

Dated July 18 1889 John Thomas Police Justice.

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

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

0070

500 Bail. 24 July 17/89
2 10 1/2

BAILED,
No. 1, by Wm Clark
Residence 152 West 25 Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court--- 1058 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary L. Hall

vs.

1 Sam Eliza Brown
2 _____
3 _____
4 _____

Offence Indecently Exposed

Dated July 17 1889

Wm Clark Magistrate.

Wm Clark Officer.

D. P. C. C. Precinct.

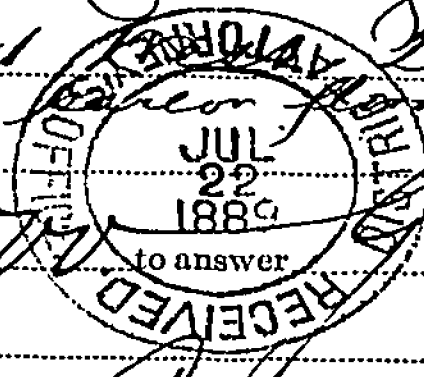
Witnesses 100 E. 13 St

No. Officer Street.

No. Mr Reading Street.

No. 121 Street.

\$ 5.00 to answer



Bailed

0071

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Ann Eliza Brown

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

Ann Eliza Brown

(Sec. 322,
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, committed as follows:

The said

Ann Eliza Brown

late of the *20th* Ward of the City of New York, in the County of New York aforesaid, on the *first* day of *May* in the year of our Lord one thousand eight hundred and eighty*nine*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

Ann Eliza Brown

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Ann Eliza Brown

(Section 385,
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

Ann Eliza Brown

late of the Ward, City and County aforesaid, afterwards, to wit: on the *first* day of *May* in the year of our Lord one thousand eight hundred

0072

BOX:

362

FOLDER:

3400

DESCRIPTION:

Brown, John

DATE:

08/06/89



3400

[illegible]

Counsel,
Filed
Pleads,

6 day of Aug 1889

THE PEOPLE

13. 4 1/2 lbs.

15 1/2 lbs

John Brown

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Alfred J. Cameron

Foreman,
State Reformatory for Colored Men.

0073

0074

Police Court—4 District.

City and County } ss.:
of New York,

of No. 27 East 76th Lizzie Zoller
Street, aged 26 years,
occupation Domestic

deposes and says, that the premises No. 27 East 76th Street, 19th Ward
in the City and County aforesaid the said being a

Dwelling house
and which was occupied by deponent and others

and in which there was at the time a human being, by name Kate Gredy
and deponent

were BURGLARIOUSLY entered by means of forcibly unlocking
and Iron gate leading to said
premises with some instrument

on the 19th day of July 1889 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

Three coats, three vests two
pairs of pantaloons. and three
handkerchiefs of the value of
One hundred Dollars

the property of Moses Weid in care of deponent
and deponent further says, that she 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 Brown (now here)

for the reasons following, to wit:

that deponent saw
the Defendant leaving said
premises with said property
in his possession. Wherefore deponent
prays that he be dealt with as the law directs

Sworn to before me this Lizzie Zoller
20th day of July 1889

V. P. McMahon
Police Justice

0075

Sec. 198—200.

4th

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Brown 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 Brown

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

New York

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

Answer.

Refused

Question. What is your business or profession?

Answer.

Tailor

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 refuse to say anything further at present

John Brown

Taken before me this

20

day of July

1889

A. M. Macdonald

Police Justice.

0077

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Wg 35 Woodward 1056
Police Court 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Lizzie Zoller

27 East 76th
John Brown

1 _____
2 _____
3 _____
4 _____

Burglary
Offence

Dated July 20 1889

McMahon Magistrate

Mackin Officer.

25 Precinct.

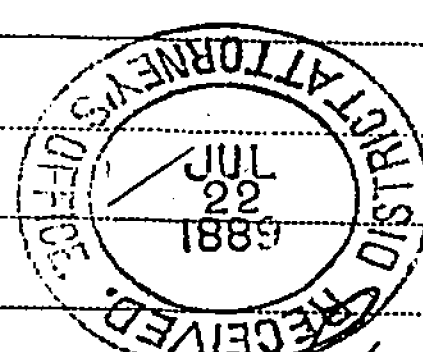
Witnesses Kate Gredy

No. 27 East 76th Street.

No. _____ Street.

No. _____ Street.

\$ 1000 to answer



Corn

0078

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 Brown

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

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

The said

John Brown

late of the *nineteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *nineteenth* day of *July*, in the year
of our Lord one thousand eight hundred and eighty-*nine*, with force and arms, ~~about the~~
~~hour of~~ ~~o'clock in the~~ ~~time of the same day,~~ at the Ward,
City and County aforesaid, the dwelling house of one *Moses Weil*

there situate, feloniously and burglariously ~~did~~ break into and enter, there being then and there
some human being, to wit: *one, Maggie Goller*

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

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,

0079

SECOND COUNT—

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

of the CRIME OF *John Brown* ~~Grand~~ LARCENY *in the second degree* committed as follows:

The said *John Brown*

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

*three coats of the value of
fifteen dollars each, three
vests of the value of eight
dollars each, two pair of
trousers of the value of
twelve dollars each pair
and three handkerchiefs, of the
value of one dollar each*

of the goods, chattels and personal property of one

in the dwelling house of the said

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

John R. Fellows,
District Attorney.

