

1141

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Raymond, John

**DATE:**

05/01/91



4042

**POOR QUALITY ORIGINAL**

1142

# 1452 O. F. W. Miller  
280 Broadway

Counsel,  
Filed *[Signature]* day of *May* 1891  
Pleds. *[Signature]*

IN WITNESS WHEREOF I have hereunto set my hand and the seal of the Court at Philadelphia, Pennsylvania, this 28th day of May, 1891.

Assent in the First Degree, Etc.  
(Sections 217 and 218, Pennl Code.)

*John Raymond*  
*James J. [Signature]*  
*Chief & Limited of [Signature]*

JOHN R. FELLOWS

S. P. H. [Signature]  
District Attorney.

*[Signature]*  
[Signature]

**A True Bill.**

*Ernest G. Griffin*  
Foreman.

Foreman.

*[Signature]*  
*[Signature]*

Witnesses;

*Antonia [Signature]*



POOR QUALITY ORIGINAL

1143

# 4520-7 M. J. Miller  
280 Broadway

Counsel,  
Filed day of May 1891  
Pls. J. J. Kelly - C.

IN SENATE  
THE PEOPLE  
vs.  
John Raymond  
James J. Kelly  
Charles J. Semmes  
District Attorney

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

JOHN R. FELLOWS  
District Attorney  
S. P. King  
James J. Kelly  
Charles J. Semmes

A True Bill.

Ernest C. Hoffman  
Foreman.

May 27 1891  
New York

Witness:  
Anton...



The People

John<sup>vs</sup> Raymond

Court of General Sessions. Part I  
Before Judge Cowing. June 9<sup>th</sup> 1891  
Indictment for assault in the first degree.  
Antonio Sammiti, sworn and examined.  
through the Interpreter testified I live 319  
Greenwich street, I do not speak very good  
English, I am a barber by trade. I know  
the defendant. I never had any trouble with  
him until that day in the month of  
April 1890. It was outside of the store 74 West  
street, in New York that the trouble took place  
I was the boss of the barber shop, and there  
was a young man working for me, he  
was standing outside; there was no cus-  
tomers in the store and the prisoner  
and this young workman of mine were  
talking together. Then Raymond all at once,  
(I don't know what was the cause of it)  
said to this young man, "If you don't keep  
quiet, I will throw you and your boss  
into the river." Then I heard him say  
so, I said to him, "Attend to your business;  
don't bring me into conversation, I have a  
business and a family, I don't want  
to be mixed up with you." Then Raymond  
commenced to challenge, and called  
me names, "you son of a b---h, come  
on, I will fight you." Then immediately a  
crowd came around; that ended the

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case and he went away. Then in the month  
of June, about a month later, he came again.  
I was standing then in the threshold of the  
door of my store in West st., and I re-  
ceived without any warning three stabs  
from behind by Raymond; he stabbed  
me in the head, and I put up my  
hand and I received a stab - two stabs  
on the head and one on the hand. Then  
he threw the knife away and ran. I  
saw him throw the knife away; the  
knife shown me is the knife that he had  
in his hand with which he cut me. It  
happened at six o'clock in the evening.  
The defendant lives in the restaurant  
and the door is right near my store.  
The cut on my head is about an inch long.  
The doctor put five stitches in it, and one  
finger is stiff yet. The defendant is a  
cook in the restaurant next door to me.  
Cross Examined My place is 74 West street and  
it is adjoining Mr. Guest's place. On this day  
that you testify you were stabbed was  
the defendant on your premises being  
shaved or having his hair cut? I did not  
see him for a month before. He did not  
come in my store since the first difficulty.  
I saw him on the street at the restaurant.

I am sure he did not come into my place that day. Is it not a fact that there was a man being shaved on your premises that day on a chair near the door and the journeyman was cutting Raymond's hair, and this person whom you were shaving, whose name I know not, after lathering him you rubbed the lather from off his face and threw it on this man's face? No, that is not the fact. You did not rub it in between his teeth? I did not see the man for a month since we had a difficulty, he did not come into my store any more. I did not have any ill feeling against him. I don't know of any reason why he should cut me. Is it not a fact that in the month of June this defendant was in 76 West St. coming outside and you came upon him unawares and grabbed him by both ears and shook him forcibly? No. Were you in the habit of wearing a coat in which you had your razors in your top pocket? No. I have my razors lying on the counter there when I am in the store. I did not put them into my pocket. You are sure you had no difficulty with the defendant

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on this day that you received the stab? No.  
Is it not a fact that you grabbed this  
defendant by the hand and drew out  
a razor and wanted to use it on him?  
No. You are positive that no ill feeling  
existed between Raymond and yourself?  
I had no ill feeling against him until  
the day when he stabbed me. Where did  
this stabbing take place? I was sitting  
on a chair right on the threshold of  
my door and leaning with my elbows  
on (chewing) and thinking about some-  
thing and I received a stab from behind.  
I was sitting in the door with my back  
to the sidewalk, he came up from behind  
and stabbed me, he did not say  
a word. I did not do anything after  
he stabbed me, the police came; then  
they came with an ambulance; they  
wanted to take me away; my wife inter-  
fered and commenced to cry and did  
not want to let me go, and so I re-  
mained at home. The doctor came the  
next morning and he put stitches  
into my hand; he dressed my head  
and put some plaster on. I could  
not work for nearly two months. On the  
21<sup>st</sup> of October I left for Europe the same year.

Albert Grest, sworn and examined, testified I live at 74 West street and am a restaurant keeper. Do you remember the trouble between the complainant and the defendant June last a year ago? I remember a little about it... I was in the kitchen at the time it happened. Just tell us what you saw the day this assault was made by the defendant on the sidewalk or in the dining saloon? I could not say it was not in the dining saloon, I did not see it done. Did you see the defendant after? Yes. Did you see him with a knife? No. I did not. Did you see the complainant? Yes. I did before and after he was cut. He had a very bad cut on his hand across the knuckle and two cuts, lacerated wounds on the scalp. You were not present at the time this altercation was going on? No sir, I was not. I did not see the knife.

Cross Examined. The defendant worked with me at the time as a waiter. The knife now shown me is one of my knives. The complainant and the defendant had a little quarrel previous to this. I did not hear him threaten him - they had several quarrels. You heard the testimony of the complainant that there was no ill feeling. Is that true or untrue? I could not say.

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My wife handed the officer the knife. I was there at the time.

My Counsel Do you know or not whether this complainant ever challenged this defendant to fight him for five dollars? I heard something of it, but I did not know it for a fact. Were you present at the time? No. I was not. I did not hear it.

Vincenzo Coppola, sworn and examined. I speak English I know the defendant, I remember last June a year ago. I saw the defendant Raymond make an assault on the complainant at 74 West st, he assaulted him with a knife there was no trouble between them that day; the complainant was sitting in his own door the door from the street to the store, in front of his barber shop when he was cut. I did not see the defendant come up with the knife, I did not see the actual stabbing. I did not hear any words spoken that day between the complainant and the defendant. I did not see any of the occurrence the day of the stabbing, but I saw where they had a difficulty a month before. I heard the barber's wife crying and hallowing, and the barber was wounded. I did not shave or cut Raymond's hair that day.

John H. Lyons, sworn and examined. I am a police officer of this city and connected with the second precinct. I was not called into this case on June last a year ago. Officer Carey and I arrested the defendant on the 28th of May 1891; he was arrested on this charge. He asked us what we were arresting him for? We told him on a charge of felonious assault; he did not make any statement until he got in Court, he did not say anything. What did he say? He said that he was getting shaved, getting lathered, and the proprietor was lathering him, and put some over his mouth; he had a fight and as he was going to shave him he got mad on account of lathering him and knocked his hand up and the razor fell down somewhere and cut this Italian, and this fell on his hand. That was the explanation he gave over in Court; they got it down in the stenographic notes. He said he dropped his hand and it fell down and cut him (the complainant) on the hand. I made enquiries of the complainant as to whether that statement of the defendant was true or not, and he (the complainant) said it was not true at all.

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John Raymond, sworn and examined in his own defence testified: I am a waiter and have been in this country eight years. That was my business in June 1890. I was employed at 74 West street and was in the employ of Mr. Guest, who testified here. I heard the testimony of the complainant. Since I went to work in 74 West street this complainant has all the time when I came around the door and when I would not be busy, been pulling and pushing me around. I did not take any notice of it; several times he got mad at me and wanted me to go in the yard to fight him. I only laughed at him. This time I went in to get my hair cut and get shaved, and while I was lying in the chair to get shaved he was shaving another man himself. He took the water and soap that he had taken from the side of his face and rubbed it between my teeth. I objected to that and told him if he did not treat customers better he would very soon have none. I paid him 25 cents, his price, and gave the man that shaved me a cigar for himself and said I would not come in any more. I went to work next door.

getting off that evening and walking out of  
 the door, he carried on the same fooling.  
 he grabbed me by the ears and shook  
 my head. I told him to stop; he did  
 not do it. I pushed him away; then  
 he made a run for me and he  
 pulled one of the razors out. I tried to  
 catch his hand and he pushed me  
 towards the door. There was a broken  
 knife there. Quickly I seen he intended  
 to cut me with this razor. I picked up  
 the knife, I struck at him, I did not  
 know where I hit him. I only struck  
 at him once. Did he have any coat  
 on? He had one of those dusters with  
 a pocket on the side where he kept  
 three razors - one of those he had in  
 his hand trying to use it on me.  
 I got light cuts on my fingers, I got  
 several little cuts and scratches on  
 my fingers. Has he ever threatened  
 your life? He has. When was that?  
 Probably five or six weeks before that  
 you kept out of his way did you not?  
 I did not want to go near his place  
 at all, but every time he came  
 to the door he was all the time fool-  
 ing around me. Explain what, if  
 any reason had he for annoying

you? I do not know of any unless every morning in the summer time I used to clean the windows in front, wash them off with water, and while doing that the tracks of the water went across the door; he did not like that, he often spoke about it, I told him I had to keep the windows clean. Do I understand

you to say you were compelled to use the Knife? Yes sir, I was compelled.

Is that the Knife (Knife shown) No sir.

Can you describe it? The Knife it had no handle, good for nothing only for cutting pies; it had no handle. I used it six months before that every day.

Cross

Examined I did not tell the officer that I was in the chair and the complainant lathered you and I knocked his hand up.

Officer Carey asked me several questions. Did not you tell him the same thing that you told Officer Lyons, that you were in the chair and that some soap got in your mouth and you knocked the barber's hand up and the razor fell on his head and hand? No, I did not tell him that. I put the pie Knife I used on the desk that day. I went home after <sup>the</sup> cutting, I went to 120 Cedar Street

I came back to the restaurant again inside of half an hour. I went in for a few minutes and came out again. I did not go back to work. I had a job at 64 Mont-gomery street, Jersey city. It was about six or seven weeks since I was arrested in this case. The assault was committed about a year ago, some time in June I was working in Jersey ten months. I have been in New York - I was not working all that time in Jersey. I was six months in New York previous to the time I got arrested. The name of the man I went to work for the day after the stabbing is Thomas Killen, his place of business is 64 Mont-gomery street, Jersey city. I was in his employ until October. He sold his place out and I came to New York in October. I went to work for a shipping agent of the name of Bayless, Rector and West streets until I was arrested. It is near this place, 58 West street. I had been working with Mr. Bayless for two months. I was in jail two months in Jersey before I came to New York. I then went to work at 74 West st. in the <sup>same</sup> restaurant again; the barber was not around there then. I know the complainant had moved from the store he was in. I heard he went

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to Italy. I was around before he went. I have been to New York several times when he was in his store. I did not tell the same story in the Police Court about the occurrence that I told the officers. I was arrested on a charge of a drunken man in Jersey, myself and the man I worked for were arrested. The man said he lost \$160. His own wife and everybody knew for twenty years that he never had a dollar. He was put out for not paying three months rent, and he tried by getting this man and I arrested - he sent several times to the house to square it for \$15 or \$30, he wanted money to pay his rent; we were acquitted and honorably discharged. Then I came back to New York I worked at Simmons, 71 Murray st. and at Sutherland's restaurant in Liberty st. I am married and my wife is living Sarah Raymond, the wife of the defendant, testified that she was in the restaurant in West st. on the 18<sup>th</sup> of June 1890 in the kitchen. I saw the knife on that occasion, it had no handle and was used for cutting purposes. I worked there for a week or two while Mrs. Guest was sick. I saw John Raymond pick the knife up but did not see what he done with it. I was not in the

store where Mrs. Grest gave the knife to the  
officer.

Arthur A. Carey, an officer, was sworn  
and examined by the District Attorney.  
He testified that he made a search for  
Raymond in June 1890 and he (the defendant)  
put in an appearance at the premises  
where he was on the 26<sup>th</sup> of June last shortly  
after the complainant and his wife  
went to Europe. The complainant came  
back in April and the defendant was  
arrested.

The jury rendered a verdict of guilty  
on the second count.

**POOR QUALITY  
ORIGINAL**

1157

Testimony in the  
Case of  
John Raymond  
filed May 1940.

First District }  
Justice Court }

Antonio Samito } charged with  
a get } Felonious  
John Raymond } Assault.

April 22 1891  
Refused to  
Answer of Samito  
Peace Justice

Antonio Samito the complainant being duly sworn deposes and says.

By the Court

State how this occurred.

I was standing by the barber shop me and my wife at 174 West Street

Denver was this

At 25th of June last year between 4 and 5 o'clock and I was sitting in a chair smoking and I was looking at the barbers working and I was struck on the head

with a knife

Q Who hit you?

A The defendant.

Q Had you said anything at all  
to him?

A No sir I did not see him at all

Q Who was in the barber shop  
at the time?

A Two men named Jimmy Kappel  
and Frances Kojabas.

Q Where do they live?

A Kappel lives in Jay and Street

and Kojabas lives in 41 Mulberry  
Street

Q Had you said anything to this man  
at all the defendant?

A No sir

Q What time of day was this?

A Between 4 and 5 o'clock in the  
afternoon

Q Was there anybody else present  
at the time this occurred besides  
the two men you mentioned?

A One customer was there?

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Q What is his name?  
A I cannot say.

Q Had you known this defendant  
Ayessi I know him

Q Had you had any trouble before  
with him?

A No Sir

Q Are you sure he is the man?

A Yes Sure

Q What kind of a knife was it he  
struck you with?

A Bread knife

Q Was that the knife (showing witness  
Ayessi

Q Did he say anything to you before  
he struck you?

A No Sir

Q Are any of those witnesses here to  
day?

A No Sir

Q Who is the proprietor of the corner  
shop?

A I am

Q Had you ever had any trouble with

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Shui at any time?  
A. 710 Sui

Q. Can you be mistaken about this  
being the man?

A. 710 Sui. I know him he worked  
next door to my place

Q. Did he work next door to your  
place?

A. Yes Sui.

Q. In what?

A. In the restaurant.

Q. Have you seen him since?

A. 710 Sui.



5

Touma Cherbo called as a  
witness on the part of the people  
being duly sworn deposes and  
says.

By the Court

Q Where do you reside?

A 128 Cedar Street

Q Do you know this complainant?

A Yes Sir he is my brother

Q State what you know about this  
case?

A The complainant was outside of  
the door an hour before this happened  
and I saw a big crowd there  
and I saw his wife go around  
the corner looking for him

Q Did you see the defendant  
strike the complainant?

