

0156

BOX:

138

FOLDER:

1423

DESCRIPTION:

Brisco, Joseph

DATE:

05/23/84



1423

POOR QUALITY
ORIGINAL

0157

152

Counsel, *M. W. Allen*
Filed *23* day of *May* 188*4*

Pleads *Not Guilty*

THE PEOPLE

P vs.

Joseph Brisco

et al

vs. John Gates

as another charge of

disputed by Grand Jury

PETER B. OLNEY,

District Attorney

A True Bill.

M. W. Allen

Foreman

Oct. 9/84

Reads 22 day

Edward J. P. P. P.

Oct 11/84

Witnesses:

John P. P. P.

814 13 of

Grand Larceny (from the person)
[Sections 528, 529 Penal Code]

0-158

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Joseph Brisco

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

Joseph Brisco
of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said Joseph Brisco

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
twenty-ninth day of April in the year of our Lord one thousand
eight hundred and eighty-four, in the night time of the said day, at the Ward, City and
County aforesaid, with force and arms,

one watch of the
value of twenty-eight dollars
and one chain of the value
of two dollars

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

Peter B. Olney,
District Attorney

0159

THE
NEW YORK STATE REFORMATORY.

Elmira, Oct 11 1884

Peter R Waters Esq
314 + 316 Broadway
N.Y.C.

Dr.

Replying to yours of 9.

We can receive, on condition + sentence by competent court, one who has not been sentenced to any State Prison for felony.

I enclose or rather mail semi-annually with this letter a copy of our last report which contains the law.

Very

J. R. Brantley
Handwritten

Wells

Mail report
weekly section
of the Law

0160

N.Y. June 2. 84

My dear Senator:

Having just returned to the city I dropped in to see you in reference to case of Prisco. I met Alderman Reilly on the train this morning and he said he would call on you about it. I expect to go out of town again in a short time and as I am absent from the city considerable during the Yachting season - which has just opened - What I wish is that the case referred to be not put on the Calendar, at least until over

0161

about Sept. I presume
your courts will soon
adjourn for the hot weather
and while when the proper
time comes the Deft will
prove his innocence & should
a trial be found necessary
to establish the same —
still were he compelled to lose
time at this season he would
be apt lose his position and
there can certainly be no objection
to allowing the case to go over until
Sept. Wm. M. McKim

C. B. Smith

Memorandum

0162

Submitted on the application for the commitment of Jos Brisco to the Elmina Reformatory.

HON. RUFUS B. COWING,
COURT OF GENERAL SESSIONS.
NEW YORK OCTOBER 8TH 1884.

DEAR SIR;

IN THE MATTER OF JOSEPH BRISCO THE FOLLOWING IS RESPECTFULLY
SUBMITTED:

THE INDICTMENT CHARGES BRISCO WITH THE LARCENY OF A SILVER WATCH. FROM THE EVIDENCE THE OFFICER SAYS HE HEARD THE CRY "POLICE", THAT WHEN HE CAME ON THE SCENE THE COMPLAINANT WHO WAS VERY MUCH INTOXICATED HAD HOLD OF BRISCO AND MADE THE CHARGE AGAINST HIM. AT THE POLICE STATION THE COMPLAINANT OWING TO BEING GROSSLY INTOXICATED WAS UNABLE TO THINK OF THE PLACE WHERE HE RESIDED. FIRST HE GAVE THE NUMBER OF A HOUSE IN EAST 51ST STREET, WHICH IF IT EXISTED WOULD LOCATED IT ABOUT THE MIDDLE OF THE EAST RIVER, BEING ADVISED THAT THERE WAS NO SUCH ADDRESS AS THAT WHICH HE GAVE, HE GAVE ANOTHER ADDRESS, WHICH DID NOT EXIST AND BEING AGAIN ASKED FOR THE THIRD TIME WHERE HE LIVED THE SERGEANT MANAGED TO GET OUT OF HIM HIS ADDRESS. FROM THE PAPERS IN THE CASE IT WILL BE SEEN THAT THE NIGHT OF THE ALLEGED OCCURRENCE WAS THE PAY NIGHT OF THE COMPLAINANT AND INSTEAD OF GOING ---AS ANY RESPECTABLE WORKINGMAN AND CITIZEN WOULD HAVE DONE---HOME TO HIS WIFE AND CHILDREN WITH HIS MONEY, HE STARTED OFF TO HAVE A NIGHTS DRINKING AND CAROUSING. THE COMPLAINANT ADMITTED THAT HE DID NOT KNOW BRISCO, HAD NEVER SPOKEN TO HIM BEFORE THE NIGHT IN QUESTION, YET STATED HE HAD MET BRISCO ON THIRD AVENUE ABOUT ELEVEN O'CLOCK P. M. AND ASKED HIM -BRISCO- TO COME ALONG AND HAVE A GOOD TIME DRINKING.

COMPLAINANT FURTHER STATED THAT HE AND BRISCO HAD BEEN DRINKING IN THE SALOON OF ONE 'KELLY' FROM 11 P. M. TO ABOUT 2 A. M. AND THAT THE BAR-TENDER WOULD CORROBORATE HIM. IN ORDER TO GIVE HIM A CHANCE TO PRODUCE THE BAR-TENDER THE CASE WAS TWICE POST-PONED IN THE POLICE COURT AND WHEN THE BAR-TENDER WAS PLACED ON THE STAND HE DID NOT CORROBORATE THE COMPLAINANT, ALTHOUGH HE DID SAY THAT HE HAD SEEN THE COMPLAINANT EARLY ON THE NIGHT OF THE OCCURRENCE AND THAT THE COMPLAINANT WAS SO MUCH UNDER THE INFLUENCE OF LIQUOR THAT HE REFUSED TO SELL HIM ANY MORE AND ADVISED HIM TO GO HOME, BUT THAT HE DID NOT SEE THE DEFENDANT BRISCO WITH HIM, AND FURTHER THAT HIS STORE WAS CLOSED AT 12 O'CLOCK THE NIGHT IN QUESTION. THE PAPERS FROM THE POLICE COURT WILL MORE THOROUGHLY EXPLAIN THE FACTS THAN PRESENT SPACE AND A DESIRE TO SAVE YOUR HONOR TIME WILL PERMIT. IF I AM CORRECTLY INFORMED WHEN THE COMPLAINANT MADE HIS CHARGE AGAINST BRISCO IN THE POLICE STATION THE SERGEANT WAS STRONGLY OF THE OPINION THAT THE CONDITION OF THE COMPLAINANT WOULD HAVE JUSTIFIED HIM IN LOCKING THE COMPLAINANT UP FOR DRUNKENNESS, BUT FORBORE DOING SO.

YOU WILL PERHAPS AGREE WITH ME THAT IT WOULD HAVE BEEN A GOOD LESSON TO THE COMPLAINANT IF HE HAD BEEN LOOKED UP FOR DRUNKENNESS, INASMUCH AS IT WOULD HAVE BEEN A LESSON TO HIM TO BRING HIS EARNINGS, UPON WHICH HIS FAMILY WERE DEPENDING FOR A SUPPORT, HOME INSTEAD OF SQUANDERING IT IN RUM HOLE AND AT THE SAMETIME LEADING YOUNG MEN INTO THE SAME PATHS; HOWEVER THE COMPLAINANT IS NOT ON TRIAL, BUT THESE FACTS ARE ONLY STATED TO SHOW YOUR HONOR THAT THE PRESENT CASE PRESENTS A DIFFERENCE ASPECT FROM A CASE IN WHICH THE COMPLAINANT WERE AN HONORABLE, UPRIGHT SOBER, REPUTABLE CITIZEN WHO MIGHT BE GOING HIS WAY AND BE MOLESTED. THE ABOVE FACTS CONCERNING THE PROSECUTION, AS TO THE DEFENSE THE PAPERS FROM THE POLICE COURT WILL SHOW BETTER THAN I COULD DESCRIBE IN LIMITED SPACE.

THE ABOVE IS PERHAPS SUFFICIENT CONCERNING THE INDICTMENT IN QUESTION. NOW AS TO THE ~~WARRANT~~ SUGGESTION WHICH I MADE TO YOUR HONOR TO-DAY. THIS YOUTH -BRISCO, HAS BEEN LEFT WITHOUT PARENTS WHEN BUT A CHILD AND THE LACK OF HIS NATURAL PROTECTOR- A MOTHER- HAS BEEN SORELY FELT IN HIS CASE. I HAVE FOR YEARS ENDEAVORED TO STEER HIM IN THE RIGHT PATH AND IF HE HAS MADE ANY ERRORS I ALONE HAVE BEEN THE SUFFERER. WHEN HE WAS ARRESTED ON THE PRESENT INDICTMENT I BELIEVED HIM INNOCENT AND PROMPTLY SECURED HIS RELEASE ON BAIL-BELIEVING THAT ON A TRIAL NO JURY WOULD CONVICT HIM ON THE UNSUPPORTED EVIDENCE OF A MAN WHO WAS SO GROSSLY INTOXICATED AS TO BE UNWORTHY OF BELIEF AND IN ADDITION THERETO OF THE EVIDENCE THAT THE WATCH WAS NOT IN THE POSSESSION OF BRISCO NOR NEAR HIM, BUT WAS LONG AFTER FOUND SOME DISTANCE AWAY FROM WHERE BRISCO WAS ARRESTED. WHEN, HOWEVER, THE YOUTH WAS AGAIN ARRESTED CHARGED WITH BEING IMPLICATED IN THE STEALING OF A HORSE I DETERMINED THAT IT WAS TIME THAT SOMETHING WERE DONE TO LEARN HIM A LESSON. WHILE IT WAS ONLY ME THAT WAS THE SUFFERER I STOOD IT, BUT WHEN OTHERS COMPLAINED OF HIM IT WAS TIME TO STOP. I DID NOT AT THE TIME CARE WHAT DISPOSITION WAS MADE OF THE CASE AND NOTIFIED MY FRIEND WHO WAS ON HIS BOND TO SURRENDER HIM. AS HERETOFORE STATED I ALONE HAVE BEEN THE SUFFERER BY HIM IT IS THEREFOR THAT I ASK THAT IF BRISCO SHALL CONSENT TO PLEAD GUILTY TO THE INDICTMENT AGAINST HIM THAT YOUR HONOR WILL FAVORABLY CONSIDER THE APPLICATION TO COMMIT BRISCO TO THE ELMIRA REFORMATORY. IN ASKING THIS I DO SO IN THE BELIEF THAT IT WILL BE FOR THE PUBLIC GOOD AND AT THE SAMETIME TIME WILL DOUBTLESS REFORM THE DEFT AND IN THIS BELIEF I TRUST YOUR HONOR WILL CONCUR. YOUR HONOR WILL READILY SEE THAT I HAVE NO WISH TO IN ANYWAY SHIELD THE DEFT FROM THE JUST PUNISHMENT OF ANY CRIME OF WHICH HE MIGHT BE PROVEN GUILTY BUT UNDER THE CIRCUMSTANCES IT WOULD, TO ME, SEEM THAT JUSTICE WOULD BE

0164

FULLY SATISFIED IF THIS APPLICATION WERE GRANTED, AND IT MIGHT RESULT
IN BRISCO'S REFORMATION, AND AT THE SAMETIME SAVE THE VALUABLE TIME OF
YOUR HONOR, THE DISTRICT-ATTORNEY AND JURY,
ALL OF WHICH IS RESPECTFULLY SUBMITTED.