0080

BOX:

362

FOLDER:

3400

DESCRIPTION:

Buck, Frederick

DATE:

08/07/89



3400

Witnesses:

L. Dugan

B. Edmonstone

Counsel,

Filed

7 day of

Aug 188

Pleads,

Not Guilty

THE PEOPLE

vs.

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

Fredrick Beck

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Alfred Pearson

Foreman.

Aug 15. 1889
Pleads Not Guilty
Per Six men

0081

0082

Police Court— 6th District.

CITY AND COUNTY
OF NEW YORK,

ss.

Dennis J. O'Leary

of Southern Boulevard and 175th Street,

New York City

on Sunday the 20th day of July

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

attempted to be
he was violently and feloniously ASSAULTED and BEATEN by Frederick

Buck, now here, who pointed toward
the person of deponent and attempted
to discharge a revolving pistol
loaded with powder and ball. Said
Buck with others intruded into deponent's
place of business and created a disturbance.
On being required to leave, said
Buck attempted to assault deponent
as above set forth. Said attempted
assault was committed

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

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

Sworn to before me, this 29th day
of July 1889.

Dennis J. O'Leary

Charles J. Linton POLICE JUSTICE.

0083

Sec. 198—200.

6th

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Frederick Buck

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. *Frederick Buck*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *Westchester village; 4 months*

Question. What is your business or profession?

Answer. *Elevated Rail Road Conductor*

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*
F. Buck.

Taken before me this

29

day of

1894

Charles W. Deane

Police Justice.

0084

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 Frederick

Buck

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 July 29 1884 Charles N. Smith Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0085

Police Court---

6

114/
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Dennis Dugan
S-B vs 1/10-4
1. Frederick Buck

2.

3.

4.

Whipter
Offence
Held

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated July 29 1884

Thurston Magistrate.

Brady Officer.

31 Precinct.

Witnesses Henry W. R. R.

No. 1000 75 Street.

Paula Bell

No. _____ Street.

No. _____ Street.

\$ 600- to answer

C. H. S.

Committed

10/10/84

0086

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frederick Buck

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

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

The said

Frederick Buck
late of the City of New York, in the County of New York aforesaid, on the
twenty eighth day of *July*, in the year of our Lord
one thousand eight hundred and eighty *nine*, with force and arms, at the City and County
aforesaid, in and upon the body of one *Denis Dugan*
in the peace of the said People then and there being, feloniously did make an assault and
to, at and against *him* the said *Denis Dugan*
a certain pistol then and there loaded and charged with gunpowder and one leaden
bullet, which the said *Frederick Buck*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,
with intent *to kill* the said *Denis Dugan*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

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

JOHN R. FELLOWS,

District Attorney.

0087

BOX:

362

FOLDER:

3400

DESCRIPTION:

Burdon, Richard

DATE:

08/16/89



3400

0088

BOX:

362

FOLDER:

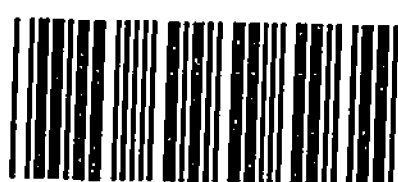
3400

DESCRIPTION:

Kennedy, Stephen A.

DATE:

08/16/89



3400

0089

Witnesses;

C. J. Folger
Off Naton

201 ✓

Counsel,

Filed

16th day of Aug 1889

Pleads,

THE PEOPLE

vs.

P
Richard Burdon
and P
Stephen A. Kenney

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Alfred M. Mason

Aug 16, 1889 Foreman.

Both please Mr Burdon
S.P. Two yrs each.

Subscribed and sworn to before me this 16th day of August 1889
at New York City

[Section 498, v. 1, § 1, 1889]

0090

Police Court—1st District.City and County { ss.:
of New York,of No. 443 Greenwich Street, aged 39 years,
occupation grocer being duly sworndeposes and says that the premises No. 443 Greenwich Street, 5th Ward
in the City and County aforesaid the said being a Store in the two story
brick dwelling
and which was occupied by deponent as a grocery store,
and in which there was at the time ^{no} human being, ~~by name~~

were BURGLARIOUSLY entered by means of forcibly

Prising off
the iron screen from the window
in the front of the said premiseson the 15th day of August 1889 in the evening time, and the
following property feloniously taken, stolen, and carried away, viz:Two dozen Pans of Corn
Six Pans of condensed milk
One derby Hat
Being in all together of the value of
Seven Dollarsthe property of Deponentand 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 byRichard Purdon ^{and} Stephen Kennedy
(now here) who were acting in concert with each other

for the reasons following, to wit:

That on the night of the afore
said day deponent secretly locked and
fastened said premises and fastened
said screen to said window and deponent
is informed by Peter Water a police officer
of the 5th precinct police that about the
hour of two o'clock am on the morning of
said day he saw said defendants loitering
about said premises acting in a suspicious

0091

manner ^{we} watched them ^{we} saw them come near
the premises at 3 different times ^{we} go away
again ^{we} when said defendants returned
to said premises the second time, began
throw force off the said door screen
^{we} then go away and return again shortly
thereafter with a boy ^{we} take the aforesaid
property from said window ^{we} while
in the act of leaving said premises
with said property in their possession
said watch arrested said defendants
having said property in their possession
Defendant therefore charges said defendants
with having acted in concert with
each other ^{we} with the burglary aforesaid

Sum to before me ¹⁸⁸⁹
this 10th day of August 1889

John P. ...
Dated 1889
guilty of the offence within mentioned, London, to be discharged.
There being no sufficient cause to believe the within named
Police Justice.