A Yes Sir

Q Did you see your brother's head  
cut?

A Yes Sir, I saw him get the doctor

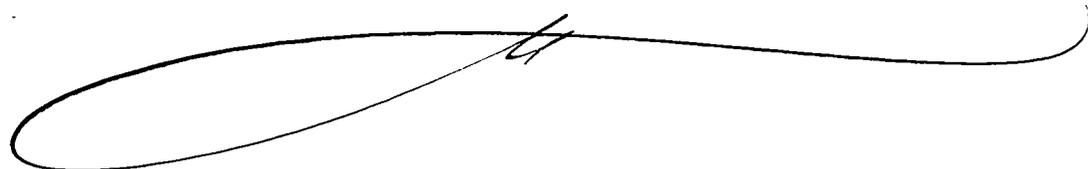
Q Do you know this man the  
defendant?

POOR QUALITY  
ORIGINAL

1163

6

Ayo Mowhii ?  
Hawlong dayau Mowhii ?  
Aweyer  
If you didnt see him answer the  
complainant dediyu ?  
A 910 Si



7  
John Raymond, the defen-  
dant being sworn deposes <sup>and</sup>  
<sup>says</sup>

By the Court

Q Where do you reside?

A 105 Washington Street

Q What is it you wish to say?

A On that day June 25<sup>th</sup>, last

I went in his place to get my  
hair cut and shored, and his  
man they call Jim was after  
cutting my hair, and he was  
shaving me, the companion  
himself was shaving a man  
next to me and he rubbed  
the latter across my mouth  
and I told him he had no  
right to do that and he was  
talking with me whatever he  
meant by it I don't know, and  
I was not saying a word to  
him and I paid him 25 cents  
for getting shored and getting  
my hair cut and I went out

8

And after that I was sitting down  
at the restaurant door It is  
about four feet from where  
his place is; and he came up  
to me and got me by the two  
ears this way (showing) and  
began shaking me and I  
made a punch at him with  
my fist to drive him away, and  
then these bawlers closed in on  
me and somebody said he  
has a razor, and he pulled a  
razor on me and instead of  
that being the knife, I can  
prove he took that knife out of  
the restaurant I had no knife  
when I made the punch at  
him the razor fell and hit  
his hand; I didn't have any knife  
at all

Q The fight occurred at what  
time?

A In the afternoon between 4<sup>00</sup> & 5<sup>00</sup>  
o'clock

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Q Where have you been since that time  
A In Jersey

Q Why did you go there?

A I had an engagement since  
the night before

Q Where did you go there, the next  
morning or next night?

A Was in the following morning.

Dependant had to call in  
sum of \$7000 to Am. Ed.

I David Seltman, Steno-  
grapher of the 1st U.S. District  
Court do hereby certify that the  
within testimony is a true and  
correct copy of the original  
Stenographic notes as taken  
by me at said examination  
Dated June 11<sup>th</sup> 1891

D. Seltman  
Stenographer

**POOR QUALITY ORIGINAL**

1167

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

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

of No. 360 E 45<sup>th</sup> Street, aged 36 years,  
occupation Barber being duly sworn

*Antonio Sammiti*

deposes and says, that on 26<sup>th</sup> day of June 1887 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

*John Raymond (nowhere)*  
Cut and stab deep wound on the  
head and on his left hand with  
a carving knife

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 dealt with according to law.

Sworn to before me, this 28 day }  
of April 1887. } *Antonio Sammiti*

*Charles Winter* Police Justice.

POOR QUALITY ORIGINAL

1168

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK ss.

*John Raymond* 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 Raymond*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *105 Washington Street 1 month*

Question. What is your business or profession?

Answer. *Waster*

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 Raymond*

Taken before me this 1<sup>st</sup> day of *April* 1934

*28*

*Charles J. ...*  
Police Justice

POOR QUALITY ORIGINAL

1159

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

Police Court District 569

THE PEOPLE, Etc.,  
ON THE COMPLAINT OF

*John Raymond*  
*John Raymond*  
*John Raymond*

1  
 2  
 3  
 4  
 Offence *fel. assault*

Dated *April 28* 1891

*John W. Sawyer* Magistrate

Witnesses: *George Quinn*

No. *21st Precinct*  
*Antonio Chesler* Street

No. *128 Cedar* Street

*Supervisor*  
 No. *Chambers Street*  
*at 107th St*  
 \$ *2000* to *S.S.*  
 to *HISNYC*

*Amesbury City*  
*106 Bay St*

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

*Defendant*

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

Dated *April 28* 1891, *Charles Hunter* 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.

POOR QUALITY ORIGINAL

1170

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 Raymond

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

John Raymond late of the City of New York, in the County of New York aforesaid, on the twenty sixth day of June in the year of our Lord

one thousand eight hundred and ninety with force and arms, at the City and County aforesaid, in and upon the body of one

Antonio Sanniti in the Peace of the said People then and there being, feloniously did make an assault and

to, at and against him the said Antonio Sanniti, with a certain pistol then and there loaded and charged with gunpowder and one leaden

bullet, which the said John Raymond in his right hand then and there had and held, the same being a deadly and

dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, with intent

him the said Antonio Sanniti 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

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

The said

John Raymond 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 Antonio Sanniti 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 Antonio Sanniti, with a certain knife

which the said John Raymond a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,

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.

DE LANCEY NICOLL, JOHN R. FELLOWS, District Attorney.

1171

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Reed, Augustus

**DATE:**

05/12/91



4042

POOR QUALITY ORIGINAL

1172

Witnesses:

Catharine Reed

Counsel,  
Filed  
Pleads,

*W. S. Widmon*  
day of *May* 189*7*

THE PEOPLE

vs.

*Augustus Reed*

*Grand Larceny Second Degree*  
[Sections 528, 529, 530 Penal Code.]

DE LANCEY NICOLL,  
District Attorney.

*W. S. Widmon*

A True Bill.

*W. S. Widmon*  
Foreman.

*W. S. Widmon*  
*H. J. Reed*

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POOR QUALITY ORIGINAL

1173

Police Court 2 District.

Affidavit-Larceny.

City and County } ss:  
of New York, }

Catherine Reed

of No. 16 Downing Street, aged 32 years,  
occupation House Keeper being duly sworn,

deposes and says, that on the 4 day of May 1891 at the City of New York,  
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in  
the day time, the following property, viz:

One suit of mens  
clothing, 1 cloth sack, 1 cloth ulster  
cloak, 1 child's cloth sack, 1 Satin  
dress and six white muslin  
aprons valued in all at \$35-

the property is in care and charge of deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and  
carried away by Augustus Reed (now here) for  
the reason that the above described  
property was in the above premises  
on the said 4 day of May.  
Deponent missed the property on the said  
date and found ~~tickets~~ pawn tickets calling for  
the said property in defendant's possession.  
Defendant admitted to deponent and also  
to Officer John Kenmore of the 9<sup>th</sup> Precinct  
that he did take, steal and carry away the  
said property and pawned the same.  
Wherefore deponent prays that the said  
Augustus Reed may be held and dealt with  
as the law directs. Catherine Reed

Sworn to before me, this 7 day of May 1891  
of Catherine Reed  
Police Justice.

**POOR QUALITY ORIGINAL**

1174

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 29 years, occupation John Kenmore  
9th Precinct Police Officer of No.

Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Catherine Reed

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

Sworn to before me, this 7  
day of May 1891 } John Kenmore

John E. Kelly  
Police Justice.

[Lined area for additional text or notes]

**POOR QUALITY ORIGINAL**

1175

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Augustus Reed

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. Augustus Reed

Question. How old are you?

Answer. 16 years and 4 months

Question. Where were you born?

Answer. New York

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

Answer. 16 Downing Street

Question. What is your business or profession?

Answer. Nothing.

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

Answer. I am guilty

Augustus Reed.

Taken before me this  
day of May 7  
1891  
John Sherry

Police Justice.

POOR QUALITY ORIGINAL

1176

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

Police Court--- District. 616

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

1 Catherine Reed  
2 16 Downing St  
3 Augustus Reed  
4

Offence Larceny  
Theft

Dated May 7 1891

Magistrate  
Kinnane Officer  
9 Precinct

Witnesses  
John Kinnane  
9th Precinct  
Philip Nesvitt



No. \_\_\_\_\_ Street \_\_\_\_\_  
No. 1000 \_\_\_\_\_ Street \_\_\_\_\_  
to answer \$1000

Car of N

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 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 April May 7 1891 Lochie & Kelly Police Justice.

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

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

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

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

POOR QUALITY  
ORIGINAL

1177

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Augustus Reed

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse Augustus Reed

of the CRIME OF GRAND LARCENY in the second degree committed as follows:

The said

Augustus Reed,

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

one coat of the value of five dollars, one vest  
of the value of two dollars, one pair of trousers  
of the value of three dollars, one sacking of the  
value of three dollars, one ulster of the value of  
five dollars, one other sacking of the value of  
two dollars, one dress of the value of fourteen  
dollars, and six aprons of the value of  
twenty-five cents each

of the goods, chattels and personal property of one

Catharine Reed

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

**POOR QUALITY  
ORIGINAL**

1178

SECOND COUNT—

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

*Augustus Reed*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Augustus Reed*

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,

*the same goods, chattels and personal property described in the first count of this indictment*

of the goods, chattels and personal property of one *Catharine Reed*

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

*Catharine Reed*

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

*Augustus Reed*

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.

DE LANCEY NICOLL,

*District Attorney.*

1179

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Reilly, Jeremiah

**DATE:**

05/01/91



4042

POOR QUALITY ORIGINAL

1180

7459

WITNESSES:

Bridget O'Connor

I appearing by the undersigned  
deposes that the com-  
plaintant cannot be  
found and as the best  
cannot proceed to trial  
without her evidence  
and a doctor's certifi-  
cate to be had for the  
purpose of obtaining  
that said defendant  
has been charged in his  
own recognition  
W. L. Lynch  
April 13/92

Counsel,  
Filed *13 May* 1892  
Pleas, *Arrest &*

THE PEOPLE

vs.

*Brennan, Reilly*

*April 13/92*

*Paul D. Deane*

DE LANCEY NICOLL,

JOHN E. FELLOWS,

District Attorney.

*Act 8 / 3*

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

A True Bill.

*Edward J. Gifford*

Foreman.

*April 13<sup>th</sup> Part I*

*W. L.*

**POOR QUALITY ORIGINAL**

1181

**PART I.**

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To Richard C. Cooney  
of No. 33 Park Street.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of APRIL 1892 at the hour of 10 1/2 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

James H. Kelly

Dated at the City of New York, the first Monday of APRIL  
in the year of our Lord 1892

DE LANCEY NICOLL, District Attorney.

sworn, deposes and says: I reside at no.

POOR QUALITY ORIGINAL

1182

THE PEOPLE

vs.

*Jeremiah Kelly*

City and County of New York, ss:

*Cornelius Seary* being duly sworn, deposes and says: I reside at No. *27 North Moore* Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the *12* day of *April* 189*2* I called at *33 Park Street, N.Y. City* the alleged residence of *Bridget Connors* the complainant herein, to serve her with the annexed subpoena, and was informed by the man

*that keeps the store at the above number that the servants of the above named address moved away from there last December and that the house was now vacant, and that he did not know where the said Bridget Connors could be found — I went through the said premises and found no one living there.*

Sworn to before me, this *13* day of *April* 189*2*

*John A. McGuire*  
County of *Queens*

*Cornelius Seary*  
Subpoena Server

POOR QUALITY ORIGINAL

1183

Court of General Sessions.

THE PEOPLE, on the Complaint of

*Wm. J. O'Connell*

vs.

*Samuel A. Kelly*

Offense: *Assault*

JOHN R. FELLOWS,

District Attorney.

Affidavit of

*Constance Leary*

Subpoena Server.

Failure to find Witness.

**POOR QUALITY ORIGINAL**

1184

COURT OF GENERAL SESSIONS.

-----	X
	X
	X
THE PEOPLE	X
	X
VS.	X
	X
JERERMIAN REILLY	X
	X
	X
	X
-----	X

Sir,-

Please take notice that I will move in the Court of General Sessions in Part One thereof, on Monday April 11th 1892, for the discharge of the above named defendant on his own recognizance under Section 688 of the Code of Criminal Procedure.

The defendant was arrested on April 20th 1891 and indicted on May 1st 1891.

Yours respectfully,

James W. Mc Laughlin,  
Attorney for Defendant,  
280 Broadway,  
N. Y. C.

To,  
De Lancy Nicoll Esq.,  
District Attorney,  
N. Y. C.

**POOR QUALITY ORIGINAL**

1185

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

..... being duly sworn, says that he resides at No. .... Street, in the City of New York; that he is ..... years of age; that on the ..... day of ..... 18 ....., at Number ..... in the City of New York, he served the within ..... on the ..... by leaving a copy thereof with .....

Sworn to before me this  
day of ..... 189 }

*J. J. Howard Stewart*

*The People*  
Plaintiff

*Jimmie Kelly*  
Defendant  
against

*Notar*

*J. J. Purdy & McLaughlin*  
Attorneys for  
No. 280 BROADWAY, New York City

Due and timely service of cop of the  
within hereby admitted  
this day of ..... 18  
Attorney.

To .....

**POOR QUALITY  
ORIGINAL**

1185

COURT OF GENERAL SESSIONS.

-----X  
X  
X  
THE PEOPLE X  
VS. X  
X  
JERERMIAM REILLY X  
X  
X  
X  
X  
X  
-----X

Sir,-

Please take notice that I will move in the Court of General Sessions in Part one thereof, on Monday April 11th 1891, for the discharge of the above named defendant on his own recognizance under Section 688 of the Code of Criminal Procedure.

The Defendant was arrested on April 20th 1891 and indicted on May 1st 1891.

Yours respectfully,

James W. Mc Laughlin,

Attorney for Defendant

280 Broadway

N. Y. C.

To,

De Lancy Nicoll Esq.,

District Attorney,

N. Y. C.

POOR QUALITY ORIGINAL

1187

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

..... being duly sworn, says that he resides at No. .... Street, in the City of New York; that he is ..... years of age; that on the ..... day of ..... 18 ....., at Number ..... in the City of New York, he served the within ..... on ..... the ..... by leaving a copy thereof with .....

Sworn to before me this  
day of ..... 189 }

*J. J. General Leary*

*The People*

Plaintiff

against

*Johnnie Kelly*

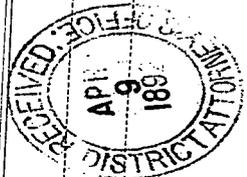
Defendant

*Noted*

*J. PURDY & MCLAUGHLIN,*  
Attorneys for

No. 280 BROADWAY, New York City

Due and timely service of cop of the  
within hereby admitted  
this day of ..... 18  
.....  
Attorney.



To .....

**POOR QUALITY ORIGINAL**

1188

Police Court— District.

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

*Brudger & Connor*

of No. 33 Park Street, aged 42 years,  
occupation Keep House being duly sworn

deposes and says, that on 19 day of April 1887 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

*Jeremiah Reddy*

*Who struck deponent on  
his head with an Iron Bar*

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 dealt with according to law.

Sworn to before me, this 20 day }  
of April 1887 }

*Brudger & Connor*  
mark

*Charles M. ...* Police Justice.

