

0833

BOX:

420

FOLDER:

3885

DESCRIPTION:

McGowan, James G.

DATE:

12/23/90



3885

0834

Nov 7. Kelly Jr.
950 Broadway
Counsel,
Filed
Pleas

23
day of Dec
1890
City of New York

THE PEOPLE
vs.
James L. Mc Gowan
Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code.)

JOHN R. FELLOWS,
District Attorney.
Jan 12, 1891, M.D.

A True Bill.

William T. Lawrence
Foreman.
F. L. Van O. 1892
Indictment dismissed
(see endorsement)

Wm. H. Kelly
Officer

I have made a thorough exam-
ination of this case & have
come to the conclusion that
the act committed by defendant
was a pure accident. In
this view the complainant
concern - the defendant has
always had a good character,
since the commission of the
act has been indications
& peaceable.

I recommend the
dismissal of this indictment.
Dec 27/91 O. M. Davis
Asst.
I concur in so recommending.
Respectfully,
William H. Moore
Dist Atty

0835

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK.

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

Question. What is your name?

Answer. *James McGowan*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *318 East 19th St. 3 years*

Question. What is your business or profession?

Answer. *Student*

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

Answer. *I am not guilty*
J. J. McGowan

Taken before me this

20

Charles A. ...
Police Justice

0836

H DISTRICT POLICE COURT.

THE PEOPLE
ON COMPLAINT OF

John J. Reddy
vs.
James G. McGowan

Examination had *Dec 20* 18*90*
Before *Chas. W. Taintor* Police Justice.

I, *George Ziegen* Stenographer of the H District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of *John J. Reddy*

vs.
as taken by me on the above examination before said Justice.

Dated *Dec 21st* 18*90*

George Ziegen
Stenographer.

Police Justice.

0837

Court of General Sessions
In and for the City County of New York

The People of the State of New York
Plffs

James J¹⁵ McGowan
Def

City County of New York ss. John J. Reddy
being duly sworn deposes &
says that he resides at #2476
30th St. New York City and was in
December 1890 a bartender in the
employ of Thomas Noon who kept
a saloon at #197 Lexington Ave
near 32nd St. New York City. That
on or about the 19th day of December
1890 the defendant above named came
into the saloon at which deponent
was employed at about 2 o'clock in
the afternoon and called for a
drink which he received, drank &
paid for. The defendant stayed in the
saloon until about 6³⁰ P.M. taking
an occasional drink but gradually
~~becoming~~ getting under the
influence of the liquor. At about

0838

half past six, the defendant became noisy and annoying to deponent & some customers who were in the saloon at the time and deponent started to push him out of the place. The defendant was seated near the door cleaning his nails with a knife at the time & when deponent began to push him out, he resisted & more force was used. In the scurrage which resulted, the defendant raised his hand containing the knife & then the defendant felt his hand cut on the thumb & first finger. That the injuries while very painful at the time are not very severe in their after effects. Deponent ~~is~~ is informed & believes that the defendant is of good family & to punish him would bring disgrace upon the family which deponent is anxious to avoid. He believes that the defendant has been sufficiently punished & desires to withdraw ~~the~~ the complaint heretofore made by him against the defendant & ask for the discharge of the defendant.

Sworn to before me

this 18th day of December 1891

Thos. F. Libby Jr
Clerk of Courts
N.Y. City.

John P. Reddy

Court of General Sessions of the Peace
 In and for the City & County of New York
 The People of the State of New York
 Plffs.

vs
 James J. McGowan et al
 Defs.

City & County of New York ss.

Eugene F. Rooney
 being duly sworn deposes & says that
 he resided at no. 2234 First Avenue
 in the City of New York. That he is
 informed & believes that the above
 named defendant James J. McGowan
 was arrested in December 1890 for
 an assault committed upon one ^{Richard J. Tibbitts} ~~Tibbitts~~
 who subsequently made a complaint
 against the said defendant McGowan
 on which complaint the Grand Jury
 brought in an indictment for
 assault. That ^{he is informed & believes} subsequently thereto the
 complainant ^{Richard J. Tibbitts} ~~Tibbitts~~ withdrew the
 complaint by a withdrawal statement
 in writing signed by the said complainant
 which said withdrawal statement is
 now on file in the records of the
 District Attorney's office. That the defendant
 McGowan is a young man whose name

he is informed, & believes, was drunk at the time of the commission of the said assault. That the defendant W. Gowau was held in \$1000⁰⁰ bail for trial & that since his indictment, he has led a most exemplary life, being now employed as a clerk by a lawyer in New York City by whom he has been employed constantly since his indictment. That deponent does not mention the lawyer's name for the reason that the defendant has not told the lawyer of his indictment & does not wish the lawyer to know of it fearing that the knowledge of it might jeopardize his place, continuance in employment by the said lawyer. That deponent knows the defendant for the past 15 years & knows that since his indictment, his conduct has been all that could be wished. Deponent therefore asks that the indictment now pending against the said defendant, McGowan be dismissed.

An. line when x
place of

is marked name Reddy inserted in
Killbuck

Sworn to before me

this 27th day of November 1891

George W. Brettell Eugene J. Rooney
Notary Public (227)
N. Y. C.

Court of General Sessions of the Peace
 In for the City & County of New York.

The People of the State
 of New York

Plffs

vs
 James J. M. Gowau
 Deft.

City & County of New York ss

James J. M. Gowau
 being duly sworn says, that he is the
 defendant in the above named action
 which is an action brought on an
 indictment by the Grand Jury for assault
 with intent to kill. The assault for which this
 defendant is under indictment occurred on
 December 19th 1890 at about 6 o'clock in
 the evening. This defendant went to the
 saloon at the corner of 32nd St. & Lexington Ave.
 kept by one Thomas Noon, at about 2³⁰ o'clock
 in the afternoon of that day and there waited
 for a friend of his, whom he expected to meet; at
 the time he went into said saloon he was perfectly
 sober & knew what he was doing. The complainant
 in this case John Reddy, who tends bar in the
 place, was behind the bar & supplied drinks
 to customers who came in & went out frequently
 during the time that this defendant was there. That
 while waiting for his friend to come he took several

0842

drinks, in fact so many that at the time of the commission of this assault he was intoxicated & cannot now remember how he was induced to draw his pocket knife with which the assault was committed. The quarrel which provoked the assault was one in regard to a disputed payment of money for some drinks which had been supplied by said Reddy. Deponent was immediately arrested & in the Police Court was held in \$700⁰⁰ bail to await the action of the Grand Jury. On the indictment of this deponent this bail was increased to \$1,000⁰⁰ under which bonds this deponent is now awaiting trial. Since his release on bail, deponent has attended Packard's Business College & studied stenography & is now employed in the pursuit of his profession. The deponent is unable to find the complainant in this case but is informed that he has already made a withdrawal statement which is on file in the District Attorney's office. He therefore prays that the charge against him be dropped & his bail bond discharged.

Sworn to before me

this 1st day of December 1891

Wm. J. Selover

James P. M. Towan

Commissioner of Deeds,
290 Broadway, N.Y.

Court of General Sessions
The People of the
State of New York

James J. McGowan
Deft.

Affidavit of
James J. McGowan
vs
Margaret F. Conroy

Thos. J. Flaherty Jr.
Atty for def. A.
260 Broadway
New York City

Fourth District
Police Court

John J. Reddy

James G. McGowan

Before Hon.
Chas. W. Taintor,
Justice

New York, Dec. 20th, 1890.

No one appears for the
complainant or defendant.

John J. Reddy, the Com-
plainant, sworn, testified as
follows:

By the Court:

Q Where do you reside?

A 247 East 30th St., I am
a bartender. I know
this defendant. He as-
saulted me last night.
I was relieving the other
bartender. The saloon is
197 Lexington Avenue, corner
of 32^d Street. I relieved
the other bartender twenty

0845

minutes to six last night.
The quarrel occurred about
six o'clock. They were
throwing dice for drinks -
this defendant, Hutchinson
and Peter Henry. The def-
endant was stuck for the
drinks. He asked me how
much it was. I said
Twenty five cents and you
owe the other bartender thirty
cents - fifty five cents
altogether. He said how
do you make that out.
I said you owe the other
bartender thirty cents. The
defendant said, that don't
go, I am going to fuck
him for that. I said, you
don't want to do anything
like that. You were stuck
for it and you must
pay it. I said you
give me thirty cents. I
said you owe the money.

He said, I don't owe the money. He said, "you fucking son of a bitch I will fuck you anyhow."

I said, you had better go out of here quietly and don't raise any disturbance. As soon as I tried to get him out he pulled this knife (Pointing to knife) and said "I will kill you anyhow."

I got a stick from behind the bar, and he chased me, and kept lunging at me with the knife.

The knife was open, and I kept dodging the glass and he ran me to the back, and made another lunge at me and cut me in the hand. Then he ran out, and then when he went out I went

0847

down to the doctors. He
the defendant, came back
a second time. My boss
was with me, and I
said, you had better go
back. When my boss got
back he was trying to
give the other bartender the
same as he gave me.
That is all I know
about it. Officer Binning
arrested him. I don't
know where he caught
him. I was at the
doctors and went from
there to the Station House.

Thomas Noon, called
for the People, sworn,
testified as follows:

By the Court:

I live at 431 Park Ave.

0848

I am in the liquor business. I am the proprietor of the place where this cutting took place. I just happened to go in the store at the time. I think it was about quarter to six last night. I saw the defendant there and I heard my bartender ask him for thirty cents more which he owed the other bartender when he relieved him. The defendant refused to pay it. He, the defendant, said he would "give it" to the other one. Reddy said you don't want to do anything like that. Reddy said, "Jack I want that money" The defendant said "I will fuck you for it. My bartender said, you know you

0849

don't want to raise any disturbance in this place; you had better go out of here quietly. The defendant said "you come from behind that bar, I will fuck you, I will murder you". Reddy said "you had better go out of here quietly".

The defendant stepped to the end of the bar, pulled this knife out of his pocket and made a lunge at Mr Reddy. Mr Reddy went behind the bar to get a stick to defend himself, and he kept slashing at him with this knife and finally stabbed Reddy with the knife, and when he went out of the side door he made a lunge at ~~Reddy~~ with the knife.

0850

I took Reddy down to the doctors and I came back immediately, thinking there would be more trouble, knowing that this man is a bad character. When I came back this defendant was streaking in the side door a second time, and I told my other man Otter Henry, to stay behind the bar, and I would go and look for an officer. I went down Lexington Avenue and then to Third Avenue and met Officer Binning. Mr Hutchinson, a man named Smith and a man named Quigley were there also.

7

Samuel Hutchinson, called
for the People, sworn,
testified as follows:
By the Court:

I live at 449-14th Ave.
I am a coachman. I
know the complainant
John J. Reddy. I do not
know the defendant; I
never saw him before last
night. I saw the dis-
turbance in the saloon
corner 32nd St. & Lexington
Avenue last night. When
I got through work I
went in the saloon. Reddy
came in and relieved the
other bartender. There was
some dispute about thirty
cents which the defendant
owed the other bartender.
He, the defendant, said
to Reddy, "That's got
nothing to do with you;

I can fuck you, you son
of a bitch". Reddy said
the best thing you can
do is to go out quietly.
Mr Reddy came out
from behind the bar and
told him, and the def-
endant pulled a knife
out of his pocket and
said "I am going to
do you" and he cut
Reddy's fingers. The
defendant went out
and afterwards came
back to look for more
disturbance. I saw
the defendant strike
Reddy with the knife.
The knife was open. He
the defendant, rushed at
him five or six times.
That is all I know.

Robert J. Binning, of the
21st Precinct, sworn, tes-
tified as follows:

By the Court:

I am a Police Officer.
I arrested the defendant.
I was coming out last
night and I saw a
crowd of people between
33^d & 34th Sts. When I
got there Mr Hutchison
had hold of this def-
endant and asked me
to lock him up, and
handed me this knife
(Pointing to knife) open. Hut-
chinson told me he had
been running through
the street with the knife
and jabbing at everybody,
I put the knife in my
pocket and took him
to the Station House
and waited for the
complaint to come up

0854

In the Station "house" the defendant was very abusive to me and the Captain. He said it didn't amount to a damn. On investigation I found that the defendant has been in trouble two or three times before. I don't know that the defendant has been arrested before, but I know he done this thing before.

James G. McGowan, the defendant, sworn, testified as follows:

By the Court:

I live at 313 E. 19th St.
I am a student in the University of the City of New York. I was in a saloon corner of 32nd & Lexington Avenue last

11

night. The saloon is kept by Mr. Noon. It was about six o'clock last night. There was a dispute about some change. Reddy came from behind the bar and brought a club with him to attack me. I retreated into a closet. I drew this knife after he attacked me with a policeman's club and wanted him to leave me alone. I went away and came back again and he went at me again, and I retreated again, and he followed me up from the place on Lexington Avenue to Third Avenue and attacked me with a club.

Q Did you hit him with the knife?

0856

A. I was not aware I cut
him. I don't believe
it is very much of a
wound. I had been
drinking. I have nothing
further to say.

0857

Police Court— 14 District.

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

of No. 247 East 30 Street, aged 23 years,
occupation Bartender being duly sworn

deposes and says, that on the 19th day of December 1890 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by James J. McGowan (now here) who cut and stabbed deponent in the left hand with the blade of a dagger or dangerous knife. That said injury was inflicted while deponent was warding off a lunge made by the defendant to stab deponent in the body

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 December 1890 } John J. Reddy
Charles N. Hunter Police Justice

0858

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~~ *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 *Dec 20* 18*90* *Charles K. Smith* Police Justice.

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

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

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

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

0859

Police Court--- 4 District. ¹⁸⁹⁰

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John J. Reddy
247 East 30th
James J. McGowan

F. L. Caswell
Attorney

2.....
3.....
4.....

BAILED,

No. 1, by *Margaret B. Devine*
Residence *162 East 97th* Street.

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

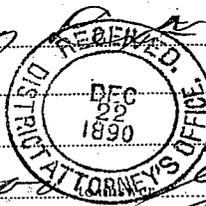
No. 3, by.....
Residence..... Street.

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

Dated *Dec 30* 1890
Taintor Magistrate.
Binnig Officer.
217 Precinct.