BY YOUR OBEDIENT SERVANT,
PETER R. GATENS.

*Submitted on the
application for
the commitment
of Joe Brisco
to the
St. Louis Reformatory*

Affidavits in
support of the
application for
the commitment
of Joseph Brisco
to the
"Edmore Reformatory"
on his plea of
Guilty to Grand
Larceny in the
2d Degree

0165

0 166

HON. RUFUS B. COWING,
CITY OF NEW YORK.

NEW YORK OCTOBER 13TH 1884.

DEAR SIR:

IN THE MATTER OF JOS. BRISCO UNDER CONSIDERATION BY YOUR HONOR: I FIND THAT THIS DEF'T WAS COMMITTED TO THE CATHOLIC PROTECTORY SOME YEARS AGO FOR A FAILURE TO ATTEND SCHOOL AND THAT HE WAS NOT COMMITTED THERE FOR THEFT AND FURTHER THAT THE DEF'T HAS NEVER BEEN IN A STATE PRISON.

WHEN HE WAS ARRESTED ON THE CHARGE AT PRESENT UNDER CONSIDERATION, AS THE POLICE OFFICER INFORMED ME THAT AT THE TIME THE COMPLT MADE THE COMPLAINT THE COMPLAINANT WAS SO GROSSLY INTOXICATED AS TO JUSTIFY THE BELIEF THAT ANY STATEMENT HE WOULD MAKE SHOULD BE ACCEPTED WITH SOME ALLOWANCE AND AS THE PROPERTY ALLEGED TO HAVE BEEN STOLEN WAS NOT FOUND ON DEF'T-BUT A LONG DISTANCE AWAY AND SOME LENGTH OF TIME THEREAFTER, I CAUSED TO BE FURNISHED BAIL IN THE SUM OF \$1,000 FOR THE DEF'T APPEARANCE WHEN CALLED ON I GUARANTEED THE BOND AGAINST LOSS, INASMUCH AS I AGREED THAT SHOULD THE DEF'T FAIL TO ANSWER WHEN CALLED UPON I WOULD MAKE GOOD THE AMOUNT OF \$1,000. THE BONDSMAN KNEW THAT I WAS GOOD & RESPONSIBLE AS IS EVIDENCED THAT THE BONDSMAN OWNS CONSIDERABLE REAL ESTATE AND WENT ON THE BOND. HAD I BELIEVED IN THE GUILT OF THE DEF'T OR HAD I KNOWN THAT HE WAS AN OFFENDER AND LIABLE TO LEAVE IT IS QUITE REASONABLE TO SUPPOSE THAT I WOULD NOT STAKE \$1,000 ON HIM INDEED YOUR HONOR MAY BE ASSURED THAT I WOULD NOT; BUT NOW THAT IT HAS BECOME APPARENT TO ME THAT IT IS ADVISABLE AT THIS TIME TO LEARN THE DEF'T THAT IN FUTURE HE MUST CONDUCT HIMSELF IN A PEACE-ABLE MANNER AND THAT THE PUBLIC MUST BE PROTECTED AND BELIEVING THAT HIS COMMITMENT TO THE "ELMIRA REFORMATORY" WOULD BE BENEFICIAL TO HIM AND FULLY SUBSERVE THE PUBLIC INTERESTS, AND AFTER CONSULTATION WITH THE ASST-DIST ATTY--MR. ADAMS-- REPRESENTING THE PEOPLE, WHO CONSENTS AND ENDORSES THE APPLICATION, I COUNSELED WITH THE DEF'T AND SECURED HIS PLEA OF GUILTY IN THE HOPE THAT YOUR HONOR WOULD AFTER A FULL EXAMINATION INTO THE CASE AT PRESENT UNDER ADJUDICATION, ENDORSE THE VIEWS OF ASST-DIST-ATTY ADAMS AND MYSELF AND COMMIT THE DEF'T TO THE "ELMIRA REFORMATORY", BELIEVING THAT UPON HIS DISCHARGE FROM THAT INSTITUTION HIS FUTURE CONDUCT WILL JUSTIFY YOUR HONOR'S DECISION IN COMMITTING THE DEF'T TO THE "ELMIRA REFORMATORY".

VERY RESPECTFULLY YOURS &C
P. R. GATENS

0167

STATE OF NEW YORK,

CITY & COUNTY OF NEW YORK, ss: *Thomas W. Roe*

BEING DULY SWORN SAYS HE IS A POLICE OFFICER ATTACHED TO THE 19TH POLICE PRECINCT, OF THE CITY OF NEW YORK. THAT HE ARRESTED JOSEPH BRISCO, ON THE COMPLAINT OF JOHN DORNEY, WHICH CASE IS NOW PENDING BEFORE YOUR HONOR. THAT HE HAS KNOWN THE SAID BRISCO FOR SOME YEARS THAT HE HAS SEEN HIM ALMOST EVERY DAY FOR SOMETIME BEFORE HIS ARREST, AS THE SAID BRISCO RESIDED WITHIN A SHORT DISTANCE OF THE SAID NINETEENTH POLICE PRECINCT. THAT HE HAS NEVER KNOWN THE SAID BRISCO TO BE ARRESTED OR CHARGED WITH ANY OFFENCE, PRIOR TO THE TIME HE ARRESTED HIM IN THIS CASE; THAT HE ALWAYS BELIEVED HIM TO BE AN HONEST, PEACEABLE YOUTH, AS DID MANY OTHER RESPECTABLE PERSONS WITH WHOM THIS DEPONENT IS ACQUAINTED. THAT DEPONENT HAS KNOWN OF NUMEROUS INSTANCES WHERE THE SAID BRISCO HAS BEEN LEFT IN SOLE CHARGE OF PREMISES DURING THE ABSENCE OF ITS OCCUPANTS AND HE HAS ALWAYS HEARD THE SAID OCCUPANTS SPEAK OF SAID BRISCO AS AN HONEST YOUTH WHOULD COULD BE TRUSTED. THAT FROM HIS KNOWLEDGE OF THE SAID BRISCO AND FROM THE FAMILY CONNECTIONS OF THE SAID BRISCO DEPONENT IS OF THE OPINION -WITH YOUR HONOR'S PERMISSION- THAT IT WOULD BE UNWISE AND INJUDICIOUS TO COMMIT THE SAID BRISCO TO A PRISON, BUT THAT THE WELFARE OF THE PUBLIC AND THE INTERESTS OF JUSTICE WOULD BE FULLY SUBSERVED WERE YOUR HONOR TO MAKE AN ORDER COMMITTING THE SAID BRISCO TO THE "ELMIRA REFORMATORY" INASMUCH AS DEPONENT IS OF THE BELIEF THAT THE COMMITMENT OF THE SAID BRISCO TO THE SAID INSTITUTION WOULD RESULT IN HIS REFORMATION AND THAT ON HIS DISCHARGE HE WOULD BE A RESPECTABLE YOUNG MAN AND THAT HIS FUTURE CONDUCT WOULD BE AN EVIDENCE OF THE BENEFICIENT RESULT OF YOUR HONOR'S JUDGMENT IN COMMITTING THE SAID BRISCO TO THE SAID "ELMIRA REFORMATORY."

SWORN TO BEFORE ME THIS
12 DAY OF OCTOBER 1884,

Peter R. Cramer
Notary Public
New York County

Thomas W. Roe

0168

STATE OF NEW YORK,
CITY & COUNTY OF NEW YORK, SS: CHARLES H. REILLY BEING DULY SWORN
SAYS HE RESIDES AT NO. 531 EAST 86TH STREET, N.Y. CITY. THAT FOR SOME
15 YEARS PAST HE HAS BEEN ENGAGED IN THE CONTRACTING BUSINESS
THAT FOR SOME YEARS PAST HE HAS KNOWN JOSEPH BRISCO DURING WHICH
TIME HE HAS FREQUENTLY SEEN HIM, AND BEEN INSTRUMENTAL IN SECURING
HIM EMPLOYMENT. THAT HE HAS NEVER KNOWN OR HEARD OF HIS COMMITTING
ANY OFFENCE OR ACTING IN ANY MANNER OTHER THAN AS AN UPRIGHT,
PEACEABLE CITIZEN, PRIOR TO HIS ARREST ON THE CASE AT PRESENT UNDER
CONSIDERATION BY YOUR HONOR. THAT FROM HIS KNOWLEDGE OF THE SAID
BRISCO HE IS OF THE OPINION THAT, WITH THE CONSENT OF YOUR HONOR,
IT WOULD BE BENEFICIAL TO THE INTERESTS OF THE PEOPLE IF YOUR HONOR
WERE TO COMMIT THE SAID BRISCO TO THE "ELMIRA REFORMATORY"
INASMUCH AS DEPONENT IS OF THE OPINION THAT THE COMMITMENT OF
THE SAID BRISCO TO THAT INSTITUTION WOULD RESULT IN HIS REFORMA-
TION, AND THAT WHEN DISCHARGED HE WOULD DOUBTLESS PROVE HIMSELF A
RESPECTABLE AND WORTHY YOUNG MAN, AND PROVE THAT YOUR HONOR'S
DECISION IN COMMITTING HIM TO THE "ELMIRA REFORMATORY" WOULD HAVE
BEEN A WISE ONE.