POOR QUALITY ORIGINAL

1189

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Jeremiah Rielly* 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. *Jeremiah Rielly*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *32 Park Street 6 months*

Question. What is your business or profession?

Answer. *Tobacco Merchant*

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*

*Jeremiah Rielly*

Taken before me this

*26*

day of *April* 188*9*

*Charles W. ...*

Police Justice

POOR QUALITY ORIGINAL

1190

BAILED

No. 1, by *Lawrence Kane*  
Residence *214 Monroe Street*

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

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

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

Police Court... District

THE PEOPLE, vs.,  
ON THE COMPLAINT OF

*Franklin Thomas*  
*33 Park St*  
*Prison & Jail*  
*Assault*

Offence

Dated

*April 20 1891*

Residence

*McMurray*  
Magistrate  
Officer  
Precinct

Witnesses

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

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

No. *500* Street *E. 8*

to answer

*Charles L. Smith*  
*100 St*

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

*Dr. Fineman*

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 *April 20 1891* *Charles L. Smith* Police Justice.

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

Dated *April 28 1891* *Charles L. Smith* 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.

POOR QUALITY ORIGINAL

1191

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK, against

Jeremiah Reilly

The Grand Jury of the City and County of New York, by this indictment, accuse Jeremiah Reilly of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Jeremiah Reilly

late of the City of New York, in the County of New York aforesaid, on the nineteenth day of April in the year of our Lord one thousand eight hundred and ninety-one, with force and arms, at the City and County aforesaid, in and upon the body of one Budget O'Connor in the Peace of the said People then and there being, feloniously did make an assault and to, at and against the said Budget O'Connor, with a certain iron bar then and there loaded and charged with gunpowder and one leaden bullet, which the said Jeremiah Reilly in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then strike, beat and wound, with intent her the said Budget O'Connor 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.

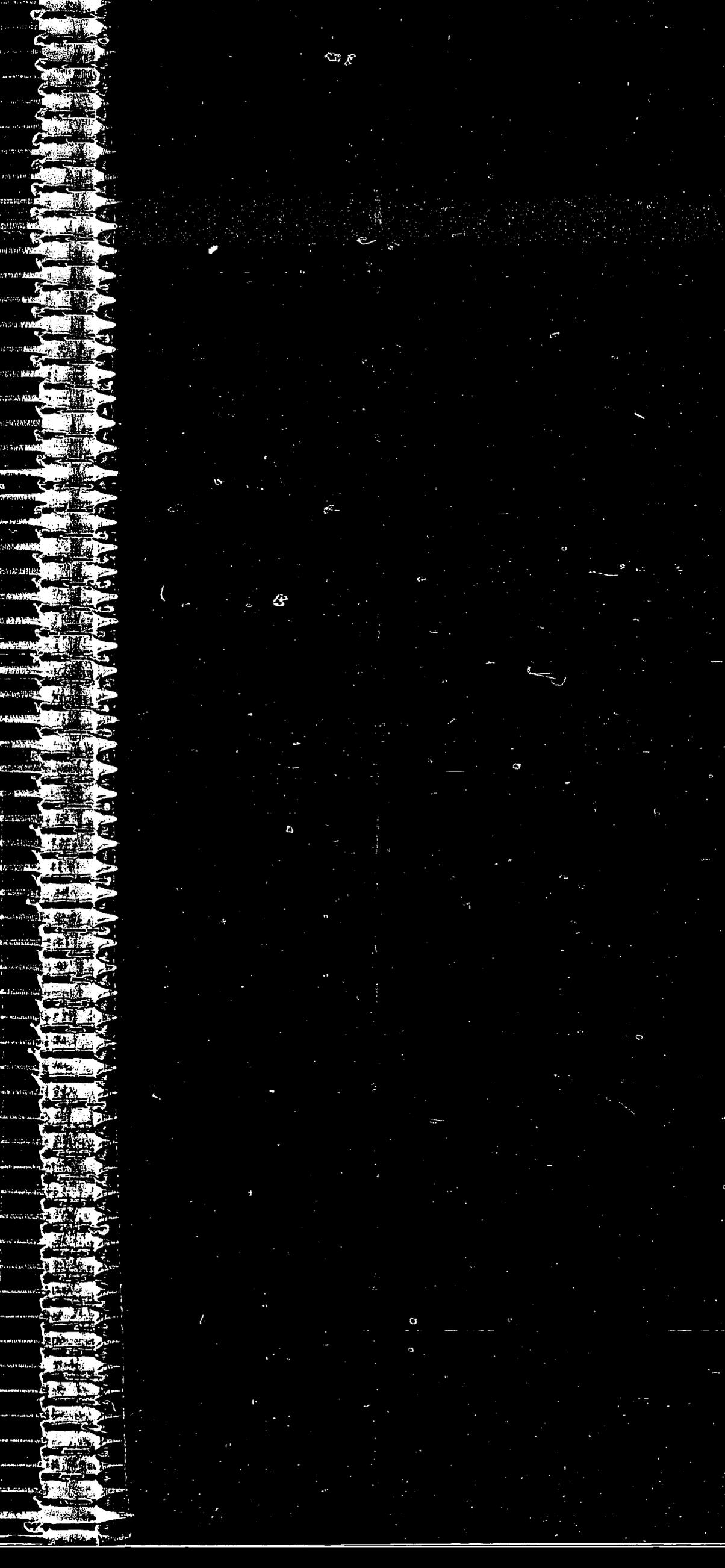
SECOND COUNT

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Jeremiah Reilly of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Jeremiah Reilly

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 Budget O'Connor in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against her the said Budget O'Connor, with a certain iron bar a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said Jeremiah Reilly 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.

DE LANCEY NICOLL, JOHN R. FELLOWS, District Attorney.



**POOP QUALITY ORIGINAL**

1187

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

..... being duly sworn, says that he resides at No. .... Street, in the City of New York; that he is ..... years of age; that on the ..... day of 18 ....., at Number ..... in the City of New York, he served the within ..... on the ..... by leaving a copy thereof with .....

Sworn to before me this  
day of ..... 189 }

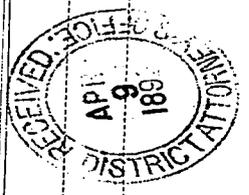
*W. J. General*  
*the People*  
Plaintiff

*Frank Kelly*  
Defendant

*Noted*

*PURDY & McLAUGHLIN,*  
Attorneys for  
No. 280 BROADWAY, New York City

Due and timely service of cop of the  
within hereby admitted  
this day of 18  
Attorney.



To .....

**POOR QUALITY ORIGINAL**

1188

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

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

*August O'Connor*

of No. 33 Park Street, aged 42 years,

occupation Keeps Home being duly sworn

deposes and says, that on 19 day of April 1891 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by \_\_\_\_\_

*Jimmie Reddy*

*who struck deponent on  
his head with an Iron Bar*

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 dealt with according to law.

Sworn to before me, this 20 day }  
of April 1891 }

*August O'Connor*  
mark

*Charles V. Santa* Police Justice.

POOR QUALITY ORIGINAL

1189

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Jeremiah Rielly* 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. *Jeremiah Rielly*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *32 Park Street 6 months*

Question. What is your business or profession?

Answer. *Tobacco Merchant*

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*

*Jeremiah Rielly*

Taken before me this

*26*

*May of 1888*

Police Justice.

POOR QUALITY ORIGINAL

1190

BAILED,  
No. 1, by *James Kane*  
Residence *214 Monroe Street*

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

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

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

Police Court... District *590*

THE PEOPLE, vs.,  
ON THE COMPLAINT OF

*Franklin Downing*  
*33 Park St*  
*James Kane*  
Offence *Assault*

Dated \_\_\_\_\_  
Magistrate *James Kane*  
Officer *McMullen*  
Precinct \_\_\_\_\_

Witnesses

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

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



No. *500*  
to answer *24*

*Charles Kane*

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

*James Kane*  
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 *Apr 20 1894* *Charles N. Linton* Police Justice.

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

Dated *April 28th 1894* *Charles N. Linton* 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.

POOR QUALITY ORIGINAL

1191

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Jeremiah Reilly*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Jeremiah Reilly*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Jeremiah Reilly*

late of the City of New York, in the County of New York aforesaid, on the  
*nineteenth* day of *April* in the year of our Lord  
one thousand eight hundred and *ninety-one*, with force and arms, at the City and  
County aforesaid, in and upon the body of one *Bridget O'Connor*  
in the Peace of the said People then and there being, feloniously did make an assault and  
to, at and against *her* the said *Bridget O'Connor*, with  
a certain *iron bar* then and there loaded and charged with gunpowder and one leaden  
bullet, which the said *Jeremiah Reilly*  
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 *strike, beat and wound*  
with intent *her* the said *Bridget O'Connor* 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  
*Jeremiah Reilly*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Jeremiah Reilly*

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 *Bridget O'Connor* in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and to, at and against *her* the said  
*Bridget O'Connor*, with a certain *iron bar*  
a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,  
which the said *Jeremiah Reilly*  
in *his* right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully *strike, beat and wound* against the form of the statute in such case  
made and provided, and against the peace of the People of the State of New York, and  
their dignity.

DE LANCEY NICOLL,  
~~JOHN R. FELLOWS,~~  
District Attorney.

1192

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Rieth, Matthew

**DATE:**

05/29/91



4042

POOR QUALITY ORIGINAL

1193

309

Witnesses:

Frederick H. H. H. H.  
offr Philip Weller  
15 West  
Dep't Ch. H.  
He has seen  
a  
Rev. J. H.

Counsel,

Filed 29 day of May 1891

Pleas,

THE PEOPLE

vs.

Matthew Rieth

Grand Larceny Second Degree

[Sections 528, 531, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. E. Whidman

Foreman.  
May 29/91

Thos. H. H. H.  
R. H. H. H.

POOR QUALITY ORIGINAL

1194

Police Court \_\_\_\_\_ 4<sup>th</sup> District.

City and County } ss.:  
of New York,

of No. 163 East 61 Street, aged 20 years,

occupation Cigars being duly sworn

deposes and says, that the premises No. 163 E 61 Street, 19<sup>th</sup> Ward

in the City and County aforesaid the said being a dwelling the

rear thereof being occupied by deponent

~~and which was occupied by deponent as a~~ Pidgeon Coop made

~~and in which there was at the time a harem being by name~~

of wood and wire and securely fastened

were **BURGLARIOUSLY** entered by means of forcibly breaking

the fastenings securing the

same

on the 17<sup>th</sup> day of May 1891 in the night time, and the

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

Thirty two Pidgeons of the value

of Twenty five dollars,

\_\_\_\_\_

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

**BURGLARY** was committed and the aforesaid property taken, stolen and carried away by

Matthew Reith

for the reasons following, to wit: that during the night

time of said date said premises

were broken as described and

said property carried away.

That deponent was subsequently

informed by Officer Philip Weller

of the 25<sup>th</sup> Precinct that he

had arrested said Reith as

the supposed thief, and deponent

POOR QUALITY ORIGINAL

1195

was further informed by Paul Rosenthal of 199 East Houston Street that on Monday April 18th he purchased from said Keith eight fragments, and deponent now says that he has seen the fragments as purchased and fully identifies them as eight of the number stolen from said broken premises and further that deponent is informed by said Miller that said Keith confessed to him that he (Keith) and a boy by the name of Brown had committed said crime.

Paul Rosenthal

Sworn before me this 26th day of May 1891

A. J. [Signature] Police Justice

It appearing to me by the within depositions and statements that the crime herein mentioned has been committed, and that there is sufficient cause to believe the within named guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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. I have admitted the above named to bail to answer by the undertaking hereto annexed. There being no sufficient cause to believe the within named guilty of the offence mentioned, I order he to be discharged. Dated 1891 Police Justice.

Police Court, District, Office - BURGLARY. THE PEOPLE, vs., on the complaint of. 1. 2. 3. 4. Dated 1891 Magistrate. Officer. Clerk. Witness. No. Street. No. Street. No. Street. \$ to answer General Sessions.

**POOR QUALITY ORIGINAL**

1196

Sec. 198-200.

X District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Matthew Reith* 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. *Matthew Reith*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *MS*

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

Answer. *228 East 75<sup>th</sup> St*

Question. What is your business or profession?

Answer. *Glass blower*

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 have nothing to say at present*  
*Matthew Reith*

Taken before me this

*W. J. [Signature]*  
Police Justice

POOR QUALITY ORIGINAL

1197

BAILED,

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

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

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

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

Police Court 24 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James J. Smith*  
*103 East 61 St*  
*Manhattan City*  
*(see another)*  
*not arrested*

Offence

*Burglary*

Dated *May 26* 1891

*W. J. White*  
Magistrate

*W. J. McPherson*  
Officer

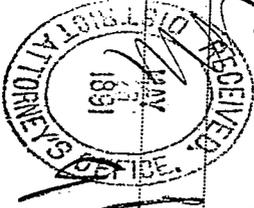
Witnesses \_\_\_\_\_ Precinct *25*

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

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

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

*to answer*



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

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 *May 26* 1891 \_\_\_\_\_ 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 he to be discharged.

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

POOR QUALITY ORIGINAL

1198

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Philip Miller*  
aged \_\_\_\_\_ years, occupation *Police Officer* of No. *25*  
*Greenwich*

~~Street~~, being duly sworn deposes and says, that he has heard read the foregoing affidavit of *Fredrick Hirschhorn* and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this *26* day of *May* 18*97* } *Philip Miller*

*A. J. White*  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Paul Rosenthal*  
aged *17* years, occupation *Boys* of No. *199*  
*East Houston* Street, being duly sworn deposes and

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

Sworn to before me, this *26* day of *May* 18*97* } *Paul Rosenthal*

*A. J. White*  
Police Justice.

POOR QUALITY  
ORIGINAL

1199

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Matthew Rieth*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *Matthew Rieth*

of the CRIME OF GRAND LARCENY in the *second* degree committed as follows:

The said *Matthew Rieth*

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

*thirty-two pigeons of the value  
of one dollar each*

of the goods, chattels and personal property of one *Frederick Hirschhorn*  
then and there being found, then and there feloniously did steal, take and carry away, against  
the form of the statute in such case made and provided, and against the peace of the People  
of the State of New York and their dignity.

**POOR QUALITY  
ORIGINAL**

1200

SECOND COUNT—

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

*Matthew Rieth*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

*Matthew Rieth*

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,

*thirty-two pigeons of the value  
of one dollar each*

of the goods, chattels and personal property of one

*Frederick Herschhorn*

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

*Frederick Herschhorn*

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

*Matthew Rieth*

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.

DE LANCEY NICOLL,

*District Attorney.*

1201

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Risstedt, Henry

**DATE:**

05/14/91



4042

POOR QUALITY ORIGINAL

1202

1951  
107  
68

Counsel,  
Filed *H. J. Day* 1891  
Pleads, *Wm. J. P.*

VIOLETION OF EXCISE LAW  
(Keeping Open on Sunday)  
[III Rev. Stat. (7th Edition), Page 1989, Sec. 5.]

THE PEOPLE  
vs.

*Henry J. P. [unclear]*

DE LANCEY NICOLL  
~~JOHN R. FELLOWS~~

District Attorney.

*Chicago, 1892, P.M. 2*

A True Bill.

