

0733

**BOX:**

291

**FOLDER:**

2777

**DESCRIPTION:**

Farrell, James

**DATE:**

01/23/88



2777

POOR QUALITY  
ORIGINAL

0734

Witnesses:

R. H. Hickman

Counsel,

Filed 23 day of Jan 1888

Pleads

Guilty - (24)

THE PEOPLE

Grand Larceny in the second degree.  
(MONEY)  
(Sec. 528 and 531, Penal Code.)

James Farrell

JOHN R. FELLOWS.

RANDOLPH B. MARTINE,

District Attorney.

this case for larceny

A True Bill.

anted 2

Edmund J. [unclear]  
[unclear] [unclear] [unclear]  
[unclear] [unclear] [unclear]

Foreman.

Part II February 8/88

Guilty & Convicted

New trial granted  
on motions of Counsel for  
def. - Feb 17/88

0735

Before  
Hon. Randolph B  
Martine.

New York, February 10th 1888.

Mr. Ambrose H. Purdy, Counsel for the defendant, moves for a new trial and an arrest on judgment on the following grounds:-

FIRST:- That a prima facie case was not made out on the evidence.

SECOND:- That the District Attorney in his closing remarks to the jury used this language:- They have not called any witnesses, nor the defendant as I expected they might.

The COURT:-I will deny your motion on the first ground, and I will hear the District Attorney as to the second.

Mr. PARKER:- In the Ruloff case it was the judges comment upon the testimony which produced the reversal . The judge in his charge, the man who sat upon the bench and upon whose decision rested the fate of that prisoner, undertook not to allude merely, but undertook to comment on and criticise the fact that the prisoner had not taken the stand . He argued on it, and said "You can draw any inference you please from that fact".

I would call your attention to the cases of the People against Pike, in the 21st N. Y. and the People against Martin in the 33rd New York .



Didn't it appear that this defendant could have explained the facts of this case . He had employed an artifice to lure that man from his store, and during that short period of time that property was stolen. Testimony was introduced as to the fact of these men visiting by a strange coincidence and asking for the change of five dollar gold pieces. He could have explained why he told that lie, why he resorted to this subterfuge and why he palmed himself off as an inspector .

There was a reversal in one case where Col. Fellows said "The defendant did not take the stand I defy him to take the stand ". That was the strongest kind of a criticism upon the action of a defendant . Now sir, what did I do. The defendant in this case did not come upon the stand that was plain and patent to the jury-- and I said to the jury "The defendant relies upon the legal defects of the Peoples case, they have called no witnesses nor the defendant as I expected they might ". There it stopped. No comment . No criticism and I went on to the rest of the case . Does anybody mean to say that the legislature meant to brand as fatal error the fact of a bald, unqualified harmless statement which was patent and forced upon the attention of the jurors . Was not their attention attracted to the fact that no witnesses had been called by Mr. Purdy's statement that he was closing his case . Examine every case and you will find that it was only upon criticisms and arguments that the Court held there was error . The same with the Ormsby case, the very case upon which Mr. Purdy relies

Decision reserved .



POOR QUALITY  
ORIGINAL

0737

COURT OF GENERAL SESSIONS

-----  
The People of the State of  
New York.

against

James Farrell

-----  
Motion for New Trial Feb-

ruary 10th 1888.

-----  
*Cromby vs The People*  
*53 N.Y. 475*  
*Ruloff vs The People*  
*43 N.Y. 232.*

POOR QUALITY  
ORIGINAL

0738

Police Court—1<sup>st</sup> District.

Affidavit—Larceny.

City and County } ss.  
of New York,

Robert A. Niven

of No. 65 Columbia Street, aged 34 years,  
occupation Salvagee being duly sworn

deposes and says, that on the 19<sup>th</sup> day of December 1888 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:

Good & lawful money of the  
United States consisting of  
Paid notes and bills three  
nickel coins of diverse denominations  
and values and being together  
of the value of

Three hundred 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 James Farrell (now Lee)

for the reason that on said day  
said deponent came to the  
aforesaid premises and saw deponent  
and told deponent that he was an  
inspector of the Public Works department  
and that he came there for the purpose  
of inspecting the craton water and  
asked deponent to come out on  
the sidewalk to look where the  
pipe was bursted, that deponent  
went out on the sidewalk with  
said deponent who engaged him  
in conversation for about 30 or  
40 minutes and when deponent returned  
to said premises he found said money  
gone. He therefore charged said deponent  
with suspicion as being the person who was  
acting in concert with others who took the money and

Sworn to before me, this  
of \_\_\_\_\_ day  
1888

Police Justice.

POOR QUALITY  
ORIGINAL

0739

conceded away said property

from to be presented  
the 16th day of January 1888

Robert H. Haskins

W. J. Orwig

Deputy Justice



POOR QUALITY  
ORIGINAL

0740

Sec. 198—200.

18 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

James Farrell

Question. How old are you?

Answer.

32 years

Question. Where were you born?

Answer.

New York City

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

Answer.

Jersey City

Question. What is your business or profession?

Answer.

Blacksmith

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

Answer.

I am not guilty  
James Farrell

Taken before me this

16

day of

January 1888

Police Justice.

POOR QUALITY ORIGINAL

074

\$1000.  
for ex. 18 Jan.  
12 PM.  
19 Jan.

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

125  
Police Court 1st District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Robert J. Decker

James Farrell

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence Larceny  
Felony

Dated 16 January 1888

Magistrate

James Murray Officer

Witnesses  
Charles Randall  
Michael Mallory

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

David Nelson  
of the Department of Justice

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

No. 1000  
Attorney

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 Two 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 16 Jan'y 1888 Police Justice.

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

Dated \_\_\_\_\_ 1888 Police Justice.

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

Dated \_\_\_\_\_ 1888 Police Justice.

POOR QUALITY  
ORIGINAL

0742

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 Farrell*

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

*James Farrell*

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

The said

*James Farrell.*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *nineteenth* day of *December*, in the year of our Lord one thousand eight hundred and eighty-~~seven~~, at the Ward, City and County aforesaid, with force and arms, in the *— day —* time of the same day, *five* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of twenty dollars, and of the value of twenty dollars *each*; *ten* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of ten dollars, and of the value of ten dollars *each*; *ten* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of five dollars, and of the value of five dollars *each*; *twenty* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars *each*; *thirty* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar *each*; *five* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars *each*; *ten* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars *each*; *ten* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars *each*; *five* United States Silver Certificates of the

(300.-)



POOR QUALITY  
ORIGINAL

0743

denomination and value of twenty dollars *each* ; *Ten* United States Silver  
Certificates of the denomination and value of ten dollars *each* ; *Ten* United  
States Silver Certificate of the denomination and value of five dollars *each* ; *Twenty*  
United States Silver Certificate of the denomination and value of two dollars *each* ;  
*Thirty* United States Silver Certificate of the denomination and value of one dollar  
*each* ; *Five* United States Gold Certificate of the denomination and value of  
twenty dollars *each* ; *Ten* United States Gold Certificate of the denomination  
and value of ten dollars *each* ; *Ten* United States Gold Certificate of the  
denomination and value of five dollars *each* ; and divers coins, of a number, kind  
and denomination to the Grand Jury aforesaid unknown, of the value of *Thirty*  
*dollars,*

of the proper moneys, goods, chattels, and personal property of one *Robert*

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

JOHN R. FELLOWS.

~~RANDOLPH B. MARTINE,~~

*District Attorney.*

0744

**BOX:**

291

**FOLDER:**

2777

**DESCRIPTION:**

Fay, Thomas

**DATE:**

01/18/87



2777

POOR QUALITY  
ORIGINAL

0745

WITNESSES:

*Officer Outman*

Counsel,

Filed *18* day of *January*

1888

Pleads *Not Guilty*

THE PEOPLE,

vs.

*B*

*Thomas Fay*

*Defendant*  
*Officer Patrick*  
*Officer [illegible]*  
*Officer [illegible]*

Violation of Excise Law.  
(Selling on Sunday.)  
[III Rev. Stat. (7th Edition), page 1983, Sec. 21, and  
page 1989, Sec. 5.]

JOHN R. FELLOWS,

RANDOLPH B. MARINE,

District Attorney.

A True Bill.

*J. J. [illegible]*

Foreman.

*Officer [illegible], VMD*

Part II December 10, 1888,

complaint sent to Special Sessions



POOR QUALITY  
ORIGINAL

0746

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*Plaintiffs*

*against*

*Thomas Gray*

*Defendant.*

The Grand Jury of the City and County of New York, by this indictment, accuse the above named defendant of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows :

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *first* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight* at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit : One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

*Nathan W. Putnam*

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

SECOND COUNT :

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

*John R. Fellows,*  
~~RANDOLPH B. MARTINE,~~

District Attorney.

0747

**BOX:**

291

**FOLDER:**

2777

**DESCRIPTION:**

Finch, Charles

**DATE:**

01/23/88



2777

POOR QUALITY  
ORIGINAL

0740

Witnesses:

Counsel, *JD* day of *January* 188*8*  
Filed,  
Pleads,

THE PEOPLE

vs.

*Charles Finch*

JOHN R. FELLOWS,

RANDOLPH B. MARTINE,

District Attorney.

Grand Larceny *second* degree  
[Sections 528, 53 Penal Code].

A True Bill.

*James W. Foreman*  
Foreman.  
*James W. Foreman*  
State Reformatory, Columbia.



POOR QUALITY  
ORIGINAL

0749

Police Court—H. District.

Affidavit—Larceny.