SWORN TO BEFORE ME THIS
11th DAY OF OCTOBER 1884,

Peter R. Garton
Notary Public
New York

Charles H. Reilly

0169

STATE OF NEW YORK, CITY & COUNTY OF NEW YORK, SS: LETITIA CLINE
BEING DULY SWORN SAYS THAT FOR YEARS-AND UNTIL JUNE LAST WHEN SHE
MARRIED AND LEFT- SHE WAS A "MATRON" OF THE FEMALE PRISON, ON
BLACKWELL'S ISLAND. THAT SHE HAS KNOWN JOSEPH BRISCO FOR A NUMBER
OF YEARS, HAVING SUPPORTED HIM WHEN HE WAS A CHILD AND HAVING BEEN
INSTRUMENTAL IN SECURING HIM EMPLOYMENT AT DIFFERENT TIMES DURING
THE PAST NUMBER OF YEARS. THAT HE HAS HAD INNUMERABLE OPPORTUNITIES
TO APPROPRIATE DIAMONDS, WATCHES AND OTHER VALUABLE ARTICLES IN
HER KEEPING AND THAT HE HAS NEVER TAKEN ADVANTAGE OF HIS OPPOR-
TUNITIES TO DO SO, AND HAD HE BEEN SO INCLINED THERE IS NO DOUBT
BUT THAT HE WOULD HAVE DONE SO, BUT BELIEVING IN HIS HONESTY SHE
NEVER FELT ANY HESITANCY IN TRUSTING HIM-THE SAID JOSEPH BRISCO
AND THAT IN THIS RESPECT SHE HAS NEVER HAD OCCASION TO FIND ANY
FAULT WITH HIM. THAT THE MAIN TROUBLE WITH THE SAID JOSEPH BRISCO
HAS BEEN THAT HE HAS BEEN DESIROUS OF SECURING AN APPOINTMENT IN
THE "FIRE DEPARTMENT" BUT THAT OWING TO HIS YOUTH AND SIZE HE
COULD NOT POSSIBLY OBTAIN SUCH POSITION AND THAT BEING SO MUCH
INTERESTED IN ATTENDING FIRES AND WITNESSING THE WORKING OF THE
FIRE DEPARTMENT THE SAID JOSEPH BRISCO WOULD OFTEN REMAIN AT FIRES
ALL NIGHT AND IN THAT WAY HE HAS DOUBTLESS GOT INTO BAD COMPANY
IN VIEW OF HER KNOWLEDGE OF THE SAID BRISCO, EXTENDING OVER A
PERIOD OF YEARS, SHE IS OF THE OPINION THAT UNDER THE PRESENT
INDICTMENT THE INTERESTS OF THE PUBLIC WOULD BE SUBSERVED WHERE
THE SAID BRISCO TO BE COMMITTED TO THE "ELMIRA REFORMATORY"
INASMUCH AS HIS COMMITMENT TO THE SAID INSTITUTION WOULD DOUBTLESS
RESULT IN THE REFORMATION OF THE SAID BRISCO AND ON HIS DISCHARGE
MAKE HIM A RESPECTABLE AND WORTHY MANTH.

SWORN TO BEFORE ME THIS

21st DAY OF OCTOBER 1884,

Letitia Cline

James R. O'Connell
Notary Public
N.Y. County

0170

STATE OF NEW YORK,

CITY & COUNTY OF NEW YORK, SS: JOHN TUOMEY BEING DULY SWORN SAYS HE IS A DEPUTY-SHERIFF OF THE SAID CITY AND COUNTY. THAT FOR SOME YEARS PAST HE HAS KNOWN JOSEPH BRISCO, THE DEFENDANT IN A CASE NOW PENDING BEFORE YOUR HONOR. THAT HE HAS NEVER KNOWN OR HEARD OF HIS HAVING COMMITTED ANY OFFENCE OR ACTING IN ANY MANNER OTHER THAN AS A PEACEABLE CITIZEN, PRIOR TO HIS ARREST IN THE CASE AT PRESENT UNDER CONSIDERATION. THAT FROM HIS KNOWLEDGE OF THE SAID BRISCO HE IS OF THE OPINION THAT, WITH THE CONSENT OF YOUR HONOR IT WOULD BE BENEFICIAL TO THE INTERESTS OF THE PEOPLE IF YOUR HONOR WERE TO COMMIT THE SAID BRISCO TO THE "ELMIRA REFORMATORY" INASMUCH AS DEPONENT IS OF THE OPINION THAT THE COMMITMENT OF THE SAID BRISCO WOULD RESULT IN HIS REFORMATION, AND THAT WHEN DISCHARGED HE WOULD DOUBTLESS PROVE THAT YOUR HONOR'S DECISION IN COMMITTING HIM TO THE "ELMIRA REFORMATORY" WOULD HAVE BEEN A WISE ONE SWORN TO BEFORE ME THIS

11th DAY OF OCTOBER 1884,

John Tuomey

Peter R. Cary
Notary Public....
New York County

0171

STATE OF NEW YORK, CITY & COUNTY OF NEW YORK, SS: ED. A. O'CONNOR
BEING DULY SWORN SAYS HE IS ACQUAINTED WITH JOSEPH BRISCO, THAT HE
HAS KNOWN HIM FOR SOME YEARS; THAT HE HAS BEEN INSTRUMENTAL IN
SECURING EMPLOYMENT FOR HIM ON DIFFERENT OCCASIONS. THAT HE HAS
NEVER KNOWN OR HEARD OF HIM COMMITTING ANY OFFENCE OR ACTING IN
ANY MANNER OTHER THAN AS AN UPRIGHT, PEACEABLE CITIZEN. THAT HE
KNOWS OF MANY INSTANCES WHEREIN THE SAID JOSEPH BRISCO, COULD, HAD
HE BEEN SO DISPOSED, HAVE APPROPRIATED THE PROPERTY OF OTHERS AND
YET HE HAS NEVER HEARD OR KNOWN OF HIS BEING CHARGED, HERETOFORE
WITH STEALING OR WITH ANY OTHER BREACH OF THE PEACE. THAT HE HAS
NOW HEARD OF THE PRESENT INDICTMENT AGAINST THE SAID JOSEPH BRISCO
AND THAT FROM WHAT HE KNOWS OF HIM HE IS OF THE OPINION THAT IT
WOULD BE FOR THE PUBLIC GOOD TO COMMIT THE SAID JOSEPH BRISCO TO
SUCH AN INSTITUTION AS THE "ELMIRA REFORMATORY" INASMUCH AS THE
COMMITMENT OF THE SAID JOSEPH BRISCO TO THAT INSTITUTION WOULD, IN
HIS OPINION, VERY LIKELY SECURE THE REFORMATION OF THE SAID JOSEPH
BRISCO, AND BE FOR THE PUBLIC WELFARE.

SWORN TO BEFORE ME THIS 11th DAY OF
OCTOBER 1884,

Peter R. Gaters
Notary Public
New York County

E. A. O'Connor

*Mr O'Connor is one of the staff
of "Evening Telegram" detailed to
report City Hall news.*

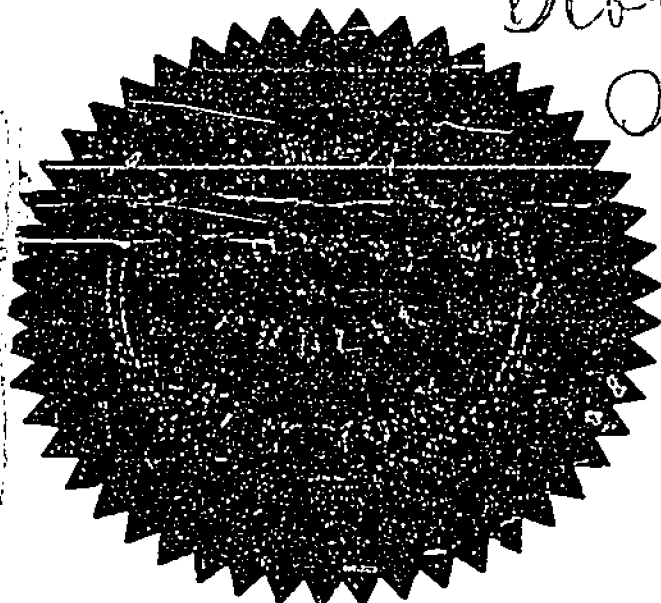
0172

STATE OF NEW YORK,
CITY & COUNTY OF NEW YORK, SS: MARY ELDER BEING DULY SWORN SAYS
SHE RESIDES AT 352 EAST 62ND STREET, N.Y. CITY. THAT FOR SOME 5 YEARS
PAST SHE HAS KNOWN JOSEPH BRISCO, THAT HE HAS RESIDED IN THE SAME
HOUSE WITH HER DURING THAT TIME. THAT SHE HAS SEEN HIM ALMOST DAILY
AND PERHAPS SEVERAL TIMES IN A DAY. THAT HE HAS HAD INNUMERABLE
OPPORTUNITIES TO APPROPRIATE PROPERTY BELONGING TO HER, BUT THAT
HE HAS NEVER TAKEN ANY PROPERTY BELONGING TO HER, NOR HAS SHE EVER
KNOWN OF HIS HAVING APPROPRIATED THE PROPERTY OF ANYONE, NOR HAS
SHE KNOWN OF HIS EVER HAVING BEEN ARRESTED, PRIOR TO THE PRESENT
CHARGE UNDER WHICH HE IS NOW HELD. THAT SHE ATTRIBUTES HIS PRESENT
IMPRISONMENT MORE TO THE EFFECTS OF BAD COMPANY THAN OF ANY OWN
SELF INTENTION TO APPROPRIATE THE PROPERTY OF OTHERS, AND THAT FROM
A PERSONAL KNOWLEDGE OF THE SAID BRISCO SHE IS OF THE OPINION THAT
IT WOULD BE UNWISE AND NOT BENEFICIAL TO THE PUBLIC GOOD TO COMMIT
THE SAID BRISCO TO A PRISON, BUT IS OF THE OPINION THAT THE COMMIT-
MENT OF THE SAID BRISCO TO THE "ELMIRA REFORMATORY" WOULD HAVE
A SALUTARY EFFECT UPON HIM AND THAT WHEN DISCHARGED FROM THAT
INSTITUTION HE WOULD DOUBTLESS PROVE HIMSELF A RESPECTABLE AND
WORTHY YOUNG MAN AND BY HIS FUTURE ACTIONS SHOW THAT SHOULD YOUR
HONOR COMMIT HIM TO THE SAID INSTITUTION, YOUR DECISION WOULD
~~BE~~ HAVE BEEN A WISE ONE.