I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1889
Police Justice.

of the City of New York, until he give such bail.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1889
Police Justice.

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

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—BURGLARY.

Dated 1889

Magistrate.

Officer.

Clerk.

Witnesses.

No. Street.

No. Street.

No. Street.

\$ to answer General Sessions.

0092

CITY AND COUNTY }
OF NEW YORK, } ss.

Peter Hatten
aged *35* years, occupation *House Officer* of No.

5th Avenue Street, being duly sworn deposes and

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

Sworn to before me, this

day of *August* 188*8*

E. Hatten
Police Justice.

0093

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

14
District Police Court.

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

Question. What is your name?

Answer.

Richard Purdon

Question. How old are you?

Answer.

32 years.

Question. Where were you born?

Answer.

St. John N.B.

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

Answer.

342 Water Street 2 days.

Question. What is your business or profession?

Answer.

Seaman

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

Answer.

I am not guilty. I was
drunk at the time

Richard Purdon
his
mark

Taken before me this

day of August 1888

Police Justice.

0094

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *Stephen A Kennedy*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *Union Hotel Bowery Street N. Y. 10 months*

Question. What is your business or profession?

Answer. *Steamship*

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*
Stephen A Kennedy

Taken before me this

day of August 188

Police Justice.

0095

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 *Aug 15* 188 *9* *W. H. Hagan* 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.

0096

Police Court---

1302
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel Jackson
478 Greenwich St

Stephen A. Kennedy
Richard Brown

Office

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

3.

4.

Dated *August 15* 188 *9*

W. J. Hogan Magistrate.

W. J. Hogan Officer.

5 Precinct.

Witnesses *Peter Hogan*

No. *54* Street.

No. Street.

No. Street.

\$ *500* to answer

Carroll
P. J. Brown

0097

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against
Richard Burdon
and
Stephen A. Kennedy

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

Richard Burdon and Stephen A. Kennedy

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

Richard Burdon and
Stephen A. Kennedy, both

late of the

Fifth Ward of the City of New York, in the County of
New York, aforesaid, on the *fifteenth* day of *August* in the year of
our Lord one thousand eight hundred and *eighty-nine*, with force and arms, at the
Ward, City and County aforesaid, a certain building there situate, to wit: the *store* of one

Conrad Folken

feloniously and burglariously did break into and enter, with intent to commit some crime therein,
to wit: with intent, the goods, chattels and personal property of the said

Conrad Folken

in the said *store* 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.

0098

SECOND COUNT—

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

Richard Burdon and Stephen A. Kennedy
of the CRIME OF *Petit* LARCENY committed as follows:

The said

*Richard Burdon, and
Stephen A. Kennedy, both*

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

*twenty-four cans of corn of the
value of fifteen cents each can,
six cans of condensed milk of the
value of fifteen cents each can,
and one hat of the value of
three dollars*

of the goods, chattels and personal property of one

Conrad Tolken

in the

store

of the said

Conrad Tolken

there situate, then and there being found, *in* the *store* 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.

0099

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said
Richard Burdon and Stephen A. Kennedy
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Richard Burdon and Stephen A. Kennedy*, both
late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year afore-
said, at the Ward, City and County aforesaid, with force and arms,

*twenty-four cans of corn of the
value of fifteen cents each can,
six cans of condensed milk of
the value of fifteen cents each
can, and one hat of the value
of three dollars*

of the goods, chattels and personal property of one

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

Conrad Tolken
unlawfully and unjustly, did feloniously receive and have; the said

Richard Burdon and Stephen A. Kennedy
then and there well knowing 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.

JOHN R. FELLOWS,
District Attorney.

0100

BOX:

362

FOLDER:

3400

DESCRIPTION:

Burns, John

DATE:

08/15/89



3400

Witnesses:

John McElroy
M. L. Sullivan

184

Counsel, H. H.
Filed 15 day of Aug 1889.
Pleads, with jury &

THE PEOPLE

26-5-1905
the 1st of 1889.

John Burns

S.P. 2 and 1889

JOHN R. FELLOWS.

District Attorney.

A TRUE BILL.

Alfred H. H. H.

Part III October 16/1889.

Foreman.

Tried and convicted.

apd 14/89
Jury 28
23

Account, 2nd degree
[Sec. 218, Penal Code]

B

0101

0102

COURT OF GENERAL SESSIONS-Part III.

The People of the State of New York,
against

J O H N B U R N S .

:Before Hon. Rufus
:B. Cowing, and a
:Jury .

Indictment filed August 15th 1889.

Indicted for Assault in the 2nd degree.

N e w Y o r k , October 16th 1889.

APPEARANCES: For the People Asst. Dist. Atty. Jerome
For the defendant Mr. Maurice Goodheart.