City and County }  
of New York. } ss.

of No. 614 3<sup>d</sup> Avenue Street, aged 22 years,

occupation carpet-maker being duly sworn

deposes and says, that on the 12<sup>th</sup> day of January 1888 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. Austrian Sack-melick

Skirt two gold rings together of the

Value of thirty dollars. and other

Personal property of the Value of Twenty-

Eight dollars. all being of the Value of Eighty-

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 Charles Finch (written)

from the fact that on or about the

25<sup>th</sup> day of December 1887 deponent

left some property in a trunk

in a closet in said premises that

on or about the 15<sup>th</sup> day of January 1888

deponent discovered that said

property had been taken and

carried away. That the said

Finch admitted and confessed

in deponent's presence and by the

presence of witnesses that he did

on or about the 12<sup>th</sup> day of January

1888 take and carry away said

property

Edu Lyngs

Sworn to before me, this

day

1888

of James H. [unclear]  
Police Justice.

POOR QUALITY  
ORIGINAL

0750

Sec. 198—200.

*Off* District Police Court.

CITY AND COUNTY )  
OF NEW YORK, ) ss.

*Charles Finch*

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

Question. What is your name?

Answer.

*Charles Finch*

Question. How old are you?

Answer.

*27 Years*

Question. Where were you born?

Answer.

*New York State*

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

Answer.

*614 E 10th Ave - 16 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 may think will tend to your  
exculpation?

Answer.

*I am Guilty of the charge*

*Charles Finch*

Taken before me this 1-7-18

by me  
1888

Police Justice.

POOR QUALITY  
ORIGINAL

0751

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

Edw. Smith

Charles Smith

2  
3  
4

Offence

Dated January 17 1888

Magistrate

Officer

Precinct

Witnesses

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

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

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

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

JAN 19 1888  
RECEIVED  
CLERK'S OFFICE

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

Charles Smith

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 January 17 1888 Police Justice.

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

Dated \_\_\_\_\_ 1888 Police Justice.

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

Dated \_\_\_\_\_ 1888 Police Justice.



POOR QUALITY  
ORIGINAL

0752

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Charles Zinda*

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

*— Charles Zinda —*

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

The said *Charles Zinda*,

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

*one package of the value of  
Twenty dollars, one shirt of the  
value of Ten dollars, two finger rings  
of the value of five dollars each, and  
divers other goods, chattels and personal  
property, of a more particular  
description whereof is to the  
Grand Jury aforesaid unknown,  
of the value of Twenty eight dollars.*

of the goods, chattels and personal property of one *Esa Sydnor*.

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

*John R. Hallam,*  
*District Attorney*



0753

**BOX:**

291

**FOLDER:**

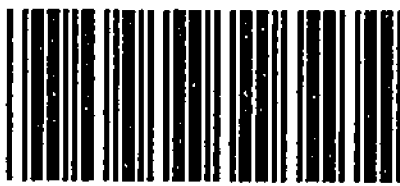
2777

**DESCRIPTION:**

Brown, August

**DATE:**

01/04/88



2777

0754

**BOX:**

291

**FOLDER:**

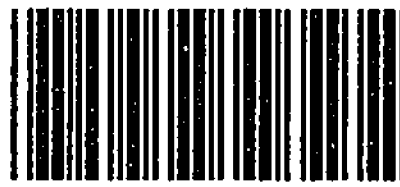
2777

**DESCRIPTION:**

Fischer, Charles

**DATE:**

01/04/88



2777

0755

Open Columns

15. 24 Oct 1964, 15.5  
Decaying, rotten, downy



The People  
vs Charles Fisher  
and August Brown  
Indictment for burglary in the 3<sup>d</sup> degree.

Court of General Sessions Part I  
Before Judge Gildersleeve.  
Wednesday, January 11, 1888.

Max Satzer, sworn and examined,  
testified. I have a tailor shop at 223 Bowery in  
this city on the first floor. I remember the 18<sup>th</sup>  
of October; about that time I lost twenty seven  
pairs of pants worth ninety dollars. The property  
was not mine, I was working for a factory.  
I had charge of the property. The pantaloons were  
there when I locked up my tailor shop on  
Sunday night about a quarter past eight o'clock.  
I went back to the store on Monday morning  
ten minutes to seven. I found the door open  
and the lock taken off. There are two doors  
to the place, an outer and an inner door.  
I have to go through the hallway to get to  
my tailor shop; the front door was open;  
the side door leading from the hall to the  
tailor shop was open and the lock was  
taken off; the second door was broken  
and when I went into the shop I found  
pants on the floor and those I have named  
gone. I went to the station house. I saw one  
pair at the station house and one pair  
at a pawn brokers in Houston St., which  
were part of the lot that was taken from  
my shop. Officer Sullivan was there when



I saw the pantaloons. I did not see the defendants near my place, and I did not have any talk with them. Cross Examined. The pantaloons belonged to Moses Mendelshon. I got the material to make them. I know the pantaloons I saw to be a portion of the property taken from my store by the goods, the pattern, and my own work I made several of them. They were ready-made when I lost them. I knew the pants by the work of the machine and by the lining which is done by hand by a female. The stamp now shown me is mine, it was in the pocket of my vest which was taken from my place. I next saw it in the station house; the paper now shown me was made with that stamp. The two pairs of pantaloons now shown me were taken from my shop on the Sunday night. Officer Sullivan showed them to me afterwards in the station house.

Richard Sullivan sworn. I am an officer of the Eleventh precinct and arrested the defendant. I know the premises No 243 Bowery; they are in the Tenth Ward of this city. I arrested the defendant in a lager beer saloon at No 47 East Houston St. I arrested both together. The burglary was committed in October and I arrested them in Dec. When I got them in the station house I told them I arrested them

for a burglary committed in the Boney.  
They denied all knowledge of it. I went to Brown's  
house, 218 Eldridge St. in this city. I found a  
pocket book with some things in it. I found  
this stamp. I took it and him to the station  
house and the pocket book that had some  
pawn tickets in it - two pawn tickets represent-  
ing a pair of pants and a parasol. I took  
the complainant to the pawn broker's and he  
identified the pair of pants; they are in the  
pawn broker's yet. I found this table cloth there  
and these files and locks in a closet; there  
was three locks and I think eleven knives.  
I found this watch and chain and pen. The  
complainant identified the stamp as his at  
the station house. I brought these pantaloons  
here this morning. I got them from a man  
named Merc who is in Court; the com-  
plainant identified them in the station house  
as his. I had no further conversation with  
Brown, I had no conversation with Fisher.  
I was speaking to both of them afterwards in  
the cell in the Tombs about this case.

William Merc sworn. I live at 653  
Water st. and am a mechanic. I know  
the defendants Brown and Fisher. Officer  
Sullivan got a pair of trousers from me  
on the 24<sup>th</sup> of Dec, Christmas Eve. I was  
in the station house at the time. I brought



it of Brown in his house about five weeks ago in Dec. I met him a couple of weeks before in the street, and he asked me if I could get him a job where I was working. I had worked for several years in Herring's safe factory. I told him I would talk to my boss about it. My wife and I were out walking one Sunday afternoon and I suggested to her to come into Brown's house, that I might tell him he could not get a job with us at present. He showed me the pants and said the ~~pants~~ did not belong to him, he said he wanted to sell it for somebody else. I asked him what he wanted for it. He said two dollars, and I gave him two dollars. They were common pants; my wife said, "you should not give that much." They were not worth that much. The trousers which Officer Sullivan took away from me were the same trousers which I bought from Brown. Cross Examined Fisher had nothing to say about this thing; he was simply visiting there the same as myself. Max Kaufman and four or five other people were there.

Barbara Brown, sworn for the defence. In the month of Dec. I had a boarder named Max Kaufman in 28 Eldridge

POOR QUALITY  
ORIGINAL

0760

Salzberg

st. The pants that my husband  
add to Merc belonged to Kaufman.  
His stamp belongs to my husband.

The jury rendered a verdict of  
not guilty for Fisher. Brown was  
found guilty of receiving stolen  
goods.



POOR QUALITY  
ORIGINAL

0761

Testimony in the  
case of  
Charles Fisher and  
August Brown

filed Jan.  
1888.

The People  
vs

Brown

Emanuel Levi states that about the 18<sup>th</sup> of November 1887 his premises at 243 Brewery were burglariously entered & some 3-4 or \$500.00 worth of goods were taken & carried away which goods he says he cannot describe for the reason that certain portions of the stolen goods did not belong to him but was simply in his custody. He states that about a week after this burglary was committed a second attempt was made to enter the same premises in the same manner but was prevented by the precaution he had taken to make his premises burglar proof. He states however that the burglars did find another room on this same premises occupied by one Salzer, which deponent has heard & believes had entered & taken & carry away certain chattels that have since been identified by said Salzer & all of which with the property stolen from the room placant were found by Officer Sullivan

**POOR QUALITY  
ORIGINAL**

0763

*in the possession of defendant.*

POOR QUALITY  
ORIGINAL

0764

Police Court— 3 District.

City and County } ss.:  
of New York,

Emanuel Levy

of No. 243 Bowery Street, aged 35 years,  
occupation Real Estate Dealer being duly sworn

deposes and says, that the premises No. 243 Bowery Street, 10 Ward

in the City and County aforesaid the said being a five story brick

dwelling and store

and which was occupied by deponent as an office in fact

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

were BURGLARIOUSLY entered by means of forcibly bursting the

door of deponent's office leading to the

hall of said premises

on or about the 18th day of November 1889

on the 24 day of Decr 1889 in the night time, and the

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

a quantity of

wearing apparel belonging to deponent

and in deponent's custody, of the

value of four hundred dollars

the property of deponent and in deponent's care

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

August Brown, (nowhere)

for the reasons following, to wit: The said premises were

securely locked by deponent on said

date, and they were found broken open

on the following morning and deponent

is informed by Richard Sullivan, Policeman,

now here, that he found the said property

in the defendant's room, and that the defendant

is a criminal who has served a term of

imprisonment for larceny.