Witness *Saml Hutchinson*
No. *449 4th Ave* Street.
Thomas Noon
No. *197 4th Ave* Street.

No. *1000* Street.
Comptroller



Court of General Sessions -
 The People v C
 on Complaint of }
 John J. Reddy } Assault.
 vs. }
 James G. McGowan }

I John J. Reddy make the following statement of the facts in the above case.

On Dec 19 '890. the defendant was in the saloon drinking and noisy. I asked him to keep still and upon his not heeding me. I went from behind the bar to put him out.

Defendant McGowan had a knife in his hand cleaning his nails when I took hold of him and in pulling away from me he accidentally got my thumb cut. I do not believe he intended to do me any injury.
 New York Jan 12 1891

John J. Reddy
 Witnessed by
 Francis E. Evans. Thomas Keon

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 G. McGowan

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

James G. McGowan
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said James G. McGowan,

late of the City of New York, in the County of New York aforesaid, on the nineteenth day of December in the year of our Lord one thousand eight hundred and ninety, with force and arms, at the City and County aforesaid, in and upon the body of one John J. Reddy in the Peace of the said People then and there being, feloniously did make an assault and ~~him~~ the said John J. Reddy with a certain knife

which the said James G. McGowan 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,

with intent him the said John J. Reddy 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

James G. McGowan
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said James G. McGowan,

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 John J. Reddy in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and ~~him~~ the said John J. Reddy with a certain knife

which the said James G. McGowan 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.

0862

BOX:

420

FOLDER:

3885

DESCRIPTION:

McMahon, William

DATE:

12/08/90



3885

0863

BOX:

420

FOLDER:

3885

DESCRIPTION:

Bosch, Aaron

DATE:

12/08/90



3885

Witnesses:
Edward Robinson

John Virginia
Counsel,
Filed day of Dec 1890
Pleads, *Allegedly*

15 THE PEOPLE
vs. *but*
part vs.
1906
William McMahon
I
307 King St
Aaron Bosch

Burglary in the first degree,
and Petit Larceny;
[Section 496, 506, 526 and 537.]

JOHN R. FELLOWS,

District Attorney.
Part 2 - Dec 10, 1890
Both plead Burglary 1st deg.

A True Bill.

John R. Fellows

Both Name of Foreman.
John R. Fellows

See, 11

0865

Police Court— 2 District.

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

of No. 118 west 39th Street, aged 20 years,
occupation Grocery being duly sworn

deposes and says, that the premises No 118 west 39th Street,
in the City and County aforesaid, the said being a Three story brick
dwellling house and which was occupied by deponent as a Grocery Store

and in which there was at the time a human being, by name Ernst Bohlen
Charles Grote, and one another,
were BURGLARIOUSLY entered by means of forcibly

Breaking a pane of glass in the
show window of said premises

on the 21 day of November 1888 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

8 Bottles of Whiskey, 7 Bottles
of Brandy and 3 Bottles of Gin,
all of the amount and value of
Twenty five dollars (\$25⁰⁰/₁₀₀)

the property of Deponent and Herman Cordts.

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

William M. Mahon and Aaron Bosch
(None here) while acting in concert with each
other

for the reasons following, to wit:

That the said property
was in the show window of the aforesaid
premises on the aforesaid date
and that about the hour of 9 P.M.
deponent locked said premises and
retired to bed in a back room off
said store, leaving said property in
said show window, and deponent

0866

further says that he was awakened by James H Adams of No 118 west 39 Street about the hour of 11.45 P.M of the aforesaid date who informed him that the said window had been broken, and some property had been stolen.

Deponent further says that he is informed by James H Adams of No 118 west 39 Street - that he saw the said defendants about twenty feet from said window, carrying bottles, on the aforesaid date about the hour of 11.40 P.M.

And deponent is further informed by Officer Joseph Petrosino of the 19th Precinct Police, that he arrested the defendant M^r Mahon who in company with defendant Bosch was running down Broadway at the corner of 38 Street, and that the said defendant M^r Mahon then informed said Officer, where he had hidden and secreted part of said property, in west 39th Street between Broadway and 7th Avenue.

[Handwritten signature]

Ernest Bohlen

Police Court _____ District.

THE PEOPLE, & c.,
ON THE COMPLAINT OF
vs.
Burglary
Degree

Dated _____ 188
Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street.

0867

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 34 years, occupation Janitor of No. 118 West 39 Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Ernest Bohlen

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

Sworn to before me, this 22 day of November, 1890 } James H Adams

[Signature]
Police Justice.

0868

CITY AND COUNTY }
OF NEW YORK, } ss.

Joseph Petrosino
aged _____ years, occupation *Police Officer* of No. _____

19th Precinct Police Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *Ernest Bohlen*

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

Sworn to before me, this *22*
day of *November* 18*92* *Joseph Petrosino*

E. Bohlen
Police Justice.

0869

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *William Mc Mahon*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *496-9-Avenue - 10 years.*

Question. What is your business or profession?

Answer. *Nothing*

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

Answer.

I am guilty

his
William Mc Mahon
mark

Taken before me this *22* day of *March* 188*9*

Police Justice.

[Signature]

0870

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } SS.

Aaron Bosch

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. *Aaron Bosch*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *207 West 39th Street - 11 years*

Question. What is your business or profession?

Answer. *Milk Factory*

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
Aaron Bosch.*

Taken before me this
day of *November*

188*9*

Police Justice.

[Signature]

0871

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

guilty thereof, I order that They be held to answer the same and They 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 they give such bail.

Dated November 22 1890 [Signature] 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.

0872

Police Court--- 2 1949 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Ernest Bohlen
118 - Street 39th
Millican M. Mahon
Aaron Bosch

Offence Burglary

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

3.....
4.....

Date: *November 22 1949*

Hogan Magistrate.

Petrosino Officer.

19 Precinct.

Witnesses.....

No. Street.

No. Street.

No. Street.

\$ *500* to answer.....



Caen

General Session Court

The People vs
 agt
 Aaron Basch
 & another

City and County of New York S.S.

Wolf Basch
 being duly sworn deposes and says
 that he is the father of the defendant
 Aaron Basch and resides at number
 307 West 39th Street this City.

That the said defendant Aaron
 Basch was born 11th day of April
 1876 and is therefore now fourteen
 years of age. That said defendant
 is the third child of deponent and
 Lena Basch.

That hereto annexed is a state-
 ment of the time of the marriage of
 deponent and the ages of the several
 children born of said marriage.

That also annexed is a Notice
 served on deponent in May 1889 issued
 by P.G. Duffy Committing Magistrate
 which correctly recites the age of
 the defendant at that time.

That the said defendant at that
 time was just one month past

0874

13 years of age

And further deponent saith not.

Sworn to before me this
11th day of December 1890.

Jas P. Higgins
Notary Public
N.Y.C.

Wolf Basch

0875

To Wolff Basch
307 N. 39.
Carroll Basch

House of Reception, 61 West 13th Street.

You are hereby notified that a boy aged 13 years, has been committed to the House of Reception, of the New York Juvenile Asylum, and unless satisfactory evidence is offered before me W. B. Duffy

Committing Magistrate, within twenty days from the service of this notice, that said child was not found in the circumstances described in the 18th Sec. of an Act relative to the powers of the Common Council of the City of New York, and the Police and Criminal Courts of said City, passed Jan. 23rd, 1833, which said Section is in part as follows, viz: "If any child should be found in a state of want, or being abandoned or improperly exposed, or neglected by their parents, or such other persons as may have them in charge, or soliciting charity, from door to door, or in any street, highway, or public place within said City, the Mayor, Recorder, or any two Aldermen, or two Police Justices of said City, shall on complaint and competent proof thereof, commit such child to the Alms-House, or to such other suitable place as the Common Council may from time to time establish or designate;" then said Carroll Basch

will be finally committed to the New York Juvenile Asylum.

New York, March 11

0876

To *Wolf Pasch*
307 N. 39
Worm Pasch

House of Reception, 61 West 13th Street.

You are hereby notified that a *boy* aged *13* years, has been committed to the House of Reception, of the New York Juvenile Asylum and unless satisfactory evidence is offered before me *F. G. Duffy* Committing Magistrate, within twenty days from the service of this notice, that said child was not found in the circumstances described in the 18th Sec. of an Act relative to the powers of the Common Council of the City of New York, and the Police and Criminal Courts of said City, passed Jan. 23rd, 1833, which said Section is in part as follows, viz: "If any child should be found in a state of want, or being abandoned or improperly exposed, or neglected by their parents, or such other persons as may have them in charge, or soliciting charity, from door to door, or in any street, highway, or public place within said City, the Mayor, Recorder, or any two Aldermen, or two Police Justices of said City, shall on complaint and competent proof thereof, commit such child to the Alms-House, or to such other suitable place as the Common Council may from time to time establish or designate;" then said *Pasch* will be finally committed to the New York Juvenile Asylum.

NEW YORK, *May 11* 18 *89*
F. G. Duffy Committing Magistrate.
By FRED. W. KORNMAN, Policeman.

0877

We are married 20 years
in the year of 1870.
The oldest child 18
years and 6 months
old, but he is dead
his name was
Solomon Basch.

The next
child was a daugh-
ter who is 16 years
born the year of 1874
the name of this
child is Genesitta
Basch.

The next child was a
boy age 14 born 1876
named Arion Basch.

0878

The next child 10 yrs
a boy and the last
his age is 12 born
1878 name because
Breck

Court of General Sessions

The People
 vs
 Aaron Basch
 & another

City & County of New York S.S.

Lena Basch
 being duly sworn says that she is the
 mother of the defendant Aaron Basch
 and the wife of Wolf Basch.

That she has heard read the affi-
 davit of Wolf Basch and that the
 same is in all respects correct and
 true. That deponent knows the
 ages of her children and has
 often talked of their ages and
 has compared them one with the
 others at various times.

And further deponent saith
 not.

Sworn to before me this Lena ^{her} Basch
 11th day of December 1890 } mark
 Jas P. Higgins
 Notary Public
 N.Y.C.

Court of General Sessions

The People vs
 agt
 Aaron Basch
 + another

City and County of New York S.S.

Sarah Turk

being duly sworn deposes and says
 that she resides at number 334
 West 42nd street this city.

That deponent is the God. mother
 of the defendant Aaron Basch and
 knows the defendant since his birth.

That deponent acted as god. mother
 for the defendant at the ceremony
 of circumcision which occurred
 about a week after his birth
 in April 1876. That deponent
 remembers the year because de-
 ponent has a son who is now
 fifteen years old who was born
 about a year before the defendant
 in April 1875 and was an infant
 in deponents care at the time of the
 defendants birth.

Sworn to before me this 11th day of December, 1890
 J. M. Higgins
 Notary Public N.Y.C.

Sarah Turk
 Man

General Sessions
The People
vs

Apt
Aaron Basch
vs another

Affidavits as to
year of birth of
Aaron Basch

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
William Mc Mahon
and Aaron Borden

The Grand Jury of the City and County of New York, by this indictment, accuse
William Mc Mahon and Aaron Borden
of the CRIME OF BURGLARY IN THE FIRST DEGREE, committed as follows:

The said William Mc Mahon and Aaron Borden, late of the Twenty-Ninth Ward of the City of New York, in the County of New York aforesaid, on the twenty-ninth day of November, in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, about the hour of seven o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of one Ernest Borden,

there situate, feloniously and burglariously did break into and enter, there being then and there some human being, to wit: The said Ernest Borden,

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

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away; The said William Mc Mahon and Aaron Borden, and each of them, did then and there assist by a confederate actually present, to wit: each by the other,

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

William McMahon and Aaron Bond
of the CRIME OF ~~CRIM~~ LARCENY, — committed as follows :

The said *William McMahon and Aaron Bond* —
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 ~~midst~~ time of the said day, with force and arms,

*eight bottles of whiskey of the value of one
dollar each bottle, seven bottles of brandy
of the value of one dollar each bottle, and
three bottles of gin of the value of one
dollar each bottle,*

of the goods, chattels and personal property of one *Ernest Bohlen*,

in the dwelling house of the said *Ernest Bohlen*,

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

*John H. Bellows,
District Attorney*

0884

BOX:

420

FOLDER:

3885

DESCRIPTION:

Meggrey, George

DATE:

12/09/90



3885

0005

92 A. C.

Witnesses:

L. Parilla
Oliver Farrington
W. Kalaakaki

Counsel,

Filed 9 day of Dec 1890
Pleads, *Arquely 10*

THE PEOPLE
vs.
I
George Nagray
Robbery,
degree.
[Sections 224 and 228, Penal Code].

JOHN R. FELLOWS,
District Attorney.

A True Bill.

William K. Pennington
Foreman.

Part 25 Jan 1891
tried and acquitted

0885

Police Court--
1st District.

CITY AND COUNTY }
OF NEW YORK, } ss

Lucas Ravelo
of No 38 Chrystie Street, Aged 45 Years
Occupation Cysters being duly sworn deposes and says, that on the
27 day of November 1878, at the 6th Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

One gold cased watch of the
value of Forty dollars

of the value of Forty (40) DOLLARS,
the property of Dependent

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

George Meggery (now here) and
another person not arrested
who together and in concert
assaulted and robbed in the
manner following to wit- that
while deponent was walking along
Park Row near 11th Street at
about 5 PM of said he was
approached by Meggery and
another under said Meggery
then and then striking deponent
felling him to the ground and while
prostrate said Meggery seized deponent's
watch took it from his pocket and
ran off with the same Lucas Ravelo

day of
1880
Police Justice

Sworn to before me this

0007

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

George Meggery

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

MS

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

Answer.

39 North St

Question. What is your business or profession?

Answer.

Red J.

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 Meggery

[Signature]

Restaurant

1 Maucie McBann

2 Mary Ella McGrath - knew her - spoke to her

Taken before me this
day of

[Signature]

Police Justice

0000

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

After ~~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 1 18 90 A. 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 he to be discharged.

Dated _____ 18 _____ Police Justice.

0889

Police Court---

1806 District.

THE PEOPLE, &c
BY THE COMPLAINT OF

Rogers Revelo

vs. *203 North*

Gump Meggery

2

3

4

Officer *Collins*

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *Dec 1* 18*90*

White

Magistrate.

Farrington Officer.

Precinct.