JOHN MCKELVEY, a witness for the People, sworn, testified:

I drive a coal cart for a living . I remember the 29th of May this year. On that morn_i_ng, after I fed my horse, I was standing on the corner and an old man came yup to me and he says "The bartender down on the corner wants you". I went into the saloon in which this defendant Hohn Burns, was the bartender, and when I got near him he shut the door. He said "Are you going to pay me what you owe me" and I said "I have not got it now": he says " Pay me now"; I said "I haven't it now, but if you will wait I will go and get it as soon\$ as the boss comes ". He im- mediately struck me on the side of the head and I fell down on the floor and he fell at me with his foot and never stopped until he had broken five of my ribs . He kicked me very hard . When I was down he put his foot on me and held me fast to the ground. Then after he got through kicking me he opened the door and ordered me out . I went to the corner, covered with blood . The officer was there, and he asked me what was the matter with me and I told him . He arrested Burns . . I was taken to the Chambers St. Hospital

0103

2

and from there to Bellevue. I was kept at Bellevue for twenty one days .

The certificate of the Doctor at the Hospital was then read as follows: This is to certify that John McKelvey was brought to Bellevue Hospital suffering from a fracture of the ribs and laceration--so seriously injured as not to be able to appear in Court. Signed by the doctor . Other certificates from a doctor in the hospital were also read showing the condition of the patient from the time of his admission to his discharge.

CROSS EXAMINATION:

This occurred at ten minutes past six in the morning , corner of South and Oliver St. I never went near this man's place until he sent for me . . H3 gave me no chance to talk after I went in but immediately set upon me . There was no one present in the saloon at the time the defendant struck me but the two of us . It is not true that I was there at that time intoxicated and that I tried to strike him . I did not strike him at all

STEPHEN CHURCHILL, a witness for the People, sworn, testified:

On the morning of this occurrence I was breaking some wood at my door, and I saw McKelvey come through Oliver Street and go into the liquor store where the defendant was the bartender . A little while after that I heard fighting inside and heard McKelvey holler . I dropped the axe which was in my hand and stepped inside . I saw McKelvey on the floor; John Burns was standing over him. I asked McKelvey why he did not stand up on his feet and the defendant told me to go outside and

0104

3

mind my own business . I went right outside and did not see any more of it . In a few minutes McKelvey came out and he was bleeding in the face . . This was some where around six o'clock in the morning .

CROSS EXAMINATION:

McKelvey was sober . I cannot swear whether he had been drinking or not that morning . I did not see him strike the defendant Burns .

MICHAEL McQUILLEN, a witness for the People, sworn, testified:

On the morning that John McKelvey was hurt I saw him coming out of his employers stables where he was supposed to be feeding his horses at about ten minutes to six o'clock, actually sober and no liquor on him . An old man came up to him and told him that John Burns wanted to see him . We walked down Oliver St. and went into the store where Burns was the bartender . After he had been in there I saw McKelvey get pitched out of the door of the saloon . When he came out I saw that his face was all covered with blood. I asked him what was the matter and he said he was murdered .

CROSS EXAMINATION:

I am certain that there was no liquor on McKelvey .

MICHAEL SULLIVAN, a witness for the People, sworn, testified :

I am an officer of Police . On the morning of this occurrence I was standing on the corner of Oliver and Water St. at about six o'clock. The complainant came up to me with his arms across his ribs and told me he had been kicked by Burns . His face was all covered with blood . I went down and arrested Burns . When I told Burns of the charge, he simply said that the complainant

0105

4

had assaulted him .

D E F E N S E .

JOHN BURNS, the defendant, sworn, testified :

I ten d bar at the corner of Oliver and South Street . I know the complaiant; he has been in my place quite often . On the day in question he was indebted to me in the sum of six dollars for drinks which he obtained from time to time . He came in on that morning and asked me for a glass of mixed ale . I gave it to him and as he was going away I asked him if he was going to pay me . He said he would pay me Saturday night . The glass of mixed ale was on the bar; and I told him if he would not pay for it he could not have it . I took the glass away, and as I was taking it away he pulled it from me and threw it in my face . I told him to go out . I went outside of the bar and he hauled off and struck me in the breast . We tussled and he fell on his breast over some lager beer kegs and if his ribs were broken at all they must have been broken by falling on the kegs . He was very drunk when he came in .

CROSS EXAMINATION:

I did not send for the complainant to come to the store !. He staggered very much when he came in . I went from behind the bar to put this man out of the store because he had thrown the beer into my eyes . We both fell across these lager kegs that I have spoken of .

RICHARD LYNCH, a witness for the defendant, sworn, testified:

I am a lithographer . I was in this saloon on the morning spoken of by the witnesses . . . This man McKelvey

0106

asked Burns for a drink; he gave it to him; when he would not pay him for it Burns took away the glass and the complainant threw its contents into Burns' face . Mr. Burns came from behind the bar and this complainant made a strike for him and hit him in the face . Then they both clinched and fell over some beer kegs.

CROSS EXAMINATION:

I have not been working for some time . I just stopped into this saloon that morning to have a drink .

I am in the habit of going in there . This complainant was staggering when he came into the place .

JOHN HYSON, a witness for the defendant sworn, testified:

I am a steam boat man . I was in this saloon that morning . I saw the complainant come in and call for a glass of mixed ale; the bartender gave it to him and when the bartender was taking the glass back because the man refused to pay for it he threw it into his face . The bartender came from behind the counter; the two men tussled and both fell over a small lager beer keg that was standing in the saloon .

DANIEL HURLEY, gave similar testimony .

The jury returned a verdict of GUILTY of Assault in the Second Degree .

0107

Indictment filed Aug. 15-1889

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

JOHN BURNS.

Abstract of testimony on
trial New York, October
16th 1889.

0108

Police Court— District.

CITY AND COUNTY
OF NEW YORK, } ss.