Emanuel Levy

Subscribed and sworn to before me this

25th day of Decr 1889

at New York

Notary Public



POOR QUALITY  
ORIGINAL

0765

Sec. 198—200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

3 District Police Court.

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

Question. What is your name.

Answer.

*August Brown*

Question. How old are you?

Answer.

*30 years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*218 Eldridge St. 2 months*

Question. What is your business or profession?

Answer.

*Stone Cutter*

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

Answer.

*I am not guilty I  
know nothing about it*

*August Brown*

Taken before me this

day of

188

Police Justice.

People

vs  
Brown

Finding among the papers in this case no memoranda of the testimony of Richard Sullivan the arresting officer I examined him & find that he will prove that after he arrested & committed Brown he went to his room 218 Eldredge St & there found a table cover of the value of \$3. identified by the Complainant Levi as his property, stolen at the time the burglary herein charged was committed. He also found on the premises 2 pawn tickets one for a pair of pants & another for a parol, identified also as property that was on the premises when said burglary was committed & owned by Complainant. The officer further states that he arrested at the same time one Fischer for the reason that he seemed to be a pal of Brown, went with him to the pawn shop of one Metz & got the money on for the pants. The officer further states that Brown, Fischer & Metz are all exconvicts & that Metz knows that Brown & Fischer are exconvicts & professional burglars.

query is there not in these facts more evidence against Mety for receiving stolen goods knowing them to be stolen than against Fischer for having had anything whatever to do with the burglaries. Upon glancing at the indictment I have grave doubts about its being sustained if a motion is made to quash on the ground of its uncertainty & its want of definiteness. ~~No~~ No conviction can be legally had or if obtained, can be sustained ~~to~~ on an indictment that fails to sufficiently set forth & describe the offense to enable the prisoner if acquitted, to plead autrefois acquit, should he be indicted again for a larceny of the same property of course I am referring only to the second Count, & also the third Count. The property alleged to have been stolen must be specifically described. He must be indeed a strange witness who will pretend that he cannot describe property that was in his possession yesterday. All of which is respectfully submitted.

Andrew H. Dawson  
Depty Asst Dist Atty.



POOR QUALITY  
ORIGINAL

0768

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

Police Court-- 3 2119  
District.

THE PEOPLE, &c.,

vs.

243 Broadway  
August Brown

Offence: Burglary

Dated Dec 25 1887

Duffy Magistrate.

McLain Officer.

11 Precinct.

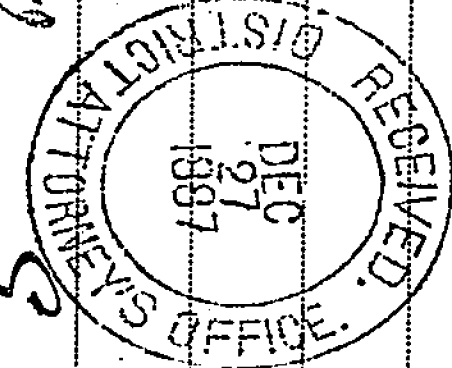
Witnesses

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

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

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

\$ 10000 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 \_\_\_\_\_

August Brown

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 Dec 25 1887 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1887 \_\_\_\_\_ 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 \_\_\_\_\_ 1887 \_\_\_\_\_ Police Justice.



POOR QUALITY  
ORIGINAL

0769

District Attorney's Office.

PEOPLE

vs.

August Brown

Burg

This defendant was this  
convicted of Receiving on  
another indictment.

He was sentenced today.  
People will not try this  
indictment at present.

Jan 19/88 V. M. Davis

POOR QUALITY  
ORIGINAL

0770

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*August Brown*

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

*August Brown* —

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

The said *August Brown*.

late of the *Tenth* Ward of the City of New York, in the County of New York, aforesaid, on the *eighteenth* day of *November*, in the year of our Lord one thousand eight hundred and eighty-*seven*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *Office* of one

*Emmanuel Sevi* —

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

*Emmanuel Sevi* —

in the said *Office*, 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

0771

SECOND COUNT—

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

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

The said *August Brown*.

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

*divers articles of clothing and wearing  
apparel, of a number and description  
to the Grand Jury aforesaid  
unknown, of the value of four  
hundred dollars.*

of the goods, chattels and personal property of one *Emanuel Sevi*.

in the *office* of the said *Emanuel Sevi*.

there situate, then and there being found, *in the office*, 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

0772

THIRD COUNT—

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

*August Brown* —

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

The said *August Brown*,

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

*did unlawfully and feloniously receive, of*  
*a number and description to the*  
*Grand Jury aforesaid unknown,*  
*of the value of four hundred*  
*dollars.*

of the goods, chattels and personal property of one *Emanuel Levi* —

by a certain ~~person~~ persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *Emanuel Levi* —

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

*August Brown* —

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

JOHN R. FELLOWS.

~~RANDOLPH B. MARTINE,~~

District Attorney.



POOR QUALITY  
ORIGINAL

0773

Witnesses:

*Emmanuel Gray*  
*Opier Sullivan*

# 14-

Counsel,

Filed

Pleads

1888

THE PEOPLE

vs.

*August Brown*

JOHN R. FELLOWS,

~~RANDOLPH B. FINE~~

*John R. Fellows*, District Attorney.

A True Bill.

*Emmanuel Gray*

Foreman

*Sections 498, 506, 528, 531, 532, 533*  
*Brigading in the Third Degree*

POOR QUALITY  
ORIGINAL

0774

Police Court— District.

City and County { ss.:  
of New York,

of No.

occupation

deposes and says, that the premises No.

in the City and County aforesaid the said being a

and which was occupied by deponent as a

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

were BURGLARIOUSLY entered by means of forcibly

on the

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

pair of pantaloons of the value of  
ninety dollars, (27 90)

the property of

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

~~Harmon~~ ~~Anderson~~, August Brown  
and Charles Fischer, and August Brown

for the reasons following, to wit:

The said premises were  
securely locked on said date by  
deponent at 8 p.m. and were found  
broken open on the following Monday  
morning, and the said goods were  
missing, and deponent is informed by  
Police Richard Sullivan (now here) that  
found the said property in the possession  
of one William Metz, who informs deponent

POOR QUALITY  
ORIGINAL

0775

that he bought it of defendants;  
That the defendant Brown is a con-  
victed criminal

Answer to before me this } Max Gerson  
25 day of December  
1887

John Fisher

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 1887  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1887  
There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 1887  
Police Justice.

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

vs.

Offence—BURGLARY.

1  
2  
3  
4

Dated

1887

Magistrate.

Officer.

Clerk.

Witnesses,

No. 1

Street,

No. 2

Street,

No. 3

Street,

\$ to answer General Sessions.



POOR QUALITY  
ORIGINAL

0776

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 24 years, occupation Merchant of No.

657 Water Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Max Salzer

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

Sworn to before me, this

day of

188

Dec 15 } William Herz  
Dece }  
Police Justice.

POOR QUALITY  
ORIGINAL

0777

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Charles Fischer 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 Fischer

Question. How old are you?

Answer.

27

Question. Where were you born?

Answer.

Germany

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

Answer.

47 East Houston St 3 days

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  
Charles Fischer

Taken before me this

day of

December

1933

Police Justice.

POOR QUALITY  
ORIGINAL

0778

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

*August Brown*

Question. How old are you?

Answer.

*30 years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*218 Eldredge St - 2 months*

Question. What is your business or profession?

Answer.

*Stone Cutter*

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

Answer.

*I am not guilty I know nothing about it.*

*August Brown*

Taken before me this

day of

*Dec 1887*

Police Justice.



POOR QUALITY  
ORIGINAL

0779

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 COMPLAINANT OF

Max Walker

243 Broadway

Charles Finkle

August Brown

4

Offence

Burglary

Dated

Dec 25

188

Duffy

Magistrate.

Aullman

Officer.

11

Precinct.

Witnesses

William Mery

No.

653 Water

Street.

No.

1007

Street.

No.

1000

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

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, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated

Dec 28

188

M. Duffy

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

0780

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Fiedner and  
August Brown

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

Charles Fiedner and August Brown

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

The said Charles Fiedner and August  
Brown, both —

late of the 2nd Ward of the City of New York, in the County of  
New York, aforesaid, on the 18th day of October, in the year of  
our Lord one thousand eight hundred and eighty-seven, with force and arms, at the Ward,  
City and County aforesaid, a certain building there situate, to wit: the Shop of one

Max Salzer. —

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

Max Salzer. —

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

POOR QUALITY  
ORIGINAL

0781

SECOND COUNT—

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

*Charles Kisdner and August Brown*  
of the CRIME OF *Robbery* LARCENY *in the second degree*, committed as follows:

The said *Charles Kisdner and August Brown, 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 *midday* time of the said day, with force and arms,

*Twenty seven pairs of trousers*  
*of the value of three dollars and*  
*fifty cents each pair.*

of the goods, chattels and personal property of one *Max Salzer.*

in the *shop* of the said *Max Salzer.*

there situate, then and there being found, *in the shop* 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

0782

THIRD COUNT—

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

*Charles Fischer and August Brown*

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

The said *Charles Fischer and August Brown, 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, with force and arms, *Twenty seven*

*pairs of trousers of the value*  
*of three dollars and fifty cents*  
*each pair,*

of the goods, chattels and personal property of one *Max Salzer. —*

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

unlawfully and unjustly, did feloniously receive and have; the said *Charles Fischer and August Brown.*

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

JOHN R. FELLOWS.

~~RANDOLPH B. MARTINE,~~

District Attorney.

