

00 10

BOX:

412

FOLDER:

3809

DESCRIPTION:

Brinkman, Frederick

DATE:

10/01/90



3809

001

BOX:

412

FOLDER:

3809

DESCRIPTION:

Smith, Eduard

DATE:

10/01/90



3809

00 12

Witnesses:

Charles H. Brantice
Off. Corry 16th Precinct.

Served the
Parents of the
Deft.

Merced County

No. 1. 1/2 good
No 2. 1/2 bad
FX



#268 Meekler X

Counsel,

Filed

day of

1890

Pleads,

1- guilty

12

THE PEOPLE

vs.

Frederick Brinkman
and
Edward Smith

Burglary in 3rd Third degree.

259 4.19 1/2

Section 498, 506, 528, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

JOHN R. FELLOWS,

District Attorney.

A True Bill.

No. 1. Susp. Susp. FX
J. M. Karpus
Oct 2/90 Foreman.

No. 2. R.C. Mule FX
Plead Dury Dury
FX

00 13

Court of Gen Sessions

People

ag'd

Edward Smith

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.

100 EAST 23D STREET,

New York, Sept 28 1890

CASE NO. 52128

OFFICER

Barkley

DATE OF ARREST

Sept. 26

CHARGE

Burglary

AGE OF CHILD

Anne Evans

RELIGION

Catholic

FATHER

William

MOTHER

Ellen -

Respectable

RESIDENCE

No. 258 W. 19th St.

AN INVESTIGATION BY THE SOCIETY SHOWS THAT on Nov.

15, '89 Edward Smith was arrested for larceny of a watch; in Police Court the complaint of his father was taken for Juvenile Delinquency, and the boy was committed to the Protective.

All which is respectfully submitted,

To wit atty

Henry C. Streckney.

00 10

*Court of
General Sessions*

People

vs.

Edward Smith

Penalty -
PENAL CODE, §

Report of the New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. GERRY,
President, &c.,

100 East 23d Street,
NEW YORK CITY.

Court of Sessions
People
vs
Fred Brinkman

REPORT OF THE NEW YORK SOCIETY FOR
 THE PREVENTION OF CRUELTY
 TO CHILDREN.

100 EAST 23D STREET,

New York, Sept. 28 1890

CASE NO. *52128* OFFICER *Barkley*
 DATE OF ARREST *Sept. 26*
 CHARGE *Burglary -*
 AGE OF CHILD *Seven years*
 RELIGION *Catholic*
 FATHER *Louis*
 MOTHER *Margaretta* } *Respectable*
 RESIDENCE *No 216 Gr 19 -*

AN INVESTIGATION BY THE SOCIETY SHOWS THAT *There is*
no previous record against
Fred Brinkman. Has a good
home and respectable parents.

All which is respectfully submitted,

To Court atty.

Kenneth B. Stocking.
asst Supr.

001

Court of
General Sessions

People

vs

Theodore Brinkman

Burglary
PENAL CODE, §

Report of the New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. GERRY,
President, &c.,

100 East 23d Street,
New York City.

Police Court—2 District.

City and County } ss.:
of New York,

of No. 234 West 22 Street, aged 28 years,
occupation Express & Storage being duly sworn
deposes and says, that the premises No. 198-24 Avenue Street,
in the City and County aforesaid, the said being a Five story and
basement brick building
and which was occupied by deponent as an Express Office & Storage
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking
a window, in a door leading from
the alleyway of basement,

on the 26 day of September 1918 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

One Umbrella, Two fancy smoking
pipes - a pair, a Hatchet and a
box of Cigarette Pictures, all of
the amount and value of
Ten dollars

(\$10.00)

the property of deponent,

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

Frederick Brinkman and Edward
Smith (both now here) while acting in concert with
each other
for the reasons following, to wit: that deponent states
that said window was securely fastened
and protected on the aforesaid date
about the hour of 4 P.M. and that
between the hours of 5 and 6 o'clock P.M.
of the aforesaid date, he discovered
said window broken, and said
property missing, and deponent further
says that said defendants admitted

and confessed to deponent in presence
of Officer John Carey of the 16th
Precinct Police, that they had
broken into said premises, and
had taken said property,

Sworn to before me this 28 day

of September 1890

John Herman Chas H. Prentice

Notary Public

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Degree. Burglary

ss.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation John Carey
Police Officer of No.

16 Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Charles H Prentiss

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

Sworn to before me, this 28
day of September 1889 } John Carey

John H. [Signature]
Police Justice.

0021

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this
day of

Police Justice.

002

Sec. 198-200.

2
District Police Court.CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Edward Smith*

Question. How old are you?

Answer. *9 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *256 West 19 Street*

Question. What is your business or profession?

Answer. *School Boy*

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

Answer. *I am not guilty*
Edward Smith

Taken before me this

day of *September*189*9**John J. ...*
Police Justice.

0021

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

Police Court... District...

2 478

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles H. Vincent

234 West 22

Medwick Manhattan

Edward Smith

Offence Burglary

Date Sept 28 1889

Magistrate.

Officer.

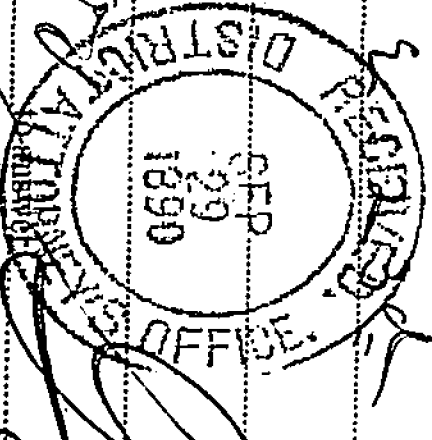
Witnesses.

No. _____ Street _____

Frank E. Bartlett

No. 100 3 Street _____

No. _____ Street _____



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

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

Dated Sept 28 1889 John J. Hanson 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.

Gram. School No. 53.

Oct. 8th 1890

This is to certify that
Master Fred Brinkman has
always given satisfaction as
to deportment and lessons while
a pupil of my class.

Anna Carmick, Teacher.

Thos W Fenkle
Rm 255

0024

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against
Frederick Brinkman
and
Edward Smith

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

Frederick Brinkman and Edward Smith

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

The said *Frederick Brinkman and Edward Smith, both*

late of the *Sixteenth* Ward of the City of New York, in the County of New York, aforesaid, on the *twenty-sixth* day of *September* in the year of our Lord one thousand eight hundred and *ninety*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *office* of one

Charles W. Prentice

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

Charles W. Prentice

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

0021

SECOND COUNT—

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

Frederick Brinkman and *Edward Smith*
of the CRIME OF *Petit* LARCENY committed as follows:

The said *Frederick Brinkman* and *Edward Smith*, both

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

*one umbrella of the value of
three dollars, two smoking-pipes
of the value of two dollars each,
one saw of the value of one dollar,
one hatchet of the value of
one dollar, one hundred pictures
of the value of one cent each*

of the goods, chattels and personal property of one *Charles W. Prentice*

in the *office* of the said *Charles W. Prentice*

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

THIRD COUNT—

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

Frederick Brinkman and Edward Smith
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Frederick Brinkman and Edward Smith*, both

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

one umbrella of the value of three dollars, two smoking pipes of the value of two dollars each, one saw of the value of one dollar, one hatchet of the value of one dollar and one hundred pictures of the value of one cent each

of the goods, chattels and personal property of one

Charles W. Prentice

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

Charles W. Prentice

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

Frederick Brinkman and Edward Smith

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

JOHN R. FELLOWS,
District Attorney.

002

BOX:

412

FOLDER:

3809

DESCRIPTION:

Brogan, George

DATE:

10/07/90



3809

0028

Witnesses:

Deaf for Connet
and officer
2/2

Process Ch 900
Connet as to for
Accumay - full
Accumay - full

Counsel,

Filed

day of

188

Pleads,

THE PEOPLE

vs.

George Brogan

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Andrew Little

Part 2 - Oct 10/90

Foreman.

Pleads guilty

Justus 3
2/2

0020

Attempt Burglary

Police Court— District.