Witnesses *Peter Blachaki*

No. *203 North N* Street.

No. Street.

No. Street.

\$ *1500* to answer *bet*

Com



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 Maggray

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

George Maggray

of the CRIME OF ROBBERY in the first degree, committed as follows:

The said George Maggray

late of the City of New York, in the County of New York aforesaid, on the twenty-ninth day of November, in the year of our Lord one thousand eight hundred and eighty-nine, in the night time of the said day, at the City and County aforesaid, with force and arms, in and upon one Isaac Rando, in the peace of the said People, then and there being, feloniously did make an assault, and

one watch of the value of forty

dollars,

of the goods, chattels and personal property of the said Isaac Rando, from the person of the said Isaac Rando, against the will, and by violence to the person of the said Isaac Rando, then and there violently and feloniously did rob, steal, take and carry away, the said

George Maggray being then and there aided by an accomplice actually present, whose name is to the Grand Jury aforesaid unknown.

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

John R. Fellows
District Attorney

0891

BOX:

420

FOLDER:

3885

DESCRIPTION:

Meisel, Harris

DATE:

12/02/90



3885

0892

Witnesses:

M. Stone
Officer Bellig

The jury should
be acquitted
as the evidence
is lacking & never
could get a notion
of guilt. I am
that the prisoner
is discharged
his own recognition
Dec 12 1890
G.S.A.
A.S.A.

47 J.A.

Counsel,
Filed
Pleads,
day of
1890

THE PEOPLE
vs.
Harris Meisel

[Sections 224 and 228, Penal Code].
Robbery, first degree.

JOHN R. FELLOWS,
District Attorney.

A True Bill.

John R. Fellows
of Foreman.
Jury 2 - Dec. 12/890
Jury and jury disagree
on motion of defendant
Attorney defendant
discharged on 10/10
re-arrested 2 am

0893

Police Court-- 3 District.

CITY AND COUNTY }
OF NEW YORK, } 88

Meyer R. Tom
of No. 52 Hester Street, Aged 24 Years
Occupation Bartender being duly sworn, deposes and says, that on the
21st day of March 1887, at the 10th Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

One Silver Watch and a
Chain the whole value
Eight Dollars
\$ 8⁰⁰/₁₀₀

of the value of Eight Dollars,
the property of Defendant

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

Harris Mead (now here)
in the following manner & way?
Deponent was standing in front of
house No 31 Ludlow street after leaving
a barter shop in said place. Deponent
was violently struck on the face and
then felt some one pulling at his chain.
Deponent then saw the defendant and
another person as he defendant turned
around and saw the defendant
with his deponents watch and chain
in his defendants hand. Deponent
then made an alarm when defendant

Sworn to before me, this
day of

188

Police Justice.

0894

ran away. Defendant then caused the
arrest of defendant by Officer Delia
Seymour - therefor charged the defendant
with running away, carrying and
stolen goods property and forays
that he be held to answer

Mary Stone

born & before me
this 24th day of November 1890

[Signature]

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 188 _____ Police Justice.

I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 188 _____ Police Justice.

There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 188 _____ Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—ROBBERY.

vs.

1
2
3
4

Dated 188 _____

Magistrate.

Officer.

Clerk.

Witnesses,

No. _____ Street,

No. _____ Street,

No. _____ Street,

\$ _____ to answer General Sessions.

0895

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Harris Meisel 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. *Harris Meisel*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *112 Bowery 3 months*

Question. What is your business or profession?

Answer. *Driver*

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

Answer. *I am not guilty
Harris Meisel
enck*

Taken before me this
day of *Nov* 189*5*

Police Justice

[Signature]

0896

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 *ten* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.
Dated *Nov 24* 18*90* *[Signature]* 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.

0897

Police Court--- 3 1761 District.

THE PEOPLE, &c.,
OF THE COMPLAINT OF

Meyer Stone
5th - Hester
Harris Neust
1
2
3
4
Officer *R. J. [unclear]*

Dated *Nov 24 90* 188
Hogan Magistrate.
Felix Officer.
11 Precinct.

Witnesses.....

No. Street.

No. Street.

No. Street.

§.....to answer



[Signature]

BAILABLE,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Maxim Meisel

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

Maxim Meisel

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

The said *Maxim Meisel*,

late of the City of New York, in the County of New York aforesaid, on the *twenty-first* day of *November*, in the year of our Lord one thousand eight hundred and *eighty-nine*, in the ~~time of the said day~~, at the City and County aforesaid, with force and arms, in and upon one *Meyer Stone*, in the peace of the said People, then and there being, feloniously did make an assault, and

one watch of the value of seven dollars, and one chain of the value of one dollar,

of the goods, chattels and personal property of the said *Meyer Stone*, from the person of the said *Meyer Stone*, against the will, and by violence to the person of the said *Meyer Stone*, then and there violently and feloniously did rob, steal, take and carry away, ~~the said~~

Maxim Meisel ~~himself~~ *and there aided by an accomplice actually present, whose name is to the Grand Jury aforesaid as yet unknown;*

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

John R. Mellons
District Attorney

0899

BOX:

420

FOLDER:

3885

DESCRIPTION:

Miller, Gottlieb

DATE:

12/12/90



3885

0900

BOX:

420

FOLDER:

3885

DESCRIPTION:

Handiboe, Joseph L.

DATE:

12/12/90



3885

0901

Witnesses:
Muel H. ...
Officer E. ...

Counsel,
Filed
Pleads
day of Dec 1887

THE PEOPLE
vs.
Sotthet Miller
and
Joseph E. Handlov
Virginia in the THIRD DEGREE
Third Circuit, District of Columbia
(Section 498, U.S.C.)

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Alfred ...
Foreman.
Dec 1887

James ...
P.M. 3 ...

0902

Police Court 3 District.

City and County } ss.:
of New York,

Theresa Werner
of No. 111 Stanton Street, aged 46 years,

occupation Keeps house being duly sworn

deposes and says, that the premises No 111 Stanton Street, 10 Ward

in the City and County aforesaid the said being a tenement building,

the third floor of

and which was occupied by deponent as a dwelling apartment

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

were **BURGLARIOUSLY** entered by means of forcibly forcing the

locks leading to deponents apart-

ments

on the 9th day of Dec 1888 in the night time, and the

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

A trunk, containing

linen and wearing apparel

of the value of

Fifty Dollars

the property of deponent

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

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

Gottlieb Miller and Joseph Handiboe

(both now here)

for the reasons following, to wit: Deponent says — on the morning

of said date, she left said premises,

securely locking the door leading

thereto, and when she returned to her apartments in

the evening elicited that her rooms

had been forcibly entered, as aforesaid,

and that said trunk containing said

property was missing.

0903

Police Justice

Deponent further says - she is informed by Officer Edward Brien of the 11th Precinct, that at about seven twenty P.M. of said date he arrested defendant Gottlieb Miller on Bayard Street, said defendant having a trunk in his possession, which trunk deponent recognized as being her property, and identified said trunk and its contents as being the missing property.

Deponent further says - she is further informed by said Officer Brien that defendant admitted to said Officer that he had taken said trunk from the corner of Stanton & Norfolk streets, and told said Officer that defendant Joseph Handiboe had been with said defendant Gottlieb Miller at the time of the taking of said trunk, and told said Officer where said Gottlieb Miller could be found - and on Dec 10th, said Officer arrested said Gottlieb Miller, whom said Joseph Handiboe whom said Gottlieb Miller identified as being the man he had implicated, as aforesaid.

Wherefore deponent charges defendant, with acting in concert with each other, and burglariously entering the apartment, and taking & carrying away the property from the possession of the said 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 committed to bail in the sum of Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

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

Dated 1888

Police Justice

Police Court, District

THE PEOPLE, on the complaint of

vs.

1

2

3

4

Offence - BURGLARY.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses.

No. Street.

No. Street.

No. Street.

to answer General Sessions.

0904

CITY AND COUNTY }
OF NEW YORK, } ss.

Edward O'Brien
Officer of No. _____

aged _____ years, occupation _____ of No. _____

11th Street Street being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *Thomas Moran*

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

Sworn to before me, this *10*
day of *December* *1904* *Edward O'Brien*

[Signature]
Police Justice.

0905

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Gottlieb Miller 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. *Gottlieb Miller*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *35 Bowery - 1 week*

Question. What is your business or profession?

Answer. *Shoemaker*

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?

*... as a man in the lodging house. fetched us up there and told us to take the trunk. The door was open
Gottlieb Miller*

Police Justice

0906

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK ss.

Gottlieb Miller 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. *Gottlieb Miller*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *35 Bowery - 1 week*

Question. What is your business or profession?

Answer. *Shoemaker*

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.

of the CITY PRISON of the
TATION the bod of
189
Police

Taken before me this
day of

[Signature]
Police Justice

0907

Sec. 198-200.

3

District Police Court

CITY AND COUNTY } ss.
OF NEW YORK.

Joseph Handlov

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

Question. What is your name?

Answer.

Joseph Handlov

Question. How old are you?

Answer.

1 Year

Question. Where were you born?

Answer.

United States

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

Answer.

37 Broadway - 1 week

Question. What is your business or profession?

Answer.

Shoemaker

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

Answer.

I am guilty of being with Miller, but did not break in the place.
Joe J. Handlov

Taken before me this

day of

[Signature]

Police Justice

0908

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

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

Dated *Dec 10 1890* *[Signature]* 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.

0909

Police Court--- 3 --- District. 1890

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Theresa Werner
111 Stanton St.
Guilieb Miller
Joseph Handbor

offense Burglary

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Dec 10 --- 1890

W. Duffy Magistrate.

Edward Birn Officer.

11th Precinct.

Witness Said Officer

No. Street.

No. Street.

No. Street.

\$ 500. to answer



Handwritten signatures and initials, including 'G. L. ...' and 'E. H. ...'

09 10

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Gottlieb Miller
and
Joseph L. Handiboe

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

Gottlieb Miller and Joseph L. Handiboe

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

The said *Gottlieb Miller and Joseph L. Handiboe, both*

late of the *Tenth* Ward of the City of New York, in the County of New York
aforesaid, on the *ninth* day of *December* in the year of our Lord one
thousand eight hundred and ~~eighty~~ *ninety*, with force and arms, in the
night - time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *Theresa Werner*

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 *Theresa Werner*

Theresa Werner 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.

SECOND COUNT—

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

Gottlieb Miller and Joseph L. Handboe

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

The said *Gottlieb Miller and Joseph L. Handboe, both*

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

divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of thirty-five dollars, a quantity of linen (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of ten dollars and one trunk of the value of five dollars

of the goods, chattels, and personal property of one

Theresa Werner

in the dwelling house of the said

Theresa Werner

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

John R. Feltows
District Attorney.

09 12

BOX:

420

FOLDER:

3885

DESCRIPTION:

Miller, Harry

DATE:

12/02/90



3885

09 13

BOX:

420

FOLDER:

3885

DESCRIPTION:

Ogden, Harry

DATE:

12/02/90



3885

0914

Witnesses:

Amel Finn
Officer Clark

#19

Counsel, *J*

Filed

day of *Dec* 189*0*

Pleads,

17 *9/17/90*

THE PEOPLE

vs.

Harry Miller
and *R*
Harry Ogden

Grand Larceny, Second Degree.
(From the Person)
[Sections 528, 527, Penal Code].

JOHN R. FELLOWS,

District Attorney.

17 *9/17/90*

A True Bill.

Robert Van Patten

Foreman.

Rob *Devisgo*

Henry Devisgo
Booth *Edmond* *Ref* *PBM*

0915

Police Court 2 District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Annie Fennely

of No. 500 East 11th Street, aged 35 years,
occupation Dress maker being duly sworn,

deposes and says, that on the 24 day of November 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 pocket book
containing twenty five cents and a
gold pencil of the value of one
dollar, all of the value of one
dollar and twenty five cents
\$ 1.25

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 Harry Miller and Harry Ogden

(now here) under the following circum-
stances: Deponent had the said property
in the pocket of her dress in Macy's
store, corner of 4th Avenue and
West Fourteenth Street on said date
about the hour of 5 o'clock
p.m. on said date. Deponent

Sworn to before me, this

189

Police Justice

0916

is informed by Daniel Finn and John Lake (now dead) that they were present in said store at said time and that they then and there saw the two defendants approach deponent and stand behind her, and the said Finn saw the defendant Ogden put his hand in deponents pocket and take the said property out of deponents pocket, and the said Miller stood so as to prevent her suddenly seeing the said defendants at work, and the two defendants went out of the store together and were immediately arrested in West Fourteenth Street, and taken in a Fourth Avenue car and while in the said car a passenger informed the said Lake that the defendant Ogden had dropped a pocket book and the said stolen pocket book was then returned to said Lake by the said passenger, as deponent is informed by the said Lake.

Sworn to before me this 25th day

of November 1890

[Signature]
Police Justice

Police Justice

0917

CITY AND COUNTY }
OF NEW YORK, } ss.

Daniel Ferrin

aged 32 years, occupation Detective of No.

Macys Store West 14th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Archie Fennely

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

Sworn to before me, this 25 day of November 1890 } Daniel Ferrin

[Signature]
Police Justice.

09 18

CITY AND COUNTY }
OF NEW YORK, } ss.

John Lake

aged 31 years, occupation Policeman of No.

Central Ave

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Mmie Fennely

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

Sworn to before me, this 25
day of March 1888

John Lake

John C. ...
Police Justice.

0919

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

Harry Miller

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. Harry Miller

Question. How old are you?

Answer. 17 years

Question. Where were you born?

Answer. U.S.

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

Answer. 9 Bowers - 7 weeks

Question. What is your business or profession?

Answer. Book keeper

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

Answer. We were only hiding another
fellow that took the book

c Et Miller

Taken before me this

day of Apr 21
1882

W. H. ...

Police Justice

0920

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Harry Ogden

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. *Harry Ogden*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *England*

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

Answer. *9 Bowery 2 weeks*

Question. What is your business or profession?

Answer. *Neutral*

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

Answer. *I am not guilty of taking
the book from only a
deeper*

Harry Ogden.

Taken before me this

25

day of *March* 188*2*

J. P. ...
Police Justice.

0921

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.....

Harry Miller, Harry Ogden

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

Dated *Nov 25* 188*0* *[Signature]* Police Justice.