0783

**BOX:**

291

**FOLDER:**

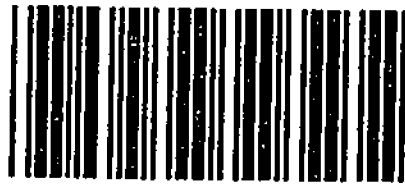
2777

**DESCRIPTION:**

Fischer, George

**DATE:**

01/12/88



2777

POOR QUALITY  
ORIGINAL

0784

Witnesses:

Ernest Vogel  
Officer Curran

Edward

Mr. Graham

357. Stinson  
Baker

Mr. Bohannon  
He says his Ch is  
not good & should  
be replaced for  
him

PK

Counsel,  
Filed 12 day of Jan 1888  
Pleads, *Maguire*

THE PEOPLE

19 Jan 88  
53 Jan 88

George Fischer

JOHN R. FELLOWS.  
RANFOLPH-B-MARTINE,

District Attorney.

A True Bill.

*Edmund E. M.*

Foreman  
Part 14 January 1988

Shed & Corvicted  
with recommendation to work  
by J. T. P.

20

POOR QUALITY  
ORIGINAL

0785

Court of General Sessions.

PART I I I .

-----x  
The People of the State of New York. :

against

G E R G E F I S C H E R . :

: Before Hon. Fred-  
: erick Smyth, and  
: a Jury.

-----x  
Indictment filed January 11th 1888.

New York January 19th 1888.

*Appearance; For the People, Asst. Dist. Atty. Fitzgibbon  
For the Deft. Mr. J. Oliver Keane.*

James Morrow, a witness for the people testified:-

I am the Janitor of the building No. 55 Broadway.  
On the night of the 24th of December I securely locked  
the offices in the basement of that building. About  
four o'clock in the morning I was awakened by the Police  
and when I went down-stairs I found the door leading  
from the office into the basement broken open and inside  
I found several drawers of the desk pulled out. I saw  
the defendant at that time in custody of one of the offi-  
cers. He was searched and there was *checks found on him belong-  
ing to the baggage master*. The window was broken open.

John J. Curran a witness for the People testified:-

I am a police officer attached to the 2nd Precinct  
On the night of the 24th of December last I was on duty  
on Broadway. At about a quarter to four o'clock in the  
morning my attention was attracted to the building No.  
55 Broadway. I saw a small hole in the glass of one of



POOR QUALITY  
ORIGINAL

0786

2

the windows and I went over and tried the window and it was locked and as I turned away I heard a noise as if a door was opening; I turned around and I saw two men jump out of the door and run down Trinity Place. I ran after them and I caught the prisoner on the corner of Carlisle Street and Greenwich. I asked him what he was doing there and he would give me no answer. I put my hand in his pocket and I found some checks of the Red Star Steamship Company and a package of Cayenne Pepper. He said in the Station house that some other men had given him these things to mind. The checks found on him were identified by one of the men in the employ of the Red Star Steamship Company.

Cross Examination.

I was ten feet away from these men as they came out of the alley. I never lost sight of them. I didn't see this man's face but I never lost sight of him. I am positive this is one of the men who came out of the basement door.

Eugene Vogel a witness for the People testified:-

I am the Head Baggage master in the employ of the Rad Star Line. I remember being shown a bundle of goods and some checks in the Tombs and I identified them as the property of Thomas A. Wright. These things were in a satchel on my desk in the office No. 55 Broadway on the night of December 24th.

POOR QUALITY  
ORIGINAL

0787

3

Philip Herchenroder, witness for the People testified:-

I am employed by the Red Star Line. I remember being shown a pair of gloves after this burglary and I identified them as my gloves.

D E F E N S E .

George Fisher, the Defendant testified:-

I have been in this Country six months and my business is a *baker*. I was employed by a man named Froheim at No. 351 Houston Street. I left his employ eight days before I was arrested. I was living two days at No. 53 Bowery, and I made the acquaintance of two men, Jacob Myer and Gustav Hess, and on that evening they said to me to come with them. We went around for some time and finally got to 55 Broadway and there they told me to wait outside for them. I sat down on a keg and waited. After some time they came out and brought me a package and said I should hold it and they would be back again. I opened the package out of curiosity and there was a pair of gloves and a pocket book in it. I was standing on the corner waiting for them when I was arrested. I wasn't in the place 55 Broadway that night. I was never arrested before.

Cross-Examination.

Q What did you have the cayenne pepper for?  
A. When I worked in 1st St. we used it for cooking purposes.

Q Did you ever have two pounds of paper? A. No sir, sir, only 15 cents worth. I bought it the Sunday before that in his store. I didn't ask the men where they got

**POOR QUALITY  
ORIGINAL**

0788

4

the goods which they gave to me. I didn't know the  
Policeman was after me when I ran.

THE JURY returned a Verdict of "Guilty of Bur-  
glary in the Third Degree" with a recommendation of  
Mercy to the Court.

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POOR QUALITY  
ORIGINAL

0789

Indictment filed Jan'y. 11. 1888

COURT OF GENERAL SESSIONS

Part III.

The PEOPLE E &c

against

GEORGE FISCHER

Abstract of testimony on

trial January 19th 1888.



The People

agst

George Fischer

John J Curran states that  
he was the arresting officer in  
this case & that about 4 to 4.30 am  
25<sup>th</sup> Dec 1887 he noticed a  
broken glass in the basement  
window of 55 Broadway, which has  
a side & a front entrance it is  
called Ten Foot Alley & upon going  
down to inspect it found the door  
locked, whereupon he came up  
to ring the bell for the janitor  
when he heard the door open  
& saw defendant & another man  
who escaped jump or run out  
of the door when he gave  
chase & arrested defendant  
who gave his name at the  
station house as John Fischer  
On searching him at the station  
house I found on his person 50  
Ferry tickets, one pair of gloves  
4 pocket books & a pound package of  
Cayenne pepper & 9 baggage tags  
with Red Star Steamship Co  
tags on them

Eugene Vogel states that he is a clerk in the employment of the Red Star Line which company occupies premises 55 Broadway. That on Sunday morning 25<sup>th</sup> Dec he was notified a burglary had been committed on said premises & upon repairing the premises found that all the desks in all the rooms in the Red Star office had been broken open and various articles were missing & upon receiving notice to appear at the Tombs as a witness he did so where he furnished the prisoner & the ~~above~~ property described by Officer Curran as having been taken from defendant's person which property he identified as belonging to said company & its clerks.

Phillip Verschneider states he is also a clerk in the employment of said Red Star Co & corroborates every word of the above statement. The gloves he says belonged to him.

POOR QUALITY  
ORIGINAL

0792

James ~~M~~arron states he is the Janitor  
of premises 55 Broadway & knows  
that at about 12 o'clock midnight  
on the 25<sup>th</sup> Dec said premises were  
securely locked & that about 4  
o'clock A.M. 25<sup>th</sup> Dec 1887 he  
found the premises had been  
burglariously entered

POOR QUALITY  
ORIGINAL

0793

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs,

George F. Fisher

BRIEF OF FACTS.

For the District Attorney.

th

Dated January 17 1888.

Andrew H. Dawson

Deputy Assistant.



POOR QUALITY  
ORIGINAL

0794

CITY AND COUNTY  
OF NEW YORK, ss.

POLICE COURT, DISTRICT.

of No. *John Curran* Street, aged *28* years,

occupation *Police Officer* being duly sworn deposes and says

that on the *25th* day of *December* 188*8*

at the City of New York, in the County of New York, *he arrested*

*John Fisher (now known) with*  
*some property which he de-*  
*posits to be proceeds*  
*of a burglary. Wherefore deposes*  
*that the said defendant*  
*be held to enable him to*  
*secure the necessary evidence.*

*John J. Curran*

Sworn to before me, this  
of *December* 188*8*

day

*John J. Curran*  
Police Justice.

POOR QUALITY  
ORIGINAL

0795

Police Court, District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

*John Fisher*

AFFIDAVIT.

Dated *Dec 25* 188

*W. H. Smith* Magistrate.

*Curran* Officer.  
*2*

Witness,

*The justice presiding in  
the Court in my opinion  
will believe that the  
affidavit is true  
and correct.*

*J. H. Smith*  
*Dec 26. 87*

Disposition, *Sl for Dec*  
*27 at 9.30.*

POOR QUALITY  
ORIGINAL

0796

Police Court— / District.

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

James H. Moran  
of No. 55 Broadway Street, aged 29 years,  
occupation Janitor being duly sworn

deposes and says, that the premises No 55 Broadway Street,  
in the City and County aforesaid, the said being a 1 Basement and fire story  
brick and brown stone building  
and which was occupied by ~~deponent~~ as an office  
and in which there was at the time ~~no~~ human being, by name

were BURGLARIOUSLY entered by means of forcibly

Breaking a  
glass window in the basement of said  
premises and then removing a catch on said  
window and raising said window and entering  
said premises

on the 25th day of December 1889 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

Four pocket Books 2 bunches of keys  
over 100 lead pencils and pen holders  
One package Capene pepper  
60 Jersey City Ferry tickets  
1 Pawtucket One lot business cards  
1 lot small photographs of baggage keys  
one bag One patch strap  
one pipe cleaner, one pair of gloves  
One handkerchief, being in all together  
of the value of Ten Dollars

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

John Fisher (now free) and another person who  
is as yet not arrested and who were acting in concert  
for the reasons following, to wit: That deponent secretly locked

and fastened said premises in his  
capacity of Janitor of said premises and  
that said property was in drawers  
in the office of the basement of said premises  
which were occupied by the Red Star  
Steamship Company. Deponent is  
informed by John Curran a police  
officer of the 2d Precinct police that



POOR QUALITY  
ORIGINAL

0797

about the hour 3:45 am or there abouts on the morning of the aforesaid day while he was patrolling his post. Upon which said officer was he heard the door of said premises rattle and saw said defendant and said unknown person who is as yet not arrested run out of said premises and defendant chased said defendants and arrested this defendant while said unknown person made his escape, and defendant found said property concealed on the person of said defendant. Defendant is further informed by Eugene Vogel a clerk in the employ of the Red Star Steamship Company whose offices were in said premises that he fully identifies the said keys attached to said tags as being his and having been taken from said premises and Defendant is further informed by Philip Herckensacker that he is in the employ of said company as a assistant baggage master and he fully identifies the gloves as part of the burglary as being his. Defendant therefore charges said defendant with Burglary and with having acted in concert with said unknown person who is as yet not arrested.