John McKelvey
of No. N. W. Corner of Water & Catherine Street,
Drive coal cart being duly sworn, deposes and says, that
on Wednesday the 29 day of May

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

he was violently and feloniously ASSAULTED and BEATEN by John Burns

(now here) who violently struck deponent
a number of violent blows upon
deponents' head and body with
his clenched hand knocking deponent
down and while deponent was
lying prostrate the defendant
violently kicked deponent about
the body breaking five of deponents
ribs

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

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

Sworn to before me, this 20th day
of June 1889.

E. D. Hagan
POLICE JUSTICE.

John McKelvey

0109

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer.

John Burns

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

198. South Street, about 3 months

Question. What is your business or profession?

Answer.

Bar tender

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

Answer.

I am not guilty
John Burns
his
mark

Taken before me this

20th

day of *June* 188*9*

Police Justice.

0110

John H. Alden is an
- salesman & will be
- charged in a few days.
A. L. Lewis Jr.
Racine, June 14.

0111

BELLEVUE HOSPITAL.
SECOND SURGICAL DIVISION.
—Room No. 3.—

St.

- 1 Ward Carriage
- 1 Operating Table
- 3 Large Solution bottles

0112

Bellme.

June 8.

John McElroy is
doing nicely. He will
be up & around the
wards in a week.

C. L. Lewis M.D.
House Surg.

0113

James T. Cleary is now in such
a favorable condition that his
assault can be tried

Dr. J. L. Lewis.
Bellevue,
Hosp

June 5. 89.

0114

Kellieville Hosp.

June 3rd

John McElroy - ward 9. is
not out of danger. a broken
rib has penetrated his lung
and it will be some time
before he can be said to be
out of danger

Dr. L.

0115

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, *May. 31st* 188*9*

*This is to certify that Michael Mc
Kelvey was brought to this
hospital & that his condition
improved so much that he
was transferred to Bellevue
Hospital*

*N. D. Harvey, M.D.
acting House Surg*

0116

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, May 29th 1889

This is to certify that John McKelvey
was brought to this hospital
suffering from fractured ribs
& laceration of lung. That the
patient is very seriously injured
& unable to appear in court.

A. D. Harvey M.D.
acting House Surg

0117

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT, 1 DISTRICT.

of the 1st Precinct Police Michael Sullivan
occupation Police officer Street, aged 33 years,
being duly sworn deposes and says

that on the 29 day of May 1889
at the City of New York, in the County of New York, John McKelvey

was violently and feloniously assaulted
and beaten by John Burns (nowhere)
said McKelvey informs deponent in the
presence of said Burns, that he Burns
struck him with his fist knocking him
down, and then violently kicked
him about the body

said McKelvey is now confined to the
Chamber Street Hospital from the effect of the
injuries inflicted upon him as set forth
in the annexed Certificate of M.D.

Sworn to before me, this

188

day

Police Justice.

0118

Police Court, 7 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

AFFIDAVIT.

vs.

John Burns

Dated May 29 1889

Magistrate.

Sullivan Officer.

Witness,

4

Ex June 20 1889 10 am

Disposition, Held without bond

to await result of inquiry

Called for

Harvey acting House Surgeon of said Hospital, and is unable to appear in Court to make Complaint.

Defendant prays that said John Burns be committed to await the pleasure of said Magistrate.

Subscribed before me this 29 day of May 1889 }
John Sullivan } Magistrate
at New York City }

0119

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Edward Hogan a Police Justice
of the City of New York, charging John Burns Defendant with
the offence of Assault

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

We, John Burns Defendant of No. 193
South Street; by occupation a Bar tender
and Patrick Mahon of No. 35 Washington
Street, by occupation a liquor dealer Surety, hereby jointly and severally undertake that
the above named John Burns Defendant
shall personally appear before the said Justice, at the District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Five
Hundred Dollars.

Taken and acknowledged before me, this 5th

day of June

1889

E. Hogan POLICE JUSTICE.

John Burns
Patrick Mahon

0120

CITY AND COUNTY } ss.
OF NEW YORK, }

Sworn to before me this
1881
Police Justice.

Patrick Mahon

the within named Bail and Surety being duly sworn, says, that he is a resident and *house*
holder within the said County and State, and is worth *ten* Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and
liabilities, and that his property consists of *the stock and fixture*

of the liquor business at No 1
James Slip valued at \$3000 per
and clear Patrick Mahon

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs.

Taken the day of 188

Justice.

0121

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.....

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

Dated *June 22nd* 188*9*

E. Hagan
Police Justice.

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

Dated *June 22nd* 188*9*

E. Hagan
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.

0122

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

935 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1

3

4

Dated

1889

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

by

June 22nd - 10 A.M.

0123

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Burns

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

Indictment accuse

John Burns

of the crime of

Assault in the second degree,

committed as follows:

The said

John Burns,

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

29th day of *May* in the year of our Lord one thousand
eight hundred and eighty- *nine*, at the City and County aforesaid,

with force and arms, in and upon
one John Mc Helvey, then and
there lawfully, feloniously did
willfully and wrongfully make
an assault, and with the said
John Mc Helvey, with both the
hands and feet of him the
said John Burns, in and upon
the head, body and limbs of
him the said John Mc Helvey,
then and there feloniously did
willfully and wrongfully strike,

0124

beat, laid, bruise and wound,
and then and there and thereby
deliberately did unlawfully and
wrongfully inflict grievous
bodily harm upon the said
John McHenry, against the
form of the Statute in such
case made and provided, and
against the peace of the People
of the State of New York, and
their dignity.