*W. S. O'Ridmon  
P.M. 3 Nov. 1922  
W. S. O'Ridmon  
He is in. Lead  
Dear city [unclear]  
Fry*

Witnesses:  
*Wm. J. P. Ryan*

POOR QUALITY ORIGINAL

1203

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Henry Rissbeck* 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. *Henry Rissbeck*

Question. How old are you?

Answer. *Forty three years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *215 East 5th St*

Question. What is your business or profession?

Answer. *Liquor*

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 Henry Rissbeck*

Taken before me this *21st* day of *Aug* 188*8*  
*W. J. [Signature]*  
Police Justice



**POOR QUALITY ORIGINAL**

1205

Excise Violation-Keeping Open on Sunday

POLICE COURT-

DISTRICT.

City and County } ss.  
of New York,

of No. 11th Precinct Street,  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 21st day  
of July 1889 in the City of New York, in the County of New York,

Henry Riestad (now here)  
being then and there in lawful charge of the premises No. 279 Broadway  
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be  
drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of  
the statute in such case made and provided.

WHEREFORE, deponent prays that said  
may be arrested and dealt with according to law.

Sworn to before me, this 21 day }  
of July 1889 }  
[Signature] Police Justice.

[Signature]  
James Ryan

**POOR QUALITY  
ORIGINAL**

1206

**Court of General Sessions of the Peace,**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Henry Ristedt*

The Grand Jury of the City and County of New York, by this indictment, accuse *Henry Ristedt* of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

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

DE LANCEY NICOLL,  
**JOHN R. FELLOWS,**

*District Attorney.*

1207

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Roberts, William

**DATE:**

05/12/91



4042

POOR QUALITY ORIGINAL

1208

104

Witnesses:

Elizabeth Wiggins

William Wiggins

off John Seaman  
9 Dec 2

Anthony Estlin  
or Volence used  
17

Counsel,

Filed

Pleads,

10 May 1887

THE PEOPLE

vs.

William Roberts

Burglary in the second degree.

[Section 497 Penal Code.]

JOHN R. FELLOWS,

District Attorney.

W. E. Whidman

A True Bill.

W. E. Whidman

Foreman.

10 May 1887

Henry S. W. S. J. P.  
5/12/87

POOR QUALITY ORIGINAL

1209

Police Court 2 District.

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

Elizabeth Wiggins

of No. 175 West 12th

Street, aged 55 years,

occupation Housekeeper

being duly sworn

deposes and says, that the premises No 175 West 12th Street,

in the City and County aforesaid, the said being a first flat in five

story brick dwelling

and which was occupied by deponent as a dwelling

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

Elizabeth Wiggins

were BURGLARIOUSLY entered by means of forcibly raising a

back window of said premises

on the 7 day of May 1891 in the night time, and the

following property feloniously taken, stolen, and carried away, viz:  
attempt made to feloniously carry away  
a quantity of household property of the  
value of one hundred dollars.

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

William Roberts

for the reasons following, to wit: The said window was  
closed when deponent went to bed  
at 11 o'clock P.M., deponent was  
awakened about 12.30 o'clock A.M.  
by Lida Wing, now her who was sleeping  
with deponent and deponent then saw  
the defendant standing in the dining  
room, he having entered by the said  
window, and deponent saw

POOR QUALITY ORIGINAL

1210

Defendant strike a match, and when deponent called out "who's there?" the defendant ran out into the private hall and the defendant was immediately arrested by deponents son William Wiggins, and Policeman John Seaman of the 9th Precinct

Sworn to before me this 7th day

of May 1891

Elizabeth Wiggins

John E. Kelly  
Police Justice

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Burglary

Degree.

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

POOR QUALITY ORIGINAL

12 11

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK

*William Roberts*

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 Roberts*

Question. How old are you?

Answer.

*24 years*

Question. Where were you born?

Answer.

*N.S.*

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

Answer.

*115 Nassau Street N.Y. a few days*

Question. What is your business or profession?

Answer.

*Hackerman*

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 have nothing to say*

*Wm Roberts  
mark*

Taken before me this  
day of *May* 188*8*  
*John S. Kelly*

Police Justice.

POOR QUALITY ORIGINAL

12 12

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

Police Court... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Elizabeth Wiggins  
175 St. 12th  
Wm Robert

Duplers

1  
2  
3  
4  
Offence \_\_\_\_\_

Date: May 4 1891

John Keary  
Magistrate

Witnesses:  
Lida Wuyg,  
Wm Wiggins

No. \_\_\_\_\_  
175, Ave 12th  
Street

No. \_\_\_\_\_  
Call H. H. Hester  
Street

No. \_\_\_\_\_  
250 ATTORNEY  
Street



A. C. ...  
V. ...

613

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

William Robert

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty 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 May 7 1891 John E. Keary 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.

POOR QUALITY ORIGINAL

1213

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 Roberts

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

William Roberts

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

The said

William Roberts

late of the ninth Ward of the City of New York, in the County of New York aforesaid, on the seventh day of May, in the year of our Lord one thousand eight hundred and eighty-one, with force and arms, about the hour of one o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of one Elizabeth Wiggins

there situate, feloniously and burglariously did break into and enter, there being then and there some human being, to wit: the said Elizabeth Wiggins and others

within the said dwelling house, with intent to commit some crime thereip, to wit: the goods chattels and personal property of the said Elizabeth Wiggins

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,

De Lancey Nicoll, District Attorney.

12 14

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Romo, Frank

**DATE:**

05/21/91



4042

12 15

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Donato, James

**DATE:**

05/21/91



4042

12 16

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Potorno, Joseph

**DATE:**

05/21/91



4042

POOR QUALITY ORIGINAL

1217

Witnesses:

John Jones

In the within case  
as against the Dept of  
Donato from a full  
Examination of all the  
facts and considering  
the evidence adduced  
on the trial of the Dept  
Homo and Potorno  
I am of opinion that  
no connection can be  
had as the element  
of doubt is to strong  
I therefore recommend  
that the Dept Donato  
be discharged and  
that the indictment  
be dismissed as to  
him  
Wm. L. A. Kaitay  
Oct 14/91 D. A. Kaitay

Crute, X

Counsel

Filed

Plend

Wm. L. A. Kaitay  
District Attorney

THE PEOPLE

vs.

Frank Romeo  
James Donato  
Joseph Potorno  
(1410)

Robbery, Sections 224 and 228, Penal Code.

DeLancey Tholl  
JOHN H. FELLOWS

District Attorney

Filed by  
Wm. L. A. Kaitay  
A True Bill  
W. L. A. Kaitay  
Foreman.

July 28, 1891

#3 Fred and consort  
Robt. 1st  
Wm. L. A. Kaitay  
Emory 191

POOR QUALITY ORIGINAL

12 18

Witnesses:

John Jones

In the within case  
as against the next  
Donato from a full  
examination of all the  
facts and considering  
the evidence adduced  
on the trial of the next  
Romo and Potorno  
I am of opinion that  
no conviction can be  
had as the element  
of doubt is too strong  
I therefore recommend  
that the next Donato  
be discharged and  
that the indictment  
be dismissed as to  
him  
Wm. M. Ginn  
Oct 14/91 D. A. Kaitaly

200  
Carter  
Counsel,  
Filed  
Plead  
Reg. of Dist.  
1887  
Plead  
Reg. of Dist.  
1887

THE PEOPLE  
vs.  
Frank Romo  
James Donato  
Joseph Potorno  
(140)

Deputy Nicol  
JOHN R. WILSONS

District Attorney

Filed by  
Page 3  
Page 2  
Page 1

A True Bill  
For 3  
10-10-91

W. L. Hudson  
Foreman

July 28, 1891

#3 Pined and comoda

Rob. 12/31

Apr 3 1942

May 19/91

31

POOR QUALITY ORIGINAL

12 19

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 1 DISTRICT.

James H. McCarty of No. 4<sup>th</sup> Precinct Street, aged years, occupation Police Officer being duly sworn deposes and says, that on the 13<sup>th</sup> day of May 1891 at the City of New York, in the County of New York,

John Thomas is the Complainant against Frank Romo James Dow and Joseph Potomo charged with Robbery. Deponent says that said Thomas has no permanent place of residence in this City and that he is a Material witness for the people. Wherefore deponent prays that he be committed to the House of Detention.

James H. McCarty

Sworn to before me this 13<sup>th</sup> day of May 1891

Police Justice

POOR QUALITY ORIGINAL

1220

STATE OF NEW YORK, CITY AND COUNTY OF NEW YORK, ss. Police Court--First District.

of No. 7 James Row Thomas Street, being duly sworn, deposes and says, that on the 12th day of May 1891 at the Fourth Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent, by force and violence, without his consent and against his will, the following property viz:

Five dollars and thirty five cents in form and lawful money of the United States \$ 5 35/100

of the value of Five Dollars, the property of Deponent

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

Frank Romo, James Sono and Joseph Potomo who were acting in concert for the reasons following to wit: Deponent resides in aforesaid premises on the 3rd floor. Deponent was coming up the stairs of said premises and as he was passing the door on the second floor he was accosted by defendant Romo who asked deponent to come into his room and take a drink. That when he entered said room he was asked to go to bed

Sworn to, before me, this 18th day of May 1891 Police Justice.

POOR QUALITY  
ORIGINAL

1221

with a woman who was in said  
room that defendant refused and  
when he attempted to leave said  
room he was caught hold of by  
the defendants and forcibly  
thrown down on the floor and  
said money was taken from the  
pockets of defendant  
whereupon defendant charges the  
defendants with Robbery and  
charges that they intend to murder

Brought before me this  
12<sup>th</sup> day of May 1891

*[Signature]*

A.D. to doog. 27

Police Justice

**POOR QUALITY ORIGINAL**

1222

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James Dono*

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

Question. What is your name?

Answer. *James Dono*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *83 Mulberry Street 2 years*

Question. What is your business or profession?

Answer. *Miller*

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  
Germi Donato*

Taken before me this

day of *May* 1917

189

*[Signature]*  
Police

POOR QUALITY ORIGINAL

1223

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Joseph Potomo* 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. *Joseph Potomo*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *57 James Street 3 days*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty  
Joseph Potomo*

Taken before me this  
day of *May*

189*1*

*[Signature]*

**POOR QUALITY ORIGINAL**

1224

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

*Frank Romo* 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. *Frank Romo*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *71 Bayard Street 6 years*

Question. What is your business or profession?

Answer. *Foot Black*

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*  
*Frank Romo*  
*Frank*

Taken before me this

*MM*

1891

Police Justice

*[Signature]*

**POOR QUALITY ORIGINAL**

1225

for May 13<sup>th</sup> 9<sup>30</sup>

BAILED  
No. 1, by Carroll Chapman  
Residence 559 1/2 Mulberry St.

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

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

Michael Howard  
Walter Schultz  
Sumner Chapman  
63 1/2 1st St.

Police Court --- District 641

THE PEOPLE, et al.  
ON THE COMPLAINT OF  
John Thomas  
1 Frank Roma  
2 James Brown  
3 Joseph P. Brown  
Offence Robbery

Date May 12<sup>th</sup> 1891

John Thomas Magistrate  
Carroll Chapman Attorney

Witnesses:  
No. Charles J. Macey Street \_\_\_\_\_  
Charles J. Macey Street \_\_\_\_\_  
Precinct 45

No. Richard C. ... Street \_\_\_\_\_  
Richard C. ... Street \_\_\_\_\_  
Precinct 45

No. 1000 each P.S. Street \_\_\_\_\_  
Richard C. ... Street \_\_\_\_\_  
Richard C. ... Street \_\_\_\_\_

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

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

Dated May 13<sup>th</sup> 1891 \_\_\_\_\_ 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.

2-1/4

THE PEOPLE

vs.

JOSEPH POTORNO.

COURT OF GENERAL SESSIONS, PART I.

BEFORE RECORDER SMYTH.

July 28, 1891.

Jointly indicted with James Donato and Frank Romo. Indictment for robbery in the first degree.

JOHN THOMAS, sworn and examined, testified:

I live at No. 7 James Street and lived there on the 12th of May, I was selling flowers, I occupied three rooms on the top floor; I saw these defendnts in the house, Potorno lived in that house on the 12th of May, I know all the men by sight, all three of them were in the house on the 12th of May; it happened at twelve o'clock in the night time, I was about to go up to my rooms, the defend-ants lived on the floor underneath; the first one I saw on the 12th of May was this man with the black beard, Potorno, he talked to me; I was coming up the stairs and he was standing at the door; he says, "come in, let us pass the time for a minute, there are some girls inside"; I told him, "I can't come in now because I have to rise early in the morning to go to buy flowers, so I have to go upstairs to go to bed." He says, "come in, let us have a little talk, it will only be an expense to you of five or six cents for beer"; he insisted and then I went inside and I saw Romo and Donato. When I went in I had \$5.35, the dollars were in paper money. There were two girls in the room, Frank Romo invited me to go with the girls, I said no I would not stay here, I have to go upstairs; the girls and these men were all in one room, the girsl were lying

in bed, Lizzie Greisheimer was alone in bed and Romo was in another bed and in the other bed there was a girl with this man Donato. I was about to go away and then Potorno took a piece of wood into his hand and locked the door and stopped me and said, "you give me fifteen cents for coming here into the room because you come in to go with the girls. I told him I did not have anything to do with the girls, he says, "that is all the same, you came in here and you have to pay fifteen cents. When he commenced to ask me for fifteen cents and I refused, then the others jumped out of bed and they put their pants on hurriedly, they came up to me and the two seized me and threw me down, Potorno remained standing at the door with a piece of wood in his hand. When I was thrown on the floor Donato held me with his knees, he pressed me down and the other one Romo, went through my pockets and he took all the money I had, \$5.35 and left me without a cent, I had it in my right side pants pocket; then they let me get up and Potorno opened the door and pushed me out and threw my hat out. When I was outside I told him, "give me my money back or I will have the police here and you will be arrested;" whilst I was talking the door was left open and they all came out and I talked to them to give me my money back; they did not answer anything, they told me to clear out and get away. I went down into the street to look for a policeman and I could not find one, I went up near Chatham Square to see if I could find a policeman, I ran around and I brought a policeman to the house, I brought two detectives up and when they came back with me to the house the door of the room of the defendants was closed. What did the

**POOR QUALITY  
ORIGINAL**

1228

police do when they could not get the door open? One remained upstairs and I brought down the lamp from my room and stayed there with the lamp and the other one went away and brought four more policemen; there was six of them there then and they knocked at the door again and at last they opened the door. When the door was opened they were all lying in bed, the policemen took the men and the girls all along. Potorno smiled when the policemen came in and said, "we did not take anything."

CROSS EXAMINED.

I have been in this country five years and have always been in New York, I have lived at 7 James Street about six months; these defendants lived at 7 James Street about ten days before this and I saw Romo about five or six times in those ten days. I never was in their room before this night that they took my money. When I finished my business in the evening I went to a restaurant and had my dinner and I then had about \$5.60 and after I paid for the dinner I had \$5.35 left.

