

0558

BOX:

121

FOLDER:

1278

DESCRIPTION:

Ballance, William

DATE:

12/28/83



1278

224

Counsel,

Counsel,
Filed 28 day of Dec 1883

Pleads *indigently* *Jan 2/84*

THE PEOPLE

3

vs.

3117-1

Dr. J. C. Rogers

PETER B. OLNEY,

~~JOHN W. RICH~~

District Attorney.

Pr. Paid 7/84

1104
Fred + Corcoran

A True Bill. at Burg 3. 9.

Revised 11/1/08

Mr. Z. Miller

Foreman

0559

0560

Police Court—First District.

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

Thomas Fury

of No. 21 West

Street, aged 43 years,

occupation Laborer

being duly sworn

deposes and says, that the premises No 21 West

in the First Ward Street,
in the City and County aforesaid, the said being a Brick building

in part
and which was occupied by deponent as a dwelling

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

and an other person name unknown to deponent

were **BURGLARIOUSLY** entered by means of forcibly turning a knob

of the lock of the door leading from the hallway
into said premises and entering therein

on the 24 day of December 1883 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

One cardigan jacket of the value of one dollar

the property of

deponent

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

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

William J. Ballance (now here)

for the reasons following, to wit:

that deponent saw said defendant
in his room with the aforesaid property in his
possession and in the act of leaving said room
with said property

wherefore deponent prays that said defendant
may be bound to answer and dealt with according
to law.

Thomas X Fury
his
mark

sworn to before me this
24 day of December 1883

Police Officer

0561

Sec. 198-200

1st District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. William J. Balance

Question. How old are you?

Answer. 28 years

Question. Where were you born?

Answer. Ireland

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

Answer. 417-3 ave - about 8 mos

Question. What is your business or profession?

Answer. Oysterman

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 was drunk, and did not know what I was doing. I have been drinking steroids about 3 months.

Wm J Balance

Taken before me this

9th

day of

Dec

1883

Wm J. Balance

Police Justice.

0562

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

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 24 Dec 1883 W. J. O'Connell Police Justice.

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

Dated _____ 188 . _____ Police Justice.

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

Dated _____ 188 . _____ Police Justice.

0563

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas Gury
21 West St.
William J. Ballance

2
3
4

Office Burglary

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated 24 December 1883

Mamie J. Power Magistrate.

Arnelius Sully Officer.

24 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$1000- to answer G.S.

leone

0564

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

William J. Barrance

The Grand Jury of the City and County of New York, by this indictment, accuse William J. Barrance

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

The said William J. Barrance

late of the First Ward of the City of New York, in the County of New York aforesaid, on the 24th day of December in the year of our Lord one thousand eight hundred and eighty-three with force and arms, about the hour of twelve o'clock in the day time of the same day, at the Ward, City and County aforesaid, the dwelling house of

Thomas Fung there situate, feloniously and burglariously did break into and enter,

whilst there was then and there some human being, to wit, the said Thomas Fung within the said dwelling house, the said William J. Barrance then and there intending to commit some crime therein, to wit: the goods chattels and personal property of the said Thomas Fung 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.

Peter B. Olney
District Attorney

0565

BOX:

121

FOLDER:

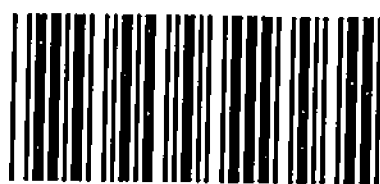
1278

DESCRIPTION:

Bampfield, Thomas

DATE:

12/13/83



1278

0566

18
Counsel, *W. C. P. Leach*
Filed *13* day of *Dec* 188 *3*
Pleads *Not Guilty*

THE PEOPLE
vs.
Thomas
Bampfild
Embzelement
III R.S. Part IV. Chap. I
Sec. 5. § 737

Peter B. O'Brien
District Attorney

A True Bill.
M. L. Piker
Foreman.
Dec. 19/83
Spredy & Keenleyside

0567

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK

POLICE COURT—

DISTRICT.

Jacob H. Limms
 of No. 114 West 26th Street, being duly sworn, deposes and
 or about Eleventh day of January 1882
 says that on the _____ day of _____
 at the City of New York, in the County of New York, Thomas Pomphrey

Who had been duly elected prior to that date was
 on that day duly installed as Treasurer of
 Hamilton Lodge No 710 Grand United Order
 of Odd Fellows. Holding its meetings at
 No 140- Sixth ave. in said city.

That as such Treasurer he became the
 Custodian of the funds of said Hamilton Lodge
 No 710.

Deponent further alleges that on or about
 the 29th day of May 1882, said Pomphrey
 Treasurer of said Hamilton Lodge No 710 having the
 Care and Custody of the funds of said Lodge, did
 feloniously embezzle and convert to his own
 use the sum of twenty dollars of money voted
 and appropriated by said Hamilton Lodge
 No 710 to the payment of the funeral expenses
 of a deceased brother and a member of said
 Hamilton Lodge No 710.

Deponent further alleges that at divers times and
 dates between the 29th day of May 1882 and the
 12th day of October 1882 said Thomas Pomphrey
 received as such Treasurer of Hamilton Lodge
 No 710 various sums of money out of which
 he (Thomas Pomphrey) took and feloniously
 embezzled and converted to his own use
 the sum of one hundred and fifty two
 52 dollars of money belonging to said
 Hamilton Lodge No 710 and without its
 Consent. and the said Thomas Pomphrey

0568

now with holds the said accounts
of money the property of said
Huntton Lodge No 410. and
refuses to give it to said Lodge

Sworn to before me this
1st day of December 1888
J. M. Patterson

James M. Simmons

Police Justice

Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

ARRIDAVIT.

vs.

Dated 1888

Magistrate.

Officer.

Witness,

Disposition,

0569

Sec. 198-200

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas Bampfey 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 h^e 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^{is} waiver cannot be used
against h^{im} on the trial.

Question. What is your name?

Answer. *Thomas Bampfey*

Question. How old are you?

Answer. *31 years of age*

Question. Where were you born?

Answer. *Charleston, South Carolina*

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

Answer. *445-7th Avenue, since June last*

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. The
money was stolen from
me. That is all I have
to say.*

Thomas Bampfey

Taken before me this

1st

day of *December* 188

5

W. J. Patterson

Police Justice.

0570

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

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

Dated December 16 188 . J. M. Patterson Police Justice.

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

Dated _____ 188 . _____ Police Justice.

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

Dated _____ 188 . _____ Police Justice.

0572

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Banfield

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

_____ Thomas Banfield _____
of the CRIME OF Embezzlement _____

committed as follows:

The said Thomas Banfield _____

late of the City and County of New York, on the Eleventh _____ day of _____
January in the year of our Lord one thousand eight hundred and eighty-two
was an officer, to wit: the treasurer of a
certain association called Hamilton Lodge
Number Seven Hundred and Ten, Grand
United Order of Odd Fellows, and as such
officer of the said association was en-
trusted to receive, for and on account of
the said association divers large sums
of money: And being such officer as
aforesaid, and being so entrusted, the said
Thomas Banfield, by virtue of his
said office then and there did receive
and take into his possession, a sum
of money, to wit: the sum of twenty
dollars in money, lawful money of the
United States of America, and of the value
of twenty dollars, for and on account of
the said association: And the said
Thomas Banfield, on the day and
in the year aforesaid, at the City and
County aforesaid, with force and arms,

0573

fraudulently and feloniously did take,
make away with and secrete, with intent
to convert to his own use, and did fraud-
ulently and feloniously embezzle and
convert to his own use, without the con-
sent of the said association, and did
fraudulently and feloniously, and without
the consent of said association, withhold
appropriate, apply and make use of the said
sum of money, of the goods, chattels, per-
sonal property and money of the said
Hamilton Lodge Number Seven Hun-
dred and ten, Grand United Order of
Odd Fellows, which said goods, chattels
personal property and money had come
into his possession and under his care,
by virtue of his said office: 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.

Peter B. Olney

District Attorney.

0574

BOX:

121

FOLDER:

1278

DESCRIPTION:

Berry, William

DATE:

12/28/83



1278

226

Day of Trial,

Counsel,

Filed *28* day of

Dec 188*8*

Pleads

THE PEOPLE

vs *Charles*
W. F. *vs.*

W. F. *P*
W. F. *W. F.*

Berry

BURGLARY—Third Degree, and
Possession of Stolen Goods.

498-506-5289-53

PETER B. OLNEY,

~~JOHN JACKSON~~

22 *Law* *2/8/84* District Attorney.

pleading with
A True Bill.

W. F. W. F.

Foreman.

S. P. O. Two years.

Witnesses:
H. R. R. R.

0575

0576

Police Court District

City and County
of New York, ss.:

of No. 40 South Street, aged 42 years,

occupation liquor dealer being duly sworn

deposes and says, that the premises to aforesaid Street,
in the City and County aforesaid, the said being a liquor store for
the deposit & sale of liquors & cigars
and which was occupied by deponent as such
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly removing
the iron bars or fastening of a
ventilator or fan light communicating
with said store
on the 20 day of Decr 1883 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

An overcoat a pistol some cigars
a bottle of whiskey eighteen papers
of tobacco & other property collectively
of the value of twenty five dollars

the property of deponent

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

William Berry Now Nedup
for the reasons following, to wit: that the aforesaid fastening
which was secure and intact when dep-
onent left the store about midnight of
said day was found to have been removed
and that aforesaid property taken stolen
and carried away from the store - that the
coat & pistol which deponent identifies were
found in the defendants possession by Officer Pigeon
as deponent is informed & the defendant now admits
that he committed the said Burglary Herman

Sworn to before me this
21st day of Decr 1883
at New York City
Notary Public

0577

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 36 years, occupation Police Officer of No. —

the First Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Herman Ruger

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

Sworn to before me, this 21

day of Dec

1883

Refus. O. Briggs

Golda B. Smith

Police Justice.