John R. Fellows,

~~Attorney~~

0-125

BOX:

362

FOLDER:

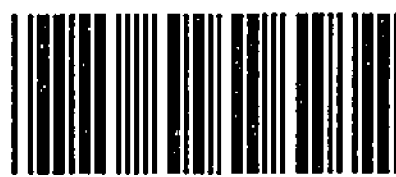
3400

DESCRIPTION:

Byrnes, William C.

DATE:

08/13/89



3400

0126

A. Cornstock

re Donald J. Smith 1495

Samuel ~~Smith~~ ~~Smith~~

40176124

Albert J. Adams

35-96-30th St

happening that the
 defendant has since
 died, the Court will
 recover to the
 jury about 2 years
 to discharge of the

1. Name of the donor: Malcolm E. T. Malcom
2. Address: 1000 N. 1st St. D. acc't
3. City: Malcom
4. State: MA
5. Zip: 01450
6. Date: 10/1/81
7. Amount: \$1000.00
8. Purpose: Malcom
9. Remarks: Malcom

Filed *Aug* day of 1889

ENTREPRENEUR
T. J. W.

THE PEOPLE

57.

William C. Byrnes

JOHN R. FELLOWS,

District Attorney.

ACTIVE KILL

Albert Camus

of the same

Artemisia

1-1-1964

Albergo

Christ Church

6071-1972

0127

Sec. 192.

1st District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.
OF NEW YORK,

An information having been laid before Daniel O'Reilly Esq. a Police Justice
of the City of New York, charging William C Byrne Defendant with
the offence of

Advertising the sale of counterfeit money

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

We, William C Byrne Defendant of No. 318
E 89th Street; by occupation a Speculator
and Samuel Nelson of No. 401 W 46th

Street, by occupation a Liquor business Surety, hereby jointly and severally undertake that
the above named William C Byrne Defendant
shall personally appear before the said Justice, at the 1st District Police Court in the City of New York
during the said examination, or that we will pay to the People of the State of New York the sum of Ten
Hundred Dollars.

Taken and acknowledged before me, this 25 William C Byrne
day of July 1889 Samuel Nelson
D O'Reilly POLICE JUSTICE.

0128

CITY AND COUNTY OF NEW YORK, ss.

day of July 1889
Sworn to before me, this 25th day of July 1889
Samuel Nelson Police Justice.

Samuel Nelson
the within named Bail and Surety being duly sworn, says that he is a resident and free holder within the said County and State, and is worth Twenty Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of a house and lot of land situated 416 W 52d Street of the value of \$38,000 mortgage only \$8,000
Samuel Nelson

15 District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Undertaking to appear during the Examination.

ss.

Mr C Byrne

Taken the 25 day of July 1889

WDR

Justice.

Surety returned
by Louis B. Allen
of House & Hummels

0129

City County, and)
State of New York) ss

Anthony Comstock of 150 Nassau Street, New York City, being duly sworn deposes and says, that he is informed and has just cause to believe and verily does believe, at the City County and State of New York, that John Doe and Richard Roe, whose real names are unknown but each of whom can be identified did on or about the 24th day of July 1888, unlawfully print write utter publish give away circulate and distribute and have in their possession with intent to give away circulate and distribute certain letters, writings circulars and paper advertising offering or purporting to advertise and offer for sale loan, exchange, gift, and distribution and to furnish procure or distribute certain counterfeit paper money or other token of value or what purported to be counterfeit paper money or other token of value and giving or purporting to give information where how of whom by what means, said certain counterfeit paper money or other token of value could be procured or had or what purported to be counterfeit paper money or other token of value could be procured or had, and further said John Doe and Richard Roe aforesaid did aid assist and abet in a certain scheme or devise offering and purporting to offer for sale loan gift exchange or distribution certain counterfeit paper money or other token of value and said scheme and article unlawfully called "Green Articles" "Paper Goods" "Bills" "spurious treasury notes" "green paper goods" "business that is not legitimate" or any other device of a

0130

similar character. Deponent further says that he is informed and has just cause to believe and verily does believe that in and for exchanging, offering, promoting, carrying on, or assisting, aiding, and abetting, in the promoting, operating, or carrying on, ~~or exchanging~~ of said scheme or device to defraud by means or uses of certain papers, writings, letters, circulars, or witten, or printed matter, offering for sale, gift, distribution, or exchange of counterfeit paper money or other token of value ^{the said W.C. Burns, John Doe and Richard Roe} did use certain fictitious false and assumed name ^{or} address other than their own right, proper, and lawful names, and did in and for executing operating promoting carrying on aiding assisting and abetting in the executing, promoting, ^{and} carrying on, of said scheme or device as herein before described, did give information, where, of ~~or by~~ whom, of by what means certain paper or other token of value can be ^{obtained} ~~taken~~ or had, ^{and further did} ~~or who shall~~ knowingly receive or take from the mails of the United States certain letters or packages, addressed to certain fictitious, false, and assumed names, or address ^{and} other than their right, lawful, or proper names; ^{W.C. Burns} deponent further says, that he is further informed and verily believes that the said John Doe and Richard Roe now have in their possession ~~that~~ ^{and state} in and upon certain premises in the City, County, ^{now} of New York aforesaid, occupied by them, and situated and known as No. 17 ^{Movie Street} certain books, papers, writings, letters, circulars, pamphlets, bills, written and printed matter, to be used as a means of committing a public offense, and in furtherance of ^a certain scheme artifice or device herein before described and in

0131

violation of Section 527 of the Penal Code of the State of
New York as amended

Anthony Bonaiuto

Subscribed and sworn to this

24 day of July 1889

Sam'l C. Kelly

Police Justice

0132

Sec. 198-200.