SWORN TO BEFORE ME THIS
10th DAY OF OCTOBER 1884,

Peter R. Gatens,
Notary Public
New York County,

Mary Elder



0173

STATE OF NEW YORK,
CITY & COUNTY OF NEW YORK, SS: THOMAS J. CLINE BEING DULY SWORN SAYS
HE IS A BUILDER AND RESIDES AT 350. E. 60TH ST N.Y. CITY. THAT HE HAS
FOR YEARS KNOWN JOSEPH BRISCO. THAT HE HAS NEVER KNOWN OF HIS
EVER HAVING BEHAVED IN OTHER THAN A RESPECTABLE, PEACEABLE MANNER
PRIOR TO HIS ARREST ON THE CASE NOW PENDING BEFORE YOUR HONOR
THAT FROM HIS KNOWLEDGE OF THE SAID BRISCO HE IS OF THE OPINION
THAT THE INTERESTS OF THE PUBLIC WOULD BE FULLY PROTECTED AND
SUBSERVED BY THE COMMITMENT OF THE SAID BRISCO TO THE "ELMIRA
REFORMATORY" INASMUCH AS DEPONENT IS OF THE OPINION THAT THE
COMMITMENT OF THE SAID BRISCO AS AFORESAID WOULD RESULT IN HIS
REFORMATION, AND THAT WHEN DISCHARGED HE WOULD DOUBTLESS PROVE
THAT THE DECISION OF YOUR HONOR IN COMMITTING HIM TO THE SAID
INSTITUTION WAS A WISE ONE AND THE BEST FOR THE PUBLIC WELFARE.

SWORN TO BEFORE ME THIS

27th DAY OF OCTOBER 1884,

Peter R. Galen
Notary Public
N.Y.C.

T. J. Cline

STATE OF NEW YORK,
CITY & COUNTY OF NEW YORK, SS: PATRICK CLINE BEING DULY SWORN SAYS
HE RESIDES AT 350. EAST 60TH STREET N.Y. CITY; THAT HE HAS KNOWN
JOSEPH BRISCO FOR THE PAST EIGHT OR TEN YEARS. THAT HE HAS ALWAYS
CONSIDERED HIM A HARMLESS, INOFFENSIVE YOUTH. THAT IN THE CASE AT
PRESENT UNDER CONSIDERATION BY YOUR HONOR, HE IS OF THE OPINION
THAT THE SAID BRISCO'S OFFENCE IS DUE MORE TO THE EVIL EFFECTS
OF OTHERS, THAN OF ANY PREMEDITATED, WILFUL ACT OF THE SAID BRISCO
THAT -WITH YOUR HONOR'S CONSENT- HE IS OF THE OPINION THAT IT WOULD
BE UNWISE AND INJUDICIOUS TO COMMIT THE SAID BRISCO TO ANY PRISON
BUT IS OF THE OPINION THAT IT WOULD BE BENEFICIAL TO THE INTERESTS
OF THE PEOPLE IF YOUR HONOR WERE TO COMMIT THE SAID BRISCO TO THE
"ELMIRA REFORMATORY"; INASMUCH AS DEPONENT IS OF THE OPINION THAT
THE SAID COMMITMENT TO THE SAID INSTITUTION WOULD DOUBTLESS RESULT
IN THE REFORMATION OF THE SAID BRISCO AND THAT WHEN DISCHARGED
IT WOULD BE SEEN THAT THE DECISION OF YOUR HONOR IN COMMITTING HIM
TO THE "ELMIRA REFORMATORY" WAS A WISE ONE.

SWORN TO BEFORE ME THIS

27th DAY OF OCTOBER 1884

Peter R. Galen
Notary Public
N.Y.C.

Patrick Cline

0174

[illegible]

Dated _____ 188 _____ *Police Justice.*

0175

Sec. 198-200

4th

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Joseph Brusco 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 Brusco

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

New York City

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

Answer.

350 East 60th Street 5 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 of the charge preferred against me. I heard a noise and ran to see what was the matter. and while standing by Complainant was arrested

Joseph Brusco

Taken before me this

day of

188

Police Justice.

0176

4/ District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss/

of No.

814-3

Street,

992 St. Christopher

being duly sworn, deposes and says, that on the

29

day of

April

188

at the

night time

at

City of New York,

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

of deponent

the following property, viz:

One Silver Watch of the Value
of Twenty Eight Dollars and Chain
Silver of the Value of Two dollars
in all of the Value of
About Thirty Dollars

the property of

deponent

and that this deponent

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

Joseph Busco (nowhere)

With the intent to deprive the
owner of said property from the
fact that this deponent had the
said Watch in his vest pocket
and while deponent was going
into his house the said deponent
snatched from deponent's vest the
above Watch and ran away

John Dorney

Sworn before me this

29

day of

April

188

Police Justice,

0177

Sec. 192.

H District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.
OF NEW YORK, }

An information having been laid before John Murray a Police Justice
of the City of New York, charging Joseph Brisco Defendant with
the offence of Larceny from person

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

We, Joseph Brisco Defendant of No. 338
East 4th Street; by occupation a Laborer
and Thomas O'Reilly of No. 1091 First Avenue
Street, by occupation a Contractor Surety, hereby jointly and severally undertake that
the above named Joseph Brisco Defendant
shall personally appear before the said Justice at the H District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York, the sum of _____
Hundred Dollars.

Taken and acknowledged before me, this 30
day of April 1888

Joseph Brisco

Thomas O'Reilly

John Murray
POLICE JUSTICE.

0178

CITY AND COUNTY } ss,
OF NEW YORK, }

Police Justice.

to day

Sworn to before me, this

881

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

10350 East 60th Street and
Worth five thousand dollars
above all legal liabilities

Thomas O'Reilly

District Police Court.

THE PEOPLE, & c.,

ON THE COMPLAINT OF

vs,

Undertaking to appear during
the Examination.

Taken the day of 188

Justice,

0179

V Ex

The Complaint in Reply to
 Counsel ^{My} Watch & Chain
 were taken between 1 & 2 O'clock
 A.M. on the Night in Question
 I was inside of my door in 3rd
 Avenue bet 49th & 50th Streets
 The defendant ran away after
 he took the property and I followed
 and caught him after he had run
 about half a block. He was in
 my Company that night for say
 an hour or more in Kelly's Saloon
 Cor 3rd Ave & 30th St. I drank
 some that night. Kelly the Proprietor
 refused to give me any more liquor
 not because I was drunk but he said
 I had money & advised me to go
 home. I pulled out a fifty dollar
 bill in the saloon there may have
 been a number of people ^{in the place} ~~there~~ at the
 time. When the Sergeant in the Station
 house inquired where I lived I told him
 in 814 3rd Ave. If I had got my
 property before I went to the Station house
 I would not have made a charge ^{against}
 the defendant. He was with me in one ^{or}
 two saloons other than Kelly's on that night.
 The hallway in which I was robbed was

0180

Sworn to before me at the time of the Occurrence
John Dorney

Sworn to

Sworn to before me this
14th day of May 1884
at New York City
Justice

City and County of New York ss

Edward Kelly of 908
2nd Avenue being sworn says I am
bartender at 816 3rd Avenue & was
tending bar at said place on the
night of the alleged larceny I am
acquainted with the Complainant and
saw him in the store in company
with a young man on the night in
question. I will not swear that
the defendant is the man who was
in his company on that night. He
is a stranger to me and it may
be him though I will not swear
positively to his identity. At New York

0181

Persons were in the store at the time that it would be impossible for me to swear to the positive identity of the defendant as the person who was in the Complainant's Company.

XEX

I refused to give the complainant any drink because I considered he had enough at the time. He was neither noisy or boisterous. He asked for a cigar and I gave one to him.

Edward Kelly

Seen to before me this }
19th day of May 1884 }
Henry James Police Justice }

0182

Thomas W Roe of the 19th
Precinct Says I am the
Officer who made the arrest in
this case it was about 2 o'clock
in the morning I found no
property on the defendant at the
time of the arrest - The Complainant
was intoxicated he told me he
lived in 814 East 37 St -

Thomas W Roe

Sworn to before me this
4th day of May 1884 }
H. M. J. Justice

Joseph Brisco the defendant
 Says on his examination I am
 employed at present by the Iron
 Steamboat Company I never
 saw the Complainant before
 the night of the alleged larceny
 I was not in his company
 on that night as I had been
 to the Working Match and left
 there about 1.20 O'clock A.M.
 And walked home & as I got
 to 88 St I heard the cry of Police
 I went to see what was the matter
 And saw two men go over a fence
 And saw the Complainant lying
 on the sidewalk & when he got up
 I asked what was the matter
 he then took hold of me & had
 me arrested

Joseph Brisco

Sworn to before me this
 18th day of May 1884 }
 H. J. [Signature] Police Justice }

0 184

Office of the City Record,

No. 2 City Hall.

New York, May 22nd 1884

Hon. C. C. City Council

Dear Sir,

Enclosed you will find Testimony in a case in which I am deeply interested. I desire to see you before anything is done in the matter, I feel satisfied from the testimony and what I hear of the case that this party is innocent.

Very Respect Yours.
C. H. Smith

0 185

*In the matter of Dorney, Complainant Vs
Brisco, Def't. from Yorkville Court*

THE COMPLAINANT DORNEY STARTED OFF ON THE NIGHT OF THE OCCURRENCE COMPLAINED OF FOR A GOOD TIME, IT DOES NOT APPEAR AT JUST WHAT TIME HE STARTED OFF, BUT HE CLAIMS THAT HE MET THIS DEFENDANT ON THIRD AVENUE. HE ADMITS THAT HE DID NOT KNOW THE DEFENDANT AT ALL, YET HE SAYS HE ASKED HIM TO COME ALONG AND HAVE A DRINK ALTHOUGH AS HE STATES HIMSELF HE NEVER KNEW THE DEFENDANT AT ALL, IN OTHER WORDS HE ADMITS HIMSELF THAT HE MASKED THE FIRST MAN HE MET TO COME AND HAVE A DRINK HE CLAIMS THAT HE WAS IN THE SALOON OF ONE KELLY DRINKING FOR OVER AN HOUR AND THAT HE REMAINED IN SAID KELLY'S SALOON UNTIL THE BAR-TENDER REFUSED HIM ANY MORE LIQUOR AND THE BAR-TENDER REQUESTED HIM TO LEAVE THE SALOON. HE CLAIMS THAT AFTER HE LEFT THE SALOON HIS WATCH WAS TAKEN FROM HIM. HE SWEARS THAT THE OCCURRENCE TOOK PLACE IN A HALL-WAY. THAT THERE WAS NO LIGHT WHATEVER IN THE SAID HALL AT THE TIME OF THE ALLEGED OCCURRENCE, THAT IT WAS COMPLETELY DARK. HE ADMITS THAT THE LIQUOR SALOON IN WHICH HE HAD LAST BEEN DRINKING WAS CROWDED, THAT THERE WERE MANY PERSONS IN IT. THAT HE EXHIBITED MONEY IN IT, THAT EVERYONE IN THE SALOON COULD SEE THE MONEY. HE SWEARS THAT THE PERSON WHO TOOK HOLD OF HIS WATCH IN THE DARK HALL WHERE THE OCCURRENCE TOOK PLACE RAN OUT OF THE HALL AND SHUT THE DOOR AFTER HIM. THAT HE LOST SIGHT OF THIS PERSON HE ADMITS. HE GOES ON AND STATES THAT WHEN HE GOT FROM THE HALL TO THE DOOR, WHICH HALL DOOR WAS SHUT, THAT HE OPENED THE DOOR AND RAN INTO THIRD AVENUE HE THEN STATES THAT HE RAN AROUND THE CORNER OF THE STREET ABOVE-MIND HE SWEARS THAT HE RAN AROUND A CORNER- AND ABOUT THREE QUARTERS OF A BLOCK AFTER RUNNING AROUND THE CORNER HE SEIZED HOLD OF THIS DEFENDANT. HE ADMITS THAT FROM THE TIME HE REACHED THE STREET AFTER COMING OUT OF THE HALL-WAY WHERE THE ALLEGED OCCURRENCE TOOK PLACE, THAT HE HAD ALL THE TIME BEEN SHOUTING "POLICE" AS LOUD AS HE COULD.

WHEN THE POLICE OFFICER CAME UP HE CHARGED THE DEFENDANT WITH BEING THE PERSON WHO HAD SEIZED HOLD OF HIS WATCH.

THE DEFENDANT IN HIS DEFENCE STATES THAT HE WAS AT THE GREAT WALKING MATCH ON THE NIGHT IN QUESTION. THAT HE LEFT THERE IN THE NEIGHBORHOOD OF TWO O'CLOCK IN THE MORNING. THAT HE WAS WALKING TO HIS HOME. THAT AS HE CAME TO THE CORNER OF 50TH STREET HE HEARD A CRY OF POLICE. THAT HE WENT TO SEE WHAT WAS THE MATTER. THAT HE SAW TWO MEN ON THE OPPOSITE SIDE OF THE STREET RUN INTO A MARBLE YARD. THAT HE SAW THIS COMPLAINANT LYING ON THE SIDEWALK. THAT HE ASKED THE COMPLAINANT WHAT WAS THE MATTER AND THAT THE COMPLAINANT WHO WAS GROSSLY INTOXICATED SEIZED HOLD OF HIM. THAT A CROWD HAD MEANWHILE GATHERED AND THAT WHEN THE POLICE OFFICER CAME UP THE COMPLAINANT IN HIS DRUNKENNESS CHARGED THIS DEFENDANT WITH HAVING HIS WATCH.

THE POLICE OFFICER IN HIS TESTIMONY SWEARS THAT THE COMPLAINANT WAS INTOXICATED AND WAS HOLDING ON TO THE DEFENDANT WHEN HE CAME UPON THE SCENE. AND THAT THE COMPLAINANT CHARGED THAT THE DEFENDANT HAD HIS WATCH. THE OFFICER SWEARS THAT UPON AN EXAMINATION IT WAS LEARNED THAT THE DEFENDANT DID NOT HAVE ANY PROPERTY BELONGING TO THE COMPLAINANT WHATEVER THAT THE WATCH IN QUESTION WAS NOT FOUND EITHER ON OR NEAR THE PLACE WHERE THE COMPLAINANT SEIZED HOLD OF THE DEFENDANT BUT THAT A LONGTIME AFTER THE SAID WATCH WAS FOUND A LONG DISTANCE FROM WHERE THE DEFENDANT WAS SEIZED HOLD OF BY

0186

NO. 2.

THIS COMPLAINANT. THE OFFICER FURTHER SWEARS THAT AT THE TIME THE COMPLAINANT CHARGED THE DEFENDANT WITH HAVING HIS WATCH THE COMPLAINANT WAS INTOXICATED. THE OFFICER FURTHER SWEARS THAT WHEN THEY REACHED THE POLICE STATION THE COMPLAINANT WAS SO MUCH INTOXICATED THAT WHEN ASKED HIS RESIDENCE HE STATED THAT HE LIVED AT NO. 814 EAST 51 ST STREET, BEING INFORMED THAT THERE WAS NO SUCH LOCATION AS 814 EAST 51 ST STREET HE STATED THAT HE LIVED AT 814 EAST 50TH STREET, AGAIN BEING INFORMED THAT THERE WAS NO SUCH LOCATION HE STATED HE LIVED AT NO. 814 THIRD AVENUE.

ON HIS EXAMINATION COMPLAINANT CLAIMED THAT THE BAR-TENDER OF KELLY'S SALOON, IN WHICH HE CLAIMED TO HAVE BEEN DRINKING WITH THE DEFENDANT FOR OVER AN HOUR, WOULD CORROBORATE HIS STATEMENTS.

THE BAR-TENDER HAVING BEEN SUBPOEANED AND BEING CALLED AS A WITNESS ON THE PART OF THE COMPLAINANT, SWEARS THAT THE COMPLAINANT WAS NOT IN HIS SALOON FOR OVER AN HOUR AS CLAIMED BY COMPLAINANT. THE BAR-TENDER SWEARS THAT COMPLAINANT WAS ONLY IN HIS SALOON FOR A FEW MINUTES. THAT THE COMPLAINANT WAS INTOXICATED AND THAT HE POSITIVELY REFUSED TO SELL HIM ANY LIQUOR AS HE WAS AT THAT TIME VERY MUCH UNDER THE INFLUENCE OF LIQUOR AND THAT HE REQUESTED THE COMPLAINANT TO LEAVE THE SALOON.

THE BAR-TENDER FURTHER SEWARS THAT THE DEFENDANT WAS NOT IN HIS SALOON ON THE NIGHT IN QUESTION. THAT THE DEFENDANT WAS XNOT IN HIS SALOON IN COMPANY OF THIS COMPLAINANT NOR IN THE COMPANY OF ANYONE, OR ALONE, THAT THE BARTENDERS KNOWS OF.

IN HIS TESTIMONY THE COMPLAINANT SWEARS THAT HE WOULD NOT HAVE CHARGED THIS DEFENDANT WITH THE OFFENSE AT ALL ONLY THAT HE WANTED TO GET BACK HIS WATCH. FROM THIS STATEMENT IT WILL BE SEEN THAT THE COMPLAINANT WAS UNDER THE IMPRESSION THAT, THE WATCH BEING IN THE CUSTODY OF THE POLICE, IT WAS ABSOLUTELY NECESSARY THAT HE SHOULD CHARGE ~~SEME~~ THIS DEFENDANT WITH HAVING ATTEMPTED TO TAKE IT IN ORDER THAT HE MIGHT REGAIN POSESSION OF IT.

FROM ALL OF THE FOREGOING IT WILL BE SEEN THAT THE COMPLAINANT DORNEY ON HIS PAY NIGHT INSTEAD OF GOING TO HIS HOME AND WITH HIS MONEY PROVIDING FOR THE WANTS OF HIS FAMILY STARTED OFF TO HAVE A NIGHTS DEBAUCHERY. FROM THE EVIDENCE OF THE BAR-TENDER WHO WAS CALLED AS A WITNESS BY THE COMPLAINANT HIMSELF IT WILL BE SEEN THAT THE BAR-TENDER SWEARS THAT THE COMPLAINANT WAS SO INTOXICATED THAT WHEN HE CAME INTO HIS SALOON HE POSITIVELY REFUSED TO SELL THE COMPLAINANT ANY MORE LIQUOR AND REQUESTED HIM TO LEAVE THE SALOON.

IT IS A FACT WELL-KNOWN TO ANY PERSON WHO HAS LIVED IN THE CITY OF NEW YORK FOR ANYTIME THAT BAR-TENDERS SELDOM REFUSE TO SELL LIQUOR TO PERSONS WHO HAVE AND EXHIBIT THE MONEY WHEREWITH TO PAY FOR THE SAME. IT IS A BAR-TENDERS BUSINESS TO SELL LIQUOR TO ANY MAN HE CAN WHO HAS THE MONEY TO PAY FOR IT, THAT IS THE WAY HE MAKES HIS LIVING, THAT IS WHAT SALOONS EXIST FOR AS IS WELL KNOWN TO EVERY MAN AND WHEN A BAR-TENDER REFUSES TO SELL A MAN LIQUOR ON THE GROUND THAT THE MAN HAS ALREADY DRANK TOO MUCH LIQUOR, THEN IT CAN SAFELY BE SAID- INDEED IT MAY BE TAKEN AS AN UNDENIABLE FACT- THAT SUCH A MAN MUST BE VERY MUCH UNDER THE INFLUENCE OF LIQUOR AND THAT THE UNSUPPORTED STATEMENTS OF SUCH A MAN SHOULD CERTAINLY NOT BE ACCEPTED, AS AGAINST THE STATEMENTS OF A SOBER MAN OF GOOD CHARACTER.

0187

NO.3.

THE POLICE OFFICER HAS KNOWN THE DEFENDANT FOR A NUMBER OF YEARS AND CAN VOUCH FOR HIS HONESTY, AS CAN OTHER REPUTABLE CITIZENS.

THE DEFENDANT JUSTIFIES HIS PRESENCE AT THE TIME AND PLACE OF THIS OCCURRENCE. HE WAS COMING HOME FROM THE GREAT WALKING MATCH AN EVENT IN WHICH OVER FIFTY THOUSAND CITIZENS TOOK AN INTEREST AND ATTENDED, FULLY TWENTY THOUSAND OF WHOM OFTEN REMAINED UNTIL ONE, TWO AND THREE O'CLOCK IN THE MORNING AND MANY OF WHOM OFTEN REMAINED THE WHOLE NIGHT AT THE MADISON SQUARE GARDEN. THIS DEFENDANT WAS ON HIS WAY HOME FROM THE WALKING MATCH. HE HAD TO PASS THE CORNER WHERE THIS OCCURRENCE TOOK PLACE AS ALLEGED.

WHETHER THIS COMPLAINANT WAS ASSAULTED OR NOT IN THE MANNER HE ALLEGES OR WHETHER HE BECAME ENGAGED IN A DRUNKEN ALTERCATION WITH OTHERS IS NOT QUESTIONED. THERE IS NO ONE WHO CARES TO QUESTION IT. BUT THERE CAN BE NO DENIAL OF THE FACT SWORN TO BY THE POLICE OFFICER—WHO IS A DISINTERESTED WITNESS— AND ALSO SWORN TO BY THE BAR-TENDER WHOM THE COMPLAINANT CALLED AS A WITNESS IN HIS BEHALF— THAT THE COMPLAINANT WAS GROSSLY INTOXICATED, SO MUCH INTOXICATED THAT FOR SOMETIME HE COULD NOT REMEMBER WHERE HE LIVED AND SO MUCH INTOXICATED THAT THE BAR-TENDER POSITIVELY REFUSED TO SELL HIM ANY LIQUOR WHATEVER AND REQUESTED HIM TO LEAVE HIS PLACE.

THE DEFENDANT POSITIVELY SWEARS THAT HE NEVER SAW THE COMPLAINANT IN HIS LIFE UNTIL THE TIME DEFENDANT WENT UP TO SEE WHAT WAS THE MATTER AND THE COMPLAINANT WHO WAS DRUNK SEIZED HOLD OF HIM

FROM ALL THE FOREGOING STATEMENTS—EVIDENCE IN THE CASE— IT WOULD SEEM EVIDENT THAT IF THE COMPLAINANT WAS ASSAULTED AT ALL IN THE MANNER CLAIMED, THAT HE WAS SO INTOXICATED AT THE TIME AS TO BE UNABLE TO DISTINGUISH HIS ASSAILANT AND THAT HE SEIZED HOLD OF THE FIRST PERSON HE MET, AND THERE IS NOTHING IN THE EVIDENCE THAT WOULD JUSTIFY THE DEFENDANT BEING PLACED ON HIS DEFENSE.

IT IS EVIDENT FROM THE USES TO WHICH THE COMPLAINANT PUT HIS MONEY, VIZ; TO GO OFF AND GET DRUNK INSTEAD OF BRINGING IT HOME TO HIS FAMILY, THAT TIME IS OF VERY LITTLE ACCOUNT WITH HIM. BUT WITH THE DEFENDANT IT IS DIFFERENT. SHOULD HE BE COMPELLED TO LOSE TIME AND THEREBY FORFEIT HIS EMPLOYMENT AND AT A LOSS ON ACCOUNT OF THE STATEMENTS OF THIS IRRESPONSIBLE COMPLAINANT HE WILL HAVE NO REMEDY.

IS THE LIBERTY OF CITIZENS TO BE AT THE MERCY OF SUCH MEN AS THIS COMPLAINANT WHO ROAM THE STREETS UNDER THE INFLUENCE OF LIQUOR AND WHO IN CASE OF GETTING INTO A FIGHT OR MEETING WITH TROUBLE INTO WHICH THEIR ACTIONS ARE LIKELY TO BRING THEM, ARE LIABLE TO MAKE A COMPLAINT AGAINST ANY RESPECTABLE MAN ?

ARE CITIZENS TO BE PUT ON THEIR DEFENSE ON THE UNSUPPORTED STATEMENTS OF SUCH A CHARACTER AS THIS COMPLAINANT IS SHOWN TO BE BY THE AFFIDAVITS OF THE POLICE OFFICER AND THE BAR-TENDER WHOM IT MUST BE REMEMBERED ARE DISINTERESTED WITNESSES IN THE CASE. THE BAR-TENDER HAVING IN FACT BEEN SUBPOEANED BY THE COMPLAINANT HIMSELF.

0 188

BOX:

138

FOLDER:

1423

DESCRIPTION:

Brodie, Daniel

DATE:

05/01/84



1423

Witnesses:

Charles Simmons

47 Baxter St.

John J. O'Brien

Officer 6th Prec

28

Counsel,

Filed 1 day of May 1884

Pleads

Not guilty &

THE PEOPLE

vs.

P

Daniel Brodie

Grand Larceny (2nd degree)
(From the person)
[Sections 528, 531, -- Penal Code]

PETER B. OLNEY,

District Attorney.

I & May 15/84
Brid. & acquitted.
A True Bill.

John W. O'Leary Foreman.

May 15, 1884
135
Middle

May 15, 84 4/100

0189

0190

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Daniel Brodie

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

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

The said Daniel Brodie

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
twenty eighth day of April in the year of our Lord one thousand
eight hundred and eighty-eight, in the day time of the said day, at the Ward, City and
County aforesaid, with force and arms, a watch of the value

of sixty dollars, and one finger
ring of the value of twenty five
dollars

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

Peter B. O'Connell

District Attorney

Dated _____ *188* _____ *Police Justice*

Dated _____ *188* _____ *Police Justice*

0 192

Sec. 198—200.

1st District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Daniel Brodie

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 Daniel Brodie

Question. How old are you?

Answer 33 years

Question. Where were you born?

Answer. New York

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

Answer. 149 Leonard Street, all my life

Question What is your business or profession?

Answer Dyer

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 stealing the property the complainant gave it to me.

Daniel Brodie

Taken before me this

day of April 1888

Police Justice.

0193

First

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss.

White washer

of No.

47 Baxter

Street.

Charles Simmons, aged 45 years,

being duly sworn, deposes and says, that on the

28th

day of

April

188

4

in the day time at the

City of New York,

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

of deponent and from his person with the unlawful intent to deprive the true owner of the following property, viz:

One Gold Watch of the value of sixty dollars
and a Gold Ring of the value of twenty five dollars all of
the value of eighty five dollars \$85.00

Statement of deponent

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

Daniel Brodie (nowhere)

from the fact that while deponent was standing in front of his residence he said defendant came up to deponent and engaged in a conversation with him after talking a few moments he said defendant seized a hold of deponent's Watch Chain which was attached to said Watch pulled the Watch from the Pocket of the vest worn by deponent and then broke the Watch from the Chain and immediately ran away with it and escaped. Deponent further says that he also took said Gold Ring from deponent's hand at said time and that said

Deponent's statement

1887

0 194

felony was committed between the hours of 4 and 5 o'clock
P.M. on said day. He deponent then went to the Station
house and notified them of the facts in the case
that at about 9 o'clock P.M. deponent saw said
defendant in the custody of Officer John J.'Brien
of the 6th Precinct - who had arrested him said
defendant for said offence whereupon deponent
identified him as the man who had so
feloniously took Stolo and carried away said
property and he therefore asks that he be held
to answer and dealt with according to law

Sworn before me this
29th day of April 1884.
J. J. Conroy

Charles J. Simmons
Magistrate

Police Justice

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFFIDAVIT - Larceny.

vs.

Dated _____ 188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0195

BOX:

138

FOLDER:

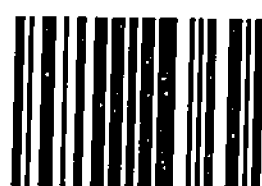
1423

DESCRIPTION:

Brown, Charles

DATE:

05/20/84



1423

Witnesses:

Charles Ulman

129 E 73 St

17th Pkwy, Queens

24 Dec

106

M. A. Hoffman

Counsel,

Filed 20 day of May 1887

Pleads

Indictment

THE PEOPLE

vs.

F

Grand Larceny 2nd degree
(From the person)
[Sections 528, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

Charles Brown

John Brown

PETER B. OLNEY,

District Attorney.

A True Bill.

Am. N. W. Foreman

May 20 1887

Charles H. H. H.

Per: one year & 6

0 196

0197

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Charles Brown

The Grand Jury of the City and County of New York, by this indictment, accuse
Charles Brown of the Crime of Attempting
to commit
the CRIME OF GRAND LARCENY in the Second degree, committed as follows:

The said Charles Brown

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
Fifteenth day of May in the year of our Lord one thousand
eight hundred and eighty-eight, in the day time of the said day, at the Ward, City and
County aforesaid, with force and arms, stole a watch of the

value of five dollars and

one chain of the value of

three dollars

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

Peter B. Cheney

District Attorney

0198

Police Court—First District.

Affidavit—Larceny.

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

Max L. Ulman

of No. 129 East 73
occupation clerk

Street, aged 16 years,
being duly sworn

deposes and says, that on the 15 day of May 1888 at the City of New
York, in the County of New York, was feloniously ^{attempted to be} taken, stolen and carried away from the possession
of deponent, ^{and from deponent's person} in the day time, the following property viz:

One Silver watch and silver watch
chain
attached in all of the value of fifteen
dollars

the property of Sigmund Ulman deponent's father

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by Charles Brown (nowhere) from
the fact that while deponent was
standing in a crowd on the corner
of Courtlandt Street and Broadway
said defendant pulled on said chain
attempting to take said property from
the vest then and there worn by deponent

Max L. Ulman

Sworn to before me, this 15 day
of May 1888
[Signature]
Police Justice.

0199

106
185
1836
Police Court, District
THE PEOPLE, &c.,
on the complaint of
Mary McMan
129 East 73 St
Charles Brown
1
2
3
4
MAY 17 1884
Dated 15 May 1884
P. W. Sullivan, Magistrate
William J. Lynn, Officer
27 Precinct
Witnesses,
No. Street
No. Street
No. Street
No. Street
508 Sessions
508 Sessions

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Charles Brown 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 15 May 1884 P. W. Sullivan Police Justice.
I have admitted the above named Charles Brown to bail to answer by the undertaking hereto annexed.
Dated _____ 1884 _____ 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 _____ 1884 _____ Police Justice.

0200

Sec. 198-200.

District Police Court.

CITY AND COUNTY { ss
OF NEW YORK,

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

Question What is your name?

Answer Charles Brown

Question. How old are you?

Answer 15 years

Question. Where were you born?

Answer. New York

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

Answer. 373 Henry St. 9 mos

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 not guilty

Charles Brown

Taken before me this

Police Justice.

0201

BOX:

138

FOLDER:

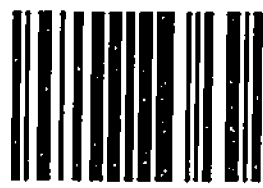
1423

DESCRIPTION:

Brown, George

DATE:

05/09/84



1423

See Capt.

Witnesses:

Capt. A. B. Pearce
Middlebury, Conn.
Newport
Henry Brown
288 Franklin
and
Office Lynch
44 Quaker
See a receipt for
the sum he now
represents

✓
A. B. Pearce

Counsel,

Filed 9 day of May 1884

Pleads

Chotzqually

THE PEOPLE

17th Nov. 28.

George Brown

Grand Larceny (from the person) 2nd degree
[Sections 528, 531, Penal Code]

PETER B. OLNEY,

District Attorney.

Read reviewed &
A True Bill.

A. M. Kirby
Foreman.

George Brown

See 24. 7. 7.

POOR QUALITY
ORIGINAL

0202

0203

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

George Brown

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

George Brown

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

The said George Brown

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
twenty eighth day of April — in the year of our Lord one thousand
eight hundred and eighty-four, in the day time of the said day, at the Ward, City and
County aforesaid, with force and arms,

one watch of the
value of eighteen dollars, and
one chain of the value of two
dollars.

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

Peter B. Orney,

District Attorney.