0578

Sec. 198-200

CITY AND COUNTY } ss.
OF NEW YORK, }

1st District Police Court.

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

Question. What is your name?

Answer.

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 guilty of the charge
Wm Berry

Taken before me this
day of *Dec* 188*8*
John J. Smith
Justice of the Peace

0579

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

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

Dated Dec 21 3 188 Solomon Smith Police Justice.

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

Dated _____ 188 . _____ Police Justice.

There being no sufficient cause to believe the within named _____

_____ guilty of the offence within mentioned, I order h to be discharged.

Dated _____ 188 . _____ Police Justice.

0580

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

Henry Kuger
40 South St.
William Perry

2 _____
3 _____
4 _____

Dated _____ 188

Smith Magistrate.

Rufus Briggs Officer.

1st Precinct.

Witnesses *Call the officer*

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *1000* to answer

Com



0581

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Berry

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

William Berry

of the CRIME OF BURGLARY IN THE THIRD DEGREE,

committed as follows:

The said William Berry

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the twentieth day of December in the year of our Lord one thousand eight hundred and eighty three with force and arms, at the Ward, City and County aforesaid, the store of

Herman Ruger

there situate, feloniously and burglariously, did break into and enter, the same being a building in which divers goods, merchandise, and valuable things were then and there kept for use, sale and deposit, to wit: the goods, chattels, and personal property hereinafter described, with intent the said goods, chattels, and personal property of the said

Herman Ruger

then and there being, then and there feloniously and burglariously to steal, take and carry away, and one overcoat

of the value of fifteen dollars, one pistol of the value of five dollars, one hundred cigars of the value of five cents each, one bottle of whiskey of the value of two dollars, and eighteen packages of tobacco of the value of five cents each.

of the goods, chattels and personal property of the said

Herman Ruger

so kept as aforesaid in the said store 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.

Peter B. O'Neary

District Attorney

0582

BOX:

121

FOLDER:

1278

DESCRIPTION:

Blake, Daniel

DATE:

12/14/83



1278

0583

BOX:

121

FOLDER:

1278

DESCRIPTION:

Anderson, John

DATE:

12/14/83



1278

0584

BOX:

121

FOLDER:

1278

DESCRIPTION:

Daley, James

DATE:

12/14/83



1278

0585

BOX:

121

FOLDER:

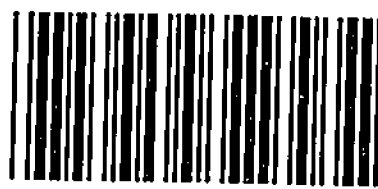
1278

DESCRIPTION:

Clark, John

DATE:

12/14/83



1278

Witnesses:

John Spellman

102

Counsel,

Filed 14 day of Dec 1883

Pleads

Fortynelly (17)

THE PEOPLE

P

Daniel Blane

James Daley

John Blane

John Blane

John Anderson

PETER B. OLNEY,

JOHN HICKSON

District Attorney

Chas. D. W.

A TRUE BILL. Sent suspended

W. L. Miller

Dec 13. Foreman.

Chas. 1883.

W. L. Miller

Sentence suspended

0586

GLUED PAGE

0587

The People
vs
John Anderson

count of several Sessions
of the Peace for the City and
County of New York
City and County of New York etc.

John M. Stanton
Jas. G. Sullivan
John H. Farrell
W. H. Dolan

Being duly sworn deposes and
says that they are residents of the City
of Brooklyn and doing business in said City and
says that they have known John Anderson for a period
of years and know him to be a Boy of Good character
and of honest, sober, and industrious habits.

Subscribed and sworn to this
17th day of Dec. 1883
William M. Allen
Commissioner of Deeds
of the City of Brooklyn

John M. Gorman
John Gallagher
Bernard H. Dolan
John H. Farrell

0588

Court of General Sessions of the
Peace,

The People &c.

vs.

John Anderson

City and county of New York, ss.
William Dwyer being duly sworn
deposes and says that he is
a resident of the city of Brooklyn
living at No 81 Prospect street.
and doing business at No 146 Hicks street -
that he has known John
Anderson, the defendant in the
above entitled criminal action
during a period of **Five**
years and knows him to be
a man of good character,
honest, and sober and industrious
habits -

Sworn to before me this?
17th day of December 1883 -

William O'Fallon
Commissioner of the
City of Brooklyn

Wm Dwyer
81 Prospect St
1870013/m

0589

My General Sec Court.

The People or

Plaintiff

against

John Anderson

Defendant

affidavit - acts
good character
of defendant

FRANK J. KELLER.

Attorney for

346 BROADWAY,
NEW YORK CITY.

To

Esq.

Attorney for

Due and timely service of

is hereby admitted.

Dated

188

Attorney for

C. B. Merwin, Printer, 218 Fulton St., N. Y.

0590

ST. NICHOLAS HOTEL
NEW YORK.

Dec 17. 1882

Clarence Cary Esq

Dear Sir

I find by our
recent book as to
character of employees,
that Daniel Blake
was recommended to us
by letter from J. F. Daly &
Commenced work here
in August 1874 & left
in consequence of
diminishing force in
department in which he
was employed in

0591

the month of March
1875. His record on
our books is good
and had he not been a
faithful man he would
not have been employed
Solone

J. J. J. J.
W. H. H. H.
P. P. P. P.
T. T. T. T.

0592

Mr. Clarence Gary,
att.

Sir,

John Clark was
in our employment for
a number of years and
we always found him to
be a strictly honest and
reliable man. By allowing
him to go free you will
greatly oblige

Yours

Hills Bros.

New York Dec 17/87

79 & 81 Park Pl

0593

Hills Bros. Greens
779 Park Place
at Dr. Clarke

0594

Supply Dept W. V. Tel Co
New York Dec 18, 1883

Clarence Carey Esq Atty
Dr Sir

In reference to the previous Character
of Daniel Blake and John Clark I have to
say I have known Daniel Blake since Mch
1875 and he has worked under me for six
(6) years during which time I found him a
sober honest and trustworthy man. John Clark
I have known only for a few months but since
the Commencement of this trouble I have made
inquiry about his previous Character and I
find all who know him to speak well of him
I am satisfied that this is the first offence of
either and do believe they are honest in other
respects but they thought this platinum which
they sold would otherwise have sold as old brass
in which case it would not bring 50 cts to the
Western Union Co

Yours Very Respectfully
John Spellman

FOREMAN.

0595

General Purchasing Agent's Office,
Western Union Telegraph Company,

Dictated.

New York, Dec. 17 1883

Clarence Cary Esq

Attorney - New York

Dear Sir

Samuel Flake was employed
by me in March 1875 to work in this
Company's Supply Dept. and remained
in the Company's employ until April
1881 or later and was not discharged
because of any fault found with his
~~work~~, but because cheaper help could
be had to do the work.

During the six years he was
employed he was industrious and faithful
and I always believed him to be perfectly
honest

Very Respectfully

Wm. Hunter

Asst. Supplies

0596

Executive Office
Western Union Telegraph Company

New York Dec. 17 1883

Hon. Rufus B. Cowing,
Justice of Special Sessions, N.Y.
Honored Sir:

In accordance with
our conversation this morning, I beg
to say with reference to two of the
parties who were indicted for stealing
pieces of platinum from the Western
Union Telegraph Company, viz: Daniel
Blase and John Clark, that so far
as we can learn this is their first
offence, their previous character being
good. We believe they were drawn
into the theft by other more guilty
parties, and that it will best serve
the interests of society if their sentences

0597

2

can be suspended.

On account of the effect of the example upon our other employes, we hesitate to re-employ these men, certainly at their former occupation, but if we do not so employ them, we will exert ourselves to find work for them elsewhere. One of the men - Blake - is consumptive and has but recently come from the Hospital, while the other - Clark - has an invalid wife and several children.

We trust that this statement will be sufficient to justify your suspending sentence in their cases, and we feel sure that such action on your part will be to the best interests of the State, and of benefit to the prisoners themselves.

With great respect, I am,

Very truly yours,

D. H. Bates.

Actg Vice Pres't & Asst Genl Mgr

0598

Executive Office
Western Union Telegraph Company

New York December 19, 1883

To
Hon. Rufus B. Cowing,

City Judge &c..

Dear Sir:-

We have been applied to by the friends of the prisoners in the cases of Anderson and Dailey, who come before you for trial tomorrow, to join in an application for suspension of their respective sentences.

We do this, in view of the previous good character of the two men while in our employ, believing that this is a first offence in each case, and that it will best subserve the interests of justice and of society to give these young men an opportunity to rehabilitate their characters, without the stain of a prison record behind them.

As in the cases of Blake and Clarke, we will endeavor to find work for the men, in effort to keep them in the way of correct and honest living.

There are circumstances which we understand will be explained to you in the family affairs of these two men which would make their continued incarceration a matter of peculiar hardship to worthy and honest parents.

A letter will be submitted with this, from Mr. Spellman, the foreman of the Supply Dept. of this Company, vouching ^{for} the character

0599

R C

2

of these men while under his immediate employ.