1st

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. William C Byrne

Question. How old are you?

Answer. 35 years

Question. Where were you born?

Answer. New York

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

Answer. 310 E 89th St 6 mos

Question. What is your business or profession?

Answer. Speculator

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 demand an Examination This arrest is an outrage. I demand the return of money taken from my possession

William C Byrne

Taken before me this

25

day of

July

1889

at

San Francisco

Calif

Police Justice

City and County of New York, ss:

In the name of the People of the State of New York:

To any Peace Officer In the City and County of New York:

Proof by affidavit having been this day made before me, by

Anthony J. Antonicelli

of

150. Manner

Street, New York

City, that there is probable cause for believing that

City, that there is probable cause for believing that John Doe and W.C. Brown and Robert Roe whose real names are unknown but all of whom can be identified by deposit

has in their possession, at, in and upon certain premises occupied by the, and situated and known number

17 Movie street

in said City of

new 4.8

certain and divers

device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, black boards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day

time to make immediate search on the person of the said

John Doz, W. C. Burns, and

Richard Roy

and in the building situate and known as number

17 Grove street

aforesaid

for the following property, to wit:

letters, and documents, instruments and apparatus
for carrying on, executing, promoting, or aiding, assisting
or abetting in the executing, carrying on or promoting of
any scheme or device to defraud, or for offering for sale
or exchange or distribution, any counterfeit money or what
purports to be counterfeit money or other tokens, of
value, or any scheme offering any article commonly
called "green goods," green articles, "bills" or spurious money notes
And if you find the same, or any part thereof, to bring it forthwith before me at the Court House, District

Police Court at

The Forest

in the City of New York.

Dated at the City of New York, the

242

day of

July

1884

David C. Bell

POLICE JUSTICE.

0134

Inventory of property taken by W.W. McLaughlin the Peace Officer by whom this warrant was executed :
 15 ~~boxes~~ ^{Faro layouts} used as ~~boodle boxes~~ ^{Roulette Wheels}, 2 boxes with brick in
 & stop upon, 15 stops - 2 books of names, 1 letter box
 1 box stamped ^{envelopes}, 1 pack. containing Red Pile book
 1 Red pocket book & 1 Black Pile book. 2 packages letters
 changing name and address, 1 package Hotel tickets -
 1 package with 3 boodle packages in it. 2 boxes with 6 packs do.
 one ink, one safe, 15 stops, and 11 half of one
 dollar bills, 1 package of 12 books of passwords
 and names of victims,

City of New York and County of New York ss:
 I, W.W. McLaughlin the Officer by whom this warrant was executed,
 do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.
 Sworn to before me, this 24th day of July 1889
Wm. W. McLaughlin
Capt 1st Prec.
Sam'l C. Kelly Police Justice.

Police Court--- Twelfth District.

Search Warrant.
 THE PEOPLE, &c.,
 ON THE COMPLAINT OF
John Doh
W. L. Brown
Richard Ror.

Dated July 24 1889
J. A. O'Leary Justice.

Capt W.W. McLaughlin Officer.

0135

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 Syndant

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

Dated July 31 188 9 D. J. C. R. M. Police Justice.

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

Dated July 31 188 9 D. J. C. R. M. 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.

0136

11 12 x
124 9 6 8 (31 7 - x
12677 2 8 (31 - 2 x

re- Mich 14/95
BAILED,
No. 1, by Samuel Nelson
Residence 401 W. 46th Street.
No. 2, by Jacob Klinger
Residence 35 Greenwich Ave Street.
No. 3, by Albert J. Adams
Residence 35 W. 30th Street.
No. 4, by _____
Residence _____ Street.

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Arthur Constable

1 William C Byrne
2 John Doe
3 alias Samuel Marks
4 _____

Office Adams
Cambridge Mass

Dated July 25 1889
B O Reilly Magistrate.
Capt M Laughlin Officer.
with 600 papers Precinct.

Witnesses \$1000 & July 26. 10 a.m.
31 71 16 41
No. _____ Street.
No. _____ Street.
\$ 1500 to answer G. S.

Bailed

0137

Folio _____

TO THE CHIEF CLERK.

Please send me the Papers in the Case of
PEOPLE
VS.

Wm C Byrne

Attorney

noted Aug 13/89

Sherrill not yet

London

District Attorney.

New York, July 14 1895

For Chief Clerk
Ginger

COURT OF GENERAL SESSIONS.

THE PEOPLE
VS
WILLIAM C. BYRNES.

CITY & COUNTY OF NEW YORK ss:

Pete Coffy of 16 West 99 St. being duly sworn says that he knew the above name defendant.

That defendant's name was William C. Royle.

That the person named in annexed certificate and record of death dated February 14th. 1898 and showing that said William C. Boyle died on 17th day of July 1897 is the same person named in indictment for felony and the same person for whom Albert J. Adams of 35 West 30th Street became surety for said William C. Byrnes appearance in the Court of General Sessions.