City and County } ss.:
of New York, }of No. 415 East 54 Street, aged 37 years,occupation Superintendent being duly sworndeposes and says, that the premises No. 415 East 54 Street, 19 Wardin the City and County aforesaid the said being a municipal waterfactoryand which was occupied by ~~deponent as a~~ the firm Polan & Byrne for such purpose~~and in which there was at the time a human being, by name~~ were attempted to be~~were~~ BURGLARIOUSLY entered by means of forcibly unfasteninga wire screen placed in frontof one of the windows in saidpremiseson the 31st day of September 1898 in the day time, and thefollowing property feloniously taken, stolen, and carried away, viz: personalproperty of various kinds andnature used in the business of saidfirm of the value of about Onehundred dollarsthe property of the firm Polan & Byrne and in case of deponent

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

BURGLARY ^{attempts} was committed and the aforesaid property ^{attempted} taken, stolen and carried away byGeorge Hogan (now here)and two other men not arrested who werein company with each other and acting in concertfor the reasons following, to wit: that on said day thedoors and windows leading intosaid building were securely lockedand fastened and said screenwas a permanent fixture fastenedin front of said window and saidproperty together with a largequantity of other property was insaid premises. Deponent is informed

by John Y. Philips (now here) Police Officer
that he, Philips, at about the hour of
three o'clock P.M. on said day saw
the defendant and said two unknown
men standing in front of said premises
and saw the defendant pulling and
jacking at said screen and found
the screen loosened and partly removed
Said two unknown men escaped and
deponent charges the defendants with
tampering with said screen with
intent to secure a break and entry
into said premises and commit
a larceny
Sworn to before me } Wm Brady
this 22nd September, 1890 }

Charles W. Linn
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1888
Police Justice.

I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
Police Justice.

There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1888
Police Justice.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—BURGLARY.

Dated 1888

Magistrate.

Officer.

Clerk.

Witness,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 24 years, occupation Police officer of No.

23 Precinct Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of William J. Brady
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 23 } John Y. Phillips
day of September 1890

Charles W. Laintor
Police Justice.

0032

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

George Brogan 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 not guilty.
George Brogan

Taken before me this

day of September 1889.

Charles W. ...

Police Justice.

003

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

William D. Brady
George Hogan
Attempted Burglary
Attempted Larceny

1
2
3
4

Date

Sept 23 1890
Charles W. Hunter
Magistrate.

Officer.

No. 3, by

Witnesses

No. 4, by

Residence

Street

No. _____

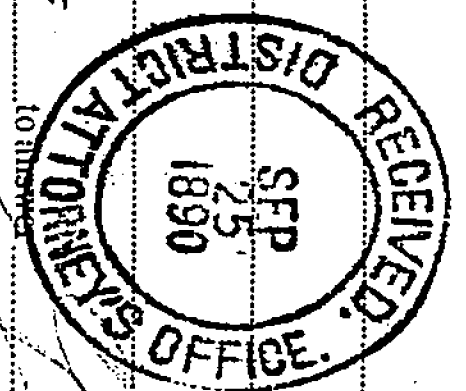
Street

No. _____

Street

No. _____

Street



Charles W. Hunter
Sept 23 1890
Police Justice

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

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 *Sept 23* 18*90* *Charles W. Hunter* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0034

PART II.

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

In the Name of the People of the State of New York
To *Off Philip Jones*
of No. *1080 2 Ave* Street
Bring property if any, in this case. 23

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace,
and for the City and County of New York, at the Sessions Building, adjoining the New Court House
in the City Hall Park, in the City of New York, on the *10* day of
October 1889, at the hour of 11 in the forenoon of the same day, as a witness

in a criminal action prosecuted by the People of the State of New York, against
George Brown

Dated at the City of New York, the first Monday of *October*
in the year of our Lord, 1889.

JOHN R. FELLOWS, District Attorney.

Should the case not be called on for trial, and no reason assigned in Court, please inquire in the District Attorney's Office about it, and you may save time.

If inconvenient to remain, and you prefer another day, state this early to the District Attorney, in the Court.

If ill when served, please send timely word to the District Attorney's Office.

If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.

*Officer Phillips sick,
unable to attend.*

*Walter Morris
Sergeant 23rd Prec.*

*Officer & counsel
must be present
Monday 13th inst*

N.Y. General Sessions

The People vs

George Brogan

City and County of New York ss

I, John Brogan
being duly sworn do depose and
say:

I am 26 years of age
and reside at 1004 Eastern Boulevard
N.Y. City. and I work at making
Bridges for J. B. Cornell at 20
Center Street near White St N.Y. City

The defendant is my brother
He is 17 years of age and resides
at home with his parents & six
brothers at the above address.

He was arrested once and for
making bon fires in Street. and
was discharged. He was never
arrested for any other offense.

He works for Mr. Frohe &
Stoddard 61st Street near 1st
Avenue helper

All of my brothers are
handworkers and I will endeavor
to take good care of the defendant

and do my best to keep him
 away from bad company &
 further trouble of the Court
 will mercifully grant him
 his liberty & give me an
 opportunity to do so
 I am to refer me
 the 13 day of October 1898
 W.K. Van Meter

Commissioner of Deeds
 for N.B. & Co

my General Agent

The People

John Bogan

appears to
 good character

Proprietor
 of the

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

George Brogan

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

George Brogan

of Attempting to Commit the Crime
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said *George Brogan*

late of the *nineteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *21st* day of *September* in the year of our Lord one
thousand eight hundred and ~~eighty~~ *ninety*, with force and arms, in the
day time of the same day, at the Ward, City and County aforesaid, the
~~dwelling house of one~~ *factory of one John Bolen*

attempt to
there situate, feloniously and burglariously did, break into and enter, with intent to
commit some crime therein, to wit: with intent, the goods, chattels and personal property
of the said *John Bolen, in the said*
factory ~~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.

John R. Fellows,
District Attorney.

SECOND COUNT—

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

of the CRIME OF LARCENY, committed as follows:

The said

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

of the goods, chattels, and personal property of one

in the dwelling house of the said

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

0040

THIRD COUNT.

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

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

The said

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

of the goods, chattels and personal property of

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

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

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

JOHN R. FELLOWS,
District Attorney.

004

BOX:

412

FOLDER:

3809

DESCRIPTION:

Brown, George

DATE:

10/07/90



3809

0042

Witnesses;

Counsel,

Filed

Pleads

day of

18

THE PEOPLE

vs.

George Brown
H. D.

Grand Larceny, Second Degree.

(From the Person.)

[Sections 528, 534 — Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Andrew Little

Foreman.

Wm. J. Conner.

Elmer R. J.

14

004

FIRST DISTRICT POLICE COURT.

CITY AND COUNTY }
OF NEW YORK. } ss.

Recognizance to Testify.

BE IT REMEMBERED, That on the

29th day of Sept. in the year of our Lord 1890 -

of No. 49 Murray Street, in the City of New York,

and George B. Richards

of No. Westport. Exeter St. in the said City,

personally came before the undersigned, one of the Police Justices in and for the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say; the said

Jacob H. Brown

the sum of One Hundred Dollars;

and the said George B. Richards

the sum of One Hundred Dollars,

seperately, of good and lawful money of the State of New York, to be levied and made of their respective goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition following, viz:

The Condition of this Recognizance is such, That if the person, first above recognized, shall personally appear, at the next COURT OF SESSIONS of the Peace, to be holden in and for the City and County of New York, and then and there Testify and give such evidence, in behalf of the people of the State of New York, as he may know, concerning an OFFENCE or MISDEMEANOR, said to have been lately committed in the City of New York aforesaid by

George Brown

And do not Depart thence, without leave of the Court, then this Recognizance to be void, otherwise to remain in full force and virtue.

Taken and acknowledged before me, the }
day and year first above written.