Summons before me the undersigned James Morrow  
24th day of December 1887  
Don't C. Kelly

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

0798

CITY AND COUNTY }  
OF NEW YORK, } ss.

Eugene Vogel  
aged 30 years, occupation clerk of No.

55 Broadway Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of James M. Murrain

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

Sworn to before me, this

day of December 1883

Eugene Vogel

Sam'l C. H. [Signature]  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

John Curran  
aged 28 years, occupation Police officer of No.

90 Broadway Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of James M. Murrain

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

Sworn to before me, this

day of December 1883

John J. Curran  
Sam'l C. H. [Signature]  
Police Justice.

POOR QUALITY  
ORIGINAL

0799

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Philip Herchenroder*  
aged 33 years, occupation Express Baggage Master of No.  
55 Broadway Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of James Moran  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 27th day of December 1887 *Philip Herchenroder*

*Samuel J. Kelly*  
Police Justice.

POOR QUALITY  
ORIGINAL

0000

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, <sup>ss</sup>

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

Question. What is your name?

Answer.

Question. How old are you?

Answer

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer. I am not guilty. Jacob Meyer Gustave Metz  
arrange with me and gave me the property George Fischer

Taken before me this

27

day of

Dec

1887

Police Justice.

POOR QUALITY  
ORIGINAL

0001

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

*Red Star Line  
6025 Broadway*

\*109-18, 2/43  
Police Court District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*George F. H. H.*  
155 St. Broadway  
3  
4  
Offence *Swing*

Dated *December 27 1887*

*C. C. Kelly* Magistrate.  
*Cumant* Officer.  
3d Precinct.

Witnesses  
*John Cumant*  
*Ed. A. Cumant* Street.

*Charles H. Cumant*

No. 55 RECEIVED  
Street.

No. 55 DEC 28 1887  
Street.

\$ 15710 to answer *Ed*

*Cumant*

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 \_\_\_\_\_

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

Dated *Dec 27* 1887 *C. C. Kelly* Police Justice.

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

Dated \_\_\_\_\_ 1887 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1887 \_\_\_\_\_ Police Justice.



POOR QUALITY  
ORIGINAL

0002

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*August Fischer*

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

*August Fischer*

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

The said *August Fischer*.

late of the *First* Ward of the City of New York, in the County of New York, aforesaid, on the *Twenty-fifth* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*seven*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *Office* of one

*James A. Wright the younger,*

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 *James A.*

*Wright the younger.*

in the said *Office* 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

0003

SECOND COUNT—

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

*August Xischer*

of the CRIME OF

*Robt* LARCENY, —

committed as follows :

The said *August Xischer*.

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

one pair of gloves of the value of fifty cents, of the goods, chattels and personal property of one Philip Schemmader, one pocket book of the value of fifty cents, of the goods, chattels and personal property of one Louis A. Mont, and three other pocket books of the value of fifty cents each, twenty rings of the value of ten cents each, twenty lead pencils of the value of three cents each, twenty pen holders of the value of three cents each, six tickets each purporting to entitle the holder thereof to a passage upon a vessel from the said City to Jersey City in the State of New Jersey, of the value of two cents each, one written instrument commonly called a pass ticket, of the value of fifty cents, one hundred printed cards of the value of one cent each, fifty photographs of the value of two cents each, seven newspaper clippings of the value of ten cents each, one strap of the value of ten cents, one pipe cleaner of the value of fifty cents, and one handkerchief of the value of thirty cents, —

of the goods, chattels and personal property of one

*James A. Wright*

in the

*Office* of the said *James A. Wright* the younger. —

there situate, then and there being found, in the *office* 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

0004

THIRD COUNT—

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

*George X. Kishner* —

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

The said *George X. Kishner*.

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, with force and arms, *the goods, chattels*

*and personal property in the second*  
*count of this indictment particularly*  
*described,*

of the goods, chattels and personal property of ~~the~~ *the said Philip Stender-*  
*roder, Louis A. Ward and James A. Wagner*  
*the owners.* —

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

*Louis A. Ward and James A. Wagner the owners* —

unlawfully and unjustly, did feloniously receive and have; the said *George X. Kishner.* —

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

JOHN R. FELLOWS.

~~RANDOLPH B. MARTINE,~~

District Attorney.

0005

**BOX:**

291

**FOLDER:**

2777

**DESCRIPTION:**

Fleming, Joseph

**DATE:**

01/20/88



2777



0006

**BOX:**

291

**FOLDER:**

2777

**DESCRIPTION:**

Fleming, Joseph

**DATE:**

01/20/88



2777

0007

POOR QUALITY  
ORIGINAL

269

Witnesses:

N. J. J. J.

officer Mulcahy

Counsel,

Filed

Pleads

day of

188

THE PEOPLE

vs.

P

Joseph Fleming

Grand Larceny in the 3rd degree.  
(MONEY)  
(Sec. 528 and 530, Penal Code.)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Edward J. Don

day 13/11

Foreman.

Glenn J. J. J.

S. J. J. J.

POOR QUALITY  
ORIGINAL

0000

Police Court

District

Affidavit—Larceny.

City and County  
of New York, ss.

of No.

occupation

deposes and says, that on the

day of

188

being duly sworn

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

person of deponent, in the time, the following property viz:

Fifteen  
Dollars and forty Cents  
in good and lawful current  
money in bills and coin and  
one silk handkerchief of the value  
of seventy five Cents all of the  
total value of

Fifteen Dollars  
and fifteen Cents \$16.15

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

Joseph Fleming (now  
here), in the manner following,  
to wit: at about the hour of twelve  
thirty o'clock on the night of said  
date Deponent met said Defendant  
at the Corner of Catherine and  
East Broadway Streets; The said  
Defendant asked Deponent to  
"treat" him, and Deponent  
refused; then they moved on  
about twelve steps, when said  
Defendant put his hand into  
Deponent's pocket and took said  
money and property therefrom  
and ran off and away, while

of

Sworn to before me, this

188

Police Justice.



Deponent Hunted "Police"  
and followed Defendant till  
the officer made the arrest.  
Wherefore Deponent charges said  
Defendant with torting, cheating  
and carrying away from the  
person and possession of this  
Deponent said money and property  
and prays that he be dealt with  
as the Law directs.

Shown to before me } Hermann Liege

This 17<sup>th</sup> day of Jan 1888

James C. Miller Police Justice



POOR QUALITY  
ORIGINAL

08 10

Sec. 198—200.

CITY AND COUNTY )  
OF NEW YORK, ss.

29 District Police Court.

*Joseph Fleming* 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*

*Joseph Fleming*

Taken before me this

*14th*

188

*James J. McNeill* Police Justice.

POOR QUALITY  
ORIGINAL

0011

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

284 302 106  
Police Court- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John H. Lee*  
*John H. Lee*  
*John H. Lee*

3  
4  
Dated \_\_\_\_\_ 188  
Offence \_\_\_\_\_

*John H. Lee*  
Magistrate.  
Officer.  
Precinct.

Witnesses \_\_\_\_\_

Complainant- committ the street.  
to the House of Detention

for delay and delivery to appear

No. \_\_\_\_\_  
1388  
Street.

1011111  
District Attorney

Committ the

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 \_\_\_\_\_ 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

08 12

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, DISTRICT.

of No. the 17th Precinct Court Street, aged 29 years,  
occupation Cookman being duly sworn deposes and says

that on the 17 day of January 1888  
at the City of New York, in the County of New York,

deponent has reason to believe that  
Bernard Geige (now Ben), will  
not be forthcoming when  
summed as Complainant against  
Joseph Manning on a charge  
of Larceny from the person  
deponent asks that said  
Geige be sent to the House of  
Detention in the Law in  
such cases provided

Richard J. Mulcahy

Sworn to before me, this  
17 day

188

day

Samuel J. McCall Police Justice.

POOR QUALITY  
ORIGINAL

0813

Police Court, *B.C.* District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

*Herman Gorge*

Dated

188

*O'Reilly*

Magistrate.

*Walcenkey*

Officer.

Witness,

Disposition,

CAFFEDAVIT.

*Can to Hon. Sec. of State*



POOR QUALITY  
ORIGINAL

0814

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 Fleming

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

Joseph Fleming

of the crime of GRAND LARCENY IN THE first DEGREE, committed as follows:

The said

Joseph Fleming,

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the  
sixteenth day of January in the year of our Lord one thousand  
eight hundred and eighty-eight at the Ward, City and County aforesaid, with force and arms,  
in the night time of the same day, one promissory note for  
the payment of money, being then and there due and unsatisfied (and of the kind known as  
United States Treasury notes), of the denomination of twenty dollars, and of the value of twenty  
dollars ; one promissory note for the payment of money, being then and  
there due and unsatisfied (and of the kind known as United States Treasury notes), of the  
denomination of ten dollars, and of the value of ten dollars ; one promissory  
note for the payment of money, being then and there due and unsatisfied (and of the kind known as  
United States Treasury notes), of the denomination of five dollars, and of the value of five dollars  
; two promissory notes for the payment of money, being then and  
there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomina-  
tion of two dollars, and of the value of two dollars each ; five promissory notes for  
the payment of money, being then and there due and unsatisfied (and of the kind known as United  
States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each ;  
one promissory note for the payment of money (and of the kind known as bank notes),  
being then and there due and unsatisfied, of the value of twenty dollars ; one  
promissory note for the payment of money (and of the kind known as bank notes), being then and  
there due and unsatisfied, of the value of ten dollars ; three promissory notes for  
the payment of money (and of the kind known as bank notes), being then and there due and unsatis-  
fied, of the value of five dollars each ; one United States Silver Certificate of the

**POOR QUALITY  
ORIGINAL**

08 15

denomination and value of twenty dollars — ; *one* United States Silver Certificate, of the denomination and value of ten dollars — ; *three* United States Silver Certificate of the denomination and value of five dollars *each*; *two* United States Silver Certificate of the denomination and value of two dollars *each*; *five* United States Silver Certificate, of the denomination and value of one dollar *each*; *one* United States Gold Certificate of the denomination and value of twenty dollars — ; *one* United States Gold Certificate of the denomination and value of ten dollars — ; *three* United States Gold Certificate of the denomination and value of five dollars — ; and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *forty cents, and one handkerchief of the value of seventy five cents.*

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

*John R. Fellows*  
~~RANDOLPH B. MARTINE,~~

*District Attorney.*

08 16

**BOX:**

291

**FOLDER:**

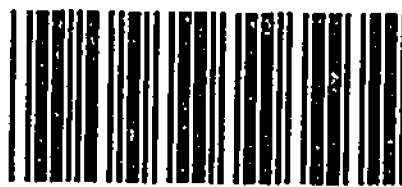
2777

**DESCRIPTION:**

Foley, John F.