I have known Romo for about two years. The signature on the paper now shown me is mine; they read something to me in the Police Court but I could not understand it as there was no Greek interpreter there. When the clerk took down my statement in the Police Court there was a young Greek there and I spoke through him. When I went to the Station House that night of the occurrence I took along a young man who lives with us. When I left the house after these men took the money from me I ran over and told Nicholas Carnethio and then I found a policeman and we had those people arrested. I remained about ten minutes in the room with the defendants that night. I did not

**POOR QUALITY  
ORIGINAL**

1229

speak to any of the girls in the room. I had no quarrel with any of those girls there that night.

LIZZIE GREISHEIMER, sworn and examined.

I am fourteen years old and on the 12th of May I was in 7 James Street in the room where I was caught; Donato occupies the room and Potorno, it was Monday night the 11h of May, I remember seeing Thomas, the complainant, in the room but do not remember the time of night. I was lying down in the bed, he wanted to have something to do with me and I would not let him, I halloed for the young fellow and he came in and took the man out, Romo came in and took him out, Romo is not a friend of mine; I did not know him long before this case, I heard Jimmy Donato say something about fifteen cents, Potorno said, "they shall pay me fifteen cents for the bed"; I did not go outside, I sat up in the bed, Potorno was standing at the door with a club in his hand and Thomas was standing near the bed. Some of them said, "I don't know which, "if you do not pay the girl pay for the bed " I did not have no money. Thomas said, "wait till I go up to Niccolo". He (potorno) says, "all right, I know Niccolo, I can trust him." He went upstairs and he said something out of the way, "they robbed me down in the hallway"; the three of them ran down at once. He was not robbed in the house, I did not hear no racket or nothing, he must have been robbed outside the door. Did not you tell me to-day that you heard a scuffle in the room? No, I heard when they were fighting, they wanted fifteen cents. Did you hear anybody fall on the floor? No sir, I did not. I did not live with this young man in that house,

I did not stop there for an improper purpose, I happened to have a quarrel with my mother and I did not know where to go and I thought I would spend the time there. I was in bed with another woman when the officers came. I heard Thomas say that somebody stole his money. I began to scream when Thomas wanted to have something to do with me; I told the young fellow that he should take him out; Potorno demanded fifteen cents for the room and Thomas said, "I have no money;" I saw him put his hand in his pocket and draw something out but I did not see what it was. When he came with the policeman he said he lost \$5.50. During the time that Thomas was in that room nobody struck him.

HANNAH MURPHY, sworn.

I was arrested out of No. 8 James Street, I know the defendants, I saw them in this house in James Street, I saw the complainant in the room; I saw Potorno with a club in his hand, he said something but I could not understand him he was talking Italian; he wanted fifteen cents for the room and Thomas said he had no money, so then after he told him that two or three times Thomas put his hand in his pocket and pulled out two ten cent pieces and threw them on the bed, one of the men picked up the twenty cents and put it in his pocket and he said to Thomas, "come on and take a walk." So he took the walk and going down the stairs he commenced calling them something and they all ran down stairs and that must have been the time they done the robbery because there was no robbery done when I was in the bed in that room. I know nothing about the robbery. All the

**POOR QUALITY  
ORIGINAL**

1231

defendants were there the whole of the time.

CROSS EXAMINED.

I don't know what

time Thomas came in the room, there was no clock in there; I was drunk; I saw Thomas go near the bed where this little girl was. I did not see any of the men strike him while I was awake, I did not see him knocked down; the only one that threatened to hit him was Jo Potorno and he wanted his fifteen cents, Thomas said, "me got no money" and Frank Romo said, "escuse him to-night", and then when Thomas saw the club in Potorno's hand I suppose he got afraid and he pulled out twenty cents; Potorno picked up the twenty cents and dropped the club; Thomas ran down the stairs and commenced calling him some names in Italian and they all rushed to the door then; I do not know what they done down stairs. I first became acquainted with the little girl on Saturday night in 7 James Street.

PETER D. CARTER, sworn.

I am an officer of the 4th precinct and arrested the defendants on the complaint of Thomas in No. 7 James Street on the 12th of May. Thomas was on the corner of James and Cherry Streets, he was talking with the officer on post there and I came along with Officer McCrory and then I went back with him to 7 James Street. The complainant seemed considerably excited and his clothing was partially deranged. I rapped on the door and I got no reply and went down one or two steps on the landing and looked out, I could see the shadow of some parties inside, I could see there was a light; I rapped on the door afterwards, I stayed there and Officer McCrory went and got a man on post and two or three officers

POOR QUALITY  
ORIGINAL

1232

we went upstairs and took them all to the Station House; we had trouble in getting in, we rapped a number of times and kicked on the door. The complainant said there was a young girl in the room, I looked around and could not see any young girl then but after ward I saw one woman in bed with this tall man Donato; it was the Murphy woman; the other one I could not see, I looked under the bed, I drew the curtain aside on the corner of the room where there was another cot and finally I saw a bunch in the middle of the clothes and discovered her between the two, between the woman and this man in the same bed; the other defendants were up in the room. I do not remember if Potorno said anything when I went in the room, they are Greeks and I could not understand them very well, Thomas the complainant said he lost \$5.35, Romo said he hadn't anything to do with it, I did not see a club or a stick about the room.

CROSS EXAMINED. Is it not true, Officer, that Thomas made different statements as to the amount of money he had lost up in that place? No, I do not think he did, he told me that he lost \$5.35 and he told that at the Station House also, he did not tell me who struck him upstairs, he told me he had been assaulted and robbed of \$5 .35.

JAMES H. McCrory, sworn.

I am an officer of the 4th precinct and was present at the time these defendants were arrested on the complaint of Thomas; I went to 7 James Street and found the door was locked and barricaded when we went up at first, Officer Carter stayed there while I went down stairs and

got a couple of men on the adjoining post and went upstairs and knocked at the door fifteen or twenty minutes before they opened it. Donato was lying in bed and Romo and Potorno were standing up. When we went in Potorno commenced with his hands and said, "we did not do nothing, we did not do nothing"; Romo said, "I did not do anything", and the other fellow laid in bed and never said a word. The Murphy girl was in the room, Donato was in the bed with her and the little girl was between the both.

The Case for the Defence.

JOSEPH POTORNO, sworn and examined through the

Interpreter:

I do not remember the date when I was arrested; I know Thomas, the complainant; he came one night in my house without my invitation, he came up in the house, I went down stairs and I told Frank Romo to come upstairs so we can have a glass of beer, I went back again down stairs and took a pint of beer, I went upstairs again and we commenced drinking the beer, I went down to Mulberry Street and left Frank in the house talking with the other prisoner; I came back after half an hour's time and I tried to open the door to go into my house and then I saw the Greek touch me on my shoulder (meaning the complainant Thomas). Thomas asked me if I had any woman in the house and I answered yes, and then he came in and he went into the room with the girl; he was inside with the girl for about ten minutes; he wanted to commit a crime with the girl and the girl commenced crying; then afterwards the Greek left the house and went to James Street and the police came and we got all arrested. Tell him to

tell us what transpired in the house, what was said between him and Thomas? When the girl complained of the action that he wanted to commit on her I took him and shoved him out of the little room where the girl was. In going out he called me a son of a bitch and a guinea. He offered me fifteen cents and I took out a stick that was lying there and I just lifted my hand with it and then afterwards he handed me the fifteen cents. I told him, "now you have got to pay for the woman." He answered, "I have got no more money." He says, "you know Niccolo that lives on the upper floor"; then little Frank says, "I know him but we have got nothing to do with this man", and then he left and went down stairs. Before leaving he took out twenty cents and he threw them on the bed. While Thomas was in there I did not strike him at all. I followed him down stairs and while we were in the street he called me the son of a bitch and then I gave him a blow with my fist. I have been living in America for twelve years and I have always been keeping house and this is the first time that I was ever arrested--- yes, I was arrested once, I have been in prison for six months.

CROSS EXAMINED. What were you sent to prison six months for? I was arrested because I kept a house of ill fame at 58 Mulberry Street. How long had you been keeping the house in Mulberry Street? Three years in Mulberry Street. How long have you been in James St.? Only fifteen days in James Street. Enaro is the name of the landlord of the premises in James Street but I do not know his Christian name, he has got a lease of the house and he lets the whole of it. When Thomas refused to pay

I went and got the club. Donato and Romo were in the room and when I asked for the fifteen cents they got up.

FRANK ROMO, sworn and examined.

Where did you live previous to your arrest? 71 Bayard Street. Who did you live with? With my folks. Is your father and mother living? Yes sir. How long have you lived there? Going on sixteen months I believe, somewhere around there. What is your business? Boot-black at the Manhattan Bank, 42 and 44 Wall Street. You have worked there for some one else? No sir, I worked for myself. Do you remember this evening in question, the 11th of May last, the night you were arrested? Yes sir. You remember being at No. 7 James Street? Yes sir. Did you ever live there? No sir. How long previous to that night did you know Potorno? I know him for the last three years I think, when he used to keep in 58 Mulberry Street. Is that near where you live? No sir, not very near, about a block and a half. How long did you know Donato? About four or five days, that was all, before I got arrested. Did you ever see Thomas before that night? Once I saw him up at 14th Street and Third Avenue, right in front of a barber shop. Tell us what you were doing at No. 7 James Street? I was not doing nothing, he met me on the stoop; he was on the stoop, I was passing along; he says, "hello, Frank, come on upstairs and we will have a pint of beer." So I went up and I stayed there for about fifteen minutes; he went down again, I did not know where he went and he brought this Greek in; the Greek went in the room with the little girl who was upon the stand, Lizzie, I don't know

what her second name in; he went in there and he stayed in the room about ten minutes; Potorno wanted him to give fifteen cents before he goes in the room; he said, "I will <sup>give</sup> it to you when I come out"; he came out and he did not want to pay him fifteen cents, he stayed in about eight or nine minutes. Potorno says, "why don't you want to give me fifteen cents?" He said, "I did not use the room." Potorno says, "yes, you did"; he said, "no", he was not going to pay the fifteen cents and Potorno picked up the club and was going to strike him; he said, "you give me the fifteen cents or I will hit you; he did not strike Thomas at all. Then he went to work and got the fifteen cents, he says, "now you paid the fifteen cents, I want you to pay the woman." He chucked twenty cents on the bed, "that goes for the girl, I have not got any more, you might as well let me go." I opened the door and let him down stairs, I don't know whether he called son of a bitch or not, we ran down stairs, this Potorno smashed him with the hand, he did not have the club when he went down; Potorno kicked him twice though outside on the sidewalk, he did not touch Thomas at all in the house. Did you see or hear anything that occurred between Potorno and Thomas as to money after they left the house? No sir. What made you go down after Thomas? I did not want these fellows to get into trouble or anything like that; I tried to square it, I was going to pay him fifteen cents out of my own pocket and he can tell you that himself.

CROSS EXAMINED.

Have you ever been convicted of any crime? No sir. Were you never arrested? I was arrested once for assault, I don't remember

POOR QUALITY  
ORIGINAL

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who it was. What did they do with you? They discharged me. You were never arrested for anything else? No sir. I was discharged from the Tombs in Center Street. Did you see Thomas have any money on his person? No sir, none at all. Where did he get the twenty cents from? He got it in his right side front pocket. Where did he take the fifteen cents from? Out of the same pocket. You were searched when you were taken to the Station House? Yes sir. How much money was taken from you? \$8.10; some of that was in silver coin and there were two single dollar bills. Did Thomas try to go out of the door when he got up to go out of the room in which the little girl was? Yes. And then Potorno stopped him from going out? Yes, he locked the door, he had a great big club in his hand. You got up and tried to square it? Yes. What interest did you have in it? I did not want to see anybody get in a fight.

Donato was lying in the bed and he got up too. Did you see Thomas on the floor at all in that room? No sir, he did not fall down, he was smashed down stairs in the street by Potorno. Was he knocked down? No sir, he only got a couple of kicks and he smashed him once or twice I think in the neck. Why did he smash him? Because he called us sons of bitches., he said, "I will make you soak for the fifteen cents I gave you. Potorno brought Thomas in the place. I have known the girl Greisheimer two or three months, I do not live with her, I was in the room when the officers came I heard the officers but I did not see if the door was bolted or not.

The Jury rendered a verdict of guilty of robbery in the first degree.



POOR QUALITY ORIGINAL

1239

### Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Frank Adams, James  
Dando and Joseph  
Adams*

The Grand Jury of the City and County of New York; by this indictment, accuse *Frank Adams, James Dando and Joseph Adams* of the CRIME OF ROBBERY in the *first* degree, committed as follows:

The said *Frank Adams, James Dando and Joseph Adams, all* late of the City of New York, in the County of New York aforesaid, on the *twelfth* day of *May*, in the year of our Lord one thousand eight hundred and ~~eighty-ninety-one~~ *ninety-one* in the night time of the said day, at the City and County aforesaid, with force and arms, in and upon one *John Thomas*, in the peace of the said People, then and there being, feloniously did make an assault, and *the sum of five dollars and thirty five cents in money, lawful money of the United States of America, and of the value of five dollars and thirty five cents,*

of the goods, chattels and personal property of the said *John Thomas*, from the person of the said *John Thomas*, against the will, and by violence to the person of the said *John Thomas*, then and there violently and feloniously did rob, steal, take and carry away, *the said Frank Adams, James Dando and Joseph Adams, and each of them, being then and there aided by an accomplice actually present, to wit, each by the others.*

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.

*James M. Hill,  
District Attorney.*

1240

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Rooney, James

**DATE:**

05/19/91



4042

1241

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Murphy, James

**DATE:**

05/19/91



4042

POOR QUALITY ORIGINAL

1242

110000

166 *[Signature]*

Counsel,  
Filed *19* day of *May* 189*7*  
Pleads, *[Signature]*

THE PEOPLE  
vs. *R*  
*James Rooney*  
and *R*  
*James Murphy*

*Bartholomew in the Third degree*  
*James Rooney*  
[Section 498, N.Y. Laws, 1852, 1853]

*John R. Fellows*  
District Attorney.  
*[Signature]*  
*[Signature]*

A True Bill.

*W. S. Bidmore*  
For emage.  
*[Signature]*  
*[Signature]*

Witnesses:  
*James Bidmore*  
*Wm Ferris*  
*140 Spring St*

In the within case after a full enquiry into all the facts I am of opinion that no conviction can be obtained as it appears that the Riffs were sent piece under the claim of right and inasmuch as the complainant after having made a full investigation is now of opinion that Mr. Bidmore was intended as he sets forth in a withdrawal he has signed. I therefore recommend that the indictment be dismissed as to both defendants.  
*June 9th 1897*  
*Wm Ferris*  
*Refy cont next 1897*

New York General Sessions.

PEOPLE ON MY COMPLAINT,

VERSUS

James Rooney and  
James Murphy

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. Since making the complaint in this case I have ascertained that the defendants had the privilege given them by James Cullen my lessee of the premises No. 40 Spring Street to use the room over the store as a sleeping room, the room from which the lead pipe was taken, and furthermore am fully convinced of the previous good character of the defendants, from information given me by reputable citizens of the neighborhood who formerly employed them. I also learn that the lessee James Cullen informed defendant Murphy that he Cullen was about making alterations and intended to alter the plumbing work in said room and that the old material was to be taken out and new material to be substituted instead.

I am fully convinced that no burglary was intended by either defendant.

New York June 8<sup>th</sup> 1891

Jacob Mitracht

POOR QUALITY ORIGINAL

1244

Police Court - 1<sup>st</sup> District.