With appreciation of the courtesy shown in the consideration
of our previous application of this nature, we remain

Very respectfully yours,

W. J. E. Kest.
Nice End + Good Days

0600

Supply Dept W. H. Tel Co
New York Dec 20. 1883

Clarence Cary Esq Atty
Dr Sir

I have made diligent inquiries concerning the previous Character of John Anderson and John Daly and find that up to the time of their committing the Crime of which they now stand accused their Character have been of the best I suppose they were led into this Crime from the fact of their supposing the platinum which they took which amounted to but little in weight would otherwise have sold at price of old metal. I would trust those men in other respects and think they are now well punished and they have learned a lesson which may serve them for life.

Yours Very Respectfully

John Spellman
Foreman

0601

Court of General Sessions of the
Peace

The People &c. }

vs.
James Daley }

City and county of ^{Kings} New York
Francis Marker being duly
sworn, deposes and says that he
is a resident of the city of
Brooklyn, living at No. 203
Carlton Avenue street, and, ^{retired from} ~~being~~ business
at No. ~~street~~ street.

That he has known James Daley,
the defendant in the above enti-
tled criminal action during
a period of twenty years and
knows him to be a man of
good character, honest, and of
 sober and industrious habits.

Sworn to before me

this 18th day of December 1863 }

James C. Church

Notary Public

Kings Co.

Cor. filed in N.Y. Co.

Francis Marker

0602

Court of General Sessions of the
Peace

The People vs. }

vs.
James Daley }

City and county of ^{Kings} New York ss.
Michael, F. Boylan being duly sworn,
deposes and says, that he is a
resident of the city of Brooklyn,
living at No. 126 Third street,
and doing business at No. 26
Washington street.

That he has known James Daley
the defendant in the above enti-
tled criminal action during
a period of eight years and
knows him to be a man of
good character, honest and of
sober and industrious habits.

Sworn to before me
this 18th day of December 1883

James C. Church

Notary Public

Kings Co.

Cert. filed in N.Y. Co.

Michael F. Boylan

N. Y. General Sessions Court.

The People vs.

Plaintiff

against

James Daley

Defendant

Affidavit as to good
character of
Defendant.

FRANK J. KELLER.

Attorney for.....

346 BROADWAY,
NEW YORK CITY.

To..... Esq.

Attorney for.....

Due and timely service of

..... is hereby admitted.

Dated..... 188

Attorney for.....

C. B. Marwin, Printer, 218 Fulton St., N. Y.

0603

0604

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss.

of No. 114 Cedar St Street, New York City

being duly sworn, deposes and says, that on the 15 day of November, 1883,

at the Western Union Telegraph Co Building City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent with intent to steal and deprive the owner of the use and

the following property, viz: about nine hundred platinum
points forming a part of the Gold &
Stock Instruments used in the business
of said Company, and of the value of
Fifty Dollars.

Sworn before me this

11th day of December, 1883
Samuel J. [Signature]
Police Justice,

a Company known as and doing business under the name of
the property of, the Western Union Telegraph Company
and in care and charge of deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken,
stolen, and carried away by Daniel Blake James Daly

John Clarke and John Anderson (all now present)
from the fact that said defendants acknowledged to
deponent in the presence of Officer William Flynn that they did take
and carry away the aforesaid property John Spellman

0605

Sec. 198—200

182

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Daniel Blake

Question. How old are you?

Answer. 38 years

Question. Where were you born?

Answer. Ireland

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

Answer. 130 Liberty St. about 4 weeks

Question. What is your business or profession?

Answer. Porter

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 to certain extent

Daniel Blake

Taken before me this

day of

March
1887

Police Justice.

0606

Sec. 198-200

182 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

James Daly

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

United States

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

Answer.

73 adam st Bklyn 20 years

Question. What is your business or profession?

Answer.

Laborer

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

Answer.

I am guilty

James Daly

Taken before me this

day of

September 1887

Police Justice.

0607

Sec. 198—200

18 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

John Anderson 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. is; that the statement is designed to
enable h. is if h. is 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 h. is waiver cannot be used
against h. is 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.

Taken before me this

day of

Police Justice.

0608

Sec. 198-200

CITY AND COUNTY } ss.
OF NEW YORK }

18th District Police Court.

John Charles 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 h^e 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^{is} waiver cannot be used
against h^{im} on the trial.

Question. What is your name?

Answer. *John Charles*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *29 - Front St Bklyn. about 18 mos*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am guilty of having some of
the stuff in my possession*

John Clark

Taken before me this

day of

188

Police Justice.

0609

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 Daniel Blake.

James Daly John Clarke and John Anderson
guilty thereof, I order that ^{each} they be held to answer the same and ^{they} 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 they
give such bail.

Dated 11 December 1883

Augustus M. Smith Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

06 10

70102

Police Court - First District. 928

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Spellman
114 Cedar St.

1 Amiel Blake

2 James Daly

3 John Clarke

4 John Anderson

Offence

Mud-dancing

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated 11 December 1883

W. J. White Magistrate.

W. J. Flynn Clerk.

27 Precinct.

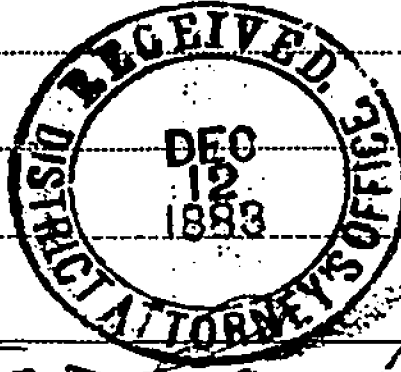
Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 5.00 to answer for fees



0611

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Daniel Blake
James Daley
John Anderson and
John Clark

The Grand Jury of the City and County of New York, by this indictment, accuse
Daniel Blake, James Daley
John Anderson and John Clark
of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said Daniel Blake, James Daley

John Anderson and John Clark

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
15th ~~on the~~ day of November in the year of our Lord one thousand eight hundred and
eighty- three, at the Ward, City and County aforesaid, with force and arms

nine hundred pieces of platinum
of the kind commonly called
platinum points, of the value
of six cents each

of the goods, chattels and personal property of ~~the~~ The Western Union
Telegraph Company 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.

Peter B. Olney
District Attorney.

06 12

BOX:

121

FOLDER:

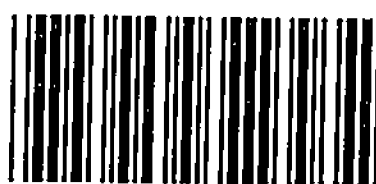
1278

DESCRIPTION:

Boyd, John

DATE:

12/11/83



1278

This is a carbon
man & wife & the latter
the complaint was
by the complaint was
an accident. The person
has been two months in
the hospital & I refuse
fully believe in the
Cory the person
of discharging the pri-
soner on his own re-
-copied from
Affidavit
of the Court

Counsel,

Filed 11 day of Dec 1883.

Pleads Nov 4 July 14.

THE PEOPLE

vs.

John Boyd

Account in
Second Degree
[Section 218]

Peter B. O'Brien
~~Attorney at Law~~

22 Dec 21/83 District Attorney

Discharged by the Court
A True Bill.

M. L. P. P.

Foreman.

Just, Dec 21/83
at 11/2

06 13

06 14

ROOSEVELT HOSPITAL,

59th STREET & NINTH AVENUE.

New York, Oct. 30th 1883

This is to certify that
Delia Boyd, who was
brought into this Hospital
last night, is suffering
from a severe lacerated
wound of the vagina, and
has lost a considerable
quantity of blood. She will
be unable to leave her
bed for several weeks.

J. D. Emmet
House Physician
Metric Ward.

06 15

Police Court—2^d District.

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

Nellie Boyd, aged 39 years,
now in Roosevelt Hospital, 5th Street,
and 9th Avenue being duly sworn, deposes and says, that
on the 29th day of October
in the year 1888, at the City of New York, in the County of New York,

and feloniously
She was violently ASSAULTED and BEATEN by her husband, John
Boyd, now here who did wilfully
kill deponent on her private parts,
with one of his feet, thereby causing
severe injuries to deponent

without any justification on the part of the said assailant. and with intent to
do deponent grievous bodily harm
Wherefore this deponent prays that the said assailant may be apprehended and bound to
answer the above assault, &c, and be dealt with according to law.

Sworn to before me, this

day of

188

POLICE JUSTICE.

Nellie Boyd
(Mark)

06 16

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

POLICE COURT, 2d

DISTRICT.

John Buckley, 40 years old,
of the 20th Precinct Police Street, being duly sworn, deposes and
says that on the 29 day of October 188 3
at the City of New York, in the County of New York, at the tenement No

442 West 31st he arrested John
Boyd, now here, upon a charge of
Felony Assault and Battery upon the
person of Elia Boyd, wife of said
John Boyd. Said Elia Boyd is now
confined in Roosevelt hospital in
consequence of a wound which, she
informs this deponent, was inflicted by
said John Boyd. Deponent further
prays that said John Boyd may be
committed to await the result of the
injuries of said Elia Boyd.

Shun to before me this
30 day of October 1883
Hughes
Police Justice

John Buckley

06 17

Police Court 2d District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
John Buckley
vs.
John Boyd

AFFIDAVIT.

Dated October 20 1883

Edward Magistrate.

John Buckley Officer.
Witness, 20

Disposition,
Commit to prison
much of injuries

06 18

Sec. 198-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

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 did not intend to do
my wife any injury when
I kicked her. That is all
I can say*

John Boyd

Taken before me this 27th day of November 1888

John M. Otterman
Police Justice.

06 19

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

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 November 27 1883 J. M. Patterson Police Justice.

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

Dated _____ 188 . _____ Police Justice.

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

Dated _____ 188 . _____ Police Justice.