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

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

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

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

0922

Police Court---

2

1764

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Annie Fennely
500 -cs. 6-11 1/2
Harry Miller
Harry Ogden

Offence

Fennely
Miller

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *Nov 25* 18*90*

O'Reilly Magistrate.

Lake Officer.

C. O. Precinct.

Witnesses *John Lake*

No. *C. O.* Street.

Daniel J. ...

No. *Mary ...* Street.

No. Street.

11.500 to answer *E.S.*



John
Remond

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against
*Harry Miller and
 Harry Ogden*

The Grand Jury of the City and County of New York, by this indictment, accuse
Harry Miller and Harry Ogden
 of the CRIME OF GRAND LARCENY in the second degree committed as follows:

The said *Harry Miller and Harry Ogden*, both

late of the City of New York, in the County of New York aforesaid, on the *twenty-fourth*
 day of *November* 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 silver coin of the United*

*States of the kind called quarter dollars of
 the value of twenty five cents, two silver
 coins of the kind called dimes of the value
 of ten cents each, four nickel coins of the
 kind called five cent pieces of the value
 of five cents each, ten coins of the kind
 called cents of the value of one cent each,
 one pencil of the value of one dollar,
 and one pocketbook of the value of
 twenty-five cents*

of the goods, chattels and personal property of one *Annie Fennelly* —
 on the person of the said *Annie Fennelly* —
 then and there being found, from the person of the said *Annie Fennelly*
 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. Fallow,
 District Attorney.

0924

BOX:

420

FOLDER:

3885

DESCRIPTION:

Mitchell, Frederick

DATE:

12/10/90



3885

0925

Witnesses:

John Edward
Edw. Gittman

It appearing by the within affidavit that it is impossible to secure the attendance of Mr. Edward Mitchell as material and necessary witness for the People and without whose evidence conviction cannot be had, I therefore respectfully recommend that the defendants herein Edward Mitchell

be discharged on his own recognizance.

N. Y. March 1891

DeLander
District Attorney.

Counsel,

Filed

Pleas

1890
Dec
Frederick Mitchell

THE PEOPLE

vs.

Frederick Mitchell
Richardson
Clyde

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

JOHN R. FELLOWS,

District Attorney.

A True Bill

C. 10
A. 2

Off for doo
Richardson

Part 2 - Dec. 15, 1890. Foreman.
Fred and jury disagreed
even days

0926

PART I.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

To Wm Edwards

of No. 76 1/2 Bway Street.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 18th day of March 1891 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

Mark Mitchell

Dated at the City of New York, the first Monday of March in the year of our Lord 1891

'DE LANCEY NICOLL, District Attorney.

0927

District Attorney or one
was not there brought
for the Magistrate, or if
If you know of more
Attorney's Office.
If ill when served, please
state this early to the District
Office about it, and you may see
Should the case not be called

PART I.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

481

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 Wm. Morrow

of No. 120 Broadway Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 18 day of March 1891 at the hour of 10 1/2 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Fredrick Mitchell

Dated at the City of New York, the first Monday of March
in the year of our Lord 1891

'DE LANCEY NICOLL, District Attorney.

0928

District Attorney or one
fore the Magistrate, or if
If you know of more te
Attorney's Office.
If ill when served, please re
state this early to the District
If inconvenient to remain, an
Office about it, and you may see
assigned in Court, please inquire
Should the case not be called on

PART I.

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

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

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

To Albert Gutierrez
of No. 156 1/2 Broadway Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the
Peace in and for the City and County of New York, at the Sessions Building, adjoining the
New Court House in the City Hall Park, in the City of New York, on the 18
day of March 1897 at the hour of 10 1/2 in the forenoon of the same day,
as a witness in a criminal action prosecuted by the People of the State of New York, against
Wm. Mitchell

Dated at the City of New York, the first Monday of March
in the year of our Lord 1897

DE LANCEY NICOLL, District Attorney.

0929

Court of General Sessions.

THE PEOPLE

vs.

Frederick Mitchell

City and County of New York, ss:

sworn, deposes and says: I reside at No.

207 Street

being duly

Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the

City and County of New York. On the

17th

day of *March* 1891

I called at

26 1/2 Bowery, New York City,

the alleged

residence

of

William C. Edwards

Albert Kiltinan

the complainant herein, to serve ~~them~~

with the annexed subpoena, and was informed by *the Proprietor*

of the Restaurant at the above address, that the witnesses mentioned worked for him as waiters, but left his employ the latter part of December and that he did not know where they could be found. I also inquired of the Cashier and several of the waiters in the said restaurant but failed to find any one that knew where they could be found.

Sworn to before me, this *24th* day of *March* 1891

of

March 1891

William Gallagher
Subpoena Server

David Anderson
Notary Public (Co)
N. Y. Co.

Should the case not be called on assigned in Court, please inquire in Office about it, and you may save If inconvenient to the District Attorney's Office, please see state this early to the District Attorney's Office. If you know of more before the Magistrate, or if District Attorney or one was not there brought.

0930

Court of General Sessions.

THE PEOPLE, on the Complaint of

William Edwards

vs.

Frederick Mitchell

Offense: *Drunk, Intoxicated*

JOHN R. FELLOWS,

District Attorney.

Affidavit of

William Gallagher

Shopsia Server.

Failure to find Witness.

0931

PART I.

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

481

[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 William A. Morrow
of No. 262 Bowery Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 18 day of March 1891 at the hour of 10 1/2 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Frederick Mitchell

Dated at the City of New York, the first Monday of March
in the year of our Lord 1891

'DE LANCEY NICOLL, District Attorney.

0932

Should the case not be called on for trial assigned in Court, please inquire in the Office about it, and you may save time. If inconvenient to remain, and you state this early to the District Attorney's Office. If you know of more testimony the Magistrate, or if you were not there brought, please send to the District Attorney or on

PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THIS SIDE. 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 William Edwards
of No. 262 - Bowery Street.....

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 18 day of March 1891 at the hour of 10 1/2 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Frederick Mitchell

Dated at the City of New York, the first Monday of March
in the year of our Lord 1891

'DE LANCEY NICOLL, District Attorney.

0933

Should the case not be called on for trial, please inquire in the District Attorney's Office about it, and you may save time and expense by attending to the matter at once. If you know of more testimony, please send it to the District Attorney's Office. If you know of more testimony, please send it to the District Attorney's Office. If you know of more testimony, please send it to the District Attorney's Office.

PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE COURTHOUSE. IF THIS SUBPOENA IS DISOBEYED, AN ATTACHMENT WILL IMMEDIATELY BE ISSUED. 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 Albert Siltman

of No. 262 - Bowery Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 18 day of March 1891 at the hour of 10 1/2 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Frederick Mitchell

Dated at the City of New York, the first Monday of March in the year of our Lord 1891

'DE LANCEY NICOLL, District Attorney.

0934

PART I.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

To William Edwards

of No. 262 Bowery Street

M. J. [unclear]
[unclear]
[unclear]

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 5 day of January 1890, 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

Frederick Mitchell

Dated at the City of New York, the first Monday of January in the year of our Lord 1890.

JOHN R. FELLOWS, District Attorney.

De Laurey Mitchell

0935

If you know of more testimony, please send it to the District Attorney's Office. If it is more convenient to remain, and you state this early to the District Attorney's Office about it, and you may save time in the Court, please inquire in the Room door, that your attendance may be known.

PART I.

THIS COURT ROOM IS IN THE SECOND STORY AND FRONTING
If this Subpoena is disobeyed, an attachment will immediately issue against you, and you are to appear in 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 Albert Gitterman
of No. 262 Bowery Street

*Not forward
witness
subpoena*

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 5 day of January 1890, 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

Frank Mitchell

Dated at the City of New York, the first Monday of January DEC in the year of our Lord 1890.

JOHN R. FELLOWS, District Attorney.

0936

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

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

*not found
gone away
Gallagher*

To William A Morrow

of No. 262 Bowery Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 5 day of January 1890, 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

Frederick Mitchell

Dated at the City of New York, the first Monday of January in the year of our Lord 1890.

JOHN R. FELLOWS, District Attorney.
De Lancey Nicoll

PART I.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

If you know of more testimony
Attorney's Office.
If III when served, please send the
state this entry to the District Attorney
If inconvenient to remain, and you
Office about it, and you may save time
assigned in Court, please inquire in the
should the case not be called on for
Room door, that your attendance may be known.

0937

If you know of more testimony than you have stated, please state it in writing and send it to the District Attorney or one of his assistants as soon as possible. If you know of more testimony than you have stated, please state it in writing and send it to the District Attorney or one of his assistants as soon as possible.

PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONT OF THE COURTHOUSE. If this Subpoena is disobeyed, an attachment will immediately issue against you, and you may be committed to the County Jail. Bring this Subpoena with you, and give it to the officer assigned to the Court, please inquire in the District Attorney's Office about it, and you may save time. Should the case not be called on for trial, and you are not there promptly, please send timely word to the District Attorney or one of his assistants as soon as possible.

(SEE OTHER SIDE FOR OTHER DIRECTIONS)

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

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

*Not found
gone away
Gallagher*

To William A Morrow
of No. 262 Bowery Street.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 5 day of January 1890, 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

Fredrick Mitchell

Dated at the City of New York, the first Monday January

in the year of our Lord 1890.

~~JOHN R. FELLOWS~~, District Attorney.

De Lancey McGill

0938

Court of General Sessions.

THE PEOPLE

vs.

Frederick Mitchell

City and County of New York, ss:

William Gallagher being duly sworn, deposes and says: I reside at No. 207 West

Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the 3^d day of January 1891, I called at 262 Bowery,

the alleged place of residence of William A. Morrow and William Edwards the complainant herein, to serve them with the annexed subpoenas and was informed by me

person in charge of said premises that they were waiters employed there at night work that they had left his employment and did not know where they resided or had no knowledge of their present address that they had never lived there and he offered to show his books to satisfy me that he had never kept any account of their places of residence

He also said that they had gone to court on several occasions when subpoenas had been left at that address

Sworn to before me, this 5 day of January 1891

William Gallagher Subpoena Server

Harry W. Ellinger Commissioner of deeds

Court of General Sessions.

THE PEOPLE, on the Complaint of

Mrs. Edwards

D.S.

Fredrick Mitchell

Offence: *Disruptive Conduct*

JOHN R. FELLOWS,
District Attorney.

Affidavit of

William Gallagher
Subpoena Server.

Failure to Find Witness.

0940

PART I.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

481

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 *William Edwards*

of No. *26th Bowry* Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of ~~March~~ *July*, 1891 at the hour of ~~11~~^{10^{1/2}} in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Frederick Mitchell

Dated at the City of New York, the first Monday of ~~March~~ *February*

in the year of our Lord 1891

'DE LANCEY NICOLL, District Attorney.

0941

District Attorney or one of his
was not there brought out
fore the Magistrate, or if a
If you know of more testi-
Attorney's Office.
If in when served, please send
state this early to the District At-
If inconvenient to remain, and
Office about it, and you may save
assigned in Court, please inquire in
Should the case not be called on

PART I.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

To William A. Morrow

of No. 76 1/2 Broadway Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the
Peace in and for the City and County of New York, at the Sessions Building, adjoining the
New Court House in the City Hall Park, in the City of New York, on the
day of ~~Wednesday~~ Monday 1891 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

Fredrick Mitchell

Dated at the City of New York, the first Monday of March 1891
in the year of our Lord 1891

'DE LANCEY NICOLL, District Attorney.

0942

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

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

To Albert Giltnermann

of No. 263 Bower Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 27 day of February 1891, 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

Frederick Mitchell

Dated at the City of New York, the first Monday of

in the year of our Lord 1891.

DE LANCEY NICOLL, District Attorney

being duly

PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.
If this Subpcena is disobeyed, an attachment will immediately issue.
Bring this Subpcena 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.]

Should the case not be called on for assigned in Court, please inquire in the Office about it, and you may save the trouble of coming to the District Attorney's Office.
If inconvenient to remain, and you may save the trouble of coming to the District Attorney's Office, please send a note to the District Attorney or one of his clerks before the Magistrate, or if a fee is required, to the District Attorney's Office.
If you know of more testimony, please send a note to the District Attorney or one of his clerks before the Magistrate, or if a fee is required, to the District Attorney's Office.

0943

Court of General Sessions.

THE PEOPLE

vs.

Frederick Minter

City and County of New York, ss :

William Gallagher being duly sworn, deposes and says: I reside at No. 207 West Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the 26 day of February 1891 I called at 262 Bowery

the alleged place of residence of Albert Cullmann and was informed by me

person in charge that Albert Cullmann, William A. Morrow and William Edwards had gone away left their employment and would not return did he know nothing of their present whereabouts

I called on other occasions with the same result

Sworn to before me, this 27 day of February 1891

William Gallagher Subpoena Server

Two the Magistrate Commissioner of Duds

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

0944

Court of General Sessions.

THE PEOPLE, on the Complaint of

Wm Edwards

vs.

Fred Mitchell

Offence: [illegible]

JOHN R. FELLOWS,

A. J. Laney District Attorney.

Affidavit of

Thomas Gallagher

Subpoena Server.

Failure to Find Witness.

0945

Court of General Sessions.

THE PEOPLE

vs.

Frederick Mitchell

City and County of New York, ss:

Matthew J. Dailey being duly sworn, deposes and says: I am a Police Officer attached to the 12th Precinct, in the City of New York. On the 17th day of March 1891, I called at 262 Bowery

the alleged place of residence of William A. Morrow of William & Edwards Albert Ehlmann the complainant herein, to serve them with the annexed subpoenas and was informed by the Cashier that they had left his employment had gone away where he knew not and he had no knowledge of their address or present whereabouts

He called on other occasions with the same result

Sworn to before me, this

18th day of March 1891

Matthew J. Dailey

Notary Public, Commissioner of Deeds & Co.

0946

Court of General Sessions.

THE PEOPLE, on the Complaint of
Mrs. Edwards
 vs.
Frederick Westfall
 Offence: *Perjury*

JOHN R. FELLOWS,
 District Attorney.

Affidavit of Police Officer
Westfall - 7 Daily
12 St Precinct.

Failure to Find Witness.

0947

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 16 DISTRICT.