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

of No. 24 Spring Street, aged 39 years,  
occupation Safe Business being duly sworn

deposes and says, that the premises No 40 Spring Street,  
in the City and County aforesaid, the said being a Five story Brick  
Building

and which was occupied by deponent as a Liquor Store and Club Room  
and in which there was at the time no human being, by name

were BURGLARIOUSLY entered by means of forcibly Breaking  
open a door on the second floor  
leading from the yard into said  
Club Room, on the second floor of  
said premises.

on the 9<sup>th</sup> day of May 1891 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

A quantity of Lead Pipe and  
Gas Fixtures of the amount  
and of the value of one  
hundred dollars (\$100<sup>00</sup>/<sub>100</sub>)

the property of Deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

James Rooney and James Murphy (both now here)  
while acting in concert with each other,

for the reasons following, to wit: That deponent was in  
the aforesaid premises on the 8<sup>th</sup> day  
of May 1891, about the hour of 10 o'clock  
A.M. and securely locked and

fastened the said door and said  
premises and went away, and that  
deponent returned to the said premises  
about the hour of 7 o'clock A.M. of the  
aforesaid date and discovered the said

POOR QUALITY ORIGINAL

1245

floor broken in, and the aforesaid property  
 missing. and that deponent is informed  
 by Carmela Perito of No 42 Spring Street  
 that about the hour of 3 o'clock A.M. of  
 the aforesaid date she heard a noise as of  
 someone breaking and pushing in a door.  
 and that about the hour of 7 o'clock A.M.  
 of the aforesaid date she saw the defendants  
 coming out of the Club room on the second  
 floor of said premises, and saw a large  
 bundle covered with an American flag  
 being carried by the defendant Robney.  
 And that deponent is further informed by  
 Joseph Pessolona of No 34 Spring Street.  
 that about the hour of 7 o'clock A.M. of  
 the aforesaid date the said defendants  
 came into said place with a quantity of Lead  
 Pipe for sale. And deponent further says that  
 he has seen the said Lead Pipe offered to said  
 Pessolona for sale - and fully and truly recognizes  
 the same as part of the aforesaid property stolen  
 from said premises No 48 Spring Street.

Sworn to before me } Jacob Mittnacht  
 this 9 day of May 1891

*[Signature]*  
 Police Justice

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

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

Degree \_\_\_\_\_  
 Burglary \_\_\_\_\_

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

Magistrate \_\_\_\_\_  
 Officer \_\_\_\_\_  
 Clerk \_\_\_\_\_

Witnesses: \_\_\_\_\_

Committed in default of \$ \_\_\_\_\_ Bail \_\_\_\_\_

Bailed by \_\_\_\_\_

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

**POOR QUALITY ORIGINAL**

1246

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 25 years, occupation Joseph Pessolano  
34 Spring Street, being duly sworn deposes and  
of No.

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

Sworn to before me, this 9  
day of May 1888 Joseph Pessolano  
[Signature]  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 19 years, occupation Carmela Perito  
42 Spring Street, being duly sworn deposes and  
of No.

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

Sworn to before me, this 9  
day of May 1888 Carmela Perito  
[Signature] maire  
Police Justice.

**POOR QUALITY ORIGINAL**

1247

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

*James Rooney*

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

Question. What is your name?

Answer. *James Rooney*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *No home*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer.

*I am not guilty.*  
*James Rooney.*

Taken before me this

day of

188

Police Justice.

**POOR QUALITY ORIGINAL**

1248

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

1 District Police Court.

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

Question. What is your name?

Answer. *James Murphy*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *208 Elm Street - 4 years*

Question. What is your business or profession?

Answer. *Driver*

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

Answer.

*I am not guilty*  
*James Murphy*

Taken before me this  
day of *May* 188*9*

*[Signature]*  
Police Justice

**POOR QUALITY ORIGINAL**

1249

BAILED,

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

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

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

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

Police Court

THE PEOPLE

ON THE COMPLAINT OF  
*John J. McInerney*  
*James D. Conroy*  
*James Murphy*

District

Offence

*Burglary*

Dated

*May 9 1931*

Magistrate

*John*

Officer

Precinct

Witness

*James Bryce*

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

*34 Murray*

Street

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

Street



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

*John J. McInerney*

Street

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

*John J. McInerney*

Street

622

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 *dependants*

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

Dated *May 9* 18*91* *John J. McInerney* 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.

POOR QUALITY ORIGINAL

1250

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Rooney and James Murphy.

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

James Rooney and James Murphy

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

The said

James Rooney and James Murphy, both

late of the *fourteenth* Ward of the City of New York, in the County of New York aforesaid, on the *ninth* day of *May* in the year of our Lord one thousand eight hundred and *ninety-one*, with force and arms, in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *a certain building, to wit:*

*the store of one Jacob Metznacht -*

there situate, 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 *Jacob Metznacht*

*store* 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.

POOR QUALITY ORIGINAL

1251

SECOND COUNT—

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

*James Rooney and James Murphy*

of the CRIME OF *Grand* LARCENY in the second degree, committed as follows:

The said *James Rooney and James Murphy*, 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 said day, with force and arms,

*three hundred pounds of lead pipe of the value of ten cents each pound, and a quantity of gas fixtures (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of seventy dollars*

of the goods, chattels and personal property of one *Jacob Mitrach*

*store* in the dwelling house of the said *Jacob Mitrach*

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.

POOR QUALITY  
ORIGINAL

1252

THIRD COUNT—

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

*James Rooney and James Murphy*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *James Rooney and James Murphy*, both

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

*three hundred pounds of lead pipe of the value of ten cents each pound, and a quantity of gas fixtures (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of seventy dollars*

of the goods, chattels and personal property of

*Jacob Mittracht*

by a certain person, or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, from the said

*Jacob Mittracht*

unlawfully and unjustly, did feloniously receive and have; (the said

*James Rooney and James Murphy*

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

DELANEY & WILSON,  
JOHN R. FELLOWS,  
District Attorney.

1253

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Rosenthal, Selig

**DATE:**

05/29/91



4042

1254

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Rose, Charles

**DATE:**

05/29/91



4042

POOR QUALITY ORIGINAL

1255

Counsel,  
Filed May 29 day of May 1891  
Pls.

THE PEOPLE  
vs.  
Selig Rosenthal  
and  
Charles Rose

[Section 498,

Burglary in the Third degree.

JOHN R. FELLOWS

District Attorney.

A TRUE BILL.

W. E. Skidmore

May 29/91 Foreman.

Robert  
Thaddeus J. Long  
apt. - 19/26 West 100th St  
C. 212 4th 6 East 5th St  
June 8

Carl Fernsten  
Off James Rogers  
13 Precinct

apt. 2, Long Ave  
Cinn in 2d Prec  
apt. 1st Prec  
Cincinnati

RM

POOR QUALITY ORIGINAL

1256

Police Court District.

City and County of New York, ss.:

of No. 179 Stanton Street, aged 29 years, occupation Clerk Manufacturer being duly sworn

deposes and says, that the premises No. 179 Stanton Street, Ward in the City and County aforesaid the said being a five story brick building in part. Clerk makes shop and which was occupied by deponent as a and in which there was at the time no human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking the hasp off of the door leading from the hallway on second floor of said premises into deponents shop, and entering said shop with the intent to commit a felony on the 22nd day of May, 1891 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

A number cloaks, and a quantity of cloth, and trimmings all of the value of seventy five dollars.

(\$75.00)

the property of Heppment and deponent further says, that he has great cause to believe and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Selig Rosenthal and Charles Rose alias Nigger Charles. (both now here)

for the reasons following, to wit: that at the hour of 6 o'clock P.M. said date said shop was locked and closed for the night. Heppment is informed by Officer James Rogers, that at about the hour of 9:30 o'clock P.M. said date, he saw these deponents together and in company with each other, and saw them go into the hallway of said

POOR QUALITY ORIGINAL

1257

Premises and remain in said premises  
 about fifteen minutes and when they  
 came out he arrested these defendants  
 and took them back into said premises  
 and discovered that said door had been  
 forced open as aforesaid and the defendant  
 Rowenthal admitted to the Officer that he  
 and the defendant Row went to said  
 premises together and Row told him  
 to watch for a Policeman while he  
 forced open said door.  
 Whereupon defendant charges the said  
 defendants with being together and  
 acting in concert with each other and  
 burglariously entering said premises  
 with the intent to steal.

Severed to before me }  
 this 25<sup>th</sup> day of May 1891 } Paul Justice

John Ryan  
 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  
 guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
 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 \_\_\_\_\_ 1891  
 I have admitted the above named  
 to bail to answer by the undertaking hereto annexed.  
 Dated \_\_\_\_\_ 1891  
 There being no sufficient cause to believe the within named  
 guilty of the offence within mentioned, I order he to be discharged.  
 Dated \_\_\_\_\_ 1891  
 Police Justice

Police Court, District,

THE PEOPLE, &c.,  
 on the complaint of  
 vs.  
 1  
 2  
 3  
 4

Offence—BURGLARY.

Dated \_\_\_\_\_ 1891  
 Magistrate.  
 Officer.  
 Clerk.  
 Witnesses.  
 No. \_\_\_\_\_ Street,  
 No. \_\_\_\_\_ Street,  
 No. \_\_\_\_\_ Street,  
 \$ \_\_\_\_\_ to answer General Sessions.

POOR QUALITY ORIGINAL

1258

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation James Rogers Police Officer of No. 13th Precinct Police Street, being duly sworn, deposes and

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

Sworn to before me, this 25th day of May 1896, } James Rogers

John Ryan  
Police Justice.

**POOR QUALITY ORIGINAL**

1259

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Selig Rosenthal* 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. *Selig Rosenthal*

Question. How old are you?

Answer. *19 years old*

Question. Where were you born?

Answer. *Russia*

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

Answer. *536 Delancey St 3 mos*

Question. What is your business or profession?

Answer. *Sailor*

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*

*Selig Rosenthal*

Taken before me this *29th* day of *February* 19*31*  
*John P. [Signature]*  
Police Justice

**POOR QUALITY ORIGINAL**

1260

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Charles Rose*

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.

*Charles Rose*

Question. How old are you?

Answer.

*20 years old*

Question. Where were you born?

Answer.

*Russia*

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

Answer.

*222 Madison St. 3 yrs*

Question. What is your business or profession?

Answer.

*Tin smith*

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*

*Charles Rose*

Taken before me this *7/5/1907* day of *July* 1907  
*John H. [Signature]*  
Police Justice

POOR QUALITY ORIGINAL

1251

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

Police Court... 3  
 District 714

THE PEOPLE, vs.,  
 OF THE COMPLAINT OF  
 Carl Steinman  
 179 Stanton St  
 Seliq Rosenthal  
 Charles Rose  
 Alice Meyer Charles  
 Office  
 Buxley

Dated May 25 1891  
 James Ryan Magistrate

Witnesses  
 James Ryan  
 19 Precinct  
 Officer  
 James Ryan  
 19 Precinct  
 Officer  
 James Ryan  
 19 Precinct  
 Officer

No. 46 Deer St  
 J. W. J. Waring  
 No. 112 Paul Street  
 No. 1000  
 J. W. J. Waring



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 Seliq Rosenthal and Charles Rose, Alice Meyer Charles guilty thereof, I order that they be held to answer the same and they be admitted to bail in the sum of fifty Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until they give such bail.  
 Dated May 23 18 91 John Ryan 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.

POOR QUALITY ORIGINAL

1262

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Selig Rosenthal and Charles Rose

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

Selig Rosenthal and Charles Rose

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

The said Selig Rosenthal and Charles Rose, both

late of the Eleventh Ward of the City of New York, in the County of New York aforesaid, on the twenty-second day of May in the year of our Lord one thousand eight hundred and ninety-one, with force and arms, in the night - time of the same day, at the Ward, City and County aforesaid, the dwelling house of one a certain building to wit:

the shop of one Carl Feinstein

there situate, 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 Carl Feinstein

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.

De Lancey Nicoll, District Attorney

1263

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Rovinski, Jacob

**DATE:**

05/20/91



4042

1264

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Marbein, Israel

**DATE:**

05/20/91



4042

1265

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Marbein, Jacob

**DATE:**

05/20/91



4042

POOR QUALITY ORIGINAL

1265

1944  
J.P. Wickman  
93 Nassau

Counsel,  
Filed 20 day of May 1891  
Pleads, 203

THE PEOPLE do vs.  
Grand Larceny, Second Degree  
[Sections 528, 587, 532 Penal Code.]

Jacob Rovinsky,  
Israel Marben  
and  
Jacob Marben

DE LANCEY NICOLL,  
District Attorney.

A True Bill.

W. S. Shidmon  
May 28, 1891 Foreman.  
#1 Tried and acquitted  
#2 & 3 Indicted & dismissed

Witnesses:

Louis Goldberg  
Says Solomon  
Off Wm Mooney  
U. Sect.

W. J. G. G. G.  
May 26 1891

POOR QUALITY ORIGINAL

1267

Police Court 3 District.

Affidavit—Larceny.

City and County } ss:  
of New York, }

of No. 293 East 114<sup>th</sup> St Street, aged 26 years,  
occupation Journal Clerk being duly sworn,  
deposes and says, that on the 13 day of May 1891 at the City of New York,  
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in  
the night time, the following property, viz:

48 pair of Pants together  
of the value of One hundred  
dollars (\$100.00)

the property of in deponents care and  
custody

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and  
carried away by Jacob Ruzinski (now  
arrested) two other not yet arrested  
from the fact that deponent gave  
said property to Bernard Rothberg  
of 9 Linden street to make  
them up, that each of said  
deponents was employed by  
said Rothberg and had access  
to said property, that said Rothberg  
has since disappeared and  
his whereabouts are unknown  
to this deponent. That deponent  
is informed by Samuel Solomon  
of 187 East Houston street

Sworn to before me, this  
13<sup>th</sup> day of  
May  
1891  
Police Justice.

POOR QUALITY  
ORIGINAL

1268

that defendant Ruvinski  
brought twelve pairs of  
sail pants to his shop and  
asked to be allowed to mend  
them up in his shop.

Defendant has since  
seen said pants and identifies  
them as a part of said property  
taken stolen and carried away  
at the time and manner herein  
described. Wherefore defendant  
prays that defendant be held  
to answer all be dealt with  
as the law directs.

Given to before me  
this 19<sup>th</sup> day of May 1891  
John Ryan  
Pallie Justice

Laura Golding

**POOR QUALITY ORIGINAL**

1269

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Samuel Solomon*

aged *23* years, occupation *Sailor* of No.

*1870 East Austin* Street, being duly sworn, deposes and

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

Sworn to before me, this *17* day of *March*, 1890, *S. Solomon*

*John Ryan*  
Police Justice.

**POOR QUALITY ORIGINAL**

1270

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } SS

*Jacob Rovinski* 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.

*Jacob Rovinski*

Question. How old are you?

Answer.

*27 years*

Question. Where were you born?

Answer.

*Russia*

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

Answer.

*No 86 Amsterdam Street Brooklyn*

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 am not guilty*

*his*  
*Jacob Rovinski*

Taken before me this

day of

*John J. [Signature]*

Police Justice.

POOR QUALITY ORIGINAL

1271

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

Police Court--- District.