0620

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

Delia Boyd

442 N 31 St.

John Boyd

2 _____
3 _____
4 _____

Officer [illegible]
[illegible]

Dated

November 27th 1883

Patterson

Magistrate.

Buckley

Officer.

20

Precinct.

Witnesses

John Buckley

No.

20

Street.

No.

NOV 30 1883

Street.

No.

500

to answer

J.B.

Street.

Com.

0621

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 Boyd

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

John Boyd
of the CRIME OF Assault in the Second Degree
committed as follows:

The said John Boyd

late of the City and County of New York, on the twenty ninth day of
October in the year of our Lord one thousand eight hundred and eighty-three
with force and arms, at the City and County aforesaid, in and upon the
body of one Delia Boyd, in the face of
the said People then and there being, felon-
iously did make an assault, and her
the said Delia Boyd, in and upon the
private parts of her the said Delia Boyd,
then and there feloniously did unlawfully
and wrongfully strike beat, kick, bruise
and wound, and did thereby then and there
feloniously unlawfully and wrongfully in-
flict grievous bodily harm upon her the
said Delia Boyd, that is to say: did thereby
then and there lacerate and wound her
private parts: against the form of the Stat-
ute in such case made and provided, and
against the peace of the People of the
State of New York and their dignity.

~~Whelan of Richmond~~
Peter B. O'Brien
District Attorney

0622

BOX:

121

FOLDER:

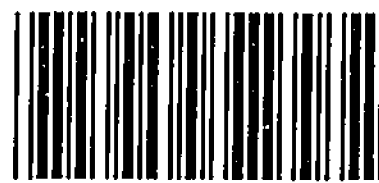
1278

DESCRIPTION:

Brady, Mary

DATE:

12/04/83



1278

0623

No 11

Counsel,

Filed 4 day of

188 3

Pleads

Mr. Gully

THE PEOPLE

19. 11/100 vs.
1/2

P

Man

Brady

[Signature]

Grand Larceny, Second degree, and
Possession of Stolen Goods.
[43528-5319-5540]

Wheeler M. Peckham,

District Attorney

12 Dec 11/11

A True Bill.

Specimen

[Signature]

Foreman.

0624

Fourth

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss.

Wm. E. Kelly
 of *Garden City Long Island State of New York*
 being duly sworn, deposes and says that on the *14th* day of *November* 1883.

at the *Garden City Long Island State* ~~County~~ *New York*,
~~the County~~ of New York, was feloniously taken, stolen and carried away from the possession

of deponent and brought from *Garden City Long Island into the City and County*
 of New York on the *14th* day of *November* 1883, and that deponent is the true owner of
 the following property, viz:

One Gold Watch, Two Gold Rings, Two Silver Coins, Two Ladies
Suits of Clothing, Three Waists, One Skirt, One Chemise, Five
Pocket Handkerchiefs, Three Napkins, One Pocket Book
and one album, all of the value of thirty dollars and
more ~~more~~ *\$30.00*

the property of

deponent and her husband Charles McKelvey

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 *Mary Brady (now here)* from the

following facts to wit: That said defendant had been
in deponent's employ as a servant at her premises in Garden
City Long Island, in the State of New York, for about one
month. That on or about said date said defendant left
deponent's employ, that the next day after she said
defendant left deponent discovered that said property
had been feloniously taken stolen and carried
away. Deponent further says that on the 24th day of
November 1883 she discovered whom she said defendant-

1883
 Police Journal

0625

lived at No. 42 Duane Street in the City of New York,
deponent in company with detective officer Thomas McCarly
of the 18th Precinct accompanied her to the residence
of said defendant and there found concealed in
her Trunk the property described in the said complaint.
Deponent further says that she said defendant
denied having said property but after it was
found in the Trunk she admitted that it belonged
to deponent and that she had taken it from
deponent's premises into the City and County
of New York.

Deponent then further asks that
she be held to answer and deal with according
to law.

Sworn to before me this
23rd day of November 1883
City of New York

Wm. Charles H. Kelly

Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

AFFIDAVIT—Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0626

Sec. 198-200

of the District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Mary Brady*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *Montreal, Canada,*

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

Answer. *1142 Pine Street, NEW YORK*

Question. What is your business or profession?

Answer. *Domestic*

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 the property was
given to me by her husband*

Mary Brady

Taken before me this

day of *September*

188*3*

W. J. Conroy
Police Justice.

0627

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 Mary Brady

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

Dated November 25 188 J. W. Conway Police Justice.
December 1st

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0628

\$ 1m to Ct. Saturday
Dec 6. 10 am.

Police Court

4th District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Ella McKelvey

Garden City Long Island

1 Mary Brady

2

3

4

Dated

November 25th

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ 1000

to answer

BAILED.

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

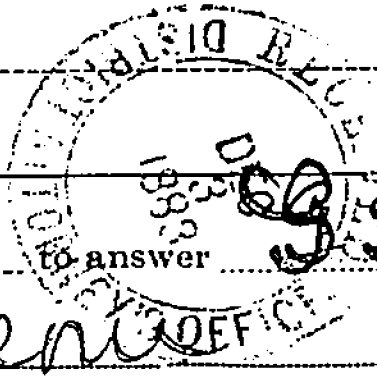
Residence

Street.

No. 4, by

Residence

Street.



0629

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Mary Brady

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

Mary Brady

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

The said Mary Brady

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

one watch of the value of twenty dollars, two rings of the value of two dollars each, two pairs of a kind and denomination to the Grand Jury aforesaid unknown of the value of one dollar each, two dresses of the value of three dollars each, three pairs of the value of one dollar each, one skirt of the value of two dollars, one chemise of the value of one dollar, five handkerchiefs of the value of twenty cents each, three napkins of the value of twenty cents each, ~~one album of the value of one dollar, and one pocket book of the value of one dollar~~ of the goods, chattels and personal property of one Charles McKeeney

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.

Walter M. Peckham
District Attorney.

0630

BOX:

121

FOLDER:

1278

DESCRIPTION:

Brennan, Daniel

DATE:

12/19/83



1278

Henry Smockman

Bailed by

Daniel Sullivan

572 East 151

142

Counsel,

Filed 19 day of Dec 1883

Pleads *Assault* (26)

THE PEOPLE

vs.

Daniel

Brennan

Assault in the Third Degree.

(Section 219.)

Peter B. O'Reilly,
JOHN MCKENNA

District Attorney.

May 27 76 Jan 4 90

A True Bill.

W. L. O'Reilly

Foreman.

Recd Feb 19 87

0631

0632

Sec. 198-200

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Samuel Pomeroy

Question. How old are you?

Answer.

29 years

Question. Where were you born?

Answer.

Germany

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

Answer.

193 Hudson St. New York

Question. What is your business or profession?

Answer.

Police at Henry Martine 749 Broadway

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 of any
German and American citizens. When
I was coming down from 34th St.
I got on a car, and rode down
a few blocks. When I got to
get off the car, I was sitting
on the rear seat, it was full
and he sat down upon my lap
and coat, and I asked him to
get up. He told me that he did
not own the car. He then said
"You God-damned Irish brats, he
kept abusing me until we
arrived at 24th St. & 2nd Ave.
and when he was in the act of getting
off the car he caught me by
the collar of my coat and pulled
me off to fight him and called me

Taken before me this
day of May

1887

Police Justice.

0633

a sound-scratch, I struck him
with a light ten cent cane after
I was pulled off the car by the
Complainant. I can't say that
he fell on the street - because
I walked away - I did not
run away from him. I
did not strike him more than
once which was the time I
have above stated. I can't
say whether or not he was
cut or bleeding & I never was
arrested before for anything.

Was - I can't say that the complain-
ant was bleeding before he
at the time of the striking of the
blow by me. I did not strike
him any other blow after the
first - I did not run away
at all.

Sporn to before me Daniel Korman
This 29th day of September 1888

[Signature]
John D. Dwyer

0634

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

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

Dated May 13 1883 Edw. R. [Signature] Police Justice.

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

Dated _____ 188 . _____ Police Justice.

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

Dated _____ 188 . _____ Police Justice.

0635

2000 527 Broadway
400 E 50th St

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

\$500. bond for
22
Ex on Aug 7 1888
2 P.M.
5/14/88 - 4th Div Court
10

Police Court 888 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Nancy Osmittman
413 East 24 St.

1. Annie Brennan

2. _____

3. _____

4. _____

Dated July 2 1888

A. J. White Magistrate.

Ryan Officer.

August Elmer, Jr. Precinct. 7

Lois Berlinghoff
515 E 6th St.

Witnesses

No. Nov 22 3 P.M. Street.

August Hausmann

No. 87 CEIVES 8 St. Street.

E. Hettergel M.D.
238 E 24 St.

No. Dailed for N Street.

\$ Henry Schinermann
413 East 24 St.

adv. Laura 9th - 10 22
- 1/2 St - 1888

0636

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY
OF NEW YORK, } ss.

An information having been laid before Sam A. J. White a Police Justice
of the City of New York, charging Daniel Brennan Defendant with
the offence of Arson

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

We, Daniel Brennan Defendant of No. 193

and Daniel Brennan of No. 512 E. 151

Street, by occupation a Cabman Surety, hereby jointly and severally undertake that

the above named Daniel Brennan Defendant

shall personally appear before the said Justice at the 4th District Police Court in the City of New York,

during the said examination, or that we will pay to the People of the State of New York the sum of five

Hundred Dollars.

Taken and acknowledged before me, this 27

day of July 188 3

Charles J. White POLICE JUSTICE.

Daniel Brennan

Denis Sullivan

0637

CITY AND COUNTY } ss.
OF NEW YORK,

Sworn before me, this 31 day of March, 1883
Justice

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

lot of land situated 512 East
151 Street in this city
Dennis Sullivan

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear
during the Examination.