A. J. White J. F. Knott
POLICE JUSTICE. G. B. Richards

Police Justice,

day of

Sworn before me this

CITY AND COUNTY } ss.
OF NEW YORK,

the within-named Bail, being duly sworn, says, that he is One hundred holder in
said City, and is worth Hundred Dollars,
over and above the amount of all his debts and liabilities; and that his property consists of

Stock of Hardware contained
in premises 49 Murray St
of the full value of
One Hundred Dollars
J. F. Knorr

RECOGNIZANCE TO TESTIFY

New York Sessions.

THE PEOPLE, &c.,

vs.

POLICE JUSTICE.

Filed

day of

18

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas Brodus
aged *37* years, occupation *Coal Cart Driver* of No. *6*
Chatham Sq Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *George B. Richard*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this *29*
day of *Sept* 188*8* by *Thomas Brodus*
Thomas Brodus
A. J. Smith
Police Justice.

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT,

DISTRICT.

of No.

occupation

Street, aged

years,

that on the

day of

being duly sworn deposes and says,

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

John J. Burns
 of No. 145
 occupation Police Officer
 that on the 27 day of Sept 1889
 at the City of New York, in the County of New York, he arrested
 George Brown charged
 with Larceny from the
 person upon the complaint
 of George D. Richards and
 Thomas Brodumck he
 Richards being a non resident
 and Brodumck an irresponsible
 person. He further asks
 that they be placed under
 a bond for their appearance
 as witnesses for the People.

Sworn to before me, this

of

1889

day)

Police Justice.

Police Court

District.

Affidavit—Larceny.

City and County } ss:
of New York,

George B. Richards
of No. Westport Essex Co. N.Y. Street, aged 34 years,
occupation being duly sworn,
deposes and says, that on the 27 day of September 1897 at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
the day time, the following property, viz:

One gold filled cased
watch of the value of
Twenty five dollars

the property of

deponent

and that this deponent

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

George Brown from him/
from the fact that that while
deponent was stopped from
the effects of drink his
watch was stolen from his
vest pocket on his person
and deponent is informed
by Thomas Broderick of the
Eclipse House No. 6. Ralston
Square that at about the
hour of 10 am of said date
while he deponent was in
West Street near Park said
Brown approached deponent
seized his watch and ran

Sworn to before me, this

189

day

Police Justice

0048
away with the same that
he Frederick followed
Brown and caused his
arrest

G. B. Richards

Sworn before me this }
29th day of September 1890 }
A. J. White
Deputy Justice

0045

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

District Police Court.

George Brown 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 not guilty -
George Brown.

Taken before me this

day of

188

Police Justice.

0050

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

George Edmund
Offence
1890

Dated

Magistrate

Officer

Witnesses

No. 1, by _____

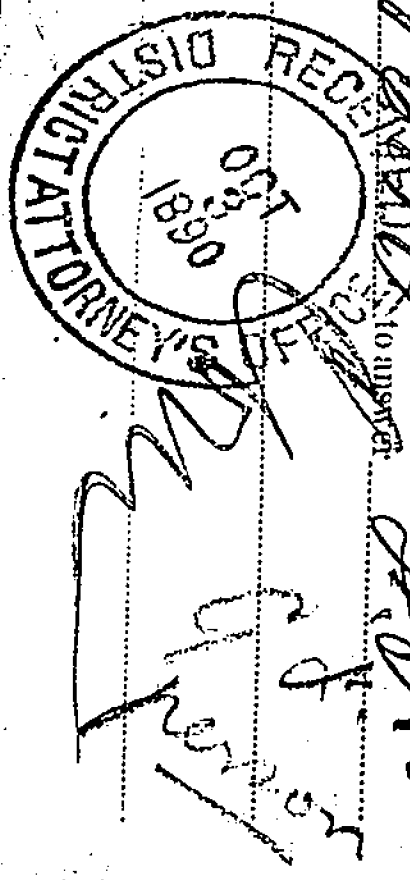
No. 2, by _____

No. 3, by _____

No. 4, by _____

No.

Street



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

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 Sept 24 1890 H. J. White Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

The People v. George Brown Court of General Sessions, Part I
 Before Judge Cowing. October 10, 1890.

Indictment for grand larceny - second degree.

Thomas Broderick, sworn and examined.

I live at No. 6 Chatham Square. I was in Mott St. near Park in the morning of 27th of Sept. I saw the prisoner and Mr. Richards there; he was standing on the sidewalk. I saw the prisoner scratch his watch and run. Mr. Richards asked me if I knew where there was a lodging house? I told him, 'yes', and while I was bringing him to the lodging house the prisoner came up and snatched the watch and run. There was another fellow ran after him and caught him, he gave the watch to the other fellow and he handed it to the officer.

Cross Examined: I live at No. 6 Chatham Square, which is a lodging house and have been there pretty near a year. I drive a coal cart. I had been out of work twenty two days before this happened. I generally "hang out" at Mott St. when I am out of work. Richards asked me where there was a clean lodging house. I was going to show him, and he took my arm. I was going to lead him to the Glenmore hotel. I did not see the watch and did not take it. I never saw Richards before. I only walked with him two steps when the prisoner came up. The fellow who caught the prisoner is not

0052

here; they call him "Jersey" I don't know his other name. I know him about two years; he was standing at the place where I hang out. Jersey was not helping me to take the drunken man (Richards) to the hotel. I was never convicted of crime. I was born in Brooklyn but lived in New York nearly all my life.

John J. Burns, sworn. I am a police officer and arrested Brown on the 27th of Sept. last corner of Mott and Park Sts. I saw Broderick chasing the defendant and he caught him just in time to hit him a blow in the eye. I ran up and caught them. Broderick said, "Arrest this man, he is after stealing a man's watch." I asked, where is the man? He is around on Mott St. I found Richards intoxicated and unable to identify the man who took his watch. I asked Broderick who it was that took the watch? He said, Brown. Did you see him take it? He said, 'yes,' I saw him take it. I says, "Will you come to the station house and state the facts? He says, 'yes.' "Jersey," whose right name is McMahon and Alfred Henderson, Brown's friends were also ~~witnesses~~ ^{there} of the stealing and were Brown's friends. I arrested Brown, and he said, "If I am going to be sent away for this, somebody

else will have to go with me". There were half a dozen people followed Brown to the station house. He was identified by Broderick as the man who snatched the watch from Richards' pocket.

Cross Examined. I am not quite anxious to send this man to the State prison. I could not tell you where Henderson and McMahon is now. Henderson lives in Boerum place Brooklyn. I don't know that they hang out in Park and Mott Sts. I have heard of the Mygo gang but I never knew of such a gang. George B. Richards sworn. I live in Westport. Lake Champlain, Essex Co. and came to the city in Sept. on an excursion. I do not remember the occurrence of the 27th of Sept., I do not remember being in Mott St. and do not remember meeting Broderick. I do not remember ever seeing the prisoner. I lost a watch on that day. I paid for it \$20. 85 in Syracuse. I paid \$3. 50 for the chain. I am not sure that I had the watch on me when in Mott St. I know I had it that morning at ten o'clock. This happened about eleven o'clock. Inside of that hour I got so intoxicated that I did not know what I was doing. I could not swear that when I got into Mott street that I had my watch

John J. Burns recalled. When I arrested Brown I brought him towards where Richards was lying. A young lad in the crowd handed the watch to "Jersey," and he gave it to me, and subsequently Richards identified it as his watch in the Police Court.

George Brown, sworn and examined in his own behalf testified that he was 23 years old and lived at 87 Christie St. and was never arrested before. On the morning in question I was going along Mott St. and I saw the witness against me and another man have hold of Richards arm. I got two feet away from him when I saw the watch taken out of his pocket. The man ran I went to grab his coat tail and he gave me a punch and the other witness jumped on me, had hold of my coat collar and punched me. To defend myself I took off my coat. I went at him and he got me down. After I got up the officer came up and asked what he was pounding me for? He said I stole a watch. The officer took me. I told him, "You have not got the right man." Somebody in the crowd handed the watch to a man. I did not snatch the watch.

The jury rendered a verdict of guilty.

Testimony in the
case of
George Brown.

filed Oct.
1890.