William Edwards
of No. *26 2/3 Burray* Street, aged *23* years,
occupation *Manager* being duly sworn deposes and says,
that on the *3rd* day of *December*, 188*9*
at the City of New York, in the County of New York, *Fred Mitchell*

did wilfully and maliciously
break the plate glass window
in apartment store at 26 2/3 Burray
by picking the same doing
damage to the amount
of three hundred dollars

Wm Edwards

Sworn to before me, this

Wm Edwards

188*9*

day

Wm Edwards

Police Justice

0948

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Fred Mitchell 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.

Fred Mitchell

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

Boston, Mass

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

Answer.

265 Elizabeth St. 3 years

Question. What is your business or profession?

Answer.

Carjumper

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
Fred Mitchell*

Taken before me this
day of *Sept* 188*4*
[Signature]
Police Justice.

0949

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.....

W. C. ...

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 *Nov 30* 18*90* *A. J. ...* 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.

0950

#84-B.D. 1807
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

J. M. Edwards
262 Bowery
Lucy Mitchell
1
2
3
4
offence *Armed*

Dated *Dec 3 1890*
White Magistrate.
Reilly Officer.
10 Precinct.

Witness *Wm. G. Murray*
No. *262 Bowery* Street.
Alvin Gittinan
No. *26 Bowery* Street.



No. *50* Street.
\$ *Attorney's*
Commuted

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

0951

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

Frederick Mitchell

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

Frederick Mitchell
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying*
PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *Frederick Mitchell*

late of the *14th* Ward of the City of New York, in the County of New York
aforesaid, on the *third* day of *December* 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 *three hundred dollars*
of the goods, chattels and personal property of one *William Edwards*
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.

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said
Frederick Mitchell
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying*
REAL PROPERTY OF ANOTHER, committed as follows:

The said *Frederick Mitchell*
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 pane of plate glass

of the value of *Three hundred dollars*
in, and forming part and parcel of the realty of a certain building of one
William Edwards
there situate, of the real property of the said *William Edwards*

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.

0953

BOX:

420

FOLDER:

3885

DESCRIPTION:

Moller, Alexis C.

DATE:

12/17/90



3885

1177
Counsel,
Filed 17 day of Dec 1890
Pleaded *Not guilty*

Barth & Egan
280 Broadway

THE PEOPLE
vs.
Alexis C. Moller

B

Barth & Egan
Attorneys for the THIRD DEGREE
(Section 498, § 06, 45, 28, 148)

JOHN R. FELLOWS,
District Attorney.

23 Ct. 1 -

A True Bill.

William Van Lamber
Foreman.
Part II, January 7, 1891
Dependant ~~at the~~ ~~trial~~ ~~of~~ ~~the~~
this verbal ~~of~~ ~~the~~
Bill discharged
only on the basis of the
Receipt 19th

Witnesses:
William Van Lamber
John Heppner
Frederick

Upon reading
the affidavit of
Excellent Charade
of defendant and
the withdrawal
of complaints, I
ask that the
defendant be dis-
charged on this
new recognizance
because of release
no jury would con-
sent defendant
January 7, 1891
J. R. F.
D.D.

Court of General Sessions

City of New York

The People of the State of New York

Against

ALEXIS C. MOLLER

State of New York:

City and County of New York, SS:

Alexis C. Moller, being duly sworn,

says:

T H A T he is the Defendant in the above entitled action. That he resides at No. 34 Herkimer Street, in the City of Brooklyn, N. Y. and is by occupation a decorative artist, practicing his said calling or occupation in the City of New York and vicinity, being in business associated with his father who has an extensive business, in which said deponent is steadily engaged.

T H A T he is seldom away from business, having been so engaged as aforesaid for the eleven years last past.

T H A T he is a member in good standing of the Brooklyn Choral Society with which he spends at least one evening each week.

T H A T deponent is also a member of the Amphion Musical Society, Brooklyn League Club and other clubs where he is well known taking an active part in some of them as an amateur violinist and vocalist.

0956

Court of General Sessions for the County of New York.

In the matter of the people of the State of
New York against

ALEXIS C. Moller, indicted for a
felony.

City and County of New York, s.s.

Wm. Fogarty
being duly sworn, deposes

and says that he resides at *12 Stone Street*

and his place of business is at # *86*

Broad St in the City of New York, where he is engaged
in the *painting* business, that he knows Alexis C. Moller,
the defendant in the above entitled action, and has known
said Moller and said Moller's family intimately for a pe-
riod of *7* years. Said Alexis C. Moller is to Deponents
knowledge a thoroughly honest, reliable, hard working, and
trust worthy young man. Deponent has heard that said
Moller was indicted by the Grand Jury for the commis-
sion of a felony, and Deponent hereby states that he does
not believe that said Moller could possibly be guilty of
committing a felony, for he knows the character of said
Moller sufficiently well to state that he would be inca-
pable of any crime. Said Moller's father is a man,
who is well-known in business circles, who is carrying
on a lucrative business at # 36 South William Street in
the City of New York under the firm name of C. W. Moller
& Son, as painters and decorators. Said Defendant is a
partner in said firm, and has been so for the past six
years. C. W. Moller has been in the ⁿ painting and decora-

0957

(2)

ting business in the City of New York for a period of thirty five years last past. Said C. W. Muller and Son are considered among business people as very reliable business men. Said Muller the defendant has been a partner for six years, and in the employ of his father for five years prior to entering into partnership. Said Defendant is well known in business circles as a trust-worthy and reliable business man, his general reputation being exceptionally good. Said Muller's father is quite well to do, and is the owner of real estate in the City of Brooklyn to the value of Seven Thousand Dollars above any encumbrances and debts.

Sworn to before me this

5th day of ~~December~~ ^{January} 1890.

William Fogarty

James T. Easton
Notary Public

0958

Court of General Sessions for the County of New York.

In the matter of the people of the State of New York
against

ALEXIS C. MOLLER, indicted for a felony.

City and County of New York, SS:

A. Strassburg being duly sworn, deposes and
says that he resides at *160 E. 93rd St. N.Y.*

and his place of business is at *# 73 Broad St
N.Y.*

in the City of New York, where he is engaged in
the *Shop* business, that he knows Alexis C. Moller;
the defendant in the above entitled action, and has known
said Moller's family intimately for a period of *5* years.

Said Alexis C. Moller is to Deponents knowledge a thor-
oughly honest, reliable, hard working, and trust worthy
young man. Deponent has heard that said Moller was indict-
ed by the Grand Jury for the commission of a felony, and
Deponent hereby states that he does not believe that said
Moller could possibly be guilty of committing a felony,
for he knows the character of said Moller sufficiently
well to state that he would be incapable of any crime.

Said Muller's father is a man, who is well known in bus-
ness circles, who is carrying on a lucrative business
at # 36 South William Street in the City of New York un-
der the firm name of C. W. Moller & Son, as painters and
decorators. Said Defendant is a partner in said firm,
and has been so for the past six years. C.W. Moller has been
in the painting and decorating business in the City of New

0959

New York for a period of thirty five years last past. Said
G.W.Moller and Son are considered among business people
as very reliable business men. Said Moller the defendant
has been a partner for six years, and in the employ of his
father for five years prior to entering into partnership.
Said defendant is well known in business circles as a trust
worthy and reliable business man, his general reputation
being exceptionally good. Said Moller's father is quite
well to do, and is the owner of real estate in the City of
Brooklyn to the value of Seven Thousand Dollars above any
encumbrances and debts.



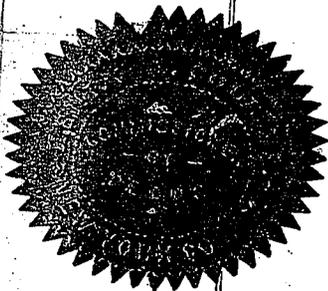
Thos. Staroburg
13 Broad St. N.Y.

Sworn to before me this

day of December, 1890.

Sworn to before me this 5th Day of Jan 191

W. A. Collins
Commissioner of Deeds
City & Co. N. York



0960

Court of General Sessions for the County of New York.

In the matter of the people of the State of
New York against

ALEXIS C. Moller, indicted for a
felony.

City and County of New York, s.s.

Frank J. Kane being duly sworn, deposes
and says that he resides at *13 Schenectady Ave*
Bklyn N. Y. and his place of business is at # *642*
Fullon St in the City of ~~New York~~ ^{*Bklyn*}, where he is engaged
in the *Plastering* business, that he knows Alexis C. Moller,
the defendant in the above entitled action, and has known
said Moller and said Moller's family intimately for a pe-
riod of *8* years. Said Alexis C. Moller is to Deponents
knowledge a thoroughly honest, reliable, hard working, and
trust worthy young man. Deponent has heard that said
Moller was indicted by the Grand Jury for the commis-
sion of a felony, and Deponent hereby states that he does
not believe that said Moller could possibly be guilty of
committing a felony, for he knows the character of said
Moller sufficiently well to state that he would be inca-
pable of any crime. Said Moller's father is a man,
who is well-known in business circles, who is carrying
on a lucrative business at # 36 South William Street in
the City of New York under the firm name of C. W. Moller
& Son, as painters and decorators. Said Defendant is a
partner in said firm, and has been so for the past *six*
years. C. W. Moller has been in the ⁿ *painting and decora-*

(2)

ting business in the City of New York for a period of thirty five years last past. Said C. W. Muller and Son are considered among business people as very reliable business men. Said Muller the defendant has been a partner for six years, and in the employ of his father for five years prior to entering into partnership. Said Defendant is well known in business circles as a trust-worthy and reliable business man, his general reputation being exceptionally good. Said Muller's father is quite well to do, and is the owner of real estate in the City of Brooklyn to the value of Seven Thousand Dollars above any encumbrances and debts.

Frank J. Kane

Sworn to before me this

31 day of December, 1890.

William Mackay

Notary Public

Kings County

0962

Court of General Sessions for the County of New York.

In the matter of the people of the State of New York
against

ALEXIS C. MOLLER, indicted for a felony.

City and County of New York, SS:

Otto F. Schmedes being duly sworn, deposes and
says that he resides at *121 Henry St. Brooklyn*
and his place of business is at # *81 Broad St*

in the City of New York, where he is engaged in
the *Merchandise* business, that he knows Alexis C. Moller, the de-
fendant in the above entitled action, and has known said Moller
and said Moller's family intimately for a period of
Ten years. Said Alexis C. Moller is to Deponent's
knowledge a thoroughly honest, reliable, hard working, and
trust-worthy young man. Deponent has heard that said Moller
was indicted by the Grand Jury for the commission of a fel-
ony, and Deponent hereby states that he does not believe
that said Moller could possibly be guilty of committing a
felony, for he knows the ^hcharacter of said Moller sufficient-
ly well to state that he would be incapable of any crime.

Said Moller's father is a man, who is well known in busi-
ness circles/, who is carrying on a *Lucrative* business at
33 South William Street in the City of New York under the
firm name of C.W. Moller and Son, as painters and decorators.

Said Defendant is a partner in said firm, and has been so
so for the past six years. C.W. Moller has been in the pain-
ting and decorating business in the City of New York for a
period of thirty five years. Last past . Said C.W. Moller and

0963

Son are considered among business people as very reliable business men. Said Koller the defendant has been a partner for six years, and in the employ of his father for five years prior to entering into partnership. Said defendant is well known in business circles as a trust-worthy and reliable business man, his general reputation being exceptionally good. Said Koller's father is quite well to do, and is the owner of real estate in the City of Brooklyn to the value of Seven Thousand Dollars above any encumbrances and debts.



Otto F. Schmedes.

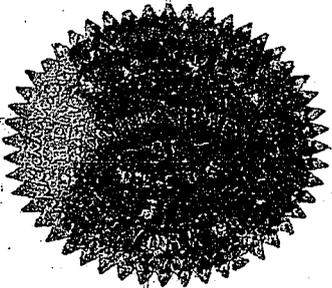
Sworn to before me this

5th day of January 1891

day of ~~December~~, 1890.

Henry W. Collins

*Commissioner of Deeds
City & Co. New York*



0964

Court of General Sessions for the County of New York.

In the matter of the people of the State of
New York against

ALEXIS C. Moller, indicted for a
felony.

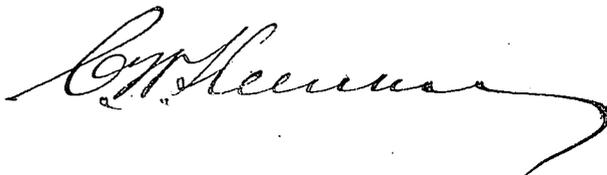
City and County of New York, s.s.

C. W. Moller being duly sworn, deposes
and says that he resides at *113 Lawrence St*
Brooklyn and his place of business is at *447 Fulton*
in the *City of New York*, where he is engaged
in the *Paint* business, that he knows Alexis C. Moller,
the defendant in the above entitled action, and has known
said Moller and said Moller's family intimately for a pe-
riod of *15* years. Said Alexis C. Moller is to Deponents
knowledge a thoroughly honest, reliable, hard working, and
trust worthy young man. Deponent has heard that said
Moller was indicted by the Grand Jury for the commis-
sion of a felony, and Deponent hereby states that he does
not believe that said Moller could possibly be guilty of
committing a felony, for he knows the character of said
Moller sufficiently well to state that he would be inca-
pable of any crime. Said Moller's father is a man,
who is well-known in business circles, who is carrying
on a lucrative business at *36* South William Street in
the City of New York under the firm name of C. W. Moller
& Son, as painters and decorators. Said Defendant is a
partner in said firm, and has been so for the past *six*
years. C. W. Moller has been in the *painting and decora-*

0965

(2)

ting business in the City of New York for a period of thirty five years last past. Said C. W. Muller and Son are considered among business people as very reliable business men. Said Muller the defendant has been a partner for six years, and in the employ of his father for five years prior to entering into partnership. Said Defendant is well known in business circles as a trust-worthy and reliable business man, his general reputation being exceptionally good. Said Muller's father is quite well to do, and is the owner of real estate in the City of Brooklyn to the value of Seven thousand Dollars above any encumbrances and debts.



Sworn to before me this
31st day of December, 1890.

Sauel J. Doyle
Clerk of Deeds

Court of General Sessions for the County of New York.