Taken the day of 188

Justice.

0638

Police Court
Fourth District.

The People vs on the
complaint of
Henry Schmittmann
vs
Daniel Brennan

Before Mr Justice Herrman
Sep 4. 1883

Mr Louis Hessberg for complainant
Mr Levi for deft.

Henry Schmittmann called on his own
behalf, being sworn, testified as
follows: —

My name is Henry Schmitt-
mann. I reside at 413 East 27th
Street in the City of New York.

On the 30th of July 1883 at
12 o'clock I took a Second Avenue
Car to ride a few blocks. I went
in and took a seat. It was an
open car. There was only three
passengers in the last seat. Mr
Brennan was sitting on the corner
of the seat. I got on the car at

0639

2

56th Street and Second Avenue and went on the back platform and took a seat on the last seat of the car. The man on the corner seat, named Brennan stretched out both his legs. I said to him I think there is five seats here in this car, if you had paid for all the seats I could not leave the car. He lifted up a cane and held it under my nose. I asked him what he means about that cane. Then we rode down to 24th Street on Second Avenue and I told the conductor to stop. I went with one leg over him, and he raised up his foot and wanted to catch me, to trip me down. He did not trip me and I went off the car and he came after me up the street. I told him not to strike me, still he struck me with his cane a hard blow on the head, on the left side of the head.

2 Is this the mark of it, that you have got on your head now?

A, Yes sir.

2 What did you do after he struck

0640

that blow? A. I got up again ^{and} he gave me another blow on the right shoulder.

2 Did you strike him back?
A. No, I did not.

2 Was there anybody present when this thing occurred, anybody that saw this? A. Yes sir, there was three passengers in the car and he ran over on the side walk, ^{and} the three persons that were in the car followed him, ran after him. I have them here for witnesses

2 State the names of the witnesses?

A. I cannot; they are here present.

2 They are in the other room? A. Yes. Then I ran after him and on the corner of 2^d Avenue and 23^d Street there was two officers. I told the officers to arrest him and I made the charge

2 In what condition were you in after the blow was struck?

A. I was in a bad condition: I was full of blood: I ran to a drugget's store, the blood was all over my shirt and coat from

0641

4

the blow on my head

2 At the time that he struck you the second blow, did he try to run away?

Objected to

1 After the blow was struck what did this man do? A. After the second blow he ran away on the other side of the sidewalk. These three persons from the car, I have them here, they ran after him.

2 Where did you go to them? A. I went to the station house with the officers.

1 What did you do when you got to the station house? A. I made a charge against Brennan for assault and battery.

2 What became of your wound? A. I had it dressed in the drug gists' store.

2 What happened after you had this wound dressed? A. I got sick on it: I had to call the doctor and I got Erysipelas.

0642

2 Who was your doctor? A. Dr. Wettenzel

1 How long were you sick? A. Fourteen days.

1 Did the doctor give you up at one time?

Objected to.

2 Did he call in any other physician in consultation?

Objected to.

1 Was any other physician called in?

Objected to

2 What was the other physician's name? A. Dr. Lyon.

1 How long did he treat you? A. A few days

2 Who was your regular physician?

Objected to as immaterial

1 How many weeks did Dr. Wettenzel treat you? A. Over two weeks.

2 For about how long has he treated you? A. Over two weeks.

5

0643

6

- Q How often did he call there?
A Twice a day. I could not tell all of the time, I was so badly sick.
- Q Were you insensible? A I was part of the time, for four or five days I was not sensible.
- Q What were you suffering from?
A From the blow on the head.

Cross Examined by Mr Levi

- Q What is your business? A Soda water and mineral water manufacturer.
- Q And you say this happened on the 30th July? A Yes.
- Q Where were you before you got on to this car? A I had been in the Felsenkeller.
- Q Is that a drinking place, a wine room? A Whoever calls for any thing he could get it. It is a drinking and eating place.
- Q How long were you down in this drinking place that you call Felsenkeller before you started to take this car? A About an hour and a half I think, or two hours.

0644

- Q How is your memory, good?
- A Yes, most of the time.
- Q It is good then provided you have not any thing else to think of: is that what you mean? A Yes.
- Q Or anything to bother my brain?
- A No, nothing bother my brain.
- Q How much wine did you drink during the time you were there?
- A I drank seltzer and red wine mixed.
- Q How many glasses of wine and seltzer did you drink while you were down in that place? A Two or three.
- Q How many did you drink ^{before} ~~while~~ you got down there? A One or two.
- Q Where did you drink them?
- A At Mr Goebels.
- Q Is that a saloon? A That is here in 59th street.
- Q You drank how many? A One or two.
- Q How many did you drink before you got there? A Nothing.
- Q What time of the day was this that you took the car? A It

0645

8

Was twelve o'clock

2 In the day time? A. Night time

2 What time did you stop your business? A. All our business is stopped when the work is stopped.

2 When is that? A. I don't work in the shop

2 When did you stop, what hour? A. Six o'clock.

2 You went home I suppose and got ready to go out for the evening I suppose after that? A. No sir.

2 You didn't get ready to go out for the evening? A. No sir.

2 Where did you go after you closed your shop? A. I was out in the afternoon about four o'clock

2 Where did you go after you closed the shop? A. I don't close the shop

2 Is it open all night? A. My men close it.

2 Where did you go to after six o'clock? A. Went to Goebel and after Goebel to the Felsenkeller.

2 Then you made your tour between six and twelve at night? A. Yes.

0646

- 2 Did you remain in these two places all of that time? A. I had a good deal of walking.
- 2 I want to know if you spent all of your time between six and twelve at those two places.
- A. Yes, I had spent my time there.
- 2 How long did you remain in the first drinking saloon you went to? A. About one and a half or two hours.
- 2 How do you account for the other two hours between six and twelve o'clock. You have already testified that you were two hours in the first place, and you were one and a half or two hours in the Felsenkeller: how do you account for the other two hours? A. I was in another place I think in First Avenue and had seltzer water.
- 2 What did you mean by swearing a moment ago that you were only in those two places between six and twelve o'clock that night, which was one in this first drinking place and the other in this

0647

10

Felsenkeller. What did you mean by that. I didn't stop there, I only passed by.

Q I want you to make an explanation to that question (Question repeated) A. I stopped in another house, in another place.

Q Is that the best answer you can make to that question? A. Yes sir.

Q Did you have any friend or friends with you that evening? A. I had acquaintances of mine with me.

Q Who was it? A. The young fellow that is here, a witness.

Q You say that you took a Second Avenue Car at the corner of Second Avenue and 56th Street? A. Yes sir.

Q Was it an open car? A. Yes sir.

Q Do you remember whether the car was crowded or not? A. The other part of the car was crowded.

Q Answer yes or no? A. There was only one seat was not crowded.

Q I didn't ask that; was that car crowded or not? A. The other

0648

- seats except one
- 2 What portion of the car was not crowded? A. The last back seat was not crowded.
- 2 Do you know how many persons those seats hold? A. Yes sir.
- 2 Was it a double row of seats running along the car; were they double seats? A. It was one seat.
- 2 Were they double seats? A. They hold five persons.
- 2 Were the seats in a position that you could walk through the centre of the car? A. Not through the centre no, only on the side.
- 2 Then you mean to say that the last seat in the car was not crowded? A. Was not crowded. When I got in there was only three.
- 2 Do you mean three besides the defendant? A. There was three with him, I was the fourth.
- 2 Was the defendant sitting on that seat? A. Yes sir.
- 2 Was his friend sitting on that seat? A. There was a lady and a young man on the corner.

0649

- 12 Q Was the young man that you saw in this room here a few moments ago sitting on that seat? A. No sir.
- They were two Germans of my knowledge, a lady and a young man.
- Q And the defendant; was Brennan sitting on that seat? A. Yes sir, he was on the outside.
- Q The defendant was sitting on the extreme end of the seat? A. On the left hand of the car.
- Q Did you have any difficulty in getting on the car? A. No sir.
- Q Did you seat yourself? A. I did.
- Q Did your friend seat himself, your witness? A. He was standing on the back platform.
- Q That made a party of four on that seat by the time you sat down? A. When I sat down I was the fourth.
- Q You cannot be mistaken about that? A. No sir.
- Q What was the first thing that transpired between you and the defendant after you sat down? A. He stretched out his legs; he

0650

insulted me

2 Did he insult you by stretching out his legs? A. By name

2 He called you a name? A. Bad names.

2 What was it he said? A. Dentsch Planter and such names as that, other bad names.

2 Did he say anything else besides that to you? A. I could not recollect anything else.

2 Did that excite you when he called you Dentsch Planter? A. No Sir I kept away from him.

2 Then did you ride quietly down to 24th Street and Second Avenue? A. Yes sir.

2 Nothing transpired then between 56th Street and 24th Street? A. Yes sir

2 What was it? A. He raised his cane and hold it under my nose.

2 Where was that? A. That was on the way from 56th Street.

2 How far from 56th Street did you ride before he put up his cane under your nose? A. Five six, or seven blocks.

0651

14 2 Did he put up his cane under your nose without any further conversation between you?

A. No sir, not a word: he held it under my nose.

2 Did you say anything to him then?

A. Yes, I asked him what he meant by it.

2 You say he didn't say anything to that, did he? A. No sir.

2 Then you rode quietly along again? A. Yes sir.

2 Until you reached 24th Street? A. Yes sir.

2 When you arrived at 24th Street did you attempt to get off the car? A. Yes sir.

2 Was the defendant in the same position that he sat in when you got on the car? A. Yes sir.

2 Could you have got off on the right side of the car?

Objected to as immaterial

2 Was there an entrance on that car to get off on the right side? A. Yes sir.

2 Did you expect any trouble from

0652

this man when you got off the car? - A. No sir.