646

THE PEOPLE, Ac.,  
 vs THE COMPLAINT OF

*James Goldstein*  
 233 W. 114 St.  
 1 *James Goldman*  
 2 *James Goldman*  
 3 *James Goldman*  
 4 *James Goldman*

Offence \_\_\_\_\_

Dated \_\_\_\_\_

*May 17 1891*  
 \_\_\_\_\_ Magistrate.

*May 17 1891*  
 \_\_\_\_\_ Officer.

*May 17 1891*  
 \_\_\_\_\_ Precinct.

Witness *David Solomon*

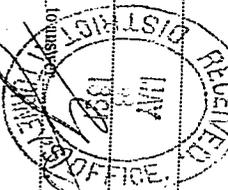
No. *181* *St. Michael's* Street.

No. *181* *St. Michael's* Street.

No. *181* *St. Michael's* Street.

No. *500* \_\_\_\_\_ Street.

No. *500* \_\_\_\_\_ Street.



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

*Repiniski* 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 *May 17 1891* \_\_\_\_\_ 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.

POOR QUALITY  
ORIGINAL

1272

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Jacob Rovinski, Israel  
Marbein and Jacob Marbein

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse Jacob Rovinski, Israel  
Marbein and Jacob Marbein  
of the CRIME OF GRAND LARCENY in the second degree committed as follows:

The said Jacob Rovinski, Israel  
Marbein and Jacob Marbein, all  
late of the City of New York, in the County of New York aforesaid, on the  
day of May in the year of our Lord one thousand eight hundred and  
ninety one at the City and County aforesaid, with force and arms,

five hundred and seventy-six pieces  
of cloth of the value of twenty  
cents each piece

of the goods, chattels and personal property of one Louis Goldberg

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

**POOR QUALITY  
ORIGINAL**

1273

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said *Jacob Rovinski, Israel Marbein and Jacob Marbein* of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Jacob Rovinski, Israel Marbein and Jacob Marbein*, all 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,

*five hundred and seventy-six pieces of cloth of the value of twenty cents each piece*

of the goods, chattels and personal property of one *Louis Goldberg*

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

*Louis Goldberg*  
unlawfully and unjustly, did feloniously receive and have; the said *Jacob Rovinski, Israel Marbein and Jacob Marbein* 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.

DE LANCEY NICOLL,

*District Attorney.*

1274

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Rugoff, Joseph

**DATE:**

05/05/91



4042



POOR QUALITY ORIGINAL

1276

Police Court 2 District. Affidavit-Larceny.

City and County } ss:  
of New York, }  
of No. 270 East 10<sup>th</sup> Street, aged 24 years,  
occupation Clk. being duly sworn,  
deposes and says, that on the 28 day of April 1891 at the City of New York,  
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in  
the day time, the following property, viz:

Fifty five pairs of Gloves -  
together of the Value of One hundred  
dollars -

the property of in the care and charge  
of deponent as Clerk

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and  
carried away by Joseph Ruzoff (Andrew)  
from the fact that on said date  
deponent gave the said property to  
the said Ruzoff to deliver to William  
A. Ries at Nos 376 + 378 Broadway -  
Deponent is informed by William  
A. Ries that the said Ruzoff  
did not deliver said property to  
him as directed by deponent -  
Deponent therefore charges that the  
said Ruzoff did unlawfully  
appropriate the said property to  
his own use and did unlawfully  
deprive deponent of the use and  
benefit of said property.

Josephine Moran

Sworn to before me, this 13 day  
of May 1891  
John A. ...  
Police Justice

**POOR QUALITY ORIGINAL**

1277

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William A. Rees*

aged *62* years, occupation *Driver* of No.

*376 Duane* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Josephine Moran*

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

Sworn to before me, this *1*  
day of *May* 18*89*

*Wm A. Rees*

*W. A. Rees*  
Police Justice.

Lined area for additional text or notes.

**POOR QUALITY ORIGINAL**

1278

Sec. 100-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Joseph Ruzoff* 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. *Joseph Ruzoff*

Question. How old are you?

Answer. *16 years -*

Question. Where were you born?

Answer. *Russia*

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

Answer. *143 Madison St. New York*

Question. What is your business or profession?

Answer. *Errand Boy -*

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 -*

*- Joseph Ruzoff*

Taken before me this 1 day of May 1897  
*H. H. ...*  
Police Justice.

POOR QUALITY ORIGINAL

1279

Police Court--2 District

THE PEOPLE, Ac.,  
ON THE COMPLAINT OF

*William W. ...*  
*1270th East 10th St*  
*Brooklyn, New York*

DAILED,  
No. 1, by *Sam. L. ...*  
Residence *1270th East 10th St*

No. 2, by  
Residence

No. 3, by  
Residence

No. 4, by  
Residence

Offence  
1  
2  
3  
4

Dated *May 1* 189*1*

*William W. ...*  
Officer

Witnesses *William W. ...*

No. *376* Street

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Seven* 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 *May 1* 189*1* *Admission* 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.

POOR QUALITY ORIGINAL

1280

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

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Joseph Rugoff*

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

of the CRIME OF *Grand* LARCENY, in the second degree committed

as follows: The said *Joseph Rugoff*

late of the City of New York, in the County of New York aforesaid, on the *twenty-eighth* day of *April* in the year of our Lord one thousand eight hundred and *ninety-one*, at the City and County aforesaid, being then and there the clerk and servant of *one William A. Rees*

and as such clerk and servant then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said *William A. Rees*

the true owner thereof, to wit:

*fifty four pairs of gloves of the value of two dollars each pair*

the said *Joseph Rugoff* afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said *goods, chattels and personal property*

to his own use, with intent to deprive and defraud the said *William A. Rees*

of the same, and of the use and benefit thereof; and the same *moneys, goods, chattels and personal property* of the said *William A. Rees*

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

DE LANCEY NICOLL,  
JOHN R. FELLOWS,  
District Attorney.

POOR QUALITY ORIGINAL

1201

Witnesses:

Josephine Moran  
170 E 10th

Maggie Phillips

Wm A. Pees.

Wm J. Doyle

15 Precinct

Counsel,

Filed

1891

Pleas

THE PEOPLE

vs.

B

Joseph Rugoff  
(niece)

Knows Larceny, Ind Degree  
(MISAPPROPRIATION,  
Sections 528, 531 - of the Penal Code)

D. LINDLY NICOLL,  
~~JOHN R. FELLOWS,~~

District Attorney.

A True Bill.

W. L. Skidmore

Sept 2 - May 26, 1891. Foreman.  
Tried and Acquitted.

POOR QUALITY ORIGINAL

1282

Police Court 2<sup>d</sup> District. Affidavit—Larceny.

City and County } ss:  
of New York,

Maggie Gilline

of No. 441 6<sup>th</sup> Avenue Street, aged 32 years,  
occupation Washer Dresser being duly sworn,

deposes and says, that on the 27 day of April 189/ at the City of New York,  
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in  
the day time, the following property, viz:

A quantity of feathers of  
the value of twenty dollars -

the property of in the care and charge of  
deponent.

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and  
carried away by Joseph Ruffolo (now dead)

from the place that deponent on said  
date deponent saw the said property  
to the said Ruffolo to deliver to William  
A. Rees at nos 376 + 378. Deponent  
deponent is informed by William  
A. Rees that the said Ruffolo will  
not deliver the said property to him  
as directed by deponent.

Deponent therefore charges that  
the said Ruffolo did unlawfully  
appropriate the said property to his  
own use and benefit and did unlawfully  
deprive deponent of the use and benefit  
of said property.

Maggie Gilline

Sworn to before me, this  
of May 189/  
M. J. ...  
Police Justice.

POOR QUALITY ORIGINAL

1283

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William A Rees -*

aged *62* years, occupation *Owner -* of No.

*376 Drury -* Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of *Maggie Sullivan*

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

Sworn to before me, this *10th* day of *May* 18*87*

*Wm J. Rees*

*W. J. Rees*  
Police Justice.

**POOR QUALITY ORIGINAL**

1284

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

*Joseph Ruzoff*

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. *Joseph Ruzoff*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *143 Madison Street 3 months*

Question. What is your business or profession?

Answer. *Errand Boy -*

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*

*J. D. Joseph Ruzoff*

Taken before me this 1 day of May, 1887  
*Amsharov*  
Police Justice.

POOR QUALITY ORIGINAL

1205

BAILED

No. 1, by Bert Smith  
Residence 1st E. St. Va  
Street

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

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

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

Police Court... 2 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William C. Sullivan  
James C. Davis  
Joseph C. Davis  
Lorenny

Offence \_\_\_\_\_  
1  
2  
3  
4

Dated May 1st 1891

James Doyle Officer  
William C. Sullivan Magistrate

Witnesses  
No. 276 James C. Davis  
Street

No. 3 James C. Davis  
Street

No. \_\_\_\_\_ James C. Davis  
Street

No. \_\_\_\_\_ James C. Davis  
Street

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

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 May 1st 1891 Algerman 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.

POOR QUALITY  
ORIGINAL

1286

5988 - 1<sup>00</sup>  
5989 - 1<sup>00</sup>  
5992 - 2<sup>00</sup>  
5993 - 4<sup>00</sup>  
5994 - 1<sup>00</sup>  
5995 - 1<sup>00</sup>  
5996 - 1<sup>00</sup>  
5997 - 1<sup>00</sup>  
5999 - 2<sup>00</sup>  
6000 - 1<sup>00</sup>  
6003 - 3<sup>00</sup>  
6005 - 1<sup>00</sup>  
6006 - 10<sup>00</sup>  
6007 - 6<sup>00</sup>  
6009 - 1<sup>00</sup>

---

36 am

POOR QUALITY ORIGINAL

1287

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph Rugoff

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

of the CRIME OF Petit LARCENY, committed as follows:

The said Joseph Rugoff,

late of the City of New York, in the County of New York aforesaid, on the twenty-seventh day of April in the year of our Lord one thousand eight hundred and ninety-one at the City and County aforesaid, being then and there the clerk and servant of one William A. Rees

and as such clerk and servant then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said William A. Rees

the true owner thereof, to wit:

a quantity of feathers, (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of twenty dollars,

the said Joseph Rugoff afterwards, to wit:

on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said goods, chattels and personal property

to his own use, with intent to deprive and defraud the said William A. Rees

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said William A. Rees

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

DE LANCEY NICOLL,

JOHN R. FELLOWS,

District Attorney.

1200

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Russell, James

**DATE:**

05/07/91



4042

1209

1747108888:

off James Cooper

by Precinct

As in this case being more  
confidential than others in the  
same precincts that  
it will be deposed

Dec 18 93  
W. G. Shidmon  
282

Counsel,  
Filed  
Pleads,

7  
Day of  
1893

VIOLATION OF EXCISE LAW  
(Keeping Open on Sunday)  
[Ill. Rev. Stat. (7th Edition), Page 1869, Sec. 5.]

THE PEOPLE

B

James Russell

F

JOHN R. FELLOWS,

District Attorney

Book 3 Dec 18 93 10 10 10

A True Bill

W. G. Shidmon

Dec 18 93  
Depts. in City State

W. G. Shidmon  
deft. discharged in his own  
recognition 3. 10 10 10

POOR QUALITY ORIGINAL

1290

Excise Violation-Keeping Open on Sunday

POLICE COURT- 2 DISTRICT.

City and County } ss.  
of New York,

of No. Central Office James G. Cooper Jr Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 4 day

of James Russell 1889, in the City of New York, in the County of New York,

being then and there in lawful charge of the premises No. 582 Seventh Avenue (now here)

Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said James Russell may be ~~arrested~~ and dealt with according to law.

Sworn to before me, this 22 day of July 1889.

James G. Cooper Jr Police Justice.

**POOR QUALITY ORIGINAL**

1291

Sec. 192.

2 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before John J. Gorman a Police Justice of the City of New York, charging James Russell Defendant with the offence of violation of Excise Law

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 hearing thereof having been adjourned,

We, James Russell Defendant of No. 393  
West 39th Street; by occupation a Bar tender  
and Frank Mertke of No. 406 10th Avenue  
Street, by occupation a Liquor dealer

Surety, hereby jointly and severally undertake that the above named James Russell Defendant shall personally appear before the said Justice, at the 2 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 One Hundred Dollars.

Taken and acknowledged before me, this 22 James Russell  
day of July 1889. } Frank Mertke  
John J. Gorman POLICE JUSTICE.

POOR QUALITY ORIGINAL

1292

CITY AND COUNTY OF NEW YORK, ss.

Sworn to before me, this 22 day of July 1889  
John G. Cooper  
Justice

Frank Merkle

the within named Bail and Surety being duly sworn, says, that he is a resident and lease holder within the said County and State, and is worth over 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 a liquor store and contents at No 406 Tenth Avenue in the city of New York of the value of Ten thousand dollars

Frank Merkle

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John G. Cooper

vs.

James Russell

Undertaking to appear during the Examination.

Taken the 22 day of July 1889

Justice.

POOR QUALITY ORIGINAL

1293

State of New York } ss;  
City and County of New York }

George Ripley being duly sworn deposes and says, that he resides at 583 Seventh Avenue in the City of New York, that he knows the James Russell named as defendant in the Case of the People vs. James Russell charged with violating the Excise Law - to be the James Russell who about three years ago was arrested in Jersey City charged with the crime of Forgery and <sup>who</sup> was convicted and sentenced to more than five years imprisonment at the State Prison in Trenton, New Jersey

He further says that he knows of his own knowledge that the said James Russell is still confined in said prison and cannot therefore be produced in this Court.

Sworn to before me this 7th December 1893

Geo Ripley  
Notary Public  
City and County of New York

**POOR QUALITY ORIGINAL**

1294

COURT OF GENERAL SESSIONS, Part 3

THE PEOPLE

INDICTMENT

vs

For

*James Russell*  
To

M. *Patrick M. Cue*  
No. *499* *7th* Ave Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *Trial* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House in the Park of the said City on \_\_\_\_\_ the \_\_\_\_\_ day of *Dec* instant, at eleven o'clock in the forenoon.

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

DE LANCEY NICOLL,  
District Attorney.

POOR QUALITY ORIGINAL

1295

Sec. 193-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *James Russell*

Question. How old are you?

Answer. *34 years*

Question. Where were you born?

Answer. *St. Canada*

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

Answer. *393 West 39th St - 4 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.*

*James Russell*

Taken before me this

day of

1888

*John J. ...*  
District Police Justice.

POOR QUALITY ORIGINAL

1295

Plm bail for  
July 24/89  
2 PM  
Arrest for 97.

BAILED  
No. 1, by Patrick He Oue  
Residence 499-7 Ave Street  
No. 2, by  
Residence  
No. 3, by  
Residence  
No. 4, by  
Residence

1085  
Police Court  
District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James E. Coles

James Russell

Offence Evil

Dated July 22 1889

Magistrate Carman

Officer Cole

Precinct 219

Witnesses

No. Street

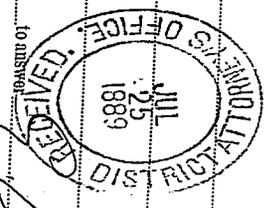
No. Street

No. Street

No. Street

No. Street

No. Street



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

Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of one 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 24 1889 James Russell Police Justice.

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

Dated July 24 1889 James Russell Police Justice.

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

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.