**DATE:**

01/16/88



2777

POOR QUALITY  
ORIGINAL

0017

*James H. Smith*  
*March 7<sup>th</sup> 1888*  
*Franklin City*

After making an examination of the facts herein, and upon a report made to me by Deputy Assistant District Attorney Jerome, I do not think that the People could establish upon a trial a higher grade of homicide than that of manslaughter in the first degree.

I therefore recommend that that plea be accepted.

155  
5  
H. H. H. a

Counsel, *W. M. Phillips*

Filed, *10 day of May* 1888

Pleads, *Guilty (17)*

THE PEOPLE,  
vs.  
*John F. Foley*  
Section 183 - Penal Code.  
*Murder in the first degree*  
*SS 17 N 2 6.*

JOHN R. FELLOWS,  
RANDEPH B. MARTINE,  
District Attorney.

A True Bill.  
*Edward L. P.*

Foreman,  
*March 8, 1888.*  
*Pleads Guilty of*  
*manslaughter in the 1<sup>st</sup> deg.*  
*S. P. 10 years.*

Witnesses:

*Witness - Martin J. Curley*  
*Bailed by*  
*William H. Johnson*  
*434 West 25<sup>th</sup> St.*



POOR QUALITY  
ORIGINAL

0818

STATE OF NEW YORK

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the Coroner's Office  
No. 67 Park Row Street, in the 4<sup>th</sup> Ward of the City of  
New York, in the County of New York, this 20 day of January  
in the year of our Lord one thousand eight hundred and 87 before

FERDINAND LEVY, Coroner.

of the City and County aforesaid, on view of the Body of Denis Carney  
now lying dead at

Upon the Oaths and Affirmations of

Nine good and lawful men of the State of New York, duly chosen and  
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner  
the said Denis Carney came to his death, do upon  
their Oaths and Affirmations, say: That the said Denis Carney  
came to his death by

Shock and hemorrhage  
from incised stab wound of left chest wall, involving  
heart and aorta at the hands of some person unknown  
to the jury opposite 542 W. 27th St. in Decr. 24/86  
between 11 and 12 PM

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition,  
set our hands and seals, on the day and place aforesaid.

JURORS.

R. L. Linn that 1002. 3<sup>rd</sup> Ave

Thomas Dillen 1032- 3 Ave

Wm. Ashborn 1020 3<sup>rd</sup> Ave

P. H. Fleichman 1052 3<sup>rd</sup> Ave

John M. G. Cornell 1054 5<sup>th</sup> Ave

Sebastian Meiler 1060 3<sup>rd</sup> Ave

Samuel R. Shuman 1023 8<sup>th</sup> Ave

John Meoz 1055. 3 Ave

Elias Rees 984 3 Ave

CORONER, F. S.

Ferdinand Levy  
Coroner

Coroner's Office.

TESTIMONY.

Officer Albert E. Westborn 16<sup>th</sup> Precinct being sworn says: On Decr 24/86 I was on post at 11<sup>52</sup>~~30~~ PM. ~~on W 27th St~~ when I was informed in 26th St. that there was a man drunk or sick lying in W 27 St opposite 542. I and Officer Degnan went there. & when we arrived some citizens had carried the body to a hallway at 542 W. 27<sup>th</sup> St. We made an examination of the body and found that it had been stabbed. I left Officer Degnan in charge while I went to the Station House and came back with a stretcher. We removed the body to the Station House. When we first saw the body the man was dead. I made a report to the Sergeant at the desk. The face of deceased was familiar to me. I think I have seen him before. He belonged to a questionable crowd up there.

Albert E. Westborn

Taken before me

this 20 day of January 1887

Ferdinand Levy

CORONER.

POOR QUALITY  
ORIGINAL

0820

Coroner's Office.

TESTIMONY.

2

Mary D. Brennan being sworn says:  
I reside at No. 2716 St near 11th Ave.  
On Christmas eve. I saw a crowd at  
the door opposite my house. I went  
right over I saw two policemen  
and ~~Mr. Mc~~. The dead man was lying in  
the hall. I saw no one quarreling with  
the deceased, No one threatened me  
against testifying in this case. I did  
not know the deceased or those with  
whom he associated. Never had any  
trouble with my husband. I am telling  
the truth. I did not buy any fruit  
that night. No one asked me to do  
so. I heard that the deceased's name was  
Denis Carney. I do not know any more  
of the case.

Mary D. Brennan  
witness.

Taken before me

this 2<sup>nd</sup> day of January 1887

Frederick L. Ery

CORONER.



Coroner's Office.

TESTIMONY.

3

John Opreiding being sworn says; I reside at 549 W. 26th Ave 17 years old. I have been arrested for having fire crackers in my pocket and got 5 day. I got a month - for fighting with a man was never arrested for theft. Have been arrested twice, Was arrested last Saturday night for disorderly conduct but was discharged. I was not in company with the deceased on the night of Dec. 24th, I was at St. Miners Theatre till about 10.45 or 11 PM I saw the deceased going along 9th Ave about 11 PM. He did not belong to my crowd. Foley was with him, He does not belong to my crowd. Halligan was with me, ~~we~~ we did not speak to them, they did not stop. We went down to my house, I did not go out again. I heard of the death of deceased the next morning. Two strangers said that Denis Carney was dead, Know Mrs Brennan four years. Have never been in her house, She used to live next to my house. I know know nothing about the death of Carney. Carney & Foley walked towards 27th St. I have not been told how to testify in this case, I know Halligan 5 or 6 years. He and I had no talk about what we were to say in this case. I knew the deceased

Taken before me

this day of

188

Ferdinand Levy

CORONER.



POOR QUALITY  
ORIGINAL

0022

Coroner's Office.

TESTIMONY.

4

about 2 months. I have told the truth  
in what I have said to-day.  
John G. Gilling

Taken before me

this 20 day of January 1887

Ferdinand Levy

CORONER.

Coroner's Office.

TESTIMONY.

5

John Halligan being sworn says: I reside at 533 W. 26th St. Am 17 years old. I have been arrested once for standing on a butcher's stone, I was discharged. I live with my father and mother. I know Gneiding 2 or 3 years we are good friends, I think he is pretty fair company to go with. He was arrested wrongly. On Dec. 24/86 I was at Miners St. the Theatre. Gneiding and Jordan were with me. We were standing at Cor 26th St. & 9th Ave when Mud Foley & Carney passed. I know Carney but never talked to Mud Foley. I did not see a row that night. I think I was in bed at 11.10 P.M. I did not know anything of the death of Carney till the next day after coming from St. Patrick's Mass. I only heard about Danny the Bum being dead. I have told all I know of the case. There is no gang around there that I know of. I never knew Danny the Bum to belong to any gang. I did not testify in the Police Court. I did not speak to the deceased or Mud Foley that night. They walked towards 27th St.

John Halligan

Taken before me

this 20 day of January 1887

Ferdinand Loy

CORONER.

Coroner's Office.

TESTIMONY.

Autopsy

At Morgue December 26<sup>th</sup> 1886 at 11 AM.  
Doris Kearney, white, age 22 years.

Said to have been found dead on sidewalk  
in front of 542 N. 27<sup>th</sup> St. about 12<sup>30</sup> AM.  
on December 25<sup>th</sup> 1886

Body well nourished; rigor mortis fairly  
well marked.

There is an incised wound of left cheek  
wall,  $\frac{3}{4}$  in in length and vertical,  $1\frac{1}{2}$  inches  
to the left of median line. 2 inches below  
the collar bone. Direction: backward & in-  
ward. Opening the thorax (chest) immediately  
under & continuous with extreme wound  
above described. The 3<sup>rd</sup> Costal Cartilage  
is divided, right ventricle of the heart,  
the aorta, and left auricle are incised.  
Left pleural cavity & pericardium  
are filled with fluid & clotted blood.

Other organs normal.

Cause of death, Shock & hemorrhage  
from incised (stab) wound of left cheek  
wall involving heart & large vessels  
above described

J. H. Justice M.D.

Taken before me

this 20 day of January 1887

Ferdinand Levy

CORONER.

CORONER'S OFFICE.

TESTIMONY.

Detective Sergeant James F. Vallely being sworn says: On January 4/88 on information I arrested the prisoner John F. Foley at Harbo Island on the charge of having caused the death of Denis Carney on the night of Decr. 24/86. I brought him to Police Headquarters where he confessed to Inspector Byrnes that he did cause the death of the deceased Denis Carney by stab wound of the breast but claimed that he did it in self defence. He also made the same statement to me. Martin Curley of 542 W. 27<sup>th</sup> St and John Murphy 457 West 27<sup>th</sup> St were witnesses of the murder, I now charge the said John F. Foley with having caused the death of the deceased Denis Carney, and desire that he may be committed for trial and the witnesses sent to the House of Detention.