0204

PART 2

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

To See Recorder *Smyth*
SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To *Off Lynch*

of No. _____

Street,

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *26* day of *June* instant, at the hour of eleven in the forenoon of the same day, to testify the truth, and give evidence in our behalf, against

George Brown
in a case of Felony whereof *he* stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

Witness, Hon. FREDERICK SMYTH, Recorder, of our said City, at the City Hall, in our said City, the first Monday of *June* in the year of our Lord 188 *4*

JOHN McKEON, District Attorney.

0206

Police Court—First District.

Affidavit—Larceny.

City and County } ss.:
of New York, }of ~~No.~~ Schooner David Curry lying out of 63 ^{East River} Street, aged 34 years,
occupation Captain being duly sworndeposes and says, that on the 28 day of April 1884 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, ~~and from deponent person~~ in the day time, the following property viz:

ONE Silver watch and plated chain
attached in all of the value of twenty
dollars

the property of deponent.

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by George Brown (now here) from
the fact that while deponent was on
Park Row in said city, looking at a Bulletin
deponent felt some person pulling at his
vest deponent immediately look down and
missed the aforesaid property from his
vest then and there warning the deponent
when deponent looked around and saw
said defendant dropped the aforesaid
chain on the sidewalk thereupon deponent
seized said defendant, ^{and held him} until Officer John
Lynn arrived when deponent caused
said defendant's arrest.

Wherefore deponent charges said defendant
with taking, stealing, and carrying away the
aforesaid property from deponent's person

William A. Pease

Sworn to before me, this
day of April 1884
at New York
Police Justice.

0207

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question What is your name?

Answer

George Brown

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.

288 Front St. about 1 year

Question What is your business or profession?

Answer

Cutting Road Leather

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

Answer.

I am not guilty

George Brown

Taken before me this
day of

188

Police Justice.

0200

BOX:

138

FOLDER:

1423

DESCRIPTION:

Burke, Frank

DATE:

05/21/84



1423

Ellen W. Hale

72 River St.

Sturgeson appears
Frederick.

Her application

St

13

Counsel,

Filed 2/ day of *the day* 188 ~~4~~

Pleads

Grand Larceny (not degree)
(From the person.)
[Sections 528, 530, Penal Code].

THE PEOPLE

214.

Frank Burke

PETER B. OLNEY,

District Attorney.

A True Bill.

Forman.

May 2/84

6/1/04
Wm. G. J. - 2009

24th March
Well May 23/94 Fd

22

0209

02 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

Frank Burke

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

Frank Burke

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

The said *Frank Burke*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *Seventeenth* day of *May* in the year of our Lord one thousand eight hundred and eighty*four*, in the *night* time of the said day, at the Ward, City and County aforesaid, with force and arms, *one promissory note* for the payment of money of the kind known as United States Treasury notes, the same being then and there due and unsatisfied, for the payment of and of the value of *five* dollars, *one other promissory note* for the payment of money of the kind known as Bank notes, the same being then and there due and unsatisfied, for the payment of and of the value of *five* dollars, and *two other promissory notes* for the payment of money of the kind known as United States Treasury notes, the same being then and there due and unsatisfied for the payment of and of the value of *one dollar each*

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

Peter B. Olney,

District Attorney

0211

123 ✓ 1500
Police Court District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Eleen Whalen
72 Court St.
Francis Burke

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 _____
No. _____
Street _____
to answer Sessions.

County Magistrate.
Herald
City Hall
Prison

Dated May 18 188
Office
Offence Larceny from the Person

RECEIVED
MAY 20 1884
CLERK OF THE COURT

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

Francis Burke

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

Dated May 18 188 Police Justice.

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

Dated _____ 188 Police Justice.

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

Dated _____ 188 Police Justice.

02 12

Sec. 198-200.

District Police Court.

CITY AND COUNTY {
OF NEW YORK, ss

Francis Burke 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 *Francis Burke*

Question. How old are you?

Answer *24 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *77 Washington St (resided there 14 years)*

Question What is your business or profession?

Answer *Drum 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*
Francis Burke

Taken before me this

day of *February* 188*8*

Police Justice.

0213

Police Court—

District.

Affidavit—Larceny.

City and County } ss.:
of New York,

of No. 72 Oliver Street, aged 71 years,
occupation Housekeeper being duly sworn

deposes and says, that on the 17 day of May 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the night time, the following property viz: from complainant

one five dollar bill
Two one dollar bills and
and lawful money of
the United States

all of the value of seven 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 Francis Burke (now present)

from the fact that said
Burke snatched the above
described amount of money
whilst she was walking
in City Hall Park fresh
department rig & hand

Ellen Whalen
mark

Sworn to before me, this 17 day of May 1888
of Ellen Whalen
Police Justice.

02 14

BOX:

138

FOLDER:

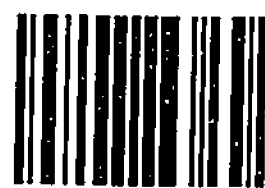
1423

DESCRIPTION:

Bush, John

DATE:

05/14/84



1423

02 15

Witnesses:

Maggie McDonald
416 E 17th St
May Bush
188 Vaneck St

My
M. Regalancy
Accidental
in the Court
to

cl^o 71

Counsel, *McKee*
Filed 14 day of May 188 *X*
Pleads *April July 15*

THE PEOPLE
vs.
John Bush
H.D.
[Sections 298 and 300, Penal Code].

PETER B. OLNEY,
District Attorney.

A TRUE BILL.

A. M. Murray
Foreman.
Wm. B. McDonald
James D. Dwyer
1416 E 17th St

0216

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Bush

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

of the CRIME OF

Bigamy,

committed as follows:

The said

John Bush

late of the First Ward of the City of New York, in the County of New York aforesaid, on the Eighteenth day of August in the year of our Lord one thousand eight hundred and seventy eight, at the City and County aforesaid, did marry one Mary Egan, and then the said Mary Egan did then and there have for his wife. And the said John Bush, afterwards to wit: on the twenty ninth day of July in the year of our Lord one thousand eight hundred and eighty two, at Stapleton in the County of Richmond, with force and arms feloniously did marry and take as his wife one Maggie Mc Donald, and to the said Maggie Mc Donald was then and there married, the said Mary Egan being then living and in full life: against the

0217

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.

And the Grand Jury afore-
said do say, that the County
of New York is the county in
which the said John Bush
was arrested for the crime
hereinbefore set forth.

Peter B. Olney,
District Attorney.

POOR QUALITY
ORIGINAL

02 18

Certificate of Marriage.
STATE OF NEW YORK.

I Hereby Certify, that John Rush and
Mary Egan were joined in marriage by me, in
accordance with the Laws of the State of New York, in the City of
New York, this Eighteenth day of Aug 1878.

Witnesses to the Marriage:

Richard Duckett

Samuel Dill

Attest,

J. Griffin Jones
Official Station, Min. Post Office Clk.

Residence, 139 W. Houston St.
New York

POOR QUALITY
ORIGINAL

02 19



CERTIFICATE OF MARRIAGE.

This is to Certify,

that Mr. John. Busch

and Mr. Maggie. Mc Donald

were by me, the undersigned,

United in Marriage,

according to the LAW of GOD,

and the State of New York at Applinton

on the 29 day of July in the Year of

OUR LORD, 1882

Witness:

Henry Tholmes
Harman Handley

A. Busch

Pastor.

Applinton the 29 day
of July 1882

0220

Mary Bush being duly sworn says.
I know John Bush I am his wife I was
married ^{the 18th of} August 6 years ago to him
I identify the prisoner as my husband.
I recognize that as being my marriage
certificate I was married in the church
corner of Thompson and Jones I have been
living in this state all the time. I have
gone up with him
Answer Examined

I was married August 18th
1848 that is the certificate I had the rights
I was married and I had it sworn I was
never married before; I am living
with a man by the name of White
Eggar. He was in the second Lane during
28th March & his my father's name was
Samuel Eggar the son of Correllia, he is
an oyster man I was about 18 months
years old I was never married before
I was married to him I was never married
before I was a single woman, I never
appeared for any divorce I do not know
of the law. There were no papers served
on me.

Replied

~~Replied~~ the time of marriage to
the defendant up to August 1848.
I lived alone for some years

0221

and then I lived with white and I never left
the state or the County & he knew where
to find me

From before
me, this Edge of my (184)
Hester M. Hester
Police Justice } Mary Bush

Mary M. Desmott.
being duly sworn deposes & says!
I reside at 416 East 44th Street with
my parents I know the person there
her is my husband. I was married
to him in Stapleton Staten Island, I
recognize that as being my certificate
I was married on the 29th of July, 1882
Harry Hadden is my witness & Herman
Klinger they live at Stapleton S.I.
when I was married I was a single woman
I don't know he was married at the
time

Gives Examined

His aunt told me of it after I
was married to him a couple of
months, I didn't live with him
since Thursday before last Christ
it was 4 or 5 months after I was married

0222

that his aunt told me he was married
lived with him until Mrs Egan
came around & enquired for him
she came around in November. Last
week me he was married to her daughter
& on Thursday I went home & stayed
there, I made the complaint in January
1884. I am 20 years of age.

Seen to before me
this 3 day of May 1884
Maggie M^{rs} Dond
Andrew White
Police Justice

0223

New York May 22/84

Hon Frederick Smythe
Recorder

Dear Sir!

the defendant
Mr John Bush I know him
for the past ten years he has
been in my employ for over
two years and I always found
him to be an honest hard
working young man for truth
and integrity I know of no
better...

Respectfully Yours

Morris Kraus
85 Washington Market
New York City

0224

ofc 71 1314
Police Court 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary Smith

1 John Smith

Offence Begging

Dated January 21 188

Magistrate.

Officer.

Precinct.

Witnesses

No. 1 Mary Smith

No. 2 John Smith

No. 3 Mary Smith

No. 4 John Smith

No. 5 Mary Smith

No. 6 John Smith

No. 7 Mary Smith

No. 8 John Smith

No. 9 Mary Smith

No. 10 John Smith

No. 11 Mary Smith

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No. 300 John Smith

No. 301 Mary Smith

0225

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

POLICE COURT

DISTRICT.

of No.