That I know William C. Boyle long before his death, I saw him after death and he is the same person named in indictment as William C. Byrnes.

That Anthony Comstock prosecuted a similar case against Byrnes growing out of the same transaction in the United States Court.

That Byrnes and Boyle are one and the same person.

William C. Byrnes indicted August 13th 1889 for a felony
is the same person named in death certificate.

Sworn to before me

this 19th day of Feb. 1898.

L. J. Pocher
 Notary Public
 #36 N. W. Cor.

Peter Coffey

0139

19 H-1897.

NEW YORK, Feb. 14, 1898A Transcript from the Records of the Deaths Reported to the
Department of Health of the City of New York.

COUNTY OF NEW YORK.

STATE OF NEW YORK.

CITY OF NEW YORK.

CERTIFICATE AND RECORD OF DEATH

No. of Certificate,

21891William C. Boyle

I hereby certify that I attended deceased from July 3, 1897 to July 16, 1897
that I last saw him alive on the 16 day of July, 1897, that he died on the
17 day of July, 1897, about 4 o'clock A. M. or P. M., and that to best of my
knowledge and belief, the cause of this death was as hereunder written:

Duration of Disease.

Chief Cause,

Chronic Gastritis

Contributing Cause,

Inanition & Congestion of Liver.

Sanitary Observations,

Witness my hand this 17 day of July, 1897

Place of Burial,

Calvary

(SIGNATURE),

J. W. Brown, M. D.

Date of Burial,

July 19, 1897

Undertaker,

Wm. F. Smith

RESIDENCE,

113 E. 28.

Residence,

1469 3rd Av

Date of Record.	Indirect cause of Death.	Direct cause of Death.	Class of Dwelling (Assessment being a house occupied by more than two families).	Last place of Residence.	Place of Birth.	Mother's Name.	Father's Name.	How long resident in New York City.	How long in U.S. if foreign born.	Birthplace.	Occupation.	Single, Married or Widowed.	Color.	Age in years, mos. and days.	Full Name.	Date of Death.
<u>July 18, 1897.</u>	<u>As above</u>	<u>That</u>	<u>That</u>	<u>"</u>	<u>1082 Park Ave</u>	<u>Margaret Boyle</u>	<u>James Boyle</u>	<u>Life</u>	<u>"</u>	<u>Ireland</u>	<u>Fireman</u>	<u>Married</u>	<u>White</u>	<u>42-11-13</u>	<u>William C. Boyle</u>	<u>July 17, 1897.</u>

A True Copy.

Eugene W. Scheffer
Acting Chief Clerk.

NOTICE.—In issuing this transcript of record, the Department of Health of the City of New York does not certify to the truth of the record transcribed, The seal of the
Department of Health attests only the correctness of the transcript, and no inquiry as to the facts reported have been provided for by law.

0140

COURT OF GENERAL SESSIONS, CITY OF NEW YORK

THE PEOPLE

vs.

INDICTMENT

For

To

Mr

Wm. C. Byrnes
Wm. C. Byrnes
No. *33* *West* *30th* Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *July* at the COURT OF GENERAL SESSIONS OF THE PEACE, at the New Criminal Court House, on Centre Street, between Franklin and White Streets, in the City of New York, on *July* the *14th* day of *July* instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

JOHN R. FELLOWS,
District Attorney.

Aug 13-1889

0141

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

William R. Hughes

The Grand Jury of the City and County of New York, by this
Indictment accuse William R. Hughes

2^d Felony, —

of the crime of

committed as follows:

The said William R. Hughes, —

late of the City of New York, in the County of New York, aforesaid, on the
— 2nd — day of June, in the year of our Lord one thousand
eight hundred and eighty- — nine —, at the City and County aforesaid,

in the executing, operating, promoting,
and carrying on, and aiding, assisting
and abetting in the execution, promotion
and carrying on of a certain scheme
and device purporting to offer for
sale and distribution and purporting
to give information where, of when,
how, and by what means counterfeit
paper money could be obtained and
that, feloniously did knowingly
receive and take from the mails of
the United States, a certain letter

0142

addressed to a fictitious, false and
assumed name and address, and name
other than his own right, proper and
lawful name, to wit: the name and
address following, that is to say:
"S. R. Ellis, Care of Father Shop, 54 Pearl
St. New York", 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;

0143

Second COUNT.

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

William R. Byrnes of a Felony,

~~of the Crime of~~

committed as follows:

The said William R. Byrnes,

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid,
at the City and County aforesaid, in and for executing, operating,

promoting and carrying on, and in the
aiding, assisting and abetting in the
promoting, operating and executing
of a certain scheme and device to defraud,
by use and means of papers, writing,
letters, circulars, and written and printed
matters concerning the offering for
sale and distribution of counterfeit paper
money, did feloniously use the name
and address of one, that is to say:
"W. R. Ellis, Shoe Repair Shop, 54 Pearl
St. New York," the same being a
fictitious name and assumed name
and address, and a name and address
other than his own name, proper and

0144

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

0145

Third COUNT.

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

William R. Rogers & Co. Felony,

~~of the County of~~

committed as follows:

The said William R. Rogers,

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid,
at the City and County aforesaid, did feloniously and unlawfully, with

and with in a certain scheme and device
purporting to offer for sale and dis-
tribution counterfeit paper money;
against the form of the Statute in
such case made and provided, and
against the peace of the People of
the State of New York, and their
dignity.

John R. Fellows,

District Attorney.