In the matter of the people of the State of New York
against

ALEXIS C. MOLLER, indicted for a felony.
City and County of New York, SS:

W. H. Zimmerman
being duly sworn, deposes and
says that he resides at *Rossville Staten Island*
and his place of business is at *86 Broad*
street in the City of New York, where he is engaged in

the *Painting* business, that he knows Alexis C. Moller
the defendant in the above entitled action, and has known
said Moller's family intimately for a period of *16* years.

Said Alexis C. Moller is to Deponent's knowledge a *thoroughly*
honest, reliable, hard working, and trust worthy
young man. Deponent has heard that said Moller was indicted
by the Grand Jury for the commission of a felony, and
Deponent hereby states that he does not believe that said
Moller could possibly be guilty of committing a felony,
for he knows the character of said Moller sufficiently
well to state that he would be incapable of any crime.

Said Moller's father is a man, who is well known in bus-
iness circles, who is carrying on a lucrative business
at # 33 South William Street in the City of New York un-
der the firm name of C. W. Moller & Son, as painters and
decorators. Said Defendant is a partner in said firm,
and has been so for the past six years. C. W. Moller has been
in the painting and decorating business in the City of

0967

New York for a period of thirty five years last past. Said
C.W. Heller was long and considered among business people
as very reliable business men. Said Heller the defendant
has been a partner for six years, and in the employ of his
father for five years prior to entering into partnership.
Said defendant is well known in business circles as a trust
worthy and reliable business man, his general reputation
being exceptionally good. Said Heller's father is quite
well to do, and is the owner of real estate in the city of
Brooklyn to the value of seven thousand dollars above any
encumbrances and debts.

Sworn to before me this

5th day of January, 1897.

21st December

James T. Easton
Notary Public

Court of General Sessions for the County of New York.

In the matter of the people of the State of New York
against

ALEXIS C. MOLLER, indicted for a felony.

City and County of New York, SS:

Henry L. Meyer being duly sworn, deposes and
says that he resides at *121 Henry Street Brooklyn*

and his place of business is at *# 288 Pearl Street*

36 S. William St in the City of New York, where he is engaged in
the *liquor* business, that he knows Alexis C. Moller, the de-
fendant in the above entitled action, and has known said Moller
and said Moller's family intimately for a period of
five years. Said Alexis C. Moller is to Deponents
knowledge a thoroughly honest, reliable, hard working, and
trust-worthy young man. Deponent has heard that said Moller
was indicted by the Grand Jury for the commission of a fel-
ony, and Deponent hereby states that he does not believe
that said Moller could possibly be guilty of committing a
felony, for he knows the ^hcharacter of said Moller sufficient-
ly well to state that he would be incapable of any crime.

Said Moller's father is a man, who is well known in busi-
ness circles, who is carrying on a *lucrative* business at
36 South William Street in the City of New York under the
firm name of C.W. Moller and Son, as painters and decorators.

Said Defendant is a partner in said firm, and has been so
so for the past ~~six~~ ^{*5 years - against murder*} years. C.W. Moller has been in the pain-
ting and decorating business in the City of New York for a
period of thirty five years last past. Said C.W. Moller and ^{*as deponent says Moller's father*}

Son are considered among business people as very reliable
 business man. Said Holler the defendant has been a partner
 for six years, ^{5 years & defendant's knowledge} and in the employ of his father for five
 years prior to entering into partnership. ^{and defendant is informed about} Said defendant
 is well known in business circles as a trust-worthy and reli-
 able business man; his general reputation being exception-
 ally good. Said Holler's father is quite well to do, and is
 the owner of real estate in the City of Brooklyn to the
 value of Seven Thousand Dollars above any encumbrances and
 debts ^{in defendant is informed verbally believe}

Sworn to before me this

Henry S. Sawyer

5 day of *January*, 1891.

Blair D. Holm

Notary Public

*Wm. H. ...
Notary Public*

0970

Court of General Sessions for the County of New York.
In the matter of the people of the State of
New York against
ALEXIS C. MOLLER, indicted for a
felony.

City and County of New York, U.S.

Edward Plant being duly sworn, deposes

and says that he resides at *1780 Atlantic St*
and his place of business is at *4 Lis-*
Bond St
retire in the City of New York, where he is engaged
in the *shelving* business, that he knows Alexis C. Moller,
the defendant in the above entitled action, and has known
said Moller and said Moller's family intimately for a pe-
riod of *22* years. Said Alexis C. Moller is to Dependent's
knowledge a thoroughly honest, reliable, hard working, and
trust worthy young man. Dependent has heard that said
Moller was indicted by the Grand Jury for the commis-
sion of a felony, and Dependent hereby states that he does
not believe that said Moller could possibly be guilty of
committing a felony, for he knows the character of said
Moller sufficiently well to state that he would be inca-
pable of any crime. Said Moller's father is a man,
who is well-known in business circles, who is carrying
on a lucrative business at *43* South William Street in
the City of New York under the firm name of C. W. Moller
& Son, as painters and decorators. Said Defendant is a
partner in said firm, and has been so for the past six
years. C. W. Moller has been in the ⁱⁿ painting and decora-

Edward Plant

(2)

ing business in the City of New York for a period of thirty-five years. Said partner said C. W. Miller and Son are considered among business people as very reliable business men. Said Miller the defendant has been a partner for six years, and in the employ of his father for five years prior to entering into partnership. Said Defendant is well known in business circles as a trust-worthy and reliable business man, his general reputation being exceptionally good. Said Miller's father is quite well to do, and is the owner of real estate in the City of Brooklyn to the value of seven thousand dollars above any encumbrances and debts.

Edward Kant

Sworn to before me this

31 day of December, 1900.

Wm. W. Mangum
Notary Public

[Faint, mostly illegible text follows, likely a continuation of a legal document or affidavit.]

0972

Court of General Sessions for the County of ^{the} New York.

In the matter of the people of the State of New York
against

ALEXIS C. MOLLER, indicted for a felony.

City and County of New York, SS:

Thos E. Foster being duly sworn, deposes and
says that he resides at *47 West 44th St N. Y.*
and his place of business is at *#19 Avenue St.*
in the City of New York, where he is engaged in

the *Sign* business, that he knows Alexis C. Moller, the de-
fendant in the above entitled action, and has known said Mc
Moller and said Moller's family intimately for a period of
22 years. Said Alexis C. Moller is to Deponents

knowledge a thoroughly honest, reliable, hard working, and
trust-worthy young man. Deponent has heard that said Moller
was indicted by the Grand Jury for the commission of a fel-
ony, and Deponent hereby states that he does not believe
that said Moller could possibly be guilty of committing a
felony, for he knows the ^hcharacter of said Moller sufficient
ly well to state that he would be incapable of any crimes.

Said Moller's father is a man, who is well known in busi-
ness circles, who is carrying on a lucrative business at
36 South William Street in the City of New York under the
firm name of C.W. Moller and Son, as painters and decorators.

Said Defendant is a partner in said firm, and has been a
so for the past six years. C.W. Moller has been in the pain-
ting and decorating business in the City of New York for a
period of thirty five years last past. Said C.W. Moller and
~~Son are considered~~

Son are considered among business people as very reliable business man. Said Meller the defendant has been a partner for six years, and in the employ of his father for five years prior to entering into partnership. Said Defendant is well known in business circles as a trust-worthy and reliable business man, his general reputation being exception-ally good. Said Meller's father is quite well to do, and is the owner of real estate in the City of Brooklyn to the value of Seven Thousand Dollars above any encumbrances and debts.

Thos E. Foster

Sworn to before me this

5th day of *January*, 189*4*.

James T. Easton
Notary Public

Court of General Sessions for the County of New York:

In the matter of the people of the State of New York
against

ALEXIS C. MOLLER, indicted for a felony.

City and County of New York, SS:

C. H. Karoske being duly sworn, deposes and sa-
ys that he resides at *154 2d Ave*
N. Y. and his place of business is at # *81 Brod*
St. in the City of New York, where he is engaged in

the *Cooper's* business, that he knows Alexis C. Moller,
the defendant in the above entitled action, and has known
said Moller's family intimately for a period of *4* years.

Said Alexis C. Muller is to Deponents knowledge a thor-
oughly honest, reliable, hard working, and trust worthy
young man. Deponent has heard that said Moller was indict-
ed by the Grand Jury for the commission of a felony, and
Deponent hereby states that he does not believe that said
Moller could possibly be guilty of committing a felony,
for he knows the character of said Moller sufficiently
well to state that he would be incapable of any crime.

Said Muller's father is a man, who is well known in bus-
iness circles, who is carrying on a lucrative business
at # 36 South William Street in the City of New York un-
der the firm name of C. W. Moller & Son, as painters and
decorators. Said defendant is a partner in said firm,
and has been so for the past six years. C. W. Moller has been
in the painting and decorating business in the City of N. Y.

General Denials

The People

vs.

Alexis C. Mulla

indicted for felony

Affidavit as to

Character

CHARLES F. HOLM,

Attorney for

61 to 65 2d PARK ROW,
WORLD BUILDING,
NEW YORK CITY.

John J. ...
to Hon. G. ...
Jan 21 1909

0977

CITY AND COUNTY }
OF NEW YORK, } ss.

Fredrick Mack

aged 21 years, occupation Bar tender of No.

943 7th Avenue Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of John Koster

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

Sworn to before me, this 9
day of December 1888

Fred^r Mack

J. C. [Signature]
Police Justice.

0978

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Alexis C. Moller

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. *Alexis C. Moller*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *Brooklyn*

Question. What is your business or profession?

Answer. *Decorato*

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 went into the place between*

1 and 2 o'clock. I was

drunk. I drank more, and went

into a small room there and

laid down, and what I

did after that I know not. I

wave examination.

Alexis C. Moller

Taken before me this
day of *December*

1882

Police Justice

0979

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

Alvin C. Moller

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

Dated *Dec 7* 18*90* *Lo J. C. Sullivan* Police Justice.

I have admitted the above-named

Alvin C. Moller

to bail to answer by the undertaking hereto annexed.

Dated *Dec 10* 18*90* *Lo J. C. Sullivan* 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.

0980

Police Court--- 2 District. 1833

THE PEOPLE, &c.,
IN THE COMPLAINT OF

John Kaster
389 - vs. Care
Abie Moller

Attorney
George
Bryant

2
3
4

BAILED,

No. 1, by Charles W. Moller
Residence 34 Herkimer Street.

No. 2, by [Signature]
Residence [Signature] Street.

No. 3, by
Residence [Signature] Street.

No. 4, by
Residence [Signature] Street.

Dated Dec 9 1890
O. Reilly Magistrate.

Chas. C. Kaffer Officer.
19 Precinct.

Witnesses Frank Snellberg
No. Frederick Mack Street
329 64 Avenue

No. \$1000 & \$1000
No. \$1000
RECEIVED DEC 11 1890 DISTRICT ATTORNEY'S OFFICE

Bailed [Signature]

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Alexis C. Muller

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. My reasons for withdrawing this complaint are that since the arrest I have been informed that the defendant was very drunk and that previous to this trouble has always borne a good character, and I am now satisfied that the defendant was not in a condition to understand what he was doing.

Signed before me this } John Foster
6th day of January 1891 }

Thos. W. McGuire
Commissioner of Deeds
in reply

0982

CITY AND COUNTY }
OF NEW YORK, } ss.

Frank Ansellbrook

aged 26 years, occupation Cashier of No.

128 Chrystie

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of John Koster

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

Sworn to before me, this 9

day of December 1890

F. H. Ansellbrook

Do J. C. [Signature]
Police Justice.

0983

Police Court—2 District.

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

John Koster
of No. 989 Arch Avenue Street, aged 45 years,
occupation Restaurant Keeper being duly sworn

deposes and says, that the premises No 989 Arch Avenue Street,
in the City and County aforesaid, the said being a Five story brick
Dwelling

and which was occupied by deponent as a restaurant on the two lower floors
and in which there was at the time ^{no} human being, by name

attempted to be
were BURGLARIOUSLY entered by means of forcibly breaking the
window shutter of the basement of
said premise

on the 9 day of December 1899 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

gold and
lawful money of the United States
to the amount and value of
twenty-five dollars. \$ 25-

the property of Koster & Brice, of which firm deponent is partner
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

Alexis C. Moller

for the reasons following, to wit: The said property was

left in a money drawer of said
premises, which were locked
on the night of Dec 5 1899
as deponent is informed by
deponent's cashier Frank Swellbrok,
deponent is informed by Frederick

Mack, now here, who is deponents bar-
 keeper, that on the morning of December
 9. 1890, when he opened the said place
 he discovered that the said money was
 missing, and that the window shutter of
 said premise had been broken as aforesaid,
 and the money drawer had been opened, and
 the deponent was then found in the
 said place sitting in a chair, having no
 right there, and deponent accused the defendant
 of taking the said money, and upon his arrest

the defendant threw away a quantity of money
 which he admitted did not belong to him

Sworn to before me this 9 day
 of December 1890 and which deponent charges was
 part of said property

J. C. Rutter
 John Foster

Police Court District _____
 Degree _____
 THE PEOPLE, & c.,
 ON THE COMPLAINT OF _____
 vs.
 Dated _____ 1890
 Magistrate _____
 Officer _____
 Clerk _____
 Witnesses: _____
 Committed in default of \$ _____
 Bailed by _____
 No. _____ Street _____

0985



0986

T H A T the only time he was ever arrested or charged with any crime was in the present above entitled action, and that he has, to the best of his knowledge and belief committed no crime, and has not intended to commit any offense. That during the past eleven years he has had and still has a comfortable home and a lucrative business. That deponent went into Koster and Bial saloon on the evening of December 8th 1890, but is not aware of there committing any damage, offense or crime.

Alex C. Hootley

Subscribed and Sworn to before
me this day of January 1891.

Charles J. Hill
Notary Public
New York
Certified Copy

Letter from
Hon. Pat. Caspary
Superintendent
of Police New York
in the hands
of Judge Martineau
Dec. 22. 1890

0987

OFFICE OF THE
SUPERINTENDENT OF POLICE,

CITY OF BROOKLYN.

MUNICIPAL BUILDING.

Brooklyn, Dec. 22^d, 1890.

Judge Martine -

My Dear Sir -

The bearer of this note is
Mr. A. C. Moller, a young
man whom I have known
for nearly twenty years.