James F. Vallely

Taken before me

this

5<sup>th</sup> day of January 1888

Fredward Lloyd CORONER.



Coroner's Office.

TESTIMONY.

Martin Joseph Curley being sworn says  
I reside at 542 W. 27<sup>th</sup> St. On Christmas  
Eve December 24/86 about 11.55 PM I was  
standing at my own door when I saw the  
deceased Denis Carney and the prisoner  
John F. Foley coming down the street going  
towards 11<sup>th</sup> Ave. Foley had an open can  
of peaches in his hand. Foley took one  
peach from the can and Carney took two.  
(They stopped at my door.) Foley threw the  
can down and kicked it. Carney the  
deceased went to strike him and Foley  
drew a knife out of his pocket and  
stabbed Carney. Carney staggered  
away from Foley who followed Carney  
up to stab him again but he did not  
do so. Carney said "You have killed  
me Mud" (meaning Foley). He fell on  
the sidewalk, and Foley ran away towards  
11<sup>th</sup> Ave. I did not go over to Carney  
but went up stairs. In an hour or two  
after that my step mother came in and  
told me that a man was lying dead on  
the sidewalk. I make this statement  
voluntarily and of my own free will.

Martin J. Curley.

Taken before me

this 5<sup>th</sup> day of January 1888  
Ferdinand Levy CORONER.

POOR QUALITY ORIGINAL

0020

MEMORANDA.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE When Reported.
17	22	Years	Months	Days.	

*Mary*  
Dec. 25/88  
16<sup>th</sup> Precinct Sep. 0 242 W. 25<sup>th</sup>

*Mr. William F. Perkins*  
*Contract Office*  
*Office Valley*  
*West 27th Mar 11 Ave*  
*16th Precinct*  
*Mr. William F. Perkins*  
*Contract Office*  
*Office Valley*  
*West 27th Mar 11 Ave*  
*16th Precinct*  
*Mr. William F. Perkins*  
*Contract Office*  
*Office Valley*  
*West 27th Mar 11 Ave*  
*16th Precinct*

155  
49  
F.L.

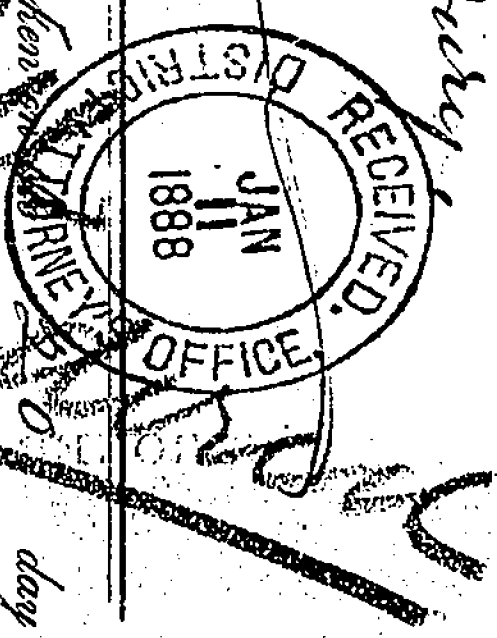
4th Precinct  
1888

On the view of the BODY of

James Kennedy

whether it is found that he came to his death by

that occurred at the hands of some person unknown to the jury.



Request taken on 11th day of January 1888  
FERDINAND LEVIN, CLERK.

968 19th Ave

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 F. Foley*

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

of the CRIME OF

*John F. Foley*  
*Murder in the first degree*

committed as follows:

The said

*John F. Foley*

late of the ~~Ward of the~~ City of New York, in the County of New York aforesaid, on  
the *twenty-fourth* day of *December* in the year of our Lord one  
thousand eight hundred and eighty-*six*, at the ~~Ward~~, City and County aforesaid,

*with force and arms, in and upon one,  
Denis Barney in the peace of the said  
People then and there being, wilfully, fel-  
oniously, and of his malice aforethought,  
did make an assault, and he the said  
John F. Foley, him the said Denis Barney  
with a certain knife which he the said  
John F. Foley in his right hand, then and  
there had and held in and upon the breast  
of him the said Denis Barney then and there  
wilfully, feloniously and of his malice  
aforethought, did strike, stab, cut and  
wound, giving unto him the said Denis Barney  
then and there with the knife aforesaid,  
in and upon the breast of him the said  
Denis Barney, one mortal wound of the  
breadth of one inch, and of the depth of six  
inches, of which said mortal wound he the  
said Denis Barney then and there died.*

*And so the Grand Jury aforesaid do say: That*



the said John F. Foley, him the said Denis Barney in the manner and form, and by the means aforesaid, wilfully, feloniously and of his mature aforethought, did kill and murder, 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 F. Foley of the same Crime of Murder in the first degree, committed as follows:

The said John F. Foley late of the City of New York, in the County of New York aforesaid afterwards to wit; on the said twenty-fourth day of December, in the year of our Lord, one thousand eight hundred and eighty six at the City and County aforesaid, with force and arms, in and upon one Denis Barney in the peace of the said People then and there being, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of him the said Denis Barney, did make an assault, and he, the said John F. Foley, him the said Denis Barney with a certain knife which he, the said John F. Foley in his right hand then and there held and held, in and upon the breast of him, the said Denis Barney then and there wilfully feloniously, and with a deliberate and premeditated design to effect the death of him the said Denis Barney did strike, stab, cut, and wound, giving unto him, the said Denis Barney then and there with the knife aforesaid, in and upon the breast of him the said Denis Barney, one



mortal wound of the breadth of one inch and of the depth of six inches, of which said mortal wound, he the said Denis Barney then and there died.

And so the Grand Jury aforesaid do say: That the said John P. Foley, him, the said Denis Barney in the manner and form, and by the means aforesaid, wilfully, feloniously and with a deliberate and premeditated design to effect the death of him, the said Denis Barney, did kill, and murder, 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.

0032

**BOX:**

291

**FOLDER:**

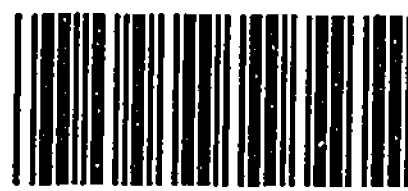
2777

**DESCRIPTION:**

Form, George

**DATE:**

01/24/88



2777

POOR QUALITY  
ORIGINAL

0033

Counsel,

Filed,

Pleads,

Day of,

188

THE PEOPLE,

vs.

B

George Sorn

VIOLATION OF EXCISE LAW

(Keeping Open on Sunday.)  
(III Rev. Stat. (7th Edition), page 188, Sec. 5)

JOHN R. FELLOW,  
RANDOLPH B. MARPINE,

Pr. Atty. Gen. District Attorney.

pleads guilty

A True Bill. Filed 30. 11. 11

Edward C. For

Foreman.

Witnesses,

Officer Wagner

POOR QUALITY  
ORIGINAL

0034

Sec. 198—200.

✓ District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*George Form* 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.

*George Form*

Question. How old are you?

Answer.

*24 years.*

Question. Where were you born?

Answer.

*New York State*

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

Answer.

*329 west 67<sup>th</sup> Street And 3 months*

Question. What is your business or profession?

Answer.

*Saloon Keeper.*

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 of the Charge  
and demand a trial by Jury*

*George Form*

Taken before me this

*9*

day of *January*

188*8*

*John J. McNamee*  
Police Justice.



0035

POOR QUALITY  
ORIGINAL

BAILED.  
No. 1, by Gellman Kelly  
Residence 1036 10 Ave  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court--80 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Herman Wagner

George Form

Offence Violation  
Recidivism

Dated January 9 1888

Herman Wagner Magistrate.

Wagner Officer.

26 Precinct.

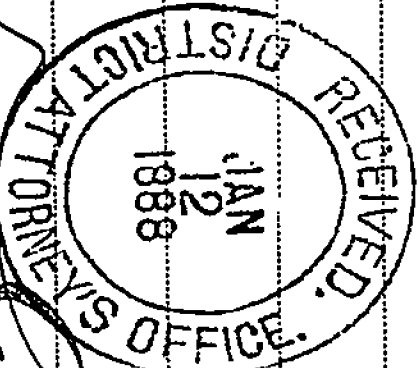
Witnesses

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

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

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

\$ 100 TO ANSWER



W. H. W.

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 \_\_\_\_\_

George Form  
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 Jan 9 1888 John J. Herman Police Justice.

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

Dated Jan 9 1888 John J. Herman 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

0036

Excise Violation-Keeping Open on Sunday.

POLICE COURT- 7 DISTRICT.

City and County } ss.  
of New York,

Herman Wagner  
of No. the 26. Quinn Police Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 8th day  
of January 188 8, in the City of New York, in the County of New York,

George Form (now here)  
being then and there in lawful charge of the premises No. 329 West 67th  
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 George Form  
may be ~~arrested and~~ dealt with according to law.

Sworn to before me, this 9 day } Herman Wagner  
of January 188 8 }

John H. H. H. H. Police Justice.

POOR QUALITY  
ORIGINAL

0037

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*Plaintiff's*

*against*

*George Form*  
*Defendant.*

The Grand Jury of the City and County of New York. by this indictment accuse the above named defendant 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 defendant late of the City of New York, in the County of New York, aforesaid, on the *eighth* day of *January* in the year of our Lord one thousand eight hundred and eighty *eight*, 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,*

~~RANDOLPH B. MARTINE~~, District Attorney.