Street, being duly sworn, deposes and

says that on the

day of

188

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

Mary Bush
of No. 15th Street, being duly sworn, deposes and
 says that on the *15th* day of *August* 188*7*
 at the City of New York, in the County of New York, *she was married*
to one John Bush, by the
Reverend D. Griffin Connor
a Minister of the Protestant
Episcopal Church, in said
City and County. - That defendant
lived with said John Bush as
his wife for the space of two
Months and cohabited with
him as his wife, during the
said period - That defendant
is informed by one Maggie Mc
Donald, that she (Maggie) was
married to defendant's husband
said John Bush on the 29th
day of July 1882. - That de-
-fendant has not been divorced
from said John Bush by any
Court of competent jurisdiction
and is still his wife in law
and fact. - Defendant therefore
judges that said John Bush
has committed the crime of
Bigamy and prays that he
may be arrested and dealt
with as the law directs

Sworn before me this 25th January 1887
Mary Bush
Plaid

0226

City County of New York ss
 Maggie McDonald 24y.
 a Domestic, of No 416. East 49th
 Street being duly sworn dep that
 on the 29th day of July 1882
 she was married to one John
 Rush, by the Reverend A.
 Kremer, at Stapleton, Richmond
 County in the State of New York
 that defendant has been in
 company with said John Rush
 and Mary Rush, when said
 Mary Rush claimed to have
 been married to said John Rush
 on the 18th day of August 1878,
 that the said John Rush is
 claimed by Mary Rush as her
 husband, is the person that
 was married to defendant on the
 date aforesaid -

Sworn before me this } Maggie McDonald
 25 January 1884 }
 Charles J. White }
 Police Justice.

Mr. John J. White District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Mary Rush

vs.

John Rush

Date January 25 1884

Magistrate.

Officer.

Witness.

Disposition.

30 days 12 AM

3. - 3. PM

+ And that defendant was in said John
 Rush as his wife for the space of one
 year and a half thereafter -

0227

Sec. 151.

Police Court 2d District.

CITY AND COUNTY } ss. In the name of the People of the State of New York; To the Sheriff of the County
OF NEW YORK, } of New York, or to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by Mary Rush
of No. 1st Avenue Street, that on the 29 day of July
1887 at the City of New York, in the County of New York,

one John Rush committed the crime
of Bigamy by marrying one Maggie Mc
Donald, while complainant was his lawful
wife.

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to
answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant, and bring
forthwith before me, at the 2d District Police Court, in the said City, or in case of my absence
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
be dealt with according to law.

Dated at the City of New York, this 25 day of January 1887
James J. Murray POLICE JUSTICE.

191 Green St
Police Court 2d District.

THE PEOPLE, Ac.,
ON THE COMPLAINT OF

Mary Rush
vs

John Rush

Warrant-General.

Dated January 25 1887

John T. Murray
Magistrate.

Holly
Officer.

The Defendant John Rush
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

James J. Murray
Police Officer.

Dated 1887

This Warrant may be executed on Sunday or at
night.

James J. Murray
Police Justice.

REMARKS.

Time of Arrest, January 25 1887

Native of N.Y.

Age, 25

Sex, Male

Complexion, Light

Color, White

Profession, Bookkeeper

Married, Yes

Single, Yes

Read, Yes

Write, Yes

191 Green St

0228

BOX:

138

FOLDER:

1423

DESCRIPTION:

Byrne, Patrick

DATE:

05/02/84



1423

Witnesses =

Henry Vogel

142 Essex St

Counsel,

Filed 29 day of May

1884

Pleads

Forgery in the Second Degree.
(Sections 511 and 521.)

THE PEOPLE

vs.

Patrick Byrne

P

PETER B. OLNEY,

~~JOHN W. KEEGAN~~

12 May 17 District Attorney.

Guilty
A True Bill.

S.P. 5 years.

John H. O'Leary Foreman.

0229

0230

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Patrick Byrne

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

Patrick Byrne

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

The said Patrick Byrne

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
twelfth day of April in the year of our Lord one thousand eight hun-
dred and eighty four, with force and arms, at the Ward, City and County aforesaid, feloniously
did forge, and cause and procure to be forged, and willingly act and assist in the forging a certain
instrument and writing, to wit: an order for the payment
of money of the kind known as Bank
checks,
which said forged bank check
is as follows, that is to say:

No. #

New York, April 12th 1884

East River National Bank,

Pay to the order of Patrick Byrne
Ninety Seven Dollars.
In Currency.

\$ 97.00
100

Michael Parker

with intent to defraud, 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.

0231

SECOND COUNT.

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

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

The said Patrick Byrne

late of the Ward, City and County aforesaid, afterwards, to wit, on the said nineteen
day of April in the year of our Lord one thousand eight hundred and
eightyfour with force and arms, at the Ward, City and County aforesaid, with intent to defraud,
having in his possession,
a certain forged instrument and writing, to wit: an order for
the payment of money of the kind
known as bank checks,
which said last-mentioned forged bank check,
is as follows, that is to say:

no. #

new york, April 12th 1884

East River National Bank,

Pay to the order of Patrick Byrne,
Twenty Seven Dollars.
In currency.

\$97.00

Michael Larkin

with force and arms, the said forged bank check
then and there feloniously did utter, dispose of and put off
as true, by the said Patrick Byrne

then and there well knowing the same to be forged, against the form
of the Statute in such case made and provided, and against the peace of the People of the State of
New York and their dignity.

PETER B. OLNEY,

JOHN McKEON, District Attorney.

0232

Mr 195
Police Court
District
8-1299

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Jones
142 E. 10th St.
Patrick Ogner

2
3
4

Offence Forgery

Dated April 23 1884

William Magistrate

Officer

Const Precinct

Witnesses

No. Street

No. 212 Street

No. 212 Street

No. 212 Street

No. 212 Street

No. 212 Street

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

Patrick Ogner

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 April 25 1884 J. W. Patterson Police Justice.

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

Dated 1884 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 1884 Police Justice.

0233

Sec. 151.

Police Court 3^d District.

CITY AND COUNTY }
OF NEW YORK, } ss.

In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Henry Fogel of No. 142 Essex Street, that on the 12th day of April 1884 at the City of New York, in the County of New York,

Patrick Byrne, did feloniously make, forge and utter a certain false, forged and fraudulent instrument, in writing purporting to be a check or order for money on the "East River National Bank" for the sum of Ninety Seven Dollars, with the intent to cheat and defraud

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant, and bring him forthwith before me, at the 3^d District Police Court, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 23rd day of April 1884
Wm Patterson POLICE JUSTICE.

Police Court 3^d District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs

Patrick Byrne

Warrant-General.

Dated April 23rd 1884

Wm Patterson Magistrate.

William Fogel Officer.

The Defendant Patrick Byrne taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Edw J. Lawrence Officer.

Dated April 24th 1884

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest, April 24, 1884

Nativity of Ireland

Age, 43

Sex, Male

Complexion, _____

Color, _____

Profession, _____

Married, _____

Single, _____

Read, _____

Write, _____

0234

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

District Police Court.

Patrick Byrne 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.

Patrick Byrne

Question. How old are you?

Answer.

43 years of age

Question. Where were you born?

Answer.

Ireland

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

Answer.

491 First Avenue, 9 months

Question. What is your business or profession?

Answer.

Labour

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.
Patrick Byrne

Taken before me this 25 day of April 1888
John J. Sullivan
Police Justice.

#647 Val\$

Protest, \$97⁰⁰

Mich. Larkin

FOR
ELEVENTH WARD BANK.

New York, Apr 15 1884

CHAS. E. BROWN,
Notary.

CHARGES, \$ $\frac{17}{100}$

97

98.17

0235

0236

No. ~~11~~ *No. 101* New York, April 12th 1889

East River National Bank,

Pay to the order of *Patrick Byrne*

Ninety Seven Dollars.

In Currency. \$ *97* ^{*00*}/_{*100*}

Michael Larkin

Macgowan & Slipper, Printers, 30 Beekman Street, N. Y.

United States of America, } ss.
STATE OF NEW YORK.

491-1 days 100 years
over 30 years

of *April* 1889 at the request of the ELEVENTH WARD BANK of New York, I, CHARLES E. BROWN, a Notary Public, duly admitted and sworn, dwelling in the City of Brooklyn, did present the original Promissory Note Check hereunto annexed, at

The East River Nat Bank

and demanded payment, which was refused. *no ok*

Whereupon, I, the said Notary at the request aforesaid, did Protest, and by these presents do publicly and solemnly Protest, as well against the Drawer and Endorsers of the said ~~Promissory Note~~ *Check*, as against all others whom it doth or may concern, for exchange, re-exchange, and all costs, damages, and interest already incurred, and to be hereafter incurred, for want of payment of the same.

Thus done and Protested, in the City of New York, in the presence of John Doe and Richard Roe, witnesses.

IN TESTIMONIUM VERITATIS.

Charles E. Brown
Notary Public. *Sup by*
Certified in N.Y.C.

United States of America, } ss.
STATE OF NEW YORK.

I, CHAS. E. BROWN, a Notary Public, duly admitted and sworn, dwelling in the City of Brooklyn, do hereby Certify that on the day of 1889 Notice of the Protest of the before mentioned Promissory Note was served upon

By putting the same in the Post Office, directed to at the above places, the said places being the reputed residence or place of business of the person to whom the notices were directed,—postage prepaid.

Notary Public.

0237

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

POLICE COURT—

DISTRICT.

Henry Vogel, aged 45 years,
of No. 142 Essex Street, being duly sworn, deposes and
says that on the 12th day of April, 1884
at the City of New York, in the County of New York,

Patrick Byrne did feloniously
make, forge and utter the annexed
false, forged and fraudulent
instrument in writing, purporting
to be a check or order for money
on the "East River National
Bank" for the sum of thirty
seven dollars, with the intent
to cheat and defraud.
That said defendant ordered
from deponent certain Car-
riages and then and there
gave deponent said check or
order for money as a deposit
on said Carriages, and deponent
gave said defendant the
sum of forty-seven dollars
for said check at the request
of said defendant and on
this agreeing to leave said
check with deponent as a
deposit or part payment on
said Carriages.

That deponent was
thereafter informed by the paying
teller of said Bank that said
check was worthless and of no
value whatever and that
Michael Larkin whose name

0238

is attached to said check as
the drawer thereof had no
account with said Bank nor
any moneys deposited therein
to his credit.

That defendant
therefore charges said defendant
with defrauding defendant of
the sum of forty seven dollars
by means of said false, forged
and fraudulent instrument,
and defendant prays said
defendant may be arrested
and held until as the law
may direct.

Sworn to before me this } Henry Vogel
23rd day of April 1884
J. W. Peterson

Police Justice

Examination adjourned at request of
defendant to April 26th at 2 1/2 P.M.
Further adjourned at request of the
defendant to April 29th at 2 1/2 P.M.
April 29/84 Defendant waives all
examination and pleads guilty

Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFRIDA VIT.

vs.

Dated

188

Magistrate.

Officer.

Witness,

Disposition.