He and his family have been
neighbors of ours for that
length of time. His family
are very respectable, and the
boy is an honest, hard-work-
ing young man. He is an
only son, and I will vouch
for his honesty every time.

Yours truly, Patrick Campbell

0988

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Alexis C. Moller

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

Alexis C. Moller

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

The said

Alexis C. Moller

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

the restaurant of one John Koster

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 Koster in the said restaurant* ~~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.

0989

SECOND COUNT—

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

Alexis C. Moller

of the CRIME OF *Petit* LARCENY, committed as follows:

The said *Alexis C. Moller*

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

the sum of twenty-five dollars in money, lawful money of the United States and of the value of twenty-five dollars

of the goods, chattels, and personal property of one

John Koster

restaurant
in the dwelling house of the said

John Koster

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

*John D. Hollows,
District Attorney.*

0990

BOX:

420

FOLDER:

3885

DESCRIPTION:

Mott, Lucy

DATE:

12/17/90



3885

Witnesses:

W. H. ...

Counsel,

Filed 17

day of Dec 18 90

Pleads,

THE PEOPLE

vs.

Lucy Mott

Grand Larceny *second degree.*

[Sections 528, 581 - Penal Code].

*1360/13
21/12/90*

JOHN R. FELLOWS,

District Attorney.

A True Bill.

William Van ...

Dec 18/90 Foreman.

*Wm ...
P. ...
B.M.*

0992

Police Court— 5 District.

Affidavit—Larceny.

City and County of New York, } ss.

Kate Greer
of No. 351 E. 113th Street, aged 21 years,
occupation Keep home being duly sworn

deposes and says, that on the 12th day of December 1899 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 black silk dress. One black
Latin dress. One gray cloth dress
one wrap one shoulder Cape
one pair of pantalons. one vest.
one pair of drawers. One silver
watch. Together of the value of
three hundred dollars.

(\$300.00)

the property of deponent and deponent
husband. and all in deponent's
care and custody.

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

from the fact that the said
defendant was in deponent's employ
as a domestic. and at about the
hour of 2 o'clock P.M. said date.
deponent discovered that all of said
property was missing. Officer
deponent is informed by Minif. Redell
that the said defendant
admitted to him that she had taken
said property and showed him
where she had said property concealed.
that he the officer found all of said
property with the exception of said
watch. Concealed in a basket behind

Subscribed and sworn to before me this 12th day of December 1899 at the City of New York.
Notary Public

the ice box in a hallway in
 this defendant's home.
 Wherefore defendant charges the said
 defendant with felonious taking
 stealing and carrying away said
 property.

Given before me
 this 13th day of Dec 1890) J. H. Green

W. H. Meade

Police Justice

0994

CITY AND COUNTY }
OF NEW YORK, } ss.

Louis J. Reidell

aged _____ years, occupation *Police Officer* of No.

29th Precinct - 10th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Kate Green*

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

Sworn to before me, this *13* day of *Dec* 18*98*

Louis J. Reidell

[Signature]
Police Justice.

0995

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY OF NEW YORK

Lucy Mott

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 her that the statement is designed to enable her if she see fit to answer the charge and explain the facts alleged against her that she is at liberty to waive making a statement, and that her waiver cannot be used against her on the trial.

Question. What is your name?

Answer.

Lucy Mott

Question. How old are you?

Answer.

20 years old

Question. Where were you born?

Answer.

New York

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

Answer.

35-1 E. 113 St. 2 mos

Question. What is your business or profession?

Answer.

Domestic

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

Answer.

I am Guilty
Lucy Mott

Taken before me this

day of Dec 1890

Police Justice.

0996

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

Alfred J. Smith

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

Dated, Nov 17 1897 *Edward* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

0997

Police Court, 5 District, 1890

THE PEOPLE, &c.,
ON THE COMPLAINT OF

State Genl
Lacy Mott

Offense, Larceny

BAILED,

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

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

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

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

Dated, Dec 13 1890

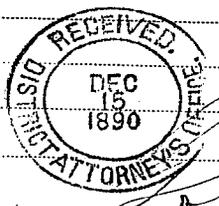
L. Myade Magistrate.
Wm. J. Reidell Officer.

Witnesses *Wm. J. Reidell*
No. 29 Precinct.
29 West Main Street.

No. Street.

No. Street.

\$ 1.500 to answer



Ch

922

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Lucy Mott

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

Lucy Mott

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

The said

Lucy Mott

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

two dresses of the value of seventy five dollars each, one other dress of the value of fifty dollars, one wrap of the value of thirty dollars, one cape of the value of ten dollars, one pair of trousers of the value of ten dollars, one vest of the value of ten dollars, one pair of drawers of the value of one dollar, and one watch of the value of twenty five dollars.

of the goods, chattels and personal property of one

Kate Greer

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

0999

BOX:

420

FOLDER:

3885

DESCRIPTION:

Mullaney, Dominick F.

DATE:

12/10/90



3885

The accused of the offence he is called upon to answer with such precision as to enable a disposition of the case to be pleaded in bar of a second prosecution for the same act. This pleading does not satisfy these requirements. The act of omission charged is not plainly and entirely set forth - nor is the act of omission charged as the crime stated with such a degree of certainty as to enable the court to pronounce judgment upon a conviction according to the right of the case.

Demurrer sustained. P.B.W.

Counsel,
Filed,
Pleads,
1890

Case No. 262, Term 1890, 3357

THE PEOPLE vs.

Dominick J. Mulvaney

JOHN R. FELLOWS,
District Attorney.

A TRUE BILL.

Foreman,
This is a true bill.

Witnesses

debt depends to this indictment. When the grounds of the indictment does not set forth facts stating what elements of the crime are there any legal act, path, or agreement which binds to one within the promissory liability secured. He was stated in the indictment do not constitute a crime. Claim of opinion that the indictment does not contain a plain and concise statement of the act or crime. Stating the crime with out unnecessary details as required by Sec 275 of the Code of Crim. Pro. There is no statement in this indictment of the act constituting the crime. That a mere naming of the crime itself is not sufficient to state the act charged. The defendant's name and place of residence is not stated in the indictment. The act charged in the crime is insufficient to satisfy the requirements of the indictment. It is a fundamental rule that an indictment will inform

District Police Court.

(SECTION 35, CHAPTER 202, LAWS 1890.)

CITY AND COUNTY OF NEW YORK, ss.

Richard Lott being sworn deposes and says :
I reside at 687 Madison Avenue in the City of New York,
I am 28 years of age and my business is that of Professor
at Columbia College.

At the City of New York on the fourth day of November, 1890, (upon said day a
general election throughout the State of New York being held) one ~~John Doe, whose real
name is to deponent unknown~~ but whom deponent can identify, did unlawfully electioneer
in a public manner within one hundred and fifty feet of a certain polling place, to wit :
the polling place of the voters of the Shurtzough Election District of the
7th Assembly District at No. 199 Varck Street
in said City of New York, against the form of the statute, in such case made and provided.

Wherefore, your informant prays that a warrant may issue for the arrest of the
said defendant, and that he be dealt with according to law.

Taken and sworn to before me, this
8 day of November 1890.

Richard J. Whelan

J. Shurtzough
Police Justice.

1002

17

W.

Richard Soderst

64

Donna J. Muelony

Sec. 108-200.

2 District Police Court.

CITY AND COUNTY }
NEW YORK, } ss.

Domnick J. Mulloney 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.

Domnick J. Mulloney

Question. How old are you?

Answer.

36 years.

Question. Where were you born?

Answer.

New York.

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

Answer.

71 Lehigh St.

Question. What is your business or profession?

Answer.

Shoe Dealer

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

Answer.

*I am not guilty - and
demand an examination
by jury.*
J. Mulloney

Taken before me this

1887

Police Justice

1004

UNITED STATES OF AMERICA,
STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

In the Name of the People of the State of New York, To any
peace officer in the County of New York:

Information upon oath having been this day laid before me, that
the crime of unlawful electioneering at an election has been committed
and accusing ~~JOHN DOE~~, ^{Sumner J. Mullaney} whose real name is unknown, but who can
be identified by _____ thereof:

YOU ARE THEREFORE COMMANDED forthwith to arrest the above-named ~~JOHN DOE~~,
and bring him before me at the 2nd District Police Court, in the City of
New York, or in case of my absence or inability to act, before the nearest or most accessi-
ble Magistrate in this County.

Dated at the City of New York, in the County of New York aforesaid, this 14
day of November, 1890.

[Handwritten Signature]
Police Justice.

[Handwritten Signature]

1005

UNITED STATES OF AMERICA.

State of New York.

THE PEOPLE
OF THE STATE OF NEW YORK,

against

JOHN DOE,

(Real name unknown.)

Dominick B. Mahoney

WARRANT OF ARREST,
For unlawful Electioneering,
(Chap. 922, Laws of 1890, § 83.)

Issued November *4* 1890.

Buttrick Magistrate.

Wood Officer.

..... Election District

of Assembly District.

1006

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 3 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 Nov 4 1890 J. M. [Signature] Police Justice.

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

Dated Nov 4 1890 J. M. [Signature] 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.

1007

Mullins Richard Gottheil

BAILED

No. 1, by

Louis H. Muller

Residence

15 - King Street.

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

#70 25 B.O. / 1668
Police Court--Second District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Richard Gottheil
681 - 23 Madison Ave.

Dominick J. Mulloney

2
3
4

Offence Violating Sec 35
Chap 262 Ballot Law 1890

Dated November 4th 1890

J. Silbath Magistrate.

Wood Officer.

Crane Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 3.00 to answer



Bailed

District Attorneys Office.
City & County of
New York. Dec 9th 1890

People
vs.
Dominick Mullany. }

Reminded.

Def. be notified that
he may appear before Grand
Jury as he previously requested
tomorrow Wednesday Dec 10/90.

1009

~~TO THE CHIEF CLERK~~

~~Please send me the Papers in the Case of~~

PEOPLE

vs.

Mullins

*Defendant notified
to appear today.*

John W. ...

District Attorney.

Court of General Sessions
City & County of New York

The People vs

as
Dominick F. Mullaney.

The defendant Dominick F. Mullaney above named demurs to the indictment presented by the Grand Jury on the 10th day of December 1890 charging him with a violation of the election law. on the following grounds:

First That the indictment does not set forth facts stating what electioneering is. Nor are there any facts set forth in the indictment which brings the case within the provisions of the statute.

Second. The facts stated in said indictment do not constitute a crime.

Wherefore this defendant asks judgment of the Court that he be dismissed and discharged from said premises specified in said indictment.

Dated N.Y. Dec. 11th 1890

Reles Mitchell
Atty for deft.

10 11

Council of General Workers

The People

vs

Dominick J. Mallon

Demmer

John Mitchell

Atty for Dept.

John D. ...

W. S. P. ...

10 12

DIRECTIONS.

The Grand Jury Rooms are in the third story of the large brown stone building in Chambers Street, near the new Court-house in the Park.
When you arrive at the witness-room, hand this notice to the officer or clerk at the desk.

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

To *Dominick F. Mulleary Esq*
No. *71 Charlton Street*

You are hereby notified that the Grand Jury of the City and County of New York, now in Session, is willing to hear any explanation you may think proper in relation to a certain charge against you, pending before that body, or any statement of facts which you may think will tend to your exculpation.

But you are to distinctly understand that you are not and cannot be, under any circumstances, required or compelled to appear before the Grand Jury, or to testify in relation to the charge against you. Your appearance and the evidence you may give in case you so decide, must be entirely voluntary, and your failure or refusal to so appear or testify is incapable of raising any unfavorable presumption, or in any way operating to your prejudice.

You may avail yourself of the privilege hereby extended, by personally appearing in your proper person, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the new Court-house in the Park, in the City of New York, on the *tenth* day of *December* instant, at the hour of 10.30 in the forenoon of the same day.

Yours, &c.,

JOHN R. FELLOWS, *District Attorney.*

People
vs
Moullaney

Demurrer. Criminal Code
Sec. 222 sub. Div. 4.

Crim Code Sec. 274 sub. Div.

2. Indictment. It is
said to be a charge of a
crime which is to be
proven by the
Crown. It is a
statement of the
facts of the case.

It is a statement of the
facts of the case
which is to be
proven by the
Crown. It is a
statement of the
facts of the case.

1014

Memorandum

from

Peter Mitchell.

Mullaney

3386

Mullaney

1087

Mullaney over Dugan 1689

10 15

GRAND JURY ROOM.

PEOPLE

vs.

Dominick F. Mullaney

Have

Richard Gottheil
Professor
Columbia College

and

Officer Wood
2nd Dist Court

called for Dec 3/90

[Signature]

10 16

GRAND JURY ROOM.

PEOPLE

vs.

John Abraham

*acquitted Dec 17/
190*

1000 deposited

*Mr. Moss wants
to get it back*

"Electioneer - To employ means for influencing an election, as public speaking, solicitation of votes, etc; made for the success of a candidate or for a party in an election; as to electioneer for a candidate, or for a ticket; the electioneer with great effect.

'He x x x took a great care to engage in his interest all those individuals who delight in gathering around the country to election'

Miss Caswell, Rosanna III,

'The government is now making x x x whether candidates for the presidency shall opening electioneer for that office'

R. Chalk, address 425.

10 18

~~GRAND JURY ROOM~~

People to

✓

Dominick F. Mullaney

Court of General Sessions

The People

vs.

Mullaney

This indictment is based on section 35 of Chap. 262 of the Laws of 1890 which provides among other things that "no person shall do any electioneering on Election day within any polling place, or in any public street or room, or in a public manner, within one hundred and fifty feet of any polling place."

The ~~defendant~~ indictment contains two counts the first of which alleges that on the last general Election day in this city the defendant "unlawfully did certain electioneering within the polling place of the 13th election district of the 5th Assembly district of the said city and county at the said election."

The second count varies from the first only in that it charges that the defendant on Election day "unlawfully did certain electioneering in a public manner within one hundred and fifty feet of the polling place" of the same election district.

The defendant demurs to the indictment on the grounds, first "that the indictment does not set forth facts stating what electioneering

is; nor are there any facts set forth in the averment which brings the case within the provision of the statute"; and second that the facts stated do not constitute a crime.