0055

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

George Brown

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

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

The said

George Brown

late of the City of New York, in the County of New York aforesaid, on the 27th
day of September in the year of our Lord one thousand eight hundred and
ninety, in the day - time of the said day, at the City and County
aforesaid, with force and arms,

*one watch of the
value of twenty-five dollars*

of the goods, chattels and personal property of one
on the person of the said

then and there being found, from the person of the said

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.

George B. Richards
George B. Richards
George B. Richards
John R. Fellows,
District Attorney.

SECOND COUNT—

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

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

The said

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,

of the goods, chattels and personal property of one

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

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

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

JOHN R. FELLOWS,
District Attorney.

0058

BOX:

412

FOLDER:

3809

DESCRIPTION:

Brown, James

DATE:

10/17/90



3809

0059

Witnesses;

Christian Kewbeger

Officer Maynard

Counsel,

Filed

day of

1890

Pleads,

THE PEOPLE

vs.

James Brown

to
John Brown

Grand Larceny, Second Degree.

(From the Person.)

[Sections 528, 531, — Penal Code].

JOHN R. FELLOWS,

District Attorney

A True Bill.

Amos Little

Foreman.

Sept 1900
Pleas J. H. 2deg
Elmer R.

0060

Police Court— 3 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 65 Avenue B. Christian Newburger
Street, aged 33 years,
occupation Printer being duly sworn

deposes and says, that on the 12th day of October 1899 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
and person of deponent, in the day time, the following property, viz:

Three dollars in gold and
lawful money of the United
States

\$ 3 00
100

the property of Deponent

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

in the following manner to wit:
Deponent came out of a saloon in
East Houston Street when the defendant
caught hold of Deponent and put his
hand in the pocket of Deponent's pants and
took therefrom the sum of three dollars
and then ran away. Deponent made an
alarm and Officer Maynard caught the
defendant while he was running through
East Houston. Deponent thereupon charges
the defendant with having taken carried
away and stolen from the person of Deponent
the said property and says that he
is well to answer

Geo. Kuching

Subscribed and sworn to before me, this 12 day of October 1899
Police Justice.

006

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.*James Brown*

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 Brown

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.

280 Bowery 6 weeks

Question. What is your business or profession?

Answer.

Carpenter

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

Answer.

*I am not guilty**James Brown*Taken before me this
day of *April* 188*8*

Police Justice.

John J. Brown

0062

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

Police Court--- District. 1358

THE PEOPLE, vs.,
ON THE COMPLAINT OF

Christian M. Hurler

James Brown

2
3
4

Offence Larceny from the person

Dated Oct 12 1890

Magistrate
Officer
Precinct 11

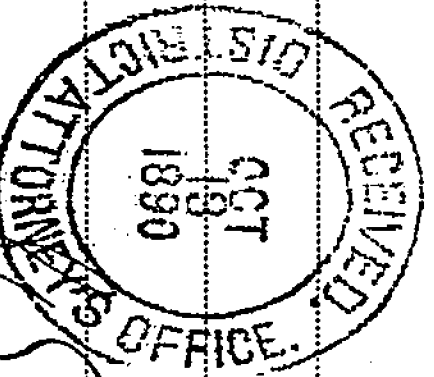
Witnesses

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

\$ 500 to answer



CO. M. H. Hurler

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 Oct 12 1890 Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Brown

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

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

The said

James Brown

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

#3.00 *one* promissory note for the payment of money of the kind commonly called United States Treasury Notes, of the denomination and value of *two* dollar *5*; *one* promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *two* dollar *5*; *one* United States Gold Certificate, of the denomination and value of *two* dollar *5*; *one* United States Silver Certificate, of the denomination and value of *two* dollar *5* :

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

and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown of the value of three dollars

of the goods, chattels and personal property of one

on the person of the said

then and there being found, from the person of the said

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.

Christian Neuburger
Christian Neuburger
Christian Neuburger
John R. Bellows
District Attorney.

0064

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

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,

of the goods, chattels and personal property of one

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

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

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

JOHN R. FELLOWS,
District Attorney.

0069

BOX:

412

FOLDER:

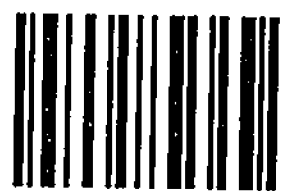
3809

DESCRIPTION:

Brown, Louis

DATE:

10/16/90



3809

0066

113

Witnesses;

Katie Volbach

Counsel,

Filed

16 day of Oct 1890

Pleads,

THE PEOPLE

vs.

Louis Brown

Grand Larceny Second degree.
[Sections 528, 531 —, Penal Code].

W
298 Oct 1890
JOHN R. FELLOWS,

District Attorney.

A True Bill.

Anders Little

Foreman.

Oct 16/90
Plead G. J. 2199
S. P. 4 yrs.

Police Court

District.

Affidavit—Larceny.

City and County } ss:
of New York,

Katie Pollak

of No. 125 Blue Street, aged 29 years,
 occupation Married being duly sworn,
 deposes and says, that on the 7 day of October 1890 at the City of New York,
 in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
 the day time, the following property, viz:

One over-coat and a complete
 suit of clothes together of
 the value of Forty dollars

the property of Henry Kellie a barber
 in deponent's premises said property
 being in deponent's charge
 and care 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 Louis Brown known here

who entered deponent's premises
 seized and carried away
 said property and was
 caught with said property
 in his possession

Katie Pollak

Sworn to before me this

of October 1890

day

J. J. Mitchell Police Justice.

0068

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Louis Brown*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *US*

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

Answer. *289 West Houston St*

Question. What is your business or profession?

Answer. *Maker*

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**Louis Brown*

Taken before me this

day of

Sept

1890

Police Justice

J. M. [Signature]

0050

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

Police Court - District.

649

THE PEOPLE, &c.,
ON THE COMPLAINT OF

State of New York
125-669 St.

Lucas Brown

Office

Grand Jurors

Date

Magistrate

Officer

10 Precinct

Witnesses

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____



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

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0070

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Louis Brown

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

Louis Brown

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

The said

Louis Brown

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

*one overcoat of the value of
fifteen dollars, one coat of the
value of twelve dollars, one vest
of the value of six dollars and
one pair of trousers of the
value of seven dollars*

of the goods, chattels and personal property of one

Anthony Nellis

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

*John R. Fellows,
District Attorney.*

SECOND COUNT—

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

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

The said

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,

of the goods, chattels and personal property of one

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

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

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

JOHN R. FELLOWS,
District Attorney.

0070

BOX:
412

FOLDER:
3809

DESCRIPTION:

Brush, Rodman A.

DATE:
10/29/80



3809

0073

Witnesses:

J. Provost -

Officer W. Glone

Counsel,

Filed

day of

1890

Pleads,

THE PEOPLE

vs.

Prosser A. Brush

Assault in the First Degree, Etc.
(Furcure)

(Sections 217 and 218, Penal Code)

JOHN R. FELLOWS,

District Attorney.

Nov 6th 1890. Notary Council
W.D.

A True Bill.

Andrew Little

Foreman.

Part 2 - November 6, 1890

Fried and convicted of
Assault in the Second
Degree

S.P. 5 yrs.

0074

New York Hospital,

West Fifteenth Street,

New York, Sept 29th 1890

Joseph Prevost at the present
time is suffering from an abscess
in the abdominal wall, following
a bullet wound of the groin. I believe
that he will recover.

W M Halloran M.D.

New York Hospital,

West Fifteenth Street,

New York, *Oct 12* 1890

*Joseph Pruss will probably
need treatment for about
two weeks from date.
W. M. Mallock*

New York Hospital
Joseph Provost is suffering
from a gun shot wound of
right groin. He needs hospital
treatment but I do not think
his injury a serious one
W.M. Halliday

Sept 14th / 90

0077

New York Hospital,

West Fifteenth Street,

New York, Sept 24 189

Joseph Priest will probably
not be able to leave the
hospital before October first
W. M. Halliwell M.D.

New York Hospital,

West Fifteenth Street,

New York, Sept 16th 1890

Joseph Probst is still confined
to bed and will probably not be
able to leave the hospital for
in five days
W. M. Mallon

New York Hospital
Sept 20/90

Joseph Pruitt is not
yet able to leave the hospital
W. M. Mallory M.D.

0080

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

Patrick McGone
of *Central Park Police* ~~Street~~, aged *34* years,
occupation *Officer* being duly sworn deposes and says,
that on the *13* day of *September* 18*92*

at the City of New York, in the County of New York, *he arrested Rodman
A. Brush (now here) in Madison Square
Park on a charge of Assault on
complainant of Joseph Provost*

*Deponent says that said
Provost is now confined in the
Hospital suffering from injuries
received - Wherefore deponent prays
that said defendant be committed
for Examination*

Patrick McGone

Sworn to before me, this

of

*Sept*18*92*

day

Police Justice

008

Police Court, 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.
Rodman A Brush

AFFIDAVIT.

Dated 14 Sept 1890

Ford Magistrate.

McGlone C.P. Officer.

Witness, _____

Disposition, Com for E Sept 16. 9 1/2 a.m.

16 16 16 20 16 16 16

16 16 16 24 16 16 16

Oct 1 16 16 16

11 11 11 11

11 11 11 11

Oct 13

Ex. Cor 15. 2 P.M.

Police Court— 2 District.

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

of No. 309 East 29th Street, aged 35 years,
occupation Porter being duly sworn

deposes and says, that on 13 day of September 1888 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by
William A. Bush (known here)

who aimed and discharged one shot
from a Revolving pistol at deponent,
the ball of said shot striking
deponent in the abdomen

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

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

Sworn to before me, this 21 day } Joseph Prescott
of October 1888 }

[Signature]
Police Justice.

THE PEOPLE, &c.
on the complaint of

Dated 188

Magistrate

Officer

Olerks

Winesap,

No. Street

No. Street

No. Street,

to answer General Sessions

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

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

Dated _____ 188 . _____ Police Justice.

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

Dated _____ 188 . _____ *Police Justice.*

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

Dated 188 *Police Justice.*

008

Sec. 198-200.

2

District Police Court

CITY AND COUNTY }
OF NEW YORK, } ss.

Adman A Brust 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.

Adman A Brust

Question. How old are you?

Answer.

50 years

Question. Where were you born?

Answer.

New York City

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

Answer.

38 West 26 Street 1 year

Question. What is your business or profession?

Answer.

Dentist

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

Adman A Brust

Taken before me this
day of *October* 19*23*

Police Justice

[Signature]

00005

Oct 23rd 11 AM

Police Court... 1616
District...

BAILED,

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

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Russell
309 W. East 29th
William A. Russell

1 _____
2 _____
3 _____
4 _____

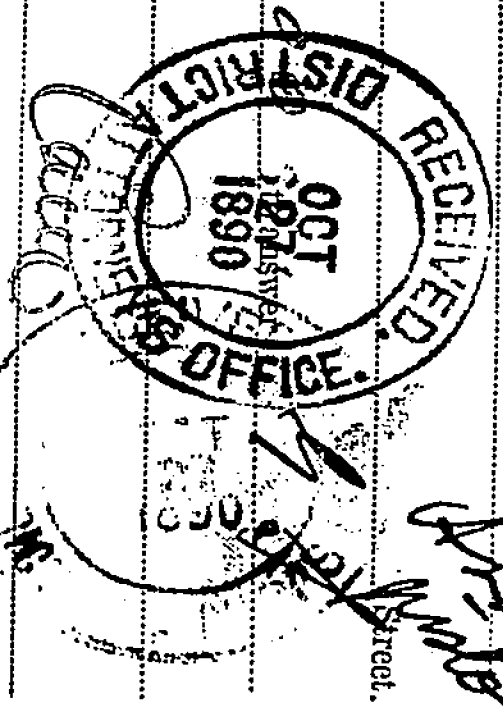
Offence assault
felony

Dated Oct 21 1890

Magistrate
Officer

Witnesses
No. _____
No. _____
No. _____
Street _____

No. _____
No. _____
No. _____
Street _____



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

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

Dated Oct 23rd 1890 _____ 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.

NEW YORK GENERAL SESSIONS.

-----x
)
The People) Before
)
vs.) Hon. Rufus B. Cowing
)
R o d m a n. A. B r u s h.) and a Jury.
)
-----x

Tried November 3rd, 1890.

Indictment filed October 29th, 1890.

Indicted for Assault in the First Degree.

APPEARANCES:

Assistant District Attorney Davis, for The People.

Oliver K. Keane, Esq., for the Defense.

J O S E P H P R E V O S T, the complainant, testified that he lived at 309 East 29th Street, and was a porter, employed by Morris & Nixon. On the 13th of September, 1890, he met the defendant. He first saw the defendant sitting on a bench in Madison Square Park, facing Broadway, between 8 and 9 o'clock in the evening. He, the complainant, sat down to light his pipe on the same bench. When he sat down he crossed his leg

to light the match on his shoe, and, as he did so, the heel of his shoe touched the defendant's trousers, and the defendant turned around and said something that he, the complainant, could not understand. He, the complainant, asked him what it was. He then heard the defendant say something about a "bum." He, the complainant, said, "You are a bigger 'bum' than I am;" and the defendant said he would have him, the complainant, arrested. He, the complainant, said, "I will have you arrested," and he, the complainant, stood up and walked a few paces. He intended to take the next path through the park, and go about his business. Before he, the complainant, got to the path towards which he was walking, the defendant turned around and lifted up his hand, as if he intended to strike him, the complainant; and he, the complainant, raised his own hand to ward off the blow. Then he, the complainant, struck at the defendant, but did not hit him. At that moment the defendant pulled out a revolver and shot him, the complainant. He, the complainant, saw the revolver in the defendant's hand when he shot it. The defendant took the revolver from his hip pocket. The bullet wounded him, the complainant, in the groin. He, the complainant, called for the police, and two officers came running up. One officer got hold of his, the complainant's, arm, and the other officer arrested the defendant as he was turning to walk away, and he and the defendant were taken to

the police station. There he, the complainant, made a charge against the defendant, and the Sergeant ordered the defendant locked up. The defendant said that he had shot him, the complainant, but that he had not assaulted him, the complainant. The ball was extracted from his, the complainant's wound, and he, the complainant, saw the ball. He, the complainant, squeezed the ball out of the wound himself. As he walked to the station house he kept squeezing the wound. He was attended by a doctor in the New York Hospital, and his wound was dressed. He was kept in the Hospital over five weeks. There were other men on the benches around where the defendant and he were sitting, but he, the complainant, did not know any of them. Under

Cross-Examination, the complainant testified that it was between 8 and 9 o'clock when he entered the park. He was alone. He had left the corner of 24th Street and 2nd Avenue, and he lived in 29th Street, and he worked at 13 West 27th Street. He had worked there two years at two different times. His place of employment was The London Harness & Saddlery Company. He had never seen the defendant before he sat down upon the bench, and he had no quarrel with him, whatever, except what he had described. He did not assault the defendant, nor knock him down, nor attempt to rob him. He, the complainant, had never been convicted of any offence.

R O B E R T R . M O F F E T , testified that he was in Madison Square Park on the evening of the 13th of September, 1890, between 8 and 9 o'clock. He saw the complainant there. He also saw the defendant there. He heard a pistol shot, and that attracted his attention, and he looked around and saw two or three men close together. One of the men retreated towards him. He, the witness, was about fifteen paces away from the men. The man who retreated held his hand down. This was the complainant. Another man was following up, and held a revolver in his hand. This was the defendant. The defendant was holding out his revolver, as though he intended to fire again. The complainant said, "Don't shoot!" Then the complainant and the defendant stood still, looking at each other, for about a minute, when two police officers came up and arrested both the complainant and the defendant. The defendant asked the complainant, after the officers came up, where his companion was. He, the witness, looked around and saw no companion that had been with the complainant. If there had been a companion, he, the witness, would have seen him. The complainant was standing perfectly still when the defendant last pointed the revolver at him.