Q Why didn't you get off the right side so that you could avoid him? A. Because it was on the left side going down I lived, near the first Avenue. He was the only one person sat on the corner. On the other there was two. I thought it was proper for me to go the nearest way.

Q In order to avoid any difficulty with this man, why didn't you get off at the other side of the car? - A. I didn't expect any trouble.

Q Then everything went along smoothly and quietly and that is the reason you didn't expect any trouble? - A. Yes.

Q When you got off, did you tell the conductor to stop the car? - A. Yes sir.

Q Did you attempt to get off then? - A. Yes sir.

Q Did you get off? - A. Yes, I did.

Q Did you have any trouble in getting off? - A. He raised up his

0653

16

- leg
- 2 Did you have any trouble in getting off? A. Yes sir.
- 2 What trouble did you have? A. He raised up his leg.
- 2 What did you do when he raised up his leg? A. I went over him, went over his leg.
- 2 And you got off the car safely? A. Yes sir.
- 2 Why didn't you go about your business? A. He came upon me and I saw he had the club in his hand and I told him not to strike me.
- 2 You mean to say this man got off the car? A. Yes sir.
- 2 Had a club in his hand? A. Yes.
- 2 And without saying a single word he attempted to strike you with the club? A. I told him not to strike. He did strike me.
- 2 Did he strike you before you told him or after? A. He struck me right after: right at the very moment.
- 2 The moment you told him not

0654

to strike you, he struck you?
A. Yes sir.

2 There was not a single word
passed between you, except
what you said? A. No sir.

2 When you got off the car there
was not a word said? A. No sir.

2 On what part of the street was
it that he struck you with the
club? A. It was on the middle
of the street.

2 Close to the railroad track?
A. Between the tracks.

2 You cannot be mistaken? A. No
sir. I went to go down the street
of course as he came I went a
few steps back.

2 Did you cross from Second Ave.
to go towards Third Avenue or
did you cross to go towards
Third Avenue? A. I wanted to
go towards First Avenue.

2 Will you be kind enough to ex-
plain how you came to be in
the middle of the street when
you got off the car on the left
hand side? A. I went back
three or four steps because he

0655

18

raised up his club and I went back three steps; he was in the front of me then.

2 Did he get off the car before you did? A. He was right after me.

2 He must have been behind you? A. No, in the front. I went off and he went right after me, and I saw the man coming and I went around.

2 Did you turn around after you had attempted to go towards First Avenue and walk towards him at all? A. No sir.

2 Then if you didn't and he didn't get off the car first, I want you to explain how you could be back between the tracks going down town and that he could be in front of you?

A. I came off and he came off the same time. I saw him coming and I went back a few steps.

2 Is that the best answer you can make? A. Yes.

2 Where did he strike you on the head? A. I showed it to you

0656

before

Q Did he strike you on the head?
A Yes, on the hat here, (illustrating)

Q How many times did he strike you? A Once.

Q What did you do then? A I fell.

Q Fell down? A Yes sir.

Q Did you get up again? A Yes sir.

Q What did you do then? A He struck me again.

Q Didn't you swear a moment ago that he only struck you once? A He struck me twice.

Q What did you mean by saying a moment ago, he only struck you once? A I did not say so.

Q What did your friend do all this time if anything? A After he ran they followed him.

Q What did your friend do if anything? A He was standing on the back platform.

Q Didn't he get off the same time you did? A No sir.

Q Wasn't he going with you?

A No sir, I ~~met~~ met him outside.

0657

20 2 He wasn't going to get off with you at 24th Street? A. No sir he didn't intend to get off at 24th Street.

3 Did he remain over the car? A. Yes sir.

4 He rode on with the car?

A. No sir after he saw him running he went after

5 How do you know what he did when you were knocked down

A. I saw a couple of men running.

6 Do you mean to say that you were so cool and collected that after you were knocked down you got up and could distinctly see who was in the party and who was running

A. I didn't know who was the party. I saw him running. I didn't know who the party was.

7 Did you see him running with another party? A. I saw him running for this Brennan.

8 I want to know whether this man, this friend of yours was

0658

running by himself or whether
he was in with a crowd, run-
ning with the crowd after Bren-
nan? A. I could not tell that
they all ran *Henry Schmidt*

Adjourned to Sunday Sept 9th
1883 at 9 1/2 o'clock am

*From the crowd this
1/2 Sept 1883
J. Schmidt
Adm. note -*

0659

Police Court
Fourth District

The People vs. ^{vs}rd
Henry Schmittmann
vs
Daniel Brennan

Sunday Sept 9th 1883 10 a.m.
Examination Continued

Present Mr Justice Herrman
Mr Hessberg for People vs
Mr Levi for deft

Henry Schmittmann's cross examination
continued by Mr Levi

2 Was that all that took place between
you and Brennan about this alterca-
tion? A. That is all that took
place between us -

2 Didn't you attend to your business
a day or two after that? A. No sir,
I could not.

2 Wasn't you seen on a Second Avenue
car within a few days after that?
A. Yes sir.

2 How many days after? A. It was
the second day, I went to my con-

0660

23

see here

Re-direct

2 How many days after you received this blow, did you lay down?

A. Fourteen or fifteen.

2 Do you ever close up your shop yourself? A. Very seldom

2 What do you mean by your friend being in the cars, who did you mean by friend? A. I saw him that day and he went along with me, in the same party: he was no particular friend.

2 What is his name? A. Elgner.

2 After that blow was struck how long were you on the ground? A. About a second on the first blow

2 On the second blow? A. I was about five seconds.

2 Explain why you got off the car on the corner of 24th Street and Second Avenue? A. I live on 24th Street and First Avenue

How long have you lived there in that same house? A. I lived there about 18 or 20 years

Henry Schmitt

Henry Schmitt
12/15/18

0661

August Elgner for plff - testified
Q Where do you live? A 613 Third Ave

Q Do you know Mr Schmittman?
A Yes sir.

Q Will you please state whether you were in the same Second Avenue car with him on the 30th day of July last? A Yes sir.

Q Where was you, what part of the car
A I was on the back part

Q State what took place that evening between Brennan and Schmittman
A When we went in the car Mr Schmittman wanted to sit down but the car was too full, there was five people in each seat. In a couple of blocks one gentleman got out of the car and Mr Schmittman says I go and sit down. Brennan says you cant sit down, there is not room for five. Mr Schmittman says My five cents is just as good as yours. After that Mr Schmittman sat down, the other gentleman goes to fight with him, he held his stick right up to his face, then comes the conductor

0662

25

and says Stop don't fight in the car: then he kept quiet down to 24th Street. I says to the Conductor Stop the car this gentleman wants to get out, Mr Schmittmann. Then this other gentleman Brennan he don't make him room to go out but put his legs out, stretched out his legs. Mr Schmittmann he goes out easy and afterwards turned around and the other gentleman right after him and knocked him down

2 What did he do after that; did you get right off the cars? A. No Sir, not right away, but I saw Mr Schmittmann fall down a second time, and after I gets out of the car and the other gentleman run away one block down Second Avenue to Twenty Third St. and on the corner was a policeman and I says Hold that man. Mr Schmittmann comes along in a few minutes all full of blood.

Gross Exam'd

2 Did I understand you to say you

0663

ran after Brennan and told the policeman to hold him? A. Yes.

Q Were you in Mr Schmittmann's Company before you got on the car? A. I saw him in the Felsenkeller.

Q Did you have several drinks at the Felsenkeller? A. I don't know how many. I had two drinks.

Q How long did you remain with him in the Felsenkeller? A. I was with him maybe an hour and a half or two hours.

Q You can't tell how many drinks he had during that time? A. No sir.

Q Did he drink often? A. Well I didn't see him drink; I saw him drink two or three drinks.

Q Then you started down to go home with him? A. Yes sir.

Q Did you go home with him for the purpose of taking care of him? A. Mr Schmittmann says to me I go home, I said I go with you. I live in Rivington Street.

Q Then you went home with him because you were going home towards Rivington Street? A. Yes sir.

28 Q Where did you get on the car?

0664

27

A. At 50th street.

Q You say the car was crowded?

A. Yes, very crowded.

Q There was no seat in the car at that time, when you two got on? A. No sir.

Q And Mr Schmittmann stood for a little while until a seat became vacant? A. Yes, a back seat.

Q And finally a gentleman got up, out of one of the seats and he attempted to sit down in it? A. Yes.

Q Did Mr Schmittmann have any trouble to get into the seat? A. Yes it was crowded.

Q In having this trouble to get into the seat, did he lean up or strike up against Brennan? A. He hadn't trouble but Brennan made him trouble to sit down.

Q But did he have to put his hand on Brennan to get through? A. No sir, Brennan put his leg out this way, (illustrating)

Q Brennan is a pretty big man? A. Yes sir.

Q And so is Mr Schmittmann? A. Yes sir.