0030

**BOX:**

291

**FOLDER:**

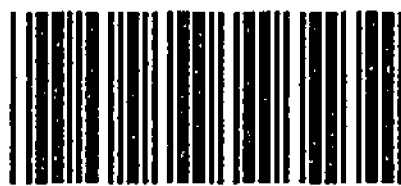
2777

**DESCRIPTION:**

Francis, John

**DATE:**

01/23/88



2777



0039

**BOX:**

291

**FOLDER:**

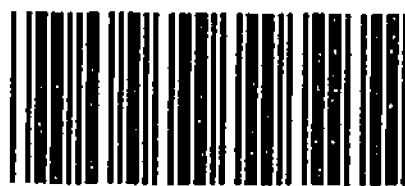
2777

**DESCRIPTION:**

Hogan, James

**DATE:**

01/23/88



2777

0040

**BOX:**

291

**FOLDER:**

2777

**DESCRIPTION:**

Drinkhouse, William

**DATE:**

01/23/88



2777

POOR QUALITY  
ORIGINAL

0841

Witnesses:

*affirm the Country*

Counsel,  
Filed *23* day of *Jan* 188*8*  
Pleads,

THE PEOPLE

vs.

*John Francis*  
*James Progan*  
*William Drinkhouse*

JOHN R. FELLOWS.

ANDOLPH B. MARTINE,

District Attorney.

[Sections 498, 506, 528 and 531].  
Burglary in the Third Degree.  
Grand Jurors.

A True Bill.

*Edward L. Ror*

*(all) Jan 24/88 Foreman*

*Plead Jury 300*

*S. J. True years.*

POOR QUALITY  
ORIGINAL

0042

Police Court—2 District.

City and County } ss.:  
of New York,

of No. 143, East 13 Street, aged 27 years,

occupation Merchant Tailor being duly sworn

deposes and says, that the premises No 143, East 13 Street,

in the City and County aforesaid, the said being a four story brick

Building

and which was occupied by deponent as a Tailor Shop

and in which there was at the time no human being, by name

were BURGLARIOUSLY entered by means of forcibly prying off  
the pad lock on the front door of deponent's  
Tailor Shop then unlocking said door with  
a false key.

on the 14<sup>th</sup> day of January 1888 in the Night time, and the  
following property feloniously forcibly taken, stolen, and carried away, viz:

a quantity of clothing and cloth  
of the value of Four hundred dollars  
(#400.00)

the property of Deponent

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

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

John Francis James Hogan and William  
Drinkhouse (all now here)

for the reasons following, to wit: that at the hour of 10 O'clock  
PM said date deponent locked and securely  
fastened the doors and windows of his Tailor  
Shop in said premises and left said  
Shop. And at about the hour of 11 O'clock  
AM January 15<sup>th</sup> 1888. Deponent who was  
in this way home from a ball. stopped at  
said Shop and discovered that the pad lock  
had been removed from the door. And discovered



POOR QUALITY  
ORIGINAL

0043

that said door had been fastened on the inside.  
Deponent in company with Detective Thomas  
McCarthy of the Central office police and  
two others broke open said door and entered  
said tailor shop where deponent and said  
Detective discovered the said defendants together  
and in company with each other in said  
Tailor Shop concealed in a closet, and also  
found on the person of the defendant Drinkman  
a coat which deponent identifies as a portion  
of his property, and at that time the balance  
of the aforesaid property was piled up ready  
for removal.

Wherefore deponent charges the said defendants  
with being together and acting in concert with each  
other and burglariously entering said premises  
as aforesaid and feloniously taking, stealing and  
carrying away said property.

Served to before me  
the 16th day of June 1900

JL JB after

Police Justice

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Degree.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No.

Street.

POOR QUALITY  
ORIGINAL

0044

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, N. Y.

2 District Police Court.

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

Question. What is your name?

Answer.

*John Francis*

Question. How old are you?

Answer.

*22 years old*

Question. Where were you born?

Answer,

*Canada*

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

Answer.

*h. 2<sup>nd</sup> St. 6 days*

Question. What is your business or profession?

Answer,

*Waiter*

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 Francis*

Taken before me this

day of

*Aug* 1881

1881

Police Justice.

POOR QUALITY  
ORIGINAL

0045

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*

Taken before me this

day of

188

Police Justice.

*James Hogan*

POOR QUALITY  
ORIGINAL

0046

Sec. 198—200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK. } ss.

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

Question. What is your name?

Answer.

*William Drinkhouse*

Question. How old are you?

Answer.

*21 years old*

Question. Where were you born?

Answer.

*Philadelphia Pa*

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

Answer.

*300 Bury 7 weeks*

Question. What is your business or profession?

Answer.

*Baker*

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*

*William Drinkhouse*

Taken before me this

day of

188

Police Justice.



POOR QUALITY  
ORIGINAL

0047

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

Police Court-2 District. 104

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William Hoffman

James Hogan

William Hoffman

William Hoffman

William Hoffman

Offence.

Burglary

Dated

May 16 1888

White

Magistrate.

McClintock & McQueen Officer.

Witnesses

No. 1, by ..... Street.

No. 2, by ..... Street.

No. 3, by ..... Street.

No. 4, by ..... Street.

No. 5, by ..... Street.

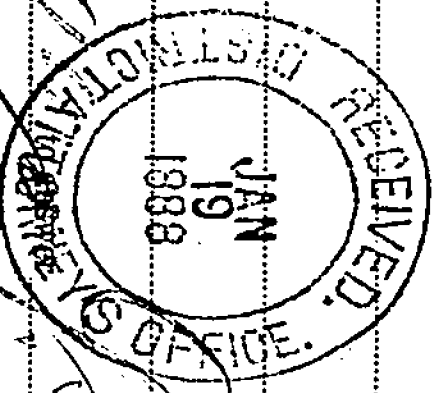
No. 6, by ..... Street.

No. 7, by ..... Street.

No. 8, by ..... Street.

No. 9, by ..... Street.

No. 10, by ..... 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 Hogan and William Hoffman

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

Two 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 16 1888 Police Justice.

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

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

POOR QUALITY  
ORIGINAL

00848

# 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 Francis, James  
Hogan & William Drindhouse*

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

*John Francis, James Hogan & William Drindhouse*  
of the CRIME OF BURGLARY IN THE *Third* DEGREE, committed as follows:

The said *John Francis, James Hogan and  
William Drindhouse, all —*

late of the *Seventeenth* Ward of the City of New York, in the County of New York  
aforesaid, on the *fourteenth* day of *January*, in the year  
of our Lord one thousand eight hundred and eighty-*eight*, with force and arms, about the  
hour of *four* o'clock 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 Philip Wagner,*

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

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

*shop*  
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

00849

SECOND COUNT—

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

*John Francis, James Haggan & William Dindhouse*  
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said

*John Francis, James Haggan and  
William Dindhouse* of the —

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 *month* time of the said day, with force and arms,

*ten coats of the value of eighteen  
dollars each, ten coats of the value  
of four dollars each, and ten  
pairs of trousers of the value of  
eight dollars each pair, and twenty  
five yards of cloth of the value  
of four dollars each yard.*

of the goods, chattels and personal property of one *Philip Haggan*.

*shop*  
in the ~~dwelling house~~ of the said *Philip Haggan*.

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

*John R. Haggan  
District Attorney*

0850

**BOX:**

291

**FOLDER:**

2777

**DESCRIPTION:**

Frische, Henry

**DATE:**

01/23/88



2777



POOR QUALITY  
ORIGINAL

0051

WITNESSES:

*Alfred J. Mills*

Counsel,

Filed *23* day of *January*

Pleads

*Northway, et al.*

188

*Curry*

*294 A.C. Schatz*  
*906908-Ind-MC*

THE PEOPLE,

vs.

*B*

*Henry Sussel*  
*1481*

Violation of Excise Law.  
(Bollington Sunday, etc.)  
[III Rev. Stat. (7th Edition), page 1983, Sec. 21, and  
page 1989, Sec. 5.]

JOHN R. FELLOWS,

RANDOLPH B. MARINE,

*Feb 9 1913*  
District Attorney.

A True Bill.

*Edward E. Brown*  
Foreman.

Part III February 8/88.

Complaint sent to Special Session

POOR QUALITY  
ORIGINAL

0052

Notice of Appearance.—579

John Polhemus, Printer and Mfg Stationer, 102 Nassau St., N. Y.

Court of General Sessions of the Peace  
City and County of New York.

The People of the State  
of New York,

against

Henry Fiske.  
(Exceise)

Notice of Appearance.

SIR:

Please to take Notice, That the defendant Henry Fiske  
indicted for alleged violation of the Exceise Law  
appears in this action, and that I am retained as Attorney for him  
therein, and demand that a copy of the Complaint and all papers in this action be served on  
me at my office, number 906 & 908 Third  
avenue, New York City.  
Dated N. Y. 25 Jan'y, 1888

Yours, &c.,

Adam E. SCHATZ & DE WITT,

To John R. Fellows Esq  
District Attorney,  
for Plaintiffs.

Attorneys for Henry Fiske  
906 & 908 Third Ave  
Office and Post Office Address: 200 Broadway, New York.

POOR QUALITY  
ORIGINAL

0053

*Court of General Sessions  
City and County of New York*

*The People of the  
State of New York,*

*~ against ~*

*Henry Trishe  
(Exile)*

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**Notice of Appearance.**

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**A. E. SCHATZ & DE WITT,**

206 Broadway,  
906 & 908 Third Ave.  
NEW YORK.  
Attorney for Defendant

---

Due service of a notice, of which the within is a  
copy, admitted this 18 day  
of 18

*To John R. Fellows Esq  
District Attorney  
for Plaintiff's Attorney*

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**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*Plaintiffs*

*against*

*Henry Frische*

*Defendant.*

The Grand Jury of the City and County of New York, by this indictment, accuse the above named defendant of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows :

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *eighth* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight* at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit : One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

*Michael Shields*

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

SECOND COUNT :

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

*John R. Fellows,*  
~~RANDOLPH B. MARTINE,~~

District Attorney.