OFFICER PATRICK MCGLONE, testified that he arrested the defendant in the neighbourhood of fifteen minutes of 9 o'clock, on

the evening of the 13th of september, in Madison Square park. He, the witness, was standing about fifty yards away, when he heard the pistol shot, and he ran in that direction, and, as he got near, some one said, "There is the man that done the shooting---walking away." He, the witness, ran and caught the man, who proved to be the defendant. He took the defendant back to where the complainant was standing. The defendant said that he did the shooting in selfdefence. The defendant further said that the complainant and some man that was with him, had attempted to assault him. He, the witness, asked the complainant if he was shot, and the complainant said that he was. He, the witness, took the prisoner to the station house, and another officer took the complainant there. An ambulance was called, and it took the complainant to the hospital. He, the witness, saw the defendant plainly in the light at the station house, and saw no marks of injuries upon him. The defendant told him, the witness, that he had been struck in the head. He had a dent in his hat, and that was the only evidence that he, the witness, saw of the defendant having been struck. The defendant also complained of being struck in the neck, but there was no evidence of such a blow upon his neck. When he, the witness, reached the spot where the complainant and the defendant were, the defendant had the pistol in his pocket. He, the witness, searched the defend-

ant in the station house, and found the revolver in his pocket. The Sergeant at the desk asked the defendant if he had a permit to carry the revolver, and he said, "No." One cartridge in the cylinder of the pistol had been discharged.

R O D M A N A. B R U S H, the defendant, testified in his own behalf that he was a dentist by occupation, and had been engaged in that business almost all his life. He lived at 38 West 26th Street. On the evening of the 13th of September, about 8 o'clock, he entered Madison Square park and sat upon a bench facing Broadway. He was on his way home, and sat there for a few moments to rest. The complainant and a companion came into the park in a state of intoxication. As they passed him, though there were a dozen other benches vacant, they took a seat on the bench where he, the defendant, was sitting. They kicked his feet. When they sat down on the bench, after kicking his feet, he, the defendant, said, "Boys, I don't think it was right to do that, and to abuse a stranger." They used some very vile expressions to him, and asked him if he thought he was going to be robbed, and he, the defendant said, "Well, no; I don't anticipate anything of that kind." He then said that if they thought of anything of that kind, he, the defendant, had better leave; and so he got up and left the bench, and, as he left the bench, the complainant's compan-

ion, who was a large man, sat still, but the complainant got up and followed him, the defendant, and grabbed him, the defendant, with his left hand, and shot out with his right hand, striking him, the defendant, as he, the defendant, tried to get away. When the complainant had struck him three or four blows, the complainant knocked him down on his knees. The complainant struck him on the back of his head and his ears. While he was on his knees, and the complainant was striking him, he, the defendant, took out his revolver, and, as the complainant had threatened "to do" him on the bench, and he could not get away from him, and as the complainant was doing him serious bodily harm, he used the pistol. At the time of his, the defendant's, arrest, he asked the police officer who arrested him, to find the complainant's companion, who was large man, weighing fully 190 lbs. He, the defendant, did not take any particular aim at the complainant, and shot in a state of alarm and anxiety about his own safety, believing that he was about to receive great bodily harm, or to be killed. He did keep the pistol pointed towards the complainant after he had fired, because he did not want to be assaulted again, and, moreover, he wanted to keep the complainant there to get him arrested for assaulting him. Under

Cross-Examination, the defendant testified that he had been in an asylum for the insane. That was about fifteen

years before the trouble in Madison Square park, on the night of September 13th. Before he moved to 26th Street, he lived in Brooklyn about a year. He did not practise his profession, because his mother had left him real estate that enabled him to live. Since the War of the Rebellion, he had lost his eyesight almost entirely, so that he could not practice dentistry. He generally carried the pistol with him in the side pocket of his coat. He had been in the regular army for about seven years, and had become accustomed to carry arms, and knew perfectly well how to handle them. He had owned the pistol about 8 or 9 months. It was one of the most improved weapons. He had been carrying the pistol for months, because he had been twice assaulted and robbed in the parks.

In Rebuttal, the complainant, being re-called, testified that he was not under the influence of liquor on the night in question; he was not a married man. He lived with his father and mother. It was Saturday night, and he had taken two or three glasses of beer, and he had gone to make a call upon a friend named George May, at May's house in West 29th Street, between 6th Avenue and Broadway, and he was walking home when he took a seat in the park to rest and light his pipe. He had no companion with him. As to the defendant's story that he, the complainant, had seized him with his left hand, and had struck him about the head with his right hand, he had

only to say that his left hand was completely crippled and
useless from erysipelas.

0099

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Rodman A. Brush

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

Rodman A. Brush

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

The said

Rodman A. Brush

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

SECOND COUNT—

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

Rodman A. Brush

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

The said

Rodman A. Brush

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 *Joseph Prevost* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against *him* the said

Joseph Prevost
a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said *Rodman A. Brush*

in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0098

BOX:

412

FOLDER:

3809

DESCRIPTION:

Buonatta, Michael

DATE:

10/01/90



3809

0097

Witnesses;

M. Gentry
Off. No. 10th Court

a juror was withdrawn. I have heard the testimony in this case. I find that the complaint was not injured severely and was much at fault in the altercation. I think that a plea of ~~assault~~ the 3^d Degree is proper under the circumstances and respectfully recommend that such a plea be accepted.
Part 2 Nov. 14/90

W. J. Jerome
Dep. Prob.

#28 *70 H*

Counsel,

Filed

day of

18

Pleas,

THE PEOPLE

45
Blacksmith
290 front st.

Michael Buonatta

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

M. Haines
Foreman.

Part I

off. Pen. ... Oct 1890

Part 2 - November 14, 1890

~~Find and~~
Plead assault Third Degree

Pen 2 months Pen 14

Police Court—1st District.

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

of No. 54 Spring Street, aged 39 years,
occupation laborer being duly sworn
deposes and says, that on the 20th day of September 1888 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Michael Puomatta (now here)

who unlawfully and feloniously
struck deponent three (3) violent
blows with a hatchet thru head
in his hand, striking him once
on the head and severely cutting it
and on the shoulder, and neck,

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

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

Sworn to before me, this 20th day
of September 1888

Giuseppe Graciano
mon
Police Justice

THE PEOPLE, &c.,
the complaint of

08.

Offence—Felonious Assault & Battery

Dated 188

Magistrate

Officer

Clerk:

Witnesses

Street,

Street,

Street,

...to answer General Sessions

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

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

Dated _____ 188 . _____ *Police Justice.*

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

Dated 188 *Police Justice.*

There being no sufficient cause to believe the within named _____

Dated _____ 188 . _____ *Police Justice.*

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Puonatta 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. *Michael Puonatta*

Question. How old are you?

Answer. *40 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *215 511 10th Street 2 years*

Question. What is your business or profession?

Answer. *Grocery Store*

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*

Michael Puonatta
mon

Witness before me this

James J. [Signature]
Police Justice.

010

BAILED,
No. 1, by Michael O'Connell
Residence 6 Centre Street, Place.
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

Police Court
THE PEOPLE, &c.,
ON THE COMPLAINT OF
Michael O'Connell
154th Street
District
1442
Dated Sept 20 1890
Offence Drunk
Magistrate Smith
Precinct 10
Witnesses _____
No. _____ Street _____
No. _____ Street _____
No. 500 Street _____
to answer Sept 20
Dated Sept 20 1890
Dated

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 Sept 20 1890 John Blum Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

COURT OF GENERAL SESSIONS

-----X
The People

-against-

Michael Buonatta.
-----X

City and County of New York, ss:

Michael Buonatta of No. 291 Mott Street this City, being duly sworn deposes and says that he is the defendant herein and that at the time of his arrest he resided at No. 215 Mott Street. That he is a blacksmith by trade but on account of being totally blind in the left eye and nearly so in the right he was compelled some time ago to abandon his trade and opened a grocery store at the premises 215 Mott Street. That he has a wife and three children, the youngest of said children being but eight months of age. That he has been eight years in this country, and was never arrested nor charged with the commission of any crime with the exceptions of the present charge made against him. That he was arrested, in the present case, in front of his store, on the morning of the trouble between complainant and himself. That at the time, he did not know the name of complainant, but had seen him around the neighborhood. The night before his arrest, his wife, had told the complainant not to put his cart in front of deponent's store. The complainant in response called deponent's wife very bad names and the next morning while defendant was standing in front of his store with his eight months old child in his arms, the complainant came along and upon defendant's asking him why he had called

his wife bad names the night before, the complainant caught defendant by the throat, struck him in the face, knocking him and his child down, and as defendant got up complainant struck him again in the face and then got a shovel whereupon defendant picked up shatchet and struck complainant with the blunt end of it. That he had no intention of inflicting injury upon the complainant but acted as he believed in self defense. That his family has no means of support other than the provisions he is able to make for it and he prays that the Court will deal leniently with him in imposing sentence upon his plea to assault in the third degree.