0665

- 2 Those seats are close together, the front of the last seat was pretty close to the back of the seat in front? A. Yes sir.
- 2 Can you tell what is the distance? A. I don't know; I can't tell that.
- 2 Can't you form an idea about what the distance is? A. I don't know.
- 2 Was it necessary when Mr Schmittman passed through to get into this seat, to push or touch Brennan at all? A. I didn't see that.
- 2 Could he have got into the seat without? A. No, there was room.
- 2 There was sufficient room between Brennan and the seat before him, for him to get into the seat without touching him? A. Yes sir.
- 2 Can you tell what started the difficulty between the two? A. I only know he says to Schmittmann "You can't sit down over there, there is not room enough for five."
- 2 What did Mr Schmittmann say? A. He says "Oh yes, there was five people before here and my five Cents is just as good as yours."
- 2 Did he say anything more than

0666

29

- that? A. I don't know -
- 2 They had a conversation then that you didn't hear, is that so? A. I was right behind him.
- 2 Did you hear all the conversation, everything that was said between the two? A. No.
- 2 Was there a conversation after you heard Mr Schmittmann say My five cents is as good as yours. Did you hear anything further at all between the two? A. No.
- 2 Were they talking after that, that you didn't hear? A. I don't know.
- 2 Where was Mr Schmittmann sitting? A. On the left hand side of the car
- 2 The extreme left, away at the end? A. No, he was the second man.
- 2 From the end? A. Yes.
- 2 And where was Brennan sitting? A. He was the first man on the left hand side.
- 2 Then when they arrived at 24th Street and when Schmittmann attempted to get out or did get off the car, it was necessary for him to cross Brennan — to pass Brennan

0667

name? A. There was plenty of room to get out.

2 Did Schmittmann have to pass Brennan to get off? A. He could not get off on the left side unless he passed Brennan.

2 When he got off, when he passed Brennan to get off, did he put his hand on Brennan? A. No.

2 Did he touch Brennan? A. I didn't see it.

2 Could he have touched him without your seeing it? A. It is not possible that Schmittmann could have touched or put his hands on Brennan without me seeing it.

2 What did Schmittmann say to Brennan when he got off the car, or do you recollect what he said? A. He says to him that is not right.

2 Did you understand the language between Brennan and Schmittmann? A. Yes sir, but I cannot speak it.

1 Did Schmittmann speak first to Brennan when he got off the car? A. When he got off, Brennan put

0668

81

his legs out and when Mr Schmittmann was out, he says that is not right for you

2 Schmittmann was the first man to speak when he got off? A. Yes.

2 He told Brennan it was not right for him to put out his leg in order to stop him from getting off that car? A. Yes sir.

2 Did Schmittmann try to push his legs aside? A. I didn't see that.

2 Could he have done so without your seeing it? A. I don't know

2 Was there any words passed between them except what you have just stated. Was there anything else said by Brennan or Schmittmann? A. Except he goes right after him and knocked him down

Wm Hoffman August Elgner
Thurs 12 Sep 1883

Wm Hoffman Patia Foster

Aggrieved to Wednesday Sep. 12th
1883 at ~~3~~ Three o'clock p.m.

0669

On the matter of the People
Henry Schmittmann vs
Daniel Brumm

Witness August Hanshansen
410 87 East 8th Street

Louis Berghof
10 515 East 6th Street

0670

Mines

0671

Schmittman New York, Nov 13, 1883
vs. Brennan

To His Honor Judge
Tilling of the Dist Court -
New York

The certificate in
the above named case, signed
by me & bearing date Nov 13/83
was intended as my final
decision in the case - upon
the evidence submitted, the case
had been closed.

Yours
C. J. Tilling

0672

Witness 57th Street Police Court
In the matter of the People
Henry Schmittmann vs
Samuel Berman

Residing Henry Schmittmann
10 413 East 24th Street

Louis Berlinghof, 10 515 East 6th Street

August Hansmann
10 87 East 8th Street

0673

Fourth District Police Court

The People } Examination Before.

Brennan } Wm. Carson & Newman
Sept 29th 1883

City and County of New York ss.

Murphy Sullivan aged 22 years
Porter residing at No 193 Hudson
Street 24th St being duly sworn
says, I know the defendant
I was with him when she
difficulty took place between
Schmittman and Brennan
I saw the beginning and
End of it. It began as follows
Brennan was sitting on the
back seat of the car - Sch-
mittman came on the car -
he sat down upon Brennan's
lap & Coats - aft told him
to get up - Schmittman said
he would not that Brennan
did not own the car - and
called him an Irish loafer
and kept abusing him until
we arrived at 24th St & 2nd ave
then Schmittman arose to leave
the car and while on the curb

0674

2.

of leaving passed the deft and
 took son of a bitch, - Schmittman
 then caught hold of the deft.
 by the collar of his coat and
 pulled him off the car to
 fight - Brennan then struck
 him with a cane - it was
 a very light cane - and
 then Brennan walked away.

Ans

When Schmittman got on the
 car I was on the next seat
 to the deft - I was not on
 the same seat with deft.

Q.

How do you know how many
 person were on that seat?
 affected to -

A.

Q. How do you know ~~that~~ of your
 own knowledge that Schmittman
 lay down on Brennan's lap?

A.

Because I was looking at him
 Q. How many persons were sitting
 on that seat?

2.

A.

There were ~~it~~ -

Q.

Did you examine the cane that
 Brennan had with your hands?

A.

No Sir! but I saw it.

0675

G.

Q. Do you mean to say that Schumann knew about any names?

A. Yes.

Q. Where did you get off the car?

A. 22nd Street & 2nd Ave.

Q. If you got off the car at 22nd St & 2nd Ave. How do you know what took place at Cor. 24th St & 2nd Ave?

A. Because I saw what took place.

Sworn to before me W. Sullivan
This 29th day of Sept. 1883

E. W. [Signature] Police Justice

0676

This is to certify that Mr. H. Schmittmann
residing at No 413 East 24th St. is dangerously
ill with Erysipelas of the head arising from
a scalp wound. He is unable to leave
his bed.

Respectfully

P. Wetters M.D.
298 E. 34th St.

New York Aug. 6th 1885.

0677

Police Court—4— District.

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

of No 413 E 74 Street,
on Monday the 31 being duly sworn, deposes and says, that
in the year 1883 day of July
at the City of New York in the County of New York,

he was violently ASSAULTED and BEATEN by Daniel Brennan
(Norse) who struck this deponent
a violent blow on the head with
a bone cutting and inflicting this
injury severely

without any justification on the part of the said assailant.

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

Sworn to before me, this 31

day of July

1883 Henry Schmidtman
POLICE JUSTICE.

0678

New York, Germany 9th 1884

Hon P B Olney
Dist Atty

This will introduce Mr
Henry Schmittman who desires
information in regard to the trial
of the case of Gerrit Bremer, indicted
by the 2nd Term of the Court Session
Grand Jury

The officer was, bonded in July
last and the recommitment lingered
before Justice Thompson until just before
the expiration of his term of office. I
acted as his counsel by and with the
consent and authority of your predecessor
Mr McThorn and I send this note
of introduction to facilitate Mr Schmitt-
man in his repleading and

0679

inquiry

Very Respectfully
Louis H. H. H.
Attorney at Law

0680

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Daniel Brennan

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

Daniel Brennan

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

The said Daniel Brennan

late of the First Ward of the City of New York, in the County of New York aforesaid, on the ~~thirteenth~~ day of ~~July~~ in the year of our Lord one thousand eight hundred and eighty- ~~three~~ at the Ward, City and County aforesaid, in and upon the body of Henry Schmidtman in the peace of the said people then and there being, with force and arms, unlawfully did make an assault and ~~in~~ the said Henry Schmidtman did then and there unlawfully beat, wound and illtreat, to the great damage of the said Henry Schmidtman 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.

Peter B. Olney,

JOHN McKEON, District Attorney.

0681

BOX:

121

FOLDER:

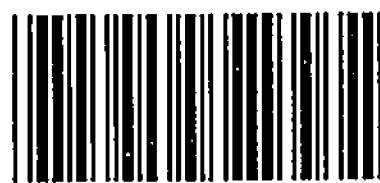
1278

DESCRIPTION:

Brinlet, Charles

DATE:

12/28/83



1278

Witnesses:
John Johnson
Off Flynn

194

Counsel,
Filed 28 day of Dec 1883

Pleads

THE PEOPLE

vs.

P

Charles

Sminder

PETER B. OLNEY,

~~JOHN McKEON~~

District Attorney

A True Bill.

Wm. L. Miller

Foreman.

Dec 20/83

Wm. L. Miller

S. P. 3 years

0682

0683

State of New York.

Executive Chamber,

Albany, Oct 5 1885 1888

Sir: Application having been made to the Governor for the
pardon of Charles Briant, who was
sentenced on Dec. 28 1882, in your County,
for the crime of G. L. 524 for the term
of 3 years and months to the State Prison

~~Penitentiary.~~ you are respectfully requested (in pursuance of
§ 695 of the Code of Criminal Procedure,
~~Chapter 316, Laws 1877~~) to furnish the Governor with a concise
statement of the case as proven on the trial, together with any other
facts or circumstances which may have a bearing on the question of
granting or refusing a pardon. Be pleased, also, to state the previous
character of the convict. An opinion is respectfully requested.

Each letter of inquiry from this Department should be answered on
a separate sheet.

Very respectfully yours,

David D. Hill

Governor.

To Hon. R. B. Martine

District Attorney, &c.

By Frederick Brown,

EXECUTIVE CLERK.

0684

Answered
Oct. 14th 1885
R. B. La

0685

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss.

of No. 6 Carlisle

Street,

John Johnson 38 years Farmer

being duly sworn, deposes and says, that on the 8 day of December 1883

in the night time at the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, with intent to cheat and defraud the true owner of the

the following property, viz:

One sachel containing wearing apparel, one silver watch and plated chain attached. Some money to the amount of fifty dollars. one ticket for one passage on a steamer to Europe in all of the value of one hundred and fifty dollars

the property of Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Charles Brinley (now here)

from the fact that deponent and defendant occupied a room in premises No 11 Carlisle Street in said city. deponent left said defendant in said room on said night ~~for~~ alone for about twenty minutes and when deponent returned said defendant and said property was missing. subsequently said defendant acknowledged in the presence of Officer William Flynn that he did take said and carry away the aforesaid property.