Point I

The word electioneer is thus defined in the Century dictionary:—"to employ means for influencing an election, as public speaking, solicitation of votes &c; work for the success of a candidate or of a party in an election; as to electioneer for a candidate, or for a ticket; he electioneered with great effect".

Section 283 of the Code of Criminal Procedure declares that "the words used in an indictment must be construed in their usual acceptation, in common language, except words and phrases defined by law, which are to be construed, according to their legal meaning". Section 284 provides that the indictment is sufficient, if it can be understood therefrom that it is properly entitled &c, that it was duly found &c, that the defendant is named &c, that the crime was committed at a time prior to the finding of the indictment and within the jurisdiction of or triable within the county, and "6. that the act or omission charged as the crime is plainly and concisely set forth; 7. that the act or omission charged as the

crime is stated with such a degree of certainty as to enable the court to pronounce judgment upon a conviction, according to the right of the case!"

Section 285 provides that an indictment is insufficient * * * by reason of an imperfection in matter of form which does not tend to the prejudice of substantial rights of the defendant upon the merits.

Section 286 provides that neither presumptions of law nor matters of which judicial notice is taken need be stated in an indictment.

The common law rules of pleading prevail where the code is silent.

People vs. Quise, 2 How. Pr. (N.S.) 92

"On the general principles of common law pleading, it may be said that it is sufficient to frame the indictment in the words of the Statute, in all cases where the Statute so far individuates the offense that the offender has proper notice, from the mere adoption of the statutory terms what the offense he is to be tried for really is.

Wharton's Crim. Proc., Pl. (9th Ed.) Sec. 220.

The degree of particularity necessary in setting

out the offense and the objects for which such particularity is required are set forth by Mr. Wharton in his work at section 166

The defendant is advised by the indictment in the present case that ^{he is charged with having} how the last Election day unlawfully "electioneered" in violation of the Statute. He is presumed to know what electioneering is, and the manner in which he electioneered is a matter of evidence.

In *Peop vs. Farel* 28 N. J. S. R. 43, the indictment charged that the defendant "with force and arms, the dwelling-house of one Goss, feloniously and unlawfully entered into and upon the same, dressing there and there the possession of said Goss, and used force and violence in entering therein and in a manner not provided or allowed by law"

Held sufficient the particular kind of force used being matter of evidence.

In the present case, the act constituting the offense is the unlawful electioneering. If it were necessary to allege in the indictment the particular kind or manner of electioneering the same rule would require the averment of the means employed by a defendant in

committing every offense.

To allege that the defendant electioneered is unquestionably to allege a conclusion but so is nearly every averment used in an indictment.

To say that a defendant "stole" certain money, is pleading a conclusion — or that he "broke" into a building, — or "made an assault" &c.

Of course all these terms are defined by law — but in determining the sufficiency of an indictment the main question is, does the defendant know what he is accused of?, and it is therefore same whether the terms are defined legally or ^{their meaning accepted by} ~~by~~ common usage.

The indictment is sufficient and the demurrer should be overruled.

Respectfully,

J. Hudson

Dec 11/90

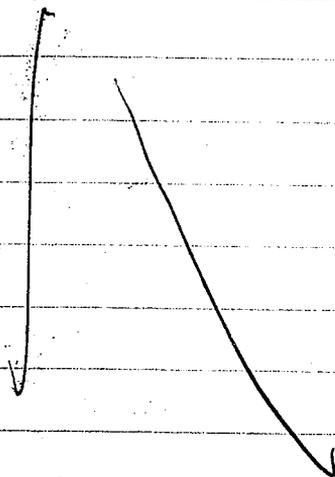
Phase
2

Impedance

Specimen or midline

For use on

Demmer



COURT OF GENERAL SESSIONS.

-----)
 THE PEOPLE OF THE STATE OF NEW YORK)

against)

DOMINICK F. MULLANEY.)
 -----)

City and County of New York, ss:-

DOMINICK F. MULLANEY, being duly sworn, deposes and says: That he resides at No. 71 Charlton Street, in the City of New York; that he is engaged in the shoe business at No. 281 Hudson Street; that he is at present a member of Assembly of the State of New York, elected from the Fifth Assembly District, in the County of New York, more than a year ago; that at the last general election, held on the 4th day of November, last past, he was a candidate for assembly in the Fifth Assembly District of this County, and was voted for by a sufficient number of people to give him more than 1,600 majority, and was elected; that on said election day, at the entrance to the polling place in the Thirteenth Election District of the Fifth Assembly District in Varick Street, West, between King and Houston Streets, he was accosted by a gentleman of his acquaintance, who made the remark to deponent, "I am all right, read this letter;" handing deponent an envelope which contained a letter, which letter he took out of the envelope; deponent glanced at the contents of the letter, and handed it back to said person.

This was all that occurred. Soon thereafter deponent was arrested upon a warrant issued by a Police Magistrate of said City, upon the complaint of an unknown person, wearing gold rimmed eye glasses or spectacles, charging deponent with electioneering within 150 feet of the polling place. Deponent appeared, accompanied by his counsel, before said magistrate, and waived examination and was committed to await the action of the Grand Jury.

Deponent further says that he has fully and fairly stated all the facts which caused the complaint to be made by an over zealous, self constituted "P. M. L." watcher.

And this deponent further says that he did not electioneer at that time in front of that polling place, or within 150 feet of it; that he did not induce, or attempt to induce or influence, the person who requested him to look at the letter, to vote for this deponent or any other person; and that such charge made against deponent is false and untrue, and emanates from the mind of a person who has drawn upon his imagination for his facts.

A reference to the complaint made against this deponent will show it to be devoid of facts sufficient to warrant his arrest or to put him to the slightest inconvenience

Sworn to before me this
~~second~~ day of December, 1890.

Louis Boyd
Notary Public
N. F. County

Thomas J. McEllaney

People

v

Dominick J. Mullaney

Affiant of defendant

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Dominick S. Mullane

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

Indictment accuse *Dominick S. Mullane* of a

Misdemeanor,

of the crime of

committed as follows:

Heretofore, to wit:

on Tuesday the 4th day of November, 1890, (the same being the Tuesday preceding the first Monday in the said month of November) there was held a general election throughout the State of New York, and in the said City and County of New York; and the said Dominick S. Mullane late of the City and County aforesaid, on the said election day, at the City and County aforesaid, unlawfully did retain electioneering within the polling place of the 13th Election District of the 5th Assembly District of the said City and County at the said election; 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

Dominick E. Molloney, of the same misdemeanor

of the Crime of

committed as follows:

The said *Dominick E. Molloney,*

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid, at the City and County aforesaid, *the same being such election* days as aforesaid, unlawfully did retain *election* in a public manner within one hundred and fifty feet of the polling place of the 17th Election District of the 5th Assembly District of the said City and County at the said election, 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 P. Kellom,

District Attorney

1030

BOX:

420

FOLDER:

3885

DESCRIPTION:

Muller, Peter

DATE:

12/02/90



3885

Witnesses:

G. Schuster

Officer O'Brien

Counsel,

Filed

Reads,

[Signature]

day of

1887

Robbery, [Sections 224 and 229, Penal Code],
degree.

THE PEOPLE

vs.

I

Peter Miller

[Signature]
Sollinger

JOHN R. FELLOWS,

District Attorney.

A True Bill.

[Signature]
Foreman.

Dec 3/90

[Signature]
S. P. 10 yrs - R.B.M.

1032

Police Court 300 District 11

CITY AND COUNTY OF NEW YORK,

George Shulgler, of No. 108 Duane Street, Aged 33 Years Occupation General being duly sworn, deposes and says, that on the 12 day of November, 1888, at the 10th Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

One Dollar, in good and lawful money of the United States

of the value of One DOLLARS,

the property of Complainant

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

Peter Miller for the reason that on said night and date deponent was on his way home through Christie Street, between Grand and West Streets Defendant, grabbed deponent by his coat, knocked him down, and while this deponent was prostrate on the sidewalk Officer Edward O'Brien of the 11th Precinct Police, saw said Defendant on top of deponent, going

done of
188
Police Justice

1033

through the pockets of this
Deponent, therefore now
Deponent charges said
Defendant with taking, stealing
and carrying away from
his person and possession,
by force, violence and
against Deponents Will and
resistance said money and
wage, that he be dealt with
as the law directs

George Shultz

Subscribed before me
this 1st day of August
1888
Police Justice

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

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

Dated 1888 Police Justice

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

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

Police Court, District,

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

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. street,

No. Street,

No. Street,

No. Street,

No. Street,

to answer General Sessions.

1034

CITY AND COUNTY }
OF NEW YORK, } ss.

Edward P. Ryan
aged *24* years, occupation *Police Officer* of No. *the*
11th Precinct Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *George Schunzler*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of *Nov* 188*90*

Edward O'Brien

A. H. Ryan
Police Justice.

1035

Sec. 198-200

CITY AND COUNTY OF NEW YORK ss.

Heine District Police Court.

Peter Miller 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 to 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. *Peter Miller*

Question. How old are you?

Answer. *27 Years of age*

Question. Where were you born?

Answer. *Germany*

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

Answer. *1 Newroc St (1 Week)*

Question. What is your business or profession?

Answer. *Ditcher*

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*

Peter Müller

Taken before me this

day of

21st

1889

qu

1036

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

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 *Nov 24 1890* *[Signature]* 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.

1037

#2- B. & S. Co 1762
Police Court-- District--

THE PEOPLE, cc
ON THE COMPLAINT OF

Geo. H. Huggins
John M. Micea

2
3
4
Dated *Nov 24 91* 1891
Hogan Magistrate.
Brien Officer.
" Precinct.

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Witnesses.....

No. Street.

No. Street.

No. Street.

\$ *2000* to answer *G.S.*



Hogan

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Peter Müller

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

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

The said Peter Müller,

late of the City of New York, in the County of New York aforesaid, on the twenty second day of November, in the year of our Lord one thousand eight hundred and eighty ninety, in the night time of the said day, at the City and County aforesaid, with force and arms, in and upon one George Schützler, — in the peace of the said People, then and there being, feloniously did make an assault, and

the sum of one dollar in money, lawful money of the United States of America, and of the value of one dollar,

of the goods, chattels and personal property of the said George Schützler, — from the person of the said George Schützler, against the will, and by violence to the person of the said George Schützler, — then and there violently and feloniously did rob, 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. Melons, District Attorney

1039

BOX:

420

FOLDER:

3885

DESCRIPTION:

Murphy, William R.

DATE:

12/08/90



3885

1040

BOX:

420

FOLDER:

3885

DESCRIPTION:

Kelly, John

DATE:

12/08/90



3885

Witnesses:
J.P. Schum
John Kishick
Officer Hyman

#54

Counsel,
Filed *P. Deo* 1895
Pleads,
Bank Note

vs.
THE PEOPLE
vs.
William R. Murphy
and
John Kelly

JOHN R. FELLOWS,
District Attorney.

50
107 Bow

Burglary in the THIRD DEGREE
(Section 498, Penal Code.)

A True Bill.

John Kishick
Foreman.

John Kishick
Both S. P. 2 yrs. P.B.M.

Police Court - 1 District.

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

of No. 4 Barclay Street, aged 66 years,

occupation Shoes being duly sworn

deposes and says, that the premises No 4 Barclay Street,

in the City and County aforesaid, the said being a store and

dwellings

and which was occupied by deponent as a store for the sale of shoes

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

were BURGLARIOUSLY ^{attempted to be} entered by means of forcibly breaking

a heavy plate of glass ^{avoiding} said store from the public street

on the 25th day of November 1890 in the night time, and the

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

Shoes and shoe stock of the value of

five hundred dollars

the property of deponent

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

BURGLARY was committed and the aforesaid property ^{attempted to be} taken, stolen, and carried away by

William Murphy & John Kelly

for the reasons following, to wit: that deponent was informed

and is informed by Frank Nitscherick

a private watchman of Frank Magee

of 74 Barclay street that at about

the hour of 8:30 Pm of said date he

saw the defendant standing in front

of premises 74 Barclay street heard

a noise as one made by the breaking

of glass, approached the defendants

and in company of Detective William
 Flynn of the 2nd Precinct caused
 their arrest, and thereafter found the
 glass broken as described.
 Depoent further says that he has
 examined said premises and found
 them broken as aforesaid.

Geo. P. Shingel

Sworn to before me this
 29th day of November 1890

re & o. w. y
 John J. Justice

Police Court _____ District.

THE PEOPLE, & c.,
 ON THE COMPLAINT OF

vs.

Burglary

Degree.

Dated _____ 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street.

1044

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

John Kelly

Question. How old are you?

Answer.

30 years

Question. Where were you born?

Answer.

New York

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

Answer.

456 Pearl Street 2 years

Question. What is your business or profession?

Answer.

Laborer

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

Answer.

I am not guilty

John Kelly

Taken before me this *29*
day of *November* 189*7*

Police Justice.

1045

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *William R. Murphy*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Boston Mass*

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

Answer. *62 Prince Street. 1 year*

Question. What is your business or profession?

Answer. *Bookbinder*

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

Answer. *I am not guilty
William R. Murphy*

Taken before me this *29* day of *November* 189*0*
W. J. Justice
Police Justice

1046

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

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

Dated November 29 1898 W. J. O'Connell 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.

1047

Police Court--- 1791 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Go P Schinzel
4- Barclay
William Murphy
John Kelly

Wm C. Callaghan
Magistrate

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Date *Nov 29th* 1890
James Magistrate.

Hyman Officer.
Precinct.

Witnesses *Callaghan*
No. Street.

Frank Hatcherich
No. *14 Barclay* Street.

No. Street.
\$ *1000*



Callaghan
Callaghan

1048

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 25 years, occupation Frederick watchman of No. 14 Barclay Street, being duly sworn deposes and

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

Sworn to before me, this 29 day of November 1898 Frank Kitcherich

W. J. Conway
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

*William R. Murphy
and John Kelly*

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

*William R. Murphy and John Kelly
of the crime of attempting to commit*

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

The said *William R. Murphy and John Kelly*, both

late of the *Third* Ward of the City of New York, in the County of New York aforesaid, on the *28th* day of *November* in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety*, with force and arms, in the ~~night~~ - time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *a certain building, to wit:*

the store of one George P. Schingel

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 *George P. Schingel*, 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.*