Sworn to before me this 14th:
day of November, 1890.

Lis
: *Michael X Buonatta*
: *Mark*

Frederick B. House
Commissioner of Deeds
N.Y. Co.

COURT OF GENERAL SESSIONS.

-----X
The People &c.,

-against-

Michael Buonnatta.
-----X

City and County of New York, ss:

LOUISA TORRIST of No. 230 Mott Street being duly sworn deposes and says that she is a married woman and has resided with her husband and two children at said above address for three years last past, and that she has been five years in this country. That she does not know the complainant against the defendant Buonnatta but saw him on the morning of the trouble between him and defendant which was the morning that Buonnatta was arrested. That on said morning, she was in her house when she heard some noise in the street and on going to the window saw the defendant down on his back, in front of his store. That at the same time she saw the complainant run to his cart and get hold of a shovel. That the defendant got up and I saw them both come together and two men trying to get them apart,; that defendant had a hatchet in his hand but I did not see him strike the complainant. That she has known Buonnatta for the past two years and knows other people in the neighborhood who are acquainted with him; that he is blind in one eye and does not see well with the other; that he has a wife and three children and has been keeping for some time a small grocery store. That she has always found him to be a quiet and orderly and peaceable man.

Sworn to before me this 14th:
day of November, 1890.

^{her}
Luisa + Torrise
Mark

Frederick B. House

Commissioner of Deeds
N.Y. Co.

0 108

City and County of New York, ss:

VITO De SALVO of 215 Mott Street being duly sworn deposes and says that he is a married man, has been in this country one year and has resided all that time at the above address. That he is not acquainted with the complainant herein but has seen him about the neighborhood where deponent lives. That on the morning of the trouble between defendant and complainant, deponent was standing in front of defendant's store and defendant was standing there also with a young child in his arms. That he saw complainant coming down the street and heard defendant say to him that he, complainant, had no business to call his, defendant's wife, bad names. That complainant then grabbed defendant, struck him and threw him down, the child falling out of defendant's arms. Complainant then got a ~~shovel~~ shovel and defendant a hatchet and as they came together some men got between them and separated them. I did not see the defendant strike the complainant but I heard some one say that complainant's head had been cut. Deponent further says, that he has known defendant for a year, that he is a married man with a family of small children and kept a grocery store at 215 Mott Street, and that he has always been a quiet and peaceable person. Deponent also knows that defendant does not see with one of his eyes and that the other is also very bad.

Sworn to before me this 14th:

day of November, 1890.

Fredrick B. House

*Commissioner of Deeds
N.Y. Co.*

*his
Vito De Salvo
Mark*

City and County of New York, ss:

ANTONIO GERASO

of 191 Mott Street being duly sworn deposes and says that he has been in this country for six years and during that period has resided at the above address. That formerly he worked at blacksmithing but is now engaged as a barber at No. 161 Greenwich Street. That he has known the defendant Buonnatta for the past six years and at one time worked with him as a blacksmith and that said Buonnatta was compelled to abandon his trade on account of becoming totally blind in one eye and to deponent's knowledge can see but very little with the other one. That he knows many people who are acquainted with the defendant and that said Buonnatta has always been a quiet, peaceable and harmless person. That he has a wife and several small children and is a very poor man and that his family depend upon him for such support as he has been able to give them by carrying on a small grocery since he was compelled to give up his trade as a blacksmith.

Sworn to before me this 14th:
day of November, 1890.

Antonio Geraso

Frederick B. Gould

Commissioner of Deeds

N.Y. Co.

City and County of New York, ss:

MICHELE ABBRUZZESE

of No. 48 Leight Street, being duly sworn deposes and says that he has known the defendant for the past twenty-two years, having lived in the same village with defendant in Italy before they came to this country. That he knows many people who are acquainted with the defendant and that his character for peace and quietness is of the best. Deponent further says that he knows that prior to the arrest in this case, defendant has never been arrested nor charged with the commission of any crime. That he furthermore knows that the defendant is blind in one eye and cannot see very well with the other. That he has a wife and three small children and that the defendant is their only support.

Sworn to before me this 14th:
day of November, 1890.

Michele Abbruzzese

Frederick B. Houel
Commissioner of Deeds
N.Y. Co.

0104

City and County of New York, ss:

MICHELE ABARNO of No. 6 Centre Market Place, being duly sworn deposes and says that he has known the defendant, Michael Buonnatta, for about eight years and that he has always been a peaceable, quiet and law-abiding citizen, and that such has been his character in the neighborhood in which said defendant has resided. That the defendant is a married man with several small children depending upon him for support and that for the past year or so he has conducted a small grocery store at No. 215 Mott Street. That he knows of his own knowledge that prior to the arrest in this case, that the defendant has never been arrested nor charged with the commission of any crime. That he knows defendant to be blind in one eye and that the sight of the other is very poor, and that it was owing to such trouble with his eyes that defendant, to deponent's knowledge, was obliged to abandon his trade as a blacksmith and seek to support himself and family by conducting a grocery store. That defendant's family have no means of support other than that provided by the defendant himself and that deponent knows defendant to be a poor man.

Sworn to before me this 14th:
day of November, 1890.

: *Michele Abarno*
:

Frederick B House,
Commissioner of Deeds
N.Y. City

City and County of New York, ss:

FREDREICK De LORENZO of No. 121 Christopher Street being duly sworn deposes and says that he is in the real estate business in this City and has known the defendant, Michael Buonnatta, for more than ten years. That he is acquainted with many people in this City who know the defendant. That deponent is president of several Italian societies in this City and that said defendant is well-known to such members as a peaceable, quiet, orderly and well-disposed man. That defendant is totally blind in one eye and that the sight of the other is very poor; that he has a wife and three small children who are dependent upon the defendant for their support, and that to deponent's own knowledge, on account of the trouble with his eyes, the defendant was obliged to abandon his trade as a blacksmith. That deponent knows the place in Italy where defendant resided before coming to this country and knows that the defendant's reputation there for peace and quietness was of the very best.

Sworn to before me this 14th:
day of November, 1890.

Federick De Lorenzo

Fredrick B. House
Commissioner of deeds
N.Y. City.

City of

County of

ss.

being duly sworn, deposes and says that he is the
in this action, that has read the foregoing
and knows the contents thereof: and that the same is true own knowledge, except as to the
matters therein stated to be alleged on information and belief, and that as to those matters
believes it to be true.

Sworn to before me this
of

day }
18 }

0112

Sir,

Please take notice, that the within is
a true copy of an
in this action, this day duly filed and
entered, in the office of the Clerk of
this Court.

Dated, N. Y.,

189

Yours &c,

LEVY, FRIEND & HOUSE,

Att'ys for

To

Esq.,

Attorney for

N. Y.
General Sessions Court.

The People, &c.

against

Michael Buonmattei

Affidavits.