**POOR QUALITY  
ORIGINAL**

1297

**Court of General Sessions of the Peace,**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*James Russell*

The Grand Jury of the City and County of New York, by this indictment, accuse *James Russell* of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

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

**JOHN R. FELLOWS,**

*District Attorney.*

1298

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Ryan, Agnes

**DATE:**

05/08/91



4042

1299

POOR QUALITY ORIGINAL

10 *[Signature]*

Counsel,  
Filed *[Signature]* 1891  
Heads, *[Signature]*

NO THE PEOPLE  
*[Signature]* 1891  
Grand Larceny, (Sec. 2 Degree)  
(From the Person)  
[Sections 528, 531, 532 Pennl Code].

DELANEY NICOLL,  
JOHN R. FELLOWS,

District Attorney.

A True Bill.

*W. L. Shidmore*  
*Sept 2 - Gray 14, 1891 Foreman*  
*Plays Vertif Larceny*  
*Pen 1 yr. - got me \$5.00*  
*R.S.M.*

*Professional - Second Grade*  
*Have not to be reminded*  
*R.S.M.*

Witnesses:

*[Signature]*  
*Lizze Kadar*

1300

POOR QUALITY ORIGINAL

Police Court 14 District. Affidavit—Larceny.

City and County of New York, ss: Lottie Kadau

of 133 East Greenway Long Island City Street, aged 31 years, occupation Keep House being duly sworn,

deposes and says, that on the 6<sup>th</sup> day of May 1891 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One leather pocket book containing good and lawful money of the United States of the amount of Seven Dollars and two cents

the property of deponent

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

Agnes Ryan (name here from affidavit) who is now residing in the stairs of the Elevated Rail Road Station at the foot of East 34<sup>th</sup> Street. That the said pocketbook containing the said sum of money was in the pocket of deponent's dress. That while deponent was on the said stairs she missed the property from the pocket. That the defendant Ryan immediately turned down the stairs and deponent followed her. That the said unknown woman tried to stop deponent from reaching the defendant Agnes. That when deponent reached the defendant Agnes deponent saw the said pocketbook in her, Agnes'

Sworn to before me, this 2<sup>nd</sup> day of May 1891

POOR QUALITY  
ORIGINAL

1301

hand and that the defendant Agostino  
to put the said pocketbook under her  
skirt, and defendant took it away and  
caused the defendant's arrest.

That the said unknown woman got away  
therefore defendant charges the defendant  
Cecilia Ryan, 1921 Ave, and the said unknown  
woman, not yet arrested, with feloniously  
taking, stealing and carrying away the  
said property from defendant's person  
and prays that they be held and dealt  
with as the law directs.

Sworn before me this 5  
5th Day of May 1891 by Le Othi Hoarlam?

*John Ryan*

Police Justice

POOR QUALITY ORIGINAL

1302

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Agnes Ryan* 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. *Agnes Ryan*

Question. How old are you?

Answer. *47 years old*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *1040 1/2 East 14 St, 2 weeks*

Question. What is your business or profession?

Answer. *Washer & Ironer*

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*  
*Agnes Ryan*  
*mark*

Taken before me this

day of

*John P. Ryan*

Police Justice.

POOR QUALITY ORIGINAL

1303

BAILED,

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

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

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

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

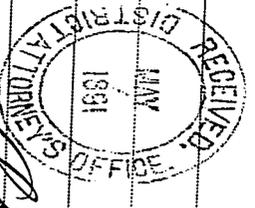
Police Court District

THE PEOPLE & Co.,  
ON THE COMPLAINT OF

*James H. ...*  
*138 East 10th St. N.Y.C.*  
*James H. ...*

Dated *May 6 1891*

*John P. Ryan*  
Magistrate  
Office



Witnesses \_\_\_\_\_  
Street \_\_\_\_\_

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

No. *500*  
to answer \_\_\_\_\_  
Street \_\_\_\_\_

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

guilty thereof, I order that *She* be held to answer the same and *she* 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 *she* give such bail.

Dated *May 6 1891* \_\_\_\_\_ 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 *he* to be discharged.

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

POOR QUALITY ORIGINAL

1304

### Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Agnes Ryan*

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

*Agnes Ryan*

of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said *Agnes Ryan*

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

\$7.02

*one* promissory note for the payment of money of the kind commonly called United States Treasury Notes, of the denomination and value of *five* dollar; *one* promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *five* dollar; *one* United States Gold Certificate, of the denomination and value of *five* dollar; *one* United States Silver Certificate, of the denomination and value of *five* dollar;

*two* promissory notes for the payment of money of the kind commonly called United States Treasury Notes, of the denomination and value of *two* dollar each; *two* promissory notes for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *two* dollar each; *two* United States Gold Certificates, of the denomination and value of *two* dollar each; *two* United States Silver Certificates, of the denomination and value of *two* dollars each;

*five* promissory notes for the payment of money of the kind commonly called United States Treasury Notes, of the denomination and value of *one* dollar each; *five* promissory notes for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *one* dollar each; *five* United States Gold Certificates, of the denomination and value of *one* dollar each; *five* United States Silver Certificates, of the denomination and value of *one* dollar each;

*dozens* coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of seven dollars and two cents and one pocketbook of the value of twenty-five cents of the goods, chattels and personal property of one *Lottie Haslam* on the person of the said *Lottie Haslam* then and there being found, from the person of the said *Lottie Haslam* 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.

**POOR QUALITY  
ORIGINAL**

1305

SECOND COUNT—

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

*Agnes Ryan*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

*Agnes Ryan*

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,

*the same goods, chattels and  
personal property described in  
the first count of this indictment*

of the goods, chattels and personal property of one

*Lottie Haslam*

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

*Lottie Haslam*

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

*Agnes Ryan*

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.

~~DE LANCEY NICOLL.~~  
~~JOHN R. FELLOWS,~~  
District Attorney.

1306

**BOX:**

438

**FOLDER:**

4042

**DESCRIPTION:**

Ryan, Rody

**DATE:**

05/18/91



4042

POOR QUALITY ORIGINAL

1307

150  
J. W. C. 110 P. 615

Counsel,  
Filed  
Pleads  
1899

THE PEOPLE  
30, 100  
217  
Grand Larceny, Second Degree.  
(From the Person)  
[Sections 528, 527 Penal Code]

John Ryan

JOHN R. FELLOWS,  
District Attorney.

Witnesses;  
John Ryan  
Officer Geo. Edwards  
W. Buck Jr.

A True Bill.

W. S. Skidmore  
Part III May 12th  
Jury & Committed Foreman

May 22  
2 yrs & 5 mos G.S.D.  
New York

1308

POOR QUALITY ORIGINAL

Police Court 4 District. Affidavit—Larceny.

City and County } ss:  
of New York, }

of No. 169 East 99<sup>th</sup> St. Street, aged 38 years,  
occupation Car Conductor being duly sworn,

deposes and says, that on the 8 day of May 1891 at the City of New York,  
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in  
the day time, the following property, viz:

One open face silver watch  
of the value of eleven dollars

the property of Deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and  
carried away by Rody Ryan, (erroneous here), from

the fact that deponent was sitting on a  
bench in Central Park, and the defendant  
was sitting alongside of him (deponent).  
The said watch was in the lower left  
hand pocket of deponent's coat. That  
the defendant put his hand into the  
said pocket and took the said watch out  
and got away. Deponent caused the  
defendant's arrest and prays that he  
be held and dealt with with the law directs

J. M. Ryan

Sworn to before me this

of May 1891 day

J. M. Ryan  
Police Justice.

1309

POOR QUALITY ORIGINAL

Sec. 198-200.

H District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK }

*Rody Ryan* 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. *Rody Ryan*

Question. How old are you?

Answer. *30 years old*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *Home as present*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty*

*Rody Ryan*

Taken before me this  
day of *Sept* 1897  
*John Ryan*

Police Justice.

POOR QUALITY ORIGINAL

1310

BAILED,

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

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

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

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

Police Court District.

THE PEOPLE, &c.,  
ON THEIR OATHS

1. \_\_\_\_\_  
 2. \_\_\_\_\_  
 3. \_\_\_\_\_  
 4. \_\_\_\_\_  
 5. \_\_\_\_\_  
 6. \_\_\_\_\_  
 7. \_\_\_\_\_  
 8. \_\_\_\_\_  
 9. \_\_\_\_\_  
 10. \_\_\_\_\_

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

Magistrate \_\_\_\_\_  
Officer \_\_\_\_\_

Witnesses \_\_\_\_\_  
Precinct \_\_\_\_\_

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



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

\_\_\_\_\_ 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 \_\_\_\_\_ 188 \_\_\_\_\_ 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 he to be discharged.

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

**POOR QUALITY ORIGINAL**

1311

COURT OF GENERAL SESSIONS, PART III.

-----x  
 :  
 The People of the State of New York;  
 :  
 against : Before  
 : Hon. James Fitzgerald  
 R o d y R y a n. : and a Jury.  
 :  
 :  
 -----x

Indictment filed May 1891.

Indicted for grand larceny in the second degree.

New York, May 22, 1891.

A P P E A R A N C E S:

For the People,

Asst. District-Atty. Gunning S. Bedford;

For the Defendant,

J. W. McLoughlin, Esq.

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

I was in Central Park on the 8th. day of May. Between the hours of 11 and 12 o'clock I was sitting on a bench in company with the defendant. When I sat down upon that bench I had my watch in my vest pocket. The defendant sat on the bench with me. I had been acquainted with him for some time before that. The defendant took my watch and walked away with it. I didn't see the watch again until I saw it on the following Saturday in Mr. Beck's store, hanging up. When I saw it in his store I identified the watch as my property. I had some money in my trousers' pocket, but that was not taken from me. I had about three dollars.

CROSS-EXAMINATION:

- Q You are no relation to the defendant ? A No, sir.
- Q What day was it this occurred ? A On Friday, the 8th. of May.
- Q What were you doing ? A Sitting on a bench.
- Q How long had you been sitting there ? A About a quarter of an hour.
- Q What time was it ? A Between 11 and 12 o'clock.
- Q Where did you meet the defendant ? A I met him at my own house in East 99th. Street. I have known him for the last three or four years. He is a friend and a neighbor of mine.
- Q What time did you start away from 99th. Street ? A I started from there at about ten o'clock.
- Q Were you perfectly sober ? A Yes, sir; I was all right.
- Q Were you working at that time ? A Yes, sir; I was waiting until it was time for me to go to work.
- Q You are employed as a car-conductor ? A Yes, sir.
- Q You say the defendant took no money from you ? A No, sir.
- Q You didn't see him take your watch ? A Yes, sir; I knew he took it because I saw him. I let him get out of my reach because I had full confidence in the man. When he didn't return I went after him and when I caught him I asked him for my watch and he denied that he took it. I accused him of taking it in the presence of the Police Of-

ficer in the Park. I searched him and found no watch upon him.

Q When he took your watch you made no effort to arrest him because you had perfect confidence in him? A Yes, sir.

GEORGE EDWARDS, a witness for the People, sworn, testified:

I am an Officer employed in the Central Park. I was on duty there on the 8th. of May. I saw the two defendants sitting on a bench. After they had been there a short time the defendant Rody Ryan stood up and walked away. Ten or fifteen minutes after that the complainant told me that he had lost his watch. He went off and returned in a few moments with the prisoner. The prisoner said he didn't take it and I locked him up. Before he went out the complainant asked me if I saw his friend go out the gate. I told him I had. He then asked me to point in which direction he had gone and I told him down Sixth Avenue.

CROSS-EXAMINATION:

Q You had these men in your view all the time they were sitting on the benches? A Not all the time; I didn't watch them particularly.

Q You saw the defendant go out of one of the entrances on to Sixth Avenue? A Yes, sir.

Q You are sure he went on Sixth Avenue? A Yes, sir; I am positive. I saw him at 58th. Street and Sixth Avenue.

WILLIAM F. BECK, JR., a witness for the People, sworn, testified:

I am a locksmith doing business at No. 1015 Sixth Avenue between 57th. and 58th. Streets. I remember the defendant coming into my store. He said: "Will you buy a watch?" and handed me the watch which I now produce. He wanted me to give him \$5 for it. I looked in the drawer and found that there was only \$4 in the drawer. I told him I would give him \$4 for it. He took it. I thought he was a poor man who wanted the money. He told me he was hard up and that the watch cost him \$20. I am certain that the prisoner at the bar is the man.

OFFICER EDWARDS re-called:

I searched the defendant when he was brought before the Sergeant. I found \$3.30 in his pocket.

The complainant RYAN re-called:

I have known the defendant for quite a considerable length of time. He has borne an excellent character. He has been a hard working man. I do not know of his ever having been in trouble before. I am not aware that he was ever confined in any Lunatic Asylum.

**DEFENSE:**

RODY RYAN, the defendant, sworn, testified:

Q Do you know what you just did when you held the Book ?

A Yes, sir.

Q What did you do ? A I was sworn, I suppose.

Q Did you hear what the Clerk said ? A Yes, sir.

Q What did he say ? A I forget now.

(The Clerk repeated the oath).

Q Do you understand what the Clerk has said to you ? A Yes, sir.

Q He administered the oath to you: Do you understand that you are to tell the truth ? A Yes, sir.

Q You swear you will tell the truth ? A Yes, sir.

Q Do you remember of being in Central Park in company with John Ryan ? A I remember of being in Central Park.

Q Did you take that watch from John Ryan ? A He told me to take his watch to keep for him. I took the watch and I put it back in his pocket again.

Q Did you take the watch down on Sixth Avenue to a jeweler named Beck and sell it to him for \$4 ? A No, sir.

Q You are quite positive of that ? A Yes, sir.

CROSS-EXAMINATION:

Q Did you explain your case to your counsel ? A No, sir.

Q And that is as true as everything else you have told ?

A Yes, sir.

Q Do you remember yesterday when you were arraigned the conversation which I had with you and what I offered you?

A No, sir.

Q You answered me promptly yesterday, didn't you ? A I don't remember it, sir.

Q Do you remember of going to Mr. Beck with this watch and telling him that you had paid \$20 for it ? A No, sir.

Q Do you remember that you wanted \$5 on it ? A No, sir.

**POOR QUALITY  
ORIGINAL**

13 15

6

Q And that he gave you \$4 ? A No, sir.

MR. BECK, re-called:

When the defendant called at my store he acted like a man who was very poor, but he was very clear in his conversation. He acted quite properly. He came to my store at about three o'clock in the afternoon, as near as I can remember.

The jury returned a verdict of "guilty of grand larceny in the second degree".

**POOR QUALITY ORIGINAL**

1317

Indictment filed May 1891.

COURT OF GEN'L SESSIONS, PART III.

The People of the State of New York,

against

Rody Ryan.

Abstract of Testimony on Trial  
May 22, 1891.

**POOR QUALITY ORIGINAL**

13 18

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

*Rody Ryan*

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

*Rody Ryan*  
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said *Rody Ryan*

late of the City of New York, in the County of New York aforesaid, on the *eight* day of *May* in the year of our Lord one thousand eight hundred and ~~eighty-ninety-one~~, in the *day* time of the said day, at the City and County aforesaid, with force and arms;

*one watch of the value of eleven dollars*

of the goods, chattels and personal property of one *John Ryan* on the person of the said *John Ryan* then and there being found, from the person of the said *John Ryan* then and there feloniously, did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

*De Lancy Nicoll,  
District Attorney*

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**END OF  
BOX**