John Johnson

Sworn before me this
8th day of December 1883
J. J. Justice,
Police Justice.

0686

Sec. 198-200

CITY AND COUNTY } ss.
OF NEW YORK, }

182 District Police Court.

Charles Brinlet 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 Brinlet

Question. How old are you?

Answer.

35 years

Question. Where were you born?

Answer.

Norway

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

Answer.

No home

Question. What is your business or profession?

Answer.

Sailor

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

Answer.

I am not guilty of taking the raise but I took his pocket book and his ticket for Europe
Charles Brinlet

Taken before me this

23

day of November 1887

John B. Brinlet
Justice.

0687

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 Bruner

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 23 Dec 3 188 Solomon B. Smith Police Justice

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

Dated _____ 188 . _____ Police Justice.

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

Dated _____ 188 . _____ Police Justice.

0688

Police Court

First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Johnson
6 Carlisle St.
Charles Brinker

2
3
4

Offence Grand Larceny

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated 23 December 188

S. B. Smith Magistrate.

W. B. Flynn Officer.

27 Precinct.

Witnesses Officer

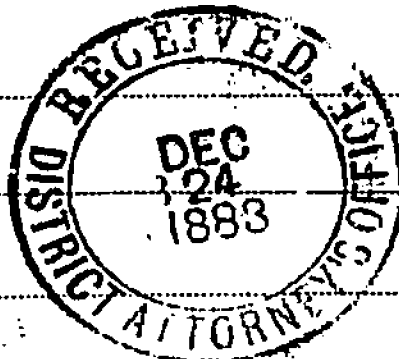
No. Street.

No. Street.

No. Street.

\$ 500 to answer G. S.

Allen



0689

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 B. Miller

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

Charles B. Miller

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

The said Charles B. Miller

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the ~~on the~~ day of ~~December~~ ^{Eight} in the year of our Lord one thousand eight hundred and eighty-~~three~~, at the Ward, City and County aforesaid, with force and arms

one watch of the value of five dollars, one watch of the value of twenty dollars, one chain of the value of five dollars; divers promissory notes for the payment of money of a number kind and denomination to the Grand Jury aforesaid unknown, the same being then and there due and unsatisfied for the payment of and of the value of fifty dollars, divers articles of clothing and wearing apparel of a number and description to the Grand Jury aforesaid unknown of the value of fifty dollars, and one paper and writing entitling the proprietor thereof to a passage upon some vessel to the Grand Jury aforesaid unknown from the City of New York to some place to the Grand Jury aforesaid unknown, the same being then and there unsatisfied and of the value of one hundred dollars.

of the goods, chattels and personal property of one John Johnson 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.

Peter B. O'Neary

District Attorney.

0690

BOX:

121

FOLDER:

1278

DESCRIPTION:

Buckley, Timothy

DATE:

12/18/83



1278

Witness:-
Michael Galuppo

132

Day of Trial,

Counsel,

Filed, 18th day of Dec^r 1883

Pleads

Wagmeyer

THE PEOPLE

vs.

R

Trinor

Burden
H.D.

PETER B. OLNEY,

JOHN McKEON

District Attorney.

A TRUE BILL.

M. E. McKen

Foreman.

Dec^r 1883.

Shedding damage
\$6-6-
D. McKen

0691

0692

Police Court First District.

CITY AND COUNTY
OF NEW YORK, } ss.

of No. Michael Galupps

35 Madison City Prison Street,

being duly sworn, deposes and says, that

on Sunday the 16th day of December

in the year 1883 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Timothy Buckley now Meeks
who did wilfully & maliciously
cut and stab deponent upon
the back part of his neck
with and by means of a certain
sharp iron instrument called and
known as a fork

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

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

Sworn to before me, this 16th day

of Dec 1883

Michael Galupps
deponent
POLICE JUSTICE.

0693

Seq. 198-200

1st District Police Court.

CITY AND COUNTY
OF NEW YORK } ss.

Timothy Buckley 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 *am*; that the statement is designed to
enable h *am* if h see fit to answer the charge and explain the facts alleged against h *am*
that he is at liberty to waive making a statement, and that h *is* waiver cannot be used
against h *am* on the trial.

Question. What is your name?

Answer. *Timothy Buckley*

Question. How old are you?

Answer. *18 Years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *148 Mulberry & about 5 Years*

Question. What is your business or profession?

Answer. *Printing*

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 of the charge*
Timothy Buckley

Taken before me this

day of

1893

Police Justice.

0694

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

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

Dated

Decr 16 188 3

Andrew J. [Signature] Police Justice.

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

Dated

188

Police Justice.

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

Dated

188

Police Justice.

0695

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

Michael Galuppi
City vs. Prison

1 Timothy Buckley

2 Dec 13/83

3 Compl. Com. H. H. D. 200

4

Dated Dec 16 1883

White Magistrate.

Michael J. Jody Officer.

14 Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

§ 1000 to answer

(Orn)

0696

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

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST

Smoking Buckley

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

of the CRIME of *Assault in the first degree*, committed as follows:

The said Smoking Buckley

late of the City of New York, in the County of New York, aforesaid, on the Sixteenth day of December in the year of our Lord one thousand eight hundred and eighty three with force of arms, at the City and County aforesaid, in and upon the body of Michael Galuppo in the peace of the said people then and there being, feloniously did make an assault and in the said Michael Galuppo with a certain gun which the said Smoking Buckley

in his right hand then and there had and held, ~~the same being a deadly and dangerous weapon~~, wilfully and feloniously did beat, strike, stab, cut and wound with intent to kill the said Michael Galuppo then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT:

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

Smoking Buckley

of the CRIME of Assault in the Second Degree, committed as follows:

The said Smoking Buckley late of the City and County aforesaid afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Michael Galuppo then and there being, feloniously did, willfully and wrongfully, make an assault and in the said Michael Galuppo with a certain gun which the said Smoking Buckley

in his right hand then and there had and held, the same being an instrument likely to produce grievous bodily harm, feloniously did, willfully and wrongfully then and there beat, strike, stab, cut and wound

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

PETER B. OLNEY.

JOHN McKEON, District Attorney.

0697

BOX:

121

FOLDER:

1278

DESCRIPTION:

Byrnes, John

DATE:

12/28/83



1278

Witnesses:
H. H. H. H. H.
off Lott.

195
Counsel,
Filed 28 day of Dec 1883
Pleas
C. H. H. H. H.

THE PEOPLE
10. 1 Am. ex. P
H. H. H. H. H.
J. H. H. H. H.
B. H. H. H. H.

Grand Larceny, Second Degree, and
Receiving Stolen Goods.

[55 522 and 531]

PETER B. OLNEY,
JOHN MCKEON,
District Attorney
Dec. 3, 1884
A True Bill.
M. L. H. H. H.
Foreman.
Per: Six 1884

0699

District Police Court

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss.

of No. 432 2 Avenue Street, Weyman Weinberg aged 24 year
being duly sworn, deposes and says, that on the 17th day of December 1883
at the _____ City of New York,

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

Seven pair of Mens Shoes
of the value of thirty dollars. \$30.00

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 John Byrnes (now present)

with the intent to deprive deponent of said
property. From the fact that previous to
said larceny the said shoes were in
a show case in front of the premises
aforsaid and this deponent saw the
said Byrnes break the said show case
and take said shoes from the said
case and from the possession of deponent

Weyman Weinberg
mark

Sworn before me this

18th day of

December 1883

Police Justice,

0700

Sec. 198-200

CITY AND COUNTY
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer.

John Byrnes

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

New York

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

Answer.

#87 1st Avenue. 2 weeks

Question. What is your business or profession?

Answer.

I work at brass

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 of the
charge. I bought the shoes found
in my possession from a man
whose name I do not know*

John. Byrnes

Taken before this

day of *December* 189*7*

William J. ...
Police Justice.

0701

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

Dated December 18th 1883 Henry Murray Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0702

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

Hyman Weinberg
#52 vs. 2^d St.

1 *John Byrnes*
2 _____
3 _____
4 _____

Dated *December 18* 188*3*

Henry Murray Magistrate.

Chas Lott Officer.

21 Precinct.

Witnesses *Chas Lott*

at *21st Precinct* Street

No. _____ Street,

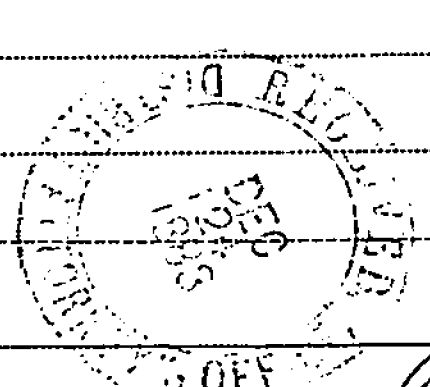
No. _____ Street,

\$ *5.00* to answer *Y.S.*

Cur

954

Offence Grand Larceny



0703

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 B. Jones

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

John B. Jones

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

The said John B. Jones

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
17th ~~on the~~ day of ~~December~~ in the year of our Lord one thousand eight hundred and
eighty- ~~three~~, at the Ward, City and County aforesaid, with force and arms

seven pairs of shoes of
the value of ten dollars
each pair

of the goods, chattels and personal property of one Sylvan Weinberg
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.

Peter B. Orney
District Attorney