LEVY, FRIEND & HOUSE,

Deft's ATTORNEYS,

25 CHAMBERS ST., NEW YORK.

Due and timely service of a copy of the within

is hereby admitted,

this _____ day of _____ 189

Attorney for

0113

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Michael Buonatta

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

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

The said *Michael Buonatta*

late of the City of New York, in the County of New York aforesaid, on the
twentieth day of *September* in the year of our Lord
one thousand eight hundred and *ninety*, with force and arms, at the City and
County aforesaid, in and upon the body of one *Giuseppe Graticiano*
in the Peace of the said People then and there being, feloniously did make an assault
and *upon* the said *Giuseppe Graticiano*
with a certain *hatchet*

which the said *Michael Buonatta*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, ~~stab~~ and
wound,

3
with intent *him* the said *Giuseppe Graticiano*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

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

The said *Michael Buonatta*

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 *Giuseppe Graticiano* in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and *upon* the said *Giuseppe Graticiano*
with a certain *hatchet*

which the said *Michael Buonatta*
in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully strike, beat, cut, ~~stab~~ 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.

John R. Fellows
District Attorney

THIRD COUNT—

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

The said

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 said
in the peace of the said People then
and there being, feloniously did wilfully and wrongfully make another assault, and
the said

with a certain

which the said

in right hand then and there had and held, in and upon the
of the said

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-
fully inflict grievous bodily harm upon the said

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

JOHN R. FELLOWS,
District Attorney.

0119

BOX:

412

FOLDER:

3809

DESCRIPTION:

Burns, Joseph

DATE:

10/01/90



3809

0116

#280

Witnesses;

Mary Byrne

Sept has seen
a man in
H of Ref. F.I.

Counsel,
Filed
Pleads,

1 Oct 1890

THE PEOPLE
vs.

Joseph Burns

Grand Larceny, Second Degree.
[Sections 528, 531 Penal Code].

15
63642

JOHN R. FELLOWS,
District Attorney.

A True Bill.

M. H. Hayes.
Foreman.
Pleads & Verdict
Counsel & H of Ref
F.I.

011

Police Court—Sixth District.

Affidavit—Larceny.

City and County
of New York, } ss.

of Cor. 83rd Str Park Avenue Man Byrnes aged 72 years,
occupation Nurse Keeper being duly sworn

deposes and says, that on the 19th day of July 1890 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent in the day time, the following property, viz the following articles

Two ladies dress suits of the value of Six
dollars, a shawl of the value of
Two dollars a satin petticoat of the
value of Three dollars, an overcoat
of the value of ~~the same~~ one dollar
and twenty seven dollars good and
lawful money of the United States
altogether of the value of Fifty
one dollars

the property of this deponent

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

under the following circumstances:
On or about nine o'clock of the morning
of July 19th, 1890, deponent who was about
to move employed the said Joseph
Byrnes to assist her in taking up
the carpets, and the deponent
had free and easy access to all
apartments. On leaving the same
day deponent marked her articles
which were taken from a trunk
box. Said Byrnes has admitted
to deponent that he took the money
and the clothing.

Man Byrnes
mark

Sworn to before me this 19th day of July 1890
of Man Byrnes
Police Justice.

0118

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

OTK
District Police Court.

Joseph 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.

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.
Joseph Byrnes

Taken before

day of

189

Police Justice.

0110

Police Court... *641465*
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Byrne
Joseph Byrne
Lucien Delany

BAILED,
No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

No. 5, by _____
Residence _____
Street _____

Date *September 14 90*

James Byrne
Magistrate.
Officer.

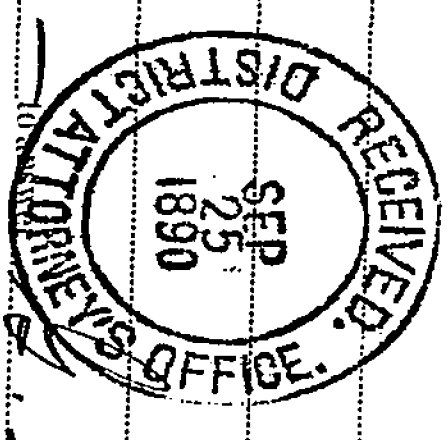
James Byrne
Precinct.

Witnesses *James Byrne*
No. *168* P. 93 a
Street.

No. _____
Street.

No. _____
Street.

No. _____
Street.



Commuted by

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 _____

Joseph Byrne
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 *September 14 90* *James Byrne* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0120

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph Burns

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by
this indictment, accuse *Joseph Burns*

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

The said

Joseph Burns

late of the City of New York, in the County of New York aforesaid, on the *19th*
day of *July* in the year of our Lord one thousand eight hundred and
ninety, at the City and County aforesaid, with force and arms, in the
day time of the same day, divers promissory notes for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the
payment of and of the value of *twenty-seven*

\$27.00
dollars; divers other promissory notes for the payment of money, being then and there due
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination
to the Grand Jury aforesaid unknown, for the payment of and of the value of

twenty-seven
dollars; divers United States Silver Certificates of a number and denomination to the Grand
Jury aforesaid unknown, of the value of *twenty-seven*

dollars; divers United States Gold Certificates of a number and denomination to the
Grand Jury aforesaid unknown, of the value of *twenty-seven*

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid
unknown, of the value of *twenty-seven dollars and*

and five pawn-tickets of the
value of five dollars each

of the goods, chattels and personal property of one

Mary Byrne
then and there being found,

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

JOHN R. FELLOWS, *District Attorney.*

0 12

BOX:

412

FOLDER:

3809

DESCRIPTION:

Burns, Michael

DATE:

10/02/90



3809

0 122

Witnesses:

R. H. Hall

Nicholas Saunders

197
Counsel

Filed 20 day of Oct 1890

Pleads

THE PEOPLE

vs.

Michael Burns

INJURY TO PROPERTY.
[Section 654, Penal Code.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Alexander Little

Sept 1/90 Foreman.

Pleads Guilty - Min.

Pen 2 months.

0122

CITY AND COUNTY OF NEW YORK, ss:—

POLICE COURT, DISTRICT.

Robert H. Hall.

of No. *18 Spring* Street, aged _____ years,

occupation *liquor dealer* being duly sworn deposes and says,

that on the *11* day of *October* 188*9*

at the City of New York, in the County of New York, *Michael Burns*

saw him did wilfully and maliciously break a plate glass show window in defendant's store at 18 Spring Street doing damage to the amount of *Eighty* dollars. Defendant so informed by *Nicholas Saunders* that he *Dequard* saw the defendant throw a stone through said window. *Robert H. Hall*

Sworn to before me, this
of *October* 188*9* day

William D. D.
Police Justice.

0124

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

First District Police Court.

Michael Burns

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this
day of October 1888

Police Justice.

0129

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.,

vs. THE COMPLAINT OF

18th Street, New York City
Michael James

2 _____
3 _____
4 _____
Offence _____

Dated _____ 1888

Magistrate
Officer

Witnesses
No. 1 *Michael James*
No. 2 *James*
No. 3 *James*
No. 4 *James*



No. _____ Street _____
to answer _____
James

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 _____

Heffernan
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 *Dec 12* 18 *90* _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0 128

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Michael Burns

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

— Michael Burns —

of the CRIME OF UNLAWFULLY AND WILFULLY ~~destroying~~ —

PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said Michael Burns, —

late of the ~~fourteenth~~ Ward of the City of New York, in the County of New York
aforesaid, on the ~~eleventh~~ day of ~~October~~, in the year
of our Lord one thousand eight hundred and ~~eighty~~ ~~ninety~~, at the Ward, City and
County aforesaid, with force and arms, a certain ~~pane of~~

~~plate glass,~~

of the value of ~~eighty~~ ~~dollars~~, —

of the goods, chattels and personal property of one ~~Robert H. Hall~~, —

then and there being, then and there feloniously did unlawfully and wilfully ~~break~~

~~and destroy;~~

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.

0 12

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said
— Michael Burns —
of the CRIME OF UNLAWFULLY AND WILFULLY ~~destroying~~
REAL PROPERTY OF ANOTHER, committed as follows:

The said Michael Burns,
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the Ward, City and County aforesaid, with force and arms, a certain
pane of plate glass,

of the value of eighty dollars.
in, and forming part and parcel of the realty of a certain building of one

Robert H. Hall,
there situate, of the real property of the said Robert H. Hall,

then and there feloniously did unlawfully and wilfully break and destroy,

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

JOHN R. FELLOWS,

District Attorney.