0456

BOX:
245
FOLDER:
2385
DESCRIPTION:
Macke, Paul

DATE:
01/21/97

2385

Witnesses:

Wm Dusch

Gard Clausen

Counsel,

Filed 21 day of January 1887

Pleads not guilty 54.

THE PEOPLE

vs.

Paul Macke

ASSAULT IN THE FIRST DEGREE, Etc.
(Sections 217 and 218, Penal Code).

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

Foreman.

0458

Police Court— 5 District.

CITY AND COUNTY OF NEW YORK, } ss.

William Busch

of No. 1747 First Avenue Street,

being duly sworn, deposes and says, that

on the 8 day of November

in the year 1886 at the City of New York, in the County of New York

he was violently and feloniously ASSAULTED and BEATEN by Paul Macke (now here) who willfully and maliciously cut and stabbed deponent on the neck with a knife then and there held in the hand of said defendant inflicting him severely

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 9 *day of* Nov 1886

William Busch

Daniel O'Reilly POLICE JUSTICE.

0459

Sec. 198—200.

5 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Paul Mackie 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. Paul Mackie

Question. How old are you?

Answer 24 years

Question. Where were you born?

Answer. Gurnany

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

Answer. 1669 Third ave 5 mos

Question What is your business or profession?

Answer. Brewer

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

Paul Mackie

Taken before me this 9 *day of* Nov 188 9

Police Justice.

0460

BAILED,

No. 1, by John Eckstein

Residence 1663 Third Avenue Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court 5 District.

16 79

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William Busch

1747 1st Avenue

1 Paul Mackie

2

3

4

Offence Felonious Assault

Dated Nov 9 188 6

Magistrate.

Officer.

Precinct.

Witnesses

1 Nov 9 2 P.M. Street.

2 " " 10 9 a.m. Street.

No. Street.

No. Street.

$ 500 to answer GB

Paroled

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

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

Dated Nov 9th 188 6 Police Justice.

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

Dated Nov 10 188 6 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.

The People vs. Paul Macke { Court of General Sessions. Part I
Before Recorder Smyth. Feb. 11. 1887.
Indictment for assault in the first degree

William Busch, sworn and examined, testified. I live 1747 First avenue, I recollect the 8th of Nov. 1886 seeing the defendant. I know him four years and we worked together. I want to withdraw the charge against him; on the 8th of Nov. he cut me with a Knife in third avenue corner of Ninety second St. in the evening when we went from our shop; it happened in the street. I was struck in the back of the neck. The Knife was about the length of my forefinger. After I was struck with the Knife I went to the drug store to have a plaster put on. The defendant and I had a little trouble together at noon in our business; we only had some words about flour bags. One would not lift up the sack and the other would not let it go; that happened about five oclock in the afternoon and the stabbing took place about six oclock. The defendant did not come up from behind when he stabbed me. I shoved him and he cut me with a Knife. Cross Examined. At the time this happened we worked in the same brewery; we had been friends all the time; we never had any trouble before. I was with my brother when I was going home

the night that this happened. I did not push the defendant and my brother did not strike and knock him down. The cut on my neck was not very bad. I did not go to any hospital.

Paul Macke, sworn and examined in his own behalf testified. I am working now in Jersey city in Betts' ale brewery; at the time of my arrest I was working at Ehrets. and the complainant was working in the same place; we were formerly the best of friends and we knew each other for years. We had some trouble that day in the brewery; we went home, I and my brother and we were talking about the trouble we had at noon. I went away and they went after me and they shoved me. I had a knife in my hand and I must have cut him. It was a very small pocket knife that I used when I was eating my lunch. I have never been arrested before. Cross Examined. I thought while they came after me that when they saw the knife in my hand that they would let me go, that they would not hit me. I took out the knife to frighten them away. I did not want to hit him and I did not know that I hit him. Afterwards he came to me where I lived and showed me where I was cut; it was an accident.

By the Court-Q. Ask this man where this thing happened? A. On the corner of Ninety second st. and Third avenue. Ask him if he was standing there at the time? A. The two brothers were standing at the corner and I came out of the brewery towards them. Q. Then what happened? A. Then the brother says to him, "Paul, come here to us, we have a word to speak to you." I said to them, I dont want to have anything to do with you," and I went back again to the Brewery. Then I went up again after a little while and they were standing there yet. Then I passed them, and after I passed them they came after me; I said, "if you come after me and want to hit me, then I will hit you. Q. Did they say they wanted to hit him? A. This brother did not say anything, but the other brother said, "we have something to speak." Then he passed them. Q. Did the other brother strike him? A. No sir. Q. Did either of them strike him? A. Yes they shoved me from behind and he had hold of me and wanted to pull me back. Q. Who did? A. This Wm. Busche. Q. Ask him when he came out of that Brewery where that Knife was? A. I had it in my pocket. Q. Was it shut? A. Yes sir. Q. When did he take it out of his pocket? A. The second time when I came out of the Brewery and I saw them coming towards me. Q. Ask him if he opened it then? A. Yes. (The witness showed the

jury how he cut the complainant). By Mr Purdy. Q Ask him if when he went into the Brewery the second time he did not take the Knife out of his pocket and opened it in the Brewery before he came out the second time? A No sir. Q Where was it that he took the Knife out and opened it? A. I was near third avenue then. Q Ask him if anybody had struck him or pushed him or done anything else to him before he pulled out that Knife and opened it. A No sir, I ran away then the first time and afterwards the second time they came after me and caught me. Q Ask him before he pulled out that Knife and opened it anybody had touched or pushed him? A No sir. I thought that if they saw the Knife that they would not hit me, that they would get afraid - It was a small Knife; it is now at the Harlem Police station; the policeman took the Knife off me.

John Eckhoff sworn. I am a liquor dealer and know the defendant about a year and a half and during that time I have seen him most every day; his character for peace and quietness is good as far as I know. The jury rendered a verdict of guilty of assault in the third degree with a recommendation to the mercy of the Court.

Testimony in the
case of
Paul Macke
filed Jan.
1887.

0466

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Paul Madden

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

— Paul Madden —

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

The said Paul Madden,

late of the City of New York, in the County of New York aforesaid, on the eighth day of November, in the year of our Lord one thousand eight hundred and eighty-nine, with force of arms, at the City and County aforesaid, in and upon the body of one William Gunsch, in the peace of the said People then and there being, feloniously did make an assault and him the said William Gunsch, — with a certain knife —

which the said Paul Madden — in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound,

with intent him the said William Gunsch, — 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

— Paul Madden —

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

The said Paul Madden,

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 one William Gunsch, — in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and him the said William Gunsch, — with a certain knife —

which he the said Paul Madden — in his — right hand then and there had and held, the same being an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully beat, strike, stab, cut and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Randolph W. Strong

District Attorney.

0467

BOX:
245
FOLDER:
2385
DESCRIPTION:
Madsen, Peter

DATE:
01/13/87

2385

#133

Witnesses:

James Owen

Counsel,

Filed, 13 day of May 1887

Pleads, Not guilty

THE PEOPLE

vs.

B

Peter Madsen

MISDEMEANOR.
(AMUSEMENT LAW.)
[Section 1193, Consolidation Act of 1882.]

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

Chas. B. Rosenquest
Foreman.

0469

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 Madsen

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

— Peter Madsen —

of a MISDEMEANOR, committed as follows:

The said Peter Madsen,

late of the Sixth Ward of the City of New York, in the County of New York aforesaid, on the Eighth day of November, in the year of our Lord one thousand eight hundred and eighty-nine at the Ward, City and County aforesaid, did unlawfully exhibit to the public, in a certain _____ building and place there situate, a certain entertainment of the stage,

no license for the said place of such exhibition for such purpose, having been first had and obtained as required by law, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

RANDOLPH B. MARTINE,
District Attorney.

0470

BOX:
245
FOLDER:
2385
DESCRIPTION:
Maguire, Philip J.

DATE:
01/20/87

2385

#219

Witnesses:

Henry Lungershausen

Wm Filgram

Counsel, W. Bickerstaff

Filed 20 day of May 1887

Pleads Not Guilty

THE PEOPLE

vs.

Philip J. Maguire

Henry Miller

Tried & Acquitted

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

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Chas. B. Robinson

Foreman.

0472

Police Court— First District. Affidavit—Larceny.

City and County of New York, } ss.

Henry Langershausen

of No. 132 Greenwich Street, aged 32 years,

occupation Barber being duly sworn

deposes and says, that on the 14th day of January 188 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:

a pocket book containing good and lawful money of the United States of the amount and value of Fifteen 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 Phillip McGuire (now here) from the fact that deponent was sitting down on a chair dozing asleep in the back room of the liquor store in premises no 132 Greenwich street deponent was awakened by feeling the defendant with his defendants hand in deponents right hand side pantaloons pocket and the defendant dropped some of the money on the floor and defendant immediately picked up said money and deponent asked defendant what he defendant was doing with deponent pocket book and defendant ran away in the water closet

Sworn to before me, this day of 188

Police Justice.

Henrich Langershausen

0473

Sec. 198—200.

15th District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Philip J. McGuire 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 Philip J. McGuire

Question. How old are you?

Answer 19 years

Question. Where were you born?

Answer. New York City

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

Answer. 135 Washington St one year

Question What is your business or profession?

Answer Bartender

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.

Philip J. Maguire

Taken before me this _____ *day of* _____ 188_

Police Justice.

0474

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court— 1st District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

1 Thomas Gunderson
2 Frederick Gunderson
3 Philip Gunderson
4

Offence Larceny from the person

Dated Jan 15 188 5

Magistrate.

Officer. RECEIVED JAN 17 1887 DISTRICT ATTORNEY'S OFFICE.

Precinct. 2

Witnesses

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ 500 to answer

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

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

Dated Jan 15 188 5 ..... *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.*

0475

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Philip J. Maguire

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

— Philip J. Maguire —

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

The said Philip J. Maguire,

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the fourteenth day of January, in the year of our Lord one thousand eight hundred and eighty-seven, at the Ward, City and County aforesaid, with force and arms, in the — day — time of the same day, one — promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars ——— ; one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars ——— ; three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each; three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each; five promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each; three promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars ——— ; one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars ——— ; three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each; ——— divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of fifteen dollars, and one pocket book of the value of fifteen cents,

of the proper moneys, goods, chattels, and personal property of one Henry Lungershausen, on the person of the said Henry Lungershausen, then and there being found, from the person of the said Henry Lungershausen, 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.

RANDOLPH B. MARTINE,
District Attorney.

0476

BOX:
245
FOLDER:
2385
DESCRIPTION:
Mahedy, William F.

DATE:
01/14/87

2385

Witnesses:

Gustav A. Sarraute

James Cunin

The complt recommends that within indict deft be treated with clemency & states that he now doubts if the deft committed the act with any criminal intent. While I am not satisfied that deft is not guilty still I doubt if a conviction could now be had and recommend that the indictment be dismissed & bail discharged.

Dec 2/87 Randolph B Martine Dist Atty.

Application to dismiss bail denied by Judge Dec 19/87

101.

Counsel, H & H

Filed, 14 day of January 1887

Pleads, Not Guilty 20/1

THE PEOPLE

vs.

William F. Mahedy

Attempt at Extortion, &c.

[Section 552, 553 and 560, Penal Code].

RANDOLPH B. MARTINE,

District Attorney.

Nov 10 P.I. ADP

Nov 7 P.N. ADP

A True Bill.

Chas. B. Fitzsimmons

Dec 5/87

Foreman.

Pds & Bnd accd in. Mo of Decy

F.G.

POOR QUALITY ORIGINAL

1160

0470

Court of General Sessions of the Peace, held in and for the City and County of New York.

The People &c
— versus —
William F. Mahedy.

Extortion.

Please to take notice that we shall move this Court before Hon: Henry A. Gildersleeve one of the Judges thereof holding Part I thereof on the 19th day of November 1887 at 11 o'clock in the forenoon for the discharge of the above named defendant on the following grounds.

I That two terms and more of this Court have expired since the finding of the Indictment herein and the District Attorney has failed to bring the case to trial.

II That the defendant has been ready for trial a large number of times, and has demanded the same to be tried but that the District Attorney has declined and refused to accord him a trial.

III That the defendant is desirous of going to the Western part of this County and that it is an injustice to him to have this Indictment pending over his head when he is and has always been ready to try the same.

And for such further and other relief in the premises as to the Court shall seem just and

proper.
Dated Octr 18th 1887.

Yours &c
Howe & Hummel
Counsel for Defendant.

To Randolph B. Martine Esqre
District Attorney.

0480

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

.....being duly sworn, says that he resides at No. .....Street, in the City of New York; that he is ..... years of age; that on the ..... day of ..... 18....., at Number .....in the City of New York, he served the within .....on ..... the .....by leaving a copy thereof with .....

Sworn to before me this
day of 18

N. Y. General Sessions.

The People &c.
Plaintiff,
against
William F. Mahady
Defendant.

Notice of Motion.

HOWE & HUMMEL,
Attorneys for Defendant
87 & 89 CENTRE ST., New York City.

Due and timely service of copy of the within is hereby admitted this day of 18

Attorney.

To Randolph B. Martine Esq.
Actual Attorney
N. Y. City Dep.

0481

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

If this Subpœna is disobeyed, an attachment will immediately issue.

Bring this Subpœna 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.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To Albert Landon

of No. 102 West 47 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 17 day of November instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

W. F. Mahedy

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 Nov in the year of our Lord 1887

RANDOLPH B. MARTINE, *District Attorney.*

0482

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

If this Subpœna is disobeyed, an attachment will immediately issue.

Bring this Subpœna 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.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To Gustave A Landon

of No. 102 West 49 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 17 day of November instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Wm G. Mahedy

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 Nov in the year of our Lord 1887

RANDOLPH B. MARTINE, *District Attorney.*

0483

Court of General Sessions.

THE PEOPLE

vs.

Wm. F. Mahedy

City and County of New York, ss.: Thos. A. Maguire being duly sworn, deposes and says: I reside at No. 388 E. 4th Street, in the City of New York. I am a subpœna server in the office of the District Attorney of the City and County of New York. On the 16 day of Nov 188 7, I called at No. 104 West 49th St.

the alleged residence of Gustavus A. Laridon & Albert Laridon the complainant herein, to serve them with the annexed subpœna, witness and was informed by the colored servant that no one resides in that house by that name and is not known there. The house has been occupied by a family by the name of McCarthy since last May and that during that time no one has boarded or resided there by the name of Laridon.

Sworn to before me, this 17 day of November 188 }

Rudolph L. Schaef

COMMISSIONER OF DEEDS, N. Y. CITY & COUNTY.

Thos. A. Maguire

Subpœna Server.

Court of General Sessions.

THE PEOPLE, *on the Complaint of*
Gustavus A. Laidon

vs.

Wm. F. Mahedy

Offense.

RANDOLPH B. MARTINE,
District Attorney.

Affidavit of
Thos. A. Maguire
Subpœna Server.

Failure to Find Witness.

0485

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

If this Subpœna is disobeyed, an attachment will immediately issue.

Bring this Subpœna 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.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To Albert Laridon

of No. ~~104~~ 484 Broadway 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 17 day of *November* instant, ~~at the hour of Eleven~~ above in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Wm. F. Mahedy

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 *November* in the year of our Lord 1887

RANDOLPH B. MARTINE, *District Attorney.*

0486

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

☞ If this Subpœna is disobeyed, an attachment will immediately issue.

☞ Bring this Subpœna 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.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To *Gustave A. Laridon*

of No. *484 Broadway* 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 *17* day of *November* instant, ~~at the hour of Eleven~~ *Twelve* in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Wm. F. Mahedy

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 *November* in the year of our Lord 1887

RANDOLPH B. MARTINE, *District Attorney.*

0487

Court of General Sessions.

THE PEOPLE

vs.

William F. Mahedy

City and County of New York, ss.: Cornelius Leary being duly sworn, deposes and says: I reside at No. 27 North Moore Street, in the City of New York. I am a subpœna server in the office of the District Attorney of the City and County of New York. On the 17th day of November 1887, I called at No. 484 Broadway

the alleged place of business of Gustav & Laridon & Albert Laridon the complainant herein, to serve ~~them~~ a witness with the annexed subpœna, and was informed by a clerk that the firm ~~with~~ which the said Laridons were employed had moved to 41 & 43 Mercer Street. I called there and was informed by a clerk that the said Laridons had left the employ of the firm and that he does not know where they are employed or where they reside, but that a son of the complainant is employed by Belding Bros. & Co. in Broadway near Grand St. I then called at that address and was informed by the bookkeeper of the firm that young Laridon has ~~left the employ~~ not been seen there in a month and that he (the bookkeeper) is anxious to see the said Laridon on business for the firm. and that he had just sent one of the porters out to find him at a former address. The bookkeeper promised to telephone to this office if he found Laridon.

Sworn to before me, this 17 day of November, 188

Rudolph L. Schanf

COMMISSIONER OF DEEDS, N. Y. CITY & COUNTY.

Cornelius Leary

Subpœna Server.

Court of General Sessions.

THE PEOPLE, *on the Complaint of*
Gustavus A. Landon

vs.

Wm. F. Mahedy

Offense:

RANDOLPH B. MARTINE,
District Attorney.

File

Affidavit of
Cornelius Leary
Subpœna Server.

Failure to Find Witness.

0489

Grand Jury Room.

PEOPLE

vs.

Put with papers for calendar for July 13th

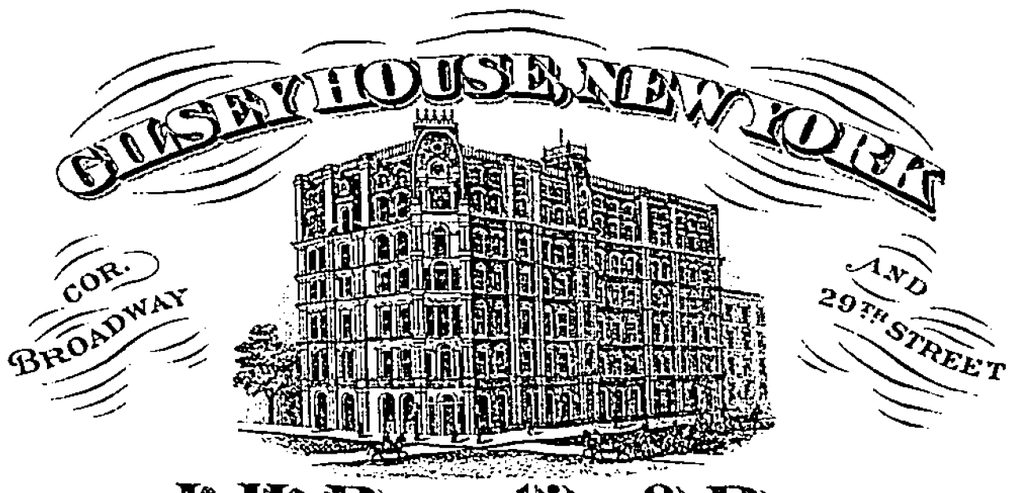
Mr. District Attorney

The case has been in several times, & has been adjd. by Dist. Attorney's direction

Now we say that it is a bail case; and that the refusing of prison-ner has prevented its trial — no fault of Dist Atty.

ADP

0490



J. H. Breslin & Bro.
PROPRIETORS.

New York Nov 9th 1887

My dear Sir
I am compelled to go to Saratoga next Thursday P.M. and therefore regret my inability to be present at the appearance of Mr Hayes on the Monday following, but at which time I must be ready to give my testimony

Yours truly
S. O. Blake

Wm M. Martine
Dist Atty

0491

The People
vs
Mahealy

N. Y. General Sessions

The People of the State of New York
vs
William Mahedy

Extortion

Please to take notice that we shall move this Court before Hon: Frederick Smyth Recorder holding Part-I on Friday July 8th 1887 at 11 o'clock in the forenoon, for the discharge of the above named defendant William Mahedy on the ground that two terms of the Court have expired and the District Attorney has failed to bring the defendant to trial.

Yours &c
Howe & Hummel.
Attorneys for defendant.

To Randolph B. Martine Esq
District-Attorney.

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

.....being duly sworn, says that he resides at No.....Street, in the City of New York; that he is.....years of age; that on the.....day of.....18....., at Number.....in the City of New York, he served the within.....on.....the.....by leaving a copy thereof with.....

.....

.....

.....

Sworn to before me this
day of 18 }

N. Y. General Sessions

The People &c

Plaintiff,

against

William Mahedy

Defendant.

copy Notice of Motion for Discharge.

HOWE & HUMMEL,

Attorneys for Defendant

87 & 89 CENTRE ST., New York City.

Due and timely service of cop of the within
hereby admitted
this day of 18

Attorney.

To Randolph B Martinbeau
District Attorney.

0494

District Attorney's Office.

PEOPLE

vs.

Wm F. Mahedy
att. at Extortion

Try this case
to day —
I cannot see why
you should ask
I have already so
ordered. RJM
Nov 17/87
Let it be first case
tried —

Grand Jury Room.

PEOPLE

vs.

Wm F. Mehady

Lander Jr Co
Lander Jr

437 W. 57
173 - 5 ave

0495

Court of General Sessions of the Peace
held in and for the City & County of New York

The People ex rel.
-vs-
William F. Mahady } Extortion.

Please to take notice that we shall move this Court before Hon Henry A. Goldwater one of the Judges thereof holding Part I thereof on the 19th day of November 1887 at 11 o'clock in the forenoon for the discharge of the above named defendant, on the following grounds,

I - That two terms and more of this Court have expired since the finding of the Indictment herein & the District Attorney has failed to bring the case to trial.

II - That the defendant has been ready for trial a large number of times, and has demanded the same to be tried but that the District Attorney has declined & refused to accord him a trial.

III - That the defendant is desirous of going to the Western part of this County and that it is an injustice to him to have this Indictment pending over his head when he is & has always been ready

0496

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

.....being duly sworn, says that he resides at No. .....Street, in the City of New York; that he is .....years of age; that on the .....day of ..... 18....., at Number .....in the City of New York, he served the within .....on ..... the .....by leaving a copy thereof with .....

Sworn to before me this
day of 18

N. Y. General Sessions

The People &c
Plaintiff,
against
William F. Mahedy
Defendant.

Notice of Motion.

HOWE & HUMMEL,
Attorneys for Plaintiff
87 & 89 CENTRE ST., New York City.

Due and timely service of copy of the within Notice of Motion is hereby admitted this day of October 1887

To ..... Attorney.
A. B. Martinez Esq.
Per H. Alexander

----------X

THE PEOPLE &c. :

vs. :

William F. Mahedy :

----------X

Hon. Randolph B. Martine,

District Attorney &c.

Dear Sir :

In the above case I beg to report that, the case has been many times on my calendar for trial; that the defendant has repeatedly answered ready, but after making every effort possible to secure the attendance of the witnesses for The People, especially the complainant, the prosecution have not been able to try the cause. The affidavits of the subpoena servers disclose the fact that the complainant is probably not within the jurisdiction of this court, or if he is, he is evading service. The attorney for the complainant, in his name and by his authority, has signed the within withdrawal.

I suspect that this case has been fixed up by an arrangement with the defendant and the complainant, whereby the complainant purposly keeps out of the way. But there is no proof to justify this suspicion; and we must assume that the defendant is acting in good faith.

Nearly a year has passed since this indictment was found, and at no time have the prosecution been in a

condition to try the case.

It cannot be just or proper that an indictment can be allowed to hang over the head of a man indefinitely, and for these reasons I do not believe that we are justified in farther resisting the motion of the defendant to dismiss the indictment for want of prosecution.

Very respectfully

O. H. Purdy.

The People

vs.

Wm. F. O'Malley Extortion

REPORT.

For the District Attorney.

Dated Nov. 25th 1887

A. H. Purdy, Assistant.

0500

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

POLICE COURT, 2 DISTRICT.

Gustavus A Laidon

of No. 104 West 49 Street, being duly sworn, deposes and says that on the 21st day of September 1886 at the City of New York, in the County of New York, One Mahedy whose true name is unknown came to deponents place of business at No 484. Broadway and informed deponent that he was the Captain of Police at Saratoga Springs Saratoga Co New York. And told deponent as such Captain of Police he had a warrant against deponents son Albert Laidon charging him the said Albert with the crime of forgery. And asked deponent to produce his son the said Albert which deponent promised to do. And in accordance with said promise deponent went to the Gilsey House Broadway Cor 29th St. on Sunday September 26th 1886. and brought his son the aforesaid Albert with him and there met the said Mahedy who in the presence of deponent examined the said Albert as to his guilt or innocence of the aforesaid crime of forgery for which the said Mahedy had a warrant for his the said Alberts arrest, and after such examination he Mahedy told deponent to meet him at the at the Gilsey House at 8 00 O'clock am Sept 29th 1886. and told deponent that this case could be

0501

settled for three thousand dollars as these parties had to have their pants the Judge the District attorney and himself the said Mahedy. and then upon deponents representation that he was unable to pay any such sum of money he Mahedy told deponent that he would take twenty five hundred dollars. and would stop all further proceedings. deponent then told Mahedy that he would see his friends and asked him to wait until deponent came back to the Gilsey house. deponent again called at said House with Louis Mathews of No 289. Broadway. When he Mahedy told deponent that he had better settle said case and avoid all publicity. and deponent is informed by his said Ulrich that said Charge is wholly false and untrue and brought for the purpose of extorting money from deponent Wherefore deponent prays the said Mahedy may be arrested and dealt with according to law

Jno James A. Lamadon

Police Court _____ District. _____

AFFIDAVIT

THE PEOPLE, &c.

ON THE COMPLAINT OF

vs.

Sworn to before me this 27th day of Sept 1886

John J Gorman
Police Justice

Dated _____ 188

Magistrate.

Officer.

Witness,

Disposition,

0502

Form 9.

Sixth District Police Court.

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

Louis Mathot

of No. 287 Broadway N.Y.

street, being duly sworn, deposes and says,

that on the 27th day of September 1886

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

The deponent who is an attorney and Counsellor at law was called upon by one Gustave A. Laridon in relation to the arrest of his son Albert Laridon upon a charge of forgery whereupon deponent at the request of said G. A. Laridon accompanied him to the Gilsey house situated at the corner of 29th Street and B'way when deponent met and was introduced to one Captain Mahedy of Saratoga when the following Conversation took place. Deponent said I understand Captain that your desire is to compromise this matter, upon what bases do you desire it? when he answered I have already stated the amount to Mr Laridon I do not wish to repeate it again. I have not arrested the boy yet and will wait until you come again this afternoon as I intend leaving at 6 P.M to day. It is better to settle the matter and avoid publication

Louis Mathot

Sworn to before me
this 27th day of Sept 1886

John Herman
Police Justice

0503

Sec. 151. **Police Court** 2nd **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 Gustave A Landon of No. 104 West 49th St Street, that on the 21st day of September 1886 at the City of New York, in the County of New York, One Murphy did unlawfully attempt to extort the sum of three thousand dollars from Complainant by offering to settle a case against defendants son one Albert Landon charging the said Albert with the crime of forgery he said defendant being a Police officer and having a warrant of arrest for said Complainant's son Albert

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 2nd *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 27 *day of* September 1886

John J Kenna POLICE JUSTICE.

Police Court _____ **District.**

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Gustave A Landon
vs
William Murphy

Warrant—General.

Dated September 27 1886

Capman *Magistrate.*

_____ *Officer.*

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

James Leary *Officer.*

Dated _____ 188

This Warrant may be executed on Sunday or at night.

John J Kenna *Police Justice.*

REMARKS.

Time of Arrest, Sept 27 1886

Native of _____

Age, _____

Sex, _____

Complexion, _____

Color, _____

Profession, Police

Married, _____

Single, _____

Read, _____

Write, _____

104 W 49th St

0504

Sec. 198—200.

3rd District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

William F. Mahedy 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 F. Mahedy

Question How old are you?

Answer 37 years

Question. Where were you born?

Answer. N. Y. Germany

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

Answer. Saratoga Springs; twelve years

Question What is your business or profession?

Answer Police officer

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. Not Guilty William F. Mahedy

Taken before me this 15 *day of* March 1886

Elbridge Gerry Police Justice.

0505

Issued Bail Bond for 2 PM - 2 P.M. Aug. Oct 12 2 P.M. Oct 13 2 P.M. Oct 14 2 P.M. Oct 15 2 P.M. Oct 16 2 P.M.

BAILED,

No. 1, by William McBrenale

Residence 9 Allen St. Street.

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

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court #1001 B.O. 1881 District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Gustav A. Kruse 127 Eldridge St. Wm. Mahler

1 ..... 2 ..... 3 ..... 4 .....

Offence Burglary

Sect: 72. of Penal Code

Dated October 12 188 6

Patrick Callan Magistrate.

Patrick Callan Officer.

Precinct.

Witnesses Chas. Landers 1 Eldridge St.

No. ..... Street.

Louis Mathat

No. 287 Broadway Street.

No. ..... Street.

$ 2000 to answer

Bailed

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

Dated October 13 188 6 John J. Gorman *Police Justice.*

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

Dated Oct 17 188 6 John J. Gorman *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.*

05.06

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS
William P. Mahedy

Indictment for Extortion

As Attorney for the 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. I say that my Client Gustave Larridon desires that the Bail for the Defendant be discharged & the Indictment dismissed as said Gustave Larridon & I desire never to appear to prosecute this case

Dated this 17th November 1887

Louis Mathey

attorney for Gustave Larridon
287 B'way N.Y.C.

The People
vs
Wm. F. Mahedy

G. L.

People v. Mahedy

Extortion

Dm R. B. Martine

Within is required for dismissal –

Will you kindly send up papers (with your endorsement) before Judge Corning?

Nov. 22nd 1887

W. F. Howe
Clk

0508

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS
William F. Mahedy.

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. After the long lapse of time since the commission of the alleged offence, the act of the defendant does not seem to be so bad as I thought at first. In fact I have serious doubts as to the existence of ~~of~~ any criminal intent in the defendant at the time of the act

Complained of
N.Y. Nov. 25th. 1887.
Witnessed by
Vernon M. Davis

F. A. Lawrence

Court of General Sessions
County of New York.

No.

People

vs.

William F. McCoy.

Withdrawal of Complaint

0510

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 F. Mahaney

The Grand Jury of the City and County of New York, by this indictment, accuse William F. Mahaney of the CRIME of attempting to commit the crime of Extortion,

committed as follows:

The said William F. Mahaney,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the twenty-sixth day of September, in the year of our Lord one thousand eight hundred and eighty-six, at the Ward, City and County aforesaid, with force and arms, did feloniously attempt and endeavor to extorsively obtain from one Frederick A. Sandow, to be induced by a wrongful use of fear, with his consent, certain property to wit: the sum of three thousand dollars in money, and did then and there in pursuance of such attempt and endeavor, feloniously threaten to accuse the said Frederick A. Sandow, a certain member of this family, to wit: his son Albert Sandow, of the crime of larceny, and to expose the said Albert Sandow to the disgrace of being apprehended and held upon such accusation, and did then and

there further feloniously threaten to execute a certain warrant for the arrest of the said Albert Sanborn upon a charge of forgery, then in the possession of the said William F. Mahedy (a more particular description of which said warrant, and also of said charge of forgery is to the Grand Jury aforesaid unknown, and can not now be given) unless the said Gustavus A. Sanborn would give and pay to him the said William F. Mahedy, the said sum of three thousand dollars; he the said William F. Mahedy, then and there intending by means of such threats as aforesaid to induce on the part of the said Gustavus A. Sanborn such fear as would induce him the said Gustavus A. Sanborn to consent to the giving and paying of the said sum of money to him the said William F. Mahedy, 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.

0512

Second COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said William F. Mahedy of a Misdemeanor, ~~of the Class of~~

committed as follows:

The said William F. Mahedy,

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, unlawfully did wrongfully threaten one Gustavus O. Sandow, to accuse a certain member of his family, to wit: his son Albert Sandow, of the crime of larceny, and to expose the said Albert Sandow to the disgrace of being apprehended and held upon such accusation, and further to execute a certain warrant for the arrest of the said Albert Sandow upon a charge of larceny, then in the possession of the said William F. Mahedy (a more particular description of which said warrant, and also of the said

change of Larceny in the Fourth Degree, financial information, and cannot prove the original number the said Defendant O. Davidson made issue and way to Irwin the said William E. Mahedy the sum of three thousand dollars in money, with intent thereby to extort and again from the said Defendant O. Davidson the said sum of money; 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.

Randolph M. Bernstein

District Attorney.

05 14

BOX:
245
FOLDER:
2385
DESCRIPTION:
Mangels, Henry

DATE:
01/14/87

2385

155

Witnesses:
Theodore W. Kramer
Freeman Clinton

Counsel,
Filed, 14 day of January 1887
Pleads,

THE PEOPLE

vs.

Henry Mangels

Grand Larceny, 2nd degree
[Sections 528, 53 , Penal Code].

RANDOLPH B. MARTINE,
District Attorney.

By Thy 14/87
Pleads guilty.

A True Bill.

Chas. B. Polhemus
Foreman.

S.P. Three years.

559

0516

Police Court—Fourth District. Affidavit—Larceny.

City and County of New York, } ss.

Theodore W Kramer

of No. 37 Elm Street, aged 34 years,

occupation Milk dealer being duly sworn

deposes and says, that on the 3d day of January 188[illegible] 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 bay Horse, One Milk Wagon, One set of Harness, four Cans of Milk with a number of delivery Kettles all of the value of about four hundred dollars, $500.00/100

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Henry Mauzles (now here) from the fact that said property was stolen from the corner of Elm and Worth Street in the City of New York between 5 and 6 o'clock A.M. on said day. That deponent is informed that said defendant was arrested by officer Laurence Clinton of the 21st Precinct that the arrested defendant when arrested confessed to having stolen said property and that he has confessed to deponent in the presence of said officer that he did steal said property from said streets on said day. Deponent asks that the defendant be held to answer and dealt with according to law.

Theo. W. Kramer

Sworn to before me, this 4 day of January 188[illegible]

[illegible]

Police Justice.

0517

Sec. 198—200.

4th District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Henry Mangels 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. Henry Mangles

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer, Germany

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

Answer. 356 Bowery, 3 years

Question. What is your business or profession?

Answer, Cook

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,

Henry Mangels.

Taken before me this 4 *day of* [illegible] 188[illegible]

[illegible]

Police Justice.

0518

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court— 4th District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Nicholas H. Vogelsen
237 Eldridge
Henry Mangles

Offence Larceny (Felony)

RECEIVED. JAN 10 1887 ATTORNEY'S OFFICE

Dated January 7th 188 7

Solon B. Smith Magistrate.

Clinton Officer.

2 Precinct.

Witnesses Samuel Schultz
2½ Prince Police Street.

No. ..... Street.

No. ..... Street.

$ 1000 to answer Cam

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 Henry Mangles

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 January 7th 188 7 Solon B. Smith *Police Justice.*

I have admitted the above-named .....

to bail to answer by the undertaking hereto annexed.

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

There being no sufficient cause to believe the within named .....

..... *guilty of the offence within mentioned, I order he to be discharged.*

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

0519

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Henry Monaghan

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

— Henry Monaghan —

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

The said Henry Monaghan,

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

one horse of the value of two hundred dollars, one wagon of the value of two hundred and fifty dollars, one set of harness of the value of thirty five dollars, four cans of milk of the value of two dollars and fifty cents each can, and ten bottles of the value of fifty cents each, —

of the goods, chattels and personal property of one

Theodore N. Kramer, —

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.

Randolph W. Broadhurst

District Attorney.

0520

BOX:
245
FOLDER:
2385
DESCRIPTION:
Manwell, Marcus

DATE:
01/13/87

2385

0521

BOX:
245
FOLDER:
2385
DESCRIPTION:
Stern, Jacob

DATE:
01/13/87

2385

Witnesses:
Joseph H. Deutsch
Hugo Drechel

Filed
Considering the motion affidavits in regard to Jacob Stern - Jack the Court to discharge the bail in his case -
Geo. J. Welsh
R. D. A.
Jacob Stern
Counsel, Leeser & Bros
Filed 13 day of January 1887
Pleads Not guilty

THE PEOPLE

vs.

Marcus Manwell
and
Jacob Stern

PETIT LARCENY, etc.
Sections 528, 532, 3, 5550, Penal Code.

do not serve on the
RANDOLPH B. MARTINE,
District Attorney.
Not. 2. Bail Discharged.

A True Bill.

Chas. B. Polhemus
Foreman.

May 27/92
Jan 24
Indictment
Dismissed as to
May 22
G. S. B.

To Discharge

0523

Court of General Sessions.

The People
vs.
Jacob Stern

City and County of New York ss. Philip Kohler of No 2287 First avenue being duly sworn deposes and says. I am engaged in the Tailoring business at that place. I have known the defendant above named for the past five years as an honest and truthful young man.

He has never before this been charged with or accused of any offense.

He was for a time engaged as a leather packer, and lately he and his brothers went into fur cutting business at the Corner of Houston & Greene Streets.

Philipp Koehler

Sworn before me this 22nd day of June 1887.

Jacob Meyer
Cons. of Deeds,
N.Y. City.

Court of General Sessions.

The People
vs.
Jacob Meyer

City and County of New York ss. Nathan Meyer being duly sworn says. I am engaged in the Dry Goods business at 37 avenue C. I have known the defendant herein since childhood as an honest and industrious young man.

Sworn to before me this
22nd day of June 1887.
Jacob Meyer
Comr. of Deeds,
City & Cty.

Nathan Meyer

City and County of New York ss.

Nathan Stern being duly sworn says. I reside at No 2263 1st avenue. I am a Real estate agent. The defendant is my son. He resides with me. He has never before this time been charged with an accused of any offence. He has always worked for a living. I am sixty four years of age and the defendant is 21 years of age

Sworn to before me this
22 day of June 1887.
Jacob Meyer
Comr of Deeds. N.Y. City

Nathan Stern

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

being duly sworn deposes and says: that he is.....years of age, and a clerk in the office of Charles Steckler, Esq., the attorney for the.....in this action; on the.....day of.....188 at No.....

in the City of New York, he served the annexed.....

upon.....the.....therein

by delivering to, and leaving with.....personally.....

.....true cop thereof.....

.....

.....

.....

Deponent further says that he knew the person so served to be.....

.....

.....

Sworn to before me this

day of.....188

Sir:

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

Dated N. Y.,.....188.....

Yours, &c.,

CHARLES STECKLER.

Attorney for.....

To:

.....Esq

Atty. for.....

N.Y. General Sessions Court.

The People &c

Plaintiff.

AGAINST

Jacob Stern

Defendant.

Affidavits of the good character of the Defendant

CHARLES STECKLER,

Defts. *Attorney.*

Nos. 47 & 49 Centre Street,

N. Y. City.

~~Due and timely service of a copy within~~

.....~~is hereby admitted.~~

~~Dated N. Y.,~~.....~~188~~

.....

~~Atty.~~

To.....~~Esq.~~

.....~~Atty.~~

0526.

Police Court— 2nd District. Affidavit—Larceny.

City and County of New York, } ss.:

Joseph H. Deutsch

of No. 210 East 40th Street, aged 32 years, occupation Private Detective being duly sworn deposes and says, that on the 6th day of October 188 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:

a number of pieces of Beaver Jur, in all of the value of Two (2) dollars

the property of Hugo Jaeckel, and in charge of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Marcus Manwell and Jacob Stern, both new here, for the reason following, to wit: that deponent was employed to watch the factory of said Hugo Jaeckel at premises Nos. 85 West Houston Street. that about the hour of noon on said day deponent saw said Jacob Stern walk up to the elevator in said factory and stand there, and said Marcus Manwell then handed him a bundle and he went away with said bundle in his possession. that deponent

followed said Jacob Stern who carried the bundle into 160 Greene Street, and opened it there, and deponent saw it contained the fur aforesaid. That after a period of five minutes had elapsed the said Marcus Marvele left the factory and went to 160 Greene Street and conversed with said Jacob Stern for a few minutes and then returned to the factory. That deponent therefore charges said defendants with stealing said property and further charges said Jacob Stern with stealing said property and receiving the same knowing it to be stolen.

Sworn to before me this 7th day of October 1886

Joseph [illegible]

J M Patterson 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 h to be discharged.

Dated __________ 188 __________ Police Justice.

Police Court, __________ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1 __________
2 __________
3 __________
4 __________

Offence—LARCENY.

Dated __________ 188

__________ Magistrate.
__________ Officer.
__________ Clerk.

Witnesses, __________
No. __________ Street,
____
No. __________ Street,
____
No. __________ Street,

$ __________ to answer __________ Sessions.

0528

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Marcus Manwell

Question. How old are you?

Answer. 28 years of age

Question. Where were you born?

Answer, New York

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

Answer 120 East 100 St. 3 months

Question. What is your business or profession?

Answer, Engineer

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

Answer. I am not guilty.

I demand a trial by Jury.

Marcus Manwell

Taken before me this 7 *day of* October 188 9

[illegible] *Police Justice.*

0529

Sec. 198—200. 2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Jacob Stern 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. Jacob Stern

Question. How old are you?

Answer. 21 years of age

Question. Where were you born?

Answer, New York

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

Answer. 226 E. First Avenue, one year.

Question. What is your business or profession?

Answer, Fur Cutting

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

Answer. I am not guilty.

I demand a Trial by Jury.

Jacob Stern

Taken before me this 9 *day of* October *1888*

Police Justice.

0530

BAILED,

No. 1, by Rudolph C. Weil

Residence 570 Pennsylvania Ave. Street.

No. 2, by Simon Bagg

Residence 97 Avenue B Street.

No. 3, by Carl Alexander Stern

Residence 77 Avenue C Street.

No. 4, by

Residence Street.

Police Court 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Lynch H. Dutch

210 East 40

Marcus Maxwell

Jacob Stern

Offence Larceny and Receiving Stolen Goods

Dated October 7 1886

J. M. Patterson Magistrate.

McLaughlin and Officer

Hardley Precinct.

Witnesses Hyman Jacobs

No. 110 East 84th Street.

No. Street.

Bring property, if any, in case.

No. New York City Street.

$500 to answer

Ball Committed

Bail Taken

1537

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 Marcus Maxwell and Jacob Stern *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,* Cash *and be committed to the Warden and Keeper of the City Prison of the City of New York, until they give such bail.*

Dated October 7th *188*6 J. M. Patterson *Police Justice.*

I have admitted the above-named Jacob Stern and Marcus Maxwell *to bail to answer by the undertaking hereto annexed.*

Dated October 7 *188*6 J. M. Patterson *Police Justice.*

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

Dated Oct. 9th *188*6 J. M. Patterson *Police Justice.*

0531

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Marcus Mannell

and

Jacob Stern

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

Marcus Mannell and Jacob Stern

of the CRIME OF PETIT LARCENY, committed as follows:

The said Marcus Mannell and Jacob Stern, both —

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

ten pieces of Freeman Lace of the value of twenty cents each piece,

of the goods, chattels and personal property of one Thomas Jackson,

then and there being found, then and there unlawfully 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.

0532

BOX:
245
FOLDER:
2385
DESCRIPTION:
Marone, John

DATE:
01/31/87

2385

Witnesses:

Henry Nelbutch
David Murray
Antonio Zaccaro
John J. Nimmer

If the witnesses for the deft. are to be believed then the prisoner is guilty of no crime. On the other hand the witnesses for the People are to be believed the deft may be guilty of murder in the second degree. But I hardly think that all the elements to constitute murder in the first degree can be made out. In view of all the circumstances & in view of the difficulties of the case I am of the opinion that it is necessary to reconcile the glaring contradictions by these two sets of witnesses that a jury would probably say that the safest course to pursue would be to find the deft. guilty of manslaughter in first degree. I hesitate somewhat to accept this plea and if accepted I think great leniency has been shown deft. I recommend that defts plea of Manslaughter in first degree be accepted.

Oct 21/87
Randolph B. Martine
Dist. Atty.

#357
W. A. Howe
R. H. Carey

Counsel, 31
Filed, 31 day of Aug 1887
Pleads, Not guilty

THE PEOPLE

vs.

Sy. murder.

John Marone

MURDER IN THE FIRST DEGREE.
[Section 183, Penal Code.]

RANDOLPH B. MARTINE,
District Attorney.

P 2 Oct 21/87 on
Pleads Manslaughter 1 dg.
Oct 7

A True Bill.

Obadiah B. Fosdick

Foreman.

5 P 16 yrs

0534

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the house of Coroners' Office *No.* 67 Park Row *Street in the* 4th. *Ward of the City of New York, in the County of New York, this* 4 *day of* January *in the year of our Lord one thousand eight hundred and* 87 *before* M. J. B. Messemer Coroner, *of the City and County aforesaid, on view of the Body of* Dominico Monzillo *lying dead at*

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

Shock from Pistol shot wound of Brain and Skull inflicted by a Pistol in the hands of John Marone at 47 Mulberry St. on January 1/87 about 8 P.M.

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

JURORS.

Henry Waters, 266 Bowery
Herm. D. Traube 196 Center
Peter A. Belz 243 Center
William Legenberg 164 East Broadway
W. W. Reid, 348 Broome St.
Fred. L. Boscher 118 Sixth St.
J. Herman Lehring 253 Center
Louis Rappe 200 Center
Louis Holz 263 Bowery

M. J. B. Messemer
CORONER, L. S.

0535

Coroner's Office. **TESTIMONY.**

Officer John J. Wimmer 6th Precinct being sworn says: On January 1/87 about 8 PM I was standing Cor. Park & Mulberry Sts when I heard a Pistol shot, I went down Mulberry St toward Bayard. When I got in front of 37 Mulberry St the prisoner came running along & a man behind him shouted "Officer stop him, he has shot a man" I stopped him I got ahold of his shoulder, I asked him what was the matter, he said nothing, with that he put his hand in his overcoats pocket and threw away the revolver produced, I asked a man named Murray to pick it up which he did & handed it to me, I took him to 37 Mulberry St, & tried to confront him with the deceased but found it impossible there was such a crowd, I then took him to the station House

John J Wimmer

Officer John J. Wimmer 6th Precinct

Murray

Taken before me

This 1st day of January 1887

CORONER.

0536

Coroner's Office. TESTIMONY. 2

Michael Cassella being sworn says: I reside at 62 Mulberry St am a barber ~~On~~ On Jany 1/84 about 8 PM I was in 47 Mulberry St (a saloon) drinking wine when I heard a pistol shot, I got frightened and I ran away. I did not see what happened at all. That is all I know. I do not know who fired the shot.

Michael Cassella

Taken before me
this 4 day of January 1887
M J O'Meara M D CORONER.

0537

Coroner's Office. TESTIMONY.

Pasquale Angelillo being sworn says: I reside at 34 Mulberry St. Am a bar-tender for Mr Bove at 47 Mulberry St. On Jany. 1/86 ~~about~~ bet. 7 and 8 PM. I was taking a bottle of wine under the counter I heard a shot. I looked round & saw no body. There were two or three or four men in the saloon at the time. I did not see the prisoner there There was a man drinking a glass of wine at the counter and he ran away into the yard. Then I came from behind the Counter and saw a man lying on the floor, I know of nothing else because I was attending to my business. Before the shot was fired I did not see the prisoner in the saloon. There were more people after the shot was fired that before it in the saloon. I did not see the prisoner in the saloon that evening I saw him there about 3 O'clock in the afternoon.

Pasquale Angelillo

Taken before me

this 4 day of January 1887

Thos J O'Meara M.D. CORONER.

0538

Coroner's Office. **TESTIMONY.**

Raphael Rose being sworn says: I reside at 48 & 50 Mulberry St. I do not live in the saloon at No. 47 Mulberry St. I keep a lager beer & wine saloon at 47 Mulberry St. I was not in the saloon at the time of the shooting I was arrested in my house.

Raphael his X Rose mark

Taken before me
this 4 day of January 188 7
Wm J. McKenna CORONER.

0539

Coroner's Office. **TESTIMONY.** 5

Harry Hebritch being sworn says: I reside at 42 Essex St. Am a tinsmith by trade
On Jany 1/81 about (Don't Know the time) I saw a lot of men with banjos, I met them corner of Essex and ~~Chester~~ Sts. I followed them to Mulberry St. They went into a house and I went away. I saw some Italians in a saloon and I stood listening to them. They were dancing, Then I heard a hollow and I ran outside, Then I saw a man who had a pistol in his hand, they pushed him out of the saloon, The people were afraid and ran across the street, Then he jumped into the saloon again and I heard a shot and he ran out again, He ran to the corner and a fellow caught him, I went into the saloon and saw a man lying wounded ~~on the~~ on the floor, I recognize the prisoner as the person who had the pistol in his hand, but I did not see him shoot, He was mad and excited as coming out of the saloon, I was about 4 minutes in front of the saloon. I only heard one shot, I reside with my father

Harry Hebritch

Witness examined this day of January 1881
Chas. J. Phillips
Clerk

Harry Hebritch

Taken before me
this 4 day of January 188 7
R. J. Phillips CORONER.

0540

Coroner's Office. TESTIMONY.

David W. Murray being sworn says: I reside at 99 No. 7th St Wm Burg. Am a mason and bricklayer employed by Matthew Smith. On Jany 1/84 about 8 PM or 8:15 PM. I was passing down Mulberry Street towards Park Row. I heard a scream I looked around and I saw the prisoner with a pistol in his hand, I saw him fire the shot. I saw the flash and heard the report I only heard one shot fired. I did not see where the shot took effects. I saw the prisoner run down about 25 feet Mulberry St. when the Officer caught him. The prisoner dropped the pistol produced which I picked up on the sidewalk and gave to the Officer. The prisoner was put under arrest and the Officer asked me to go to the Station House with him. I then went with the Officer to the saloon 47 Mulberry St where I saw the deceased lying on the floor, I believe he was unconscious. He had a pistol shot wound on top of the forehead. I was on the same side of the street as the saloon, I saw the side face of the prisoner just inside of the saloon I did not see at when the pistol was

Taken before me
this day of 188

CORONER.

Coroner's Office. TESTIMONY. 7

pointed. I saw four or five heads in front of the prisoner. There might have been 10 or 12 people in the saloon for all I know. I did not see the prisoner pushed out of the saloon. I was not drunk that night, I took about 2 or 3 glasses of whiskey that night, each night.

David M. Murray

Witness to the signature of David M. Murray this 14th day of January 1887

Geo. H. Morrison
Coroner

Taken before me
this 14th day of January 1887

R. J. O'Meara
CORONER.

0542

Coroner's Office. TESTIMONY.

John Catalano being sworn says: I reside at 44 Mulberry St. Am a tailor employed at 108 Clinton St. On Jany 1/87 about 7.30 or 8 PM I went to have a drink at 47 Mulberry a saloon kept by Rupkuel Bove. I saw the prisoner there and a couple of men more. The prisoner was sober I saw the prisoner take a pistol out of his inside pocket and say to the deceased "I want to shoot you tonight" He pointed the pistol at the deceased I saw the shot fired. The prisoner went outside and then came back and shot the deceased. This occupied about 7 or 8 minutes. The deceased fell after he was shot in the top of the forehead. The prisoner ran away on the sidewalk, and the officer caught him right away. An Ambulance came & took the deceased to Chambers St Hospital. I was about 15 minutes in the saloon when the ~~dec~~ prisoner came in. The deceased was in the saloon before the prisoner came in. The prisoner took the pistol out of his pocket & some one threw him out of the saloon on to the sidewalk. It was not the

Taken before me

this day of 188

CORONER.

Coroner's Office. TESTIMONY. 9

deceased who threw him out. The prisoner came back in 5 or 6 minutes and shot right away without saying anything. The prisoner was about 3 yards away from deceased when he fired the shot. The deceased was standing at corner of ~~the~~ counter at the further end when shot. The ~~deceased~~ prisoner was standing ~~near~~ the front door on the steps. The prisoner had the revolver in his hand when he was thrown out of the saloon. There were 5 or 6 or 7 men in the saloon at the time. There was only one shot fired. The deceased fell right away after the shot was fired by the prisoner. I was about 15 minutes in the saloon. I have not drunk anything for 3 months.

John F Carlisle
Witness

Witness to sign the this mark
Geo. Carlisle.
x
mark

Taken before me
this 4 day of January 188
W J O'Meagher M.D. CORONER.

Coroner's Office. TESTIMONY.

Antonio Zaccaro being sworn says I reside at 45 Mulberry St. Am employed unloading City scows at sea. On January 1887 about 7.30 PM or 8 PM. I was in the saloon when the shooting took place. I was there before the prisoner came in. I was there about 10 minutes before the shooting. The prisoner came in with a revolver and said "Dominico Manzello don't move or I'll shoot you" The deceased was standing at the Counter. The prisoner was thrown out of the saloon, He came back and I saw the prisoner fire the shot and the deceased who was near me dropped immediately. I did not see any more. The deceased lay on the floor shot on the top of the forehead. When the shot was fired I was near the Counter, The deceased was about a yard from me, The prisoner was about 4 yards from me when he fired. He was in the street door at the time.

Antonio Zaccaro

Dominico Manzello
Deceased

Antonio Zaccaro
Prisoner

Taken before me
this 11th day of January 1887

CORONER.

0545

Coroner's Office. TESTIMONY.

St. Joshua Freed, being sworn says: I made an autopsy, on the body of the deceased Dolorice Mobillo, at the Chambers St. Hospital Jan. 2/87; Body well preserved rigor mortis well marked, External Examination showed penetrating bullet wound, of skull, 1/2 in. to the right of the median line about the junction of the frontal with the parietal bones, producing a compound fracture of the right parietal bone, one inch long & one inch wide, Skull cap removed, clot over right hemisphere of brain, bullet passed through frontal lobe of right side of brain thence through the superior parietal lobe of left side of brain its direction was obliquely from right to left bullet was found in the left posterior fossa of skull. all other organs normal, death in my opinion was caused by shock from pistol shot wound of brain & compression of brain, by clot

Taken before me Joshua Freed M.D.

this 4 day of January 1887

W. J. B. Mussen CORONER.

0546

Coroner's Office,

CITY AND COUNTY OF NEW YORK, } ss.

John Marone being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz.:

Question—What is your name?

Answer— John Marone

Question—How old are you?

Answer— About 28 or 29 years of age

Question—Where were you born?

Answer— Italy

Question—Where do you live?

Answer— 58 Mulberry St

Question—What is your occupation?

Answer— Foreman

Question—Have you anything to say, and if so, what, relative to the charge here preferred against you?

By the advice of my counsel I decline to make any statement here

John + Marone

Taken before me, this 4th day of January 1887

M. J. B. Messemer M.D. CORONER.

0547

POOR QUALITY ORIGINAL

MEMORANDUM.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
52 Years.	Months.	Days.	Italy	Chambers St. Hoboken	January 2/87

1st 10 1887

HOMICIDE.

AN INQUISITION

On the **VIEW** *of the* **BODY** *of*

Dominico Monziello

whereby it is found that he came to his Death by the hands of

John Marone

Inquest taken on the 4th *day of* January 1887 *before*

M. J. B. Messemer Coroner.

Committed

Bailed

Discharged

Date of death January 2/87

0548

Report of Ambulance Call.

Date Jany 1st 1887
Call 47 Mulberry St.
Time 5.15 P. M.
Arrival 5.20 " "
Return 5.35 " "
Name Dominic Monzillo
Age 52
Condition Married
Nativity Italy.
State —
Time in N. Y. City 5 years.
Occupation Restaurant
Residence 49 Mulberry St
Friend's Name John Monzillo
Friend's Residence 44 Mulberry St.
Diagnosis Penetrating pistol shot wound of skull
Died at 1.10 A. M.
Property Jan. 2d 87
Driver's Name

(Copy) Wedekind Surgeon.

0549

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 1st DISTRICT.

John J Bommer

of ~~No.~~ 4th Precinct Police ~~Street,~~ aged 28 years,

occupation Police Officer being duly sworn deposes and says,

that on the 1st day of January 188

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

Michael Casselli Raffael Bovo and Pasquale Angelli (all now here) are material witnesses in a complaint of Homicide against Dominico Mangello and deponent has reason to believe that the said witnesses will not appear at the First Dist Police Court in said city to testify as such witnesses

Wherefore deponent prays that the said witnesses may be ordered to enter into recognizance with security for their appearance

John J Bommer

Sworn to before me, this 2 day of January 188

Police Justice.

0550

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 1st DISTRICT.

David M Murray

of No. 99 North 7th St Williamsburg Brooklyn E.D. Street, aged 22 years,

occupation Bricklayer being duly sworn deposes and says,

that on the 1st day of January 188

at the City of New York, in the County of New York, at about the hour of eight o'clock P.M. on said date deponent was walking down Mulberry Street and when in front of premises no 44 Mulberry Street I saw the defendant standing inside the saloon door in said premises the door was open and the defendant discharged the contents of a barrel of a pistol he defendant held in his hand into the interior of said saloon and the defendant immediately ran out of the said saloon and deponent followed the defendant until he defendant was taken in

Sworn to before me this day of 188

Police Justice

0551

custody by the officer and the defendant dropped the pistol on the walk and deponent picked up the pistol and gave it to the officer

Sworn to before me this
2nd day of January 1888

Sig. Gomez

David M. Murray

Police Justice

Police Court, _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated _____ 188

Magistrate.

Officer.

Witness,

Disposition,

0552

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

POLICE COURT, 1st DISTRICT.

Harry Helbitch (House of Detention)

of No 42 Essex 1st Street, being duly sworn, deposes and says,

that on the ..... day of January 188

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

(Nowhere) did feloniously cause the death one Dominico Morgello by shooting him

For the following reasons to wit; that at about the hour of eight o'clock P.M on said date as deponent and another boy was walking along Mulberry Street deponent saw three or four men kicking the defendant Marone out of the front door of a lagerbeer saloon in premises no 47 Mulberry Street and after the defendant was kicked out on the walk he defendant walked toward the front door and took one step inside the saloon and discharged the contents of one barrel of a pistol which he defendant held in his hands in said lager beer saloon, the defendant walked out of the door of said saloon and ran down Mulberry Street towards Park Row and deponent immediately went into the saloon and saw the deceased lying down on the floor with a wound in his the deceased man forehead and apparently dead

Deponent further says that there was but one shot fired at that time deponent positively identifies the defendant as the man that fired said shot

Sworn to before me this 9th day of January 1897
[illegible]

Harry Helbitch

Police Justice

0553

Committed without bail in default of $2,000 bail for Examination on Tuesday next at 2 P.M.

Police Court 15th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1 [illegible]
2 [illegible]
3
4

Offence Homicide

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Witnesses [illegible]

Dated Jany 2 188

[illegible] Magistrate.

[illegible] Officer.

Precinct.

No. [illegible] Street.

No. [illegible] Street.

No. [illegible] Street.

$ [illegible] to answer

[illegible]

[illegible]

[illegible]

[illegible] 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~~ ~~Hundred Dollars,~~ and be committed to the Warden and Keeper of the City Prison of the City of New York, ~~until he gives such bail.~~ without bail.

Dated Jany 14 188 [illegible] Police Justice.

[illegible] the above-named [illegible] to bail to answer by the undertaking hereto annexed.

Dated 188 Police Justice.

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

Dated 188 Police Justice.

---------- ----------X

The People

vs.

John Marone

----------X

City and County of New York, SS:

Pietro Paladeno being duly sworn deposes and says: I know the prisoner, John Marone, by sight, and also knew Domenico Manzillo by sight. Between eight and nine o'-clock I was in the bar-room 47 Mulberry Street sitting there with a friend at a table, and all at once I heard a disturbance and I saw the deceased pull out a knife and try to stab Marone. Marone retreated, bent his body [illegible] him [illegible] run and deceased ran [illegible] with the knife until he reached the door when the other turned around and fired his revolver - when they came to the bar room door, he pulled out his revolver and fired once. Immediately after the shot the deceased fell near the door. Morane upon that went down Mulberry Street in a quick step, and the police arrested him.

I reside at No. 50 Mulberry Street.

Sworn to before me this

day of September, 1887.

THE PEOPLE OF THE STATE OF
NEW YORK,

against

John Marou

Affidavit
of
Pietro Paladino,

RANDOLPH B. MARTINE,
District Attorney,
No. 32 CHAMBERS STREET,
NEW YORK CITY.

0556

No. 1. 408

District Attorney's Office.

PEOPLE

vs.

Incurable disease
Further affidavit -
not before the
Dist Atty
at the time of
plea - Prisoner
fraudulently put
it

0557

FIRST DISTRICT POLICE COURT.

Recognizance to Testify.

CITY AND COUNTY OF NEW YORK. } ss.

BE IT REMEMBERED, That on the 2nd day of January in the year of our Lord 18 87

David Murray

of No. 99 North 7th Street Street, in the City of ~~Kings~~ Brooklyn

and John P. Murray

of No. 191 Mott Street, in the said City,

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

David Murray

the sum of Five Hundred Dollars;

and the said John P. Murray

the sum of Five Hundred Dollars,

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

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

John Morrow

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

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

David Murray
John P. Murray

M J Ono

POLICE JUSTICE.

0558

CITY AND COUNTY OF NEW YORK, } ss. John P. Murray

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

Paper Stock, Rags, Futures. Provide Premises No 119 North Street in the City of New York

John P. Murray

Sworn before me, this 2nd day of [illegible] 18 [illegible]

Police Justice.

New York Sessions.

THE PEOPLE, &c.,

vs.

RECOGNIZANCE TO TESTIFY

Filed day of 18

POLICE JUSTICE.

0559

FIRST DISTRICT POLICE COURT.

CITY AND COUNTY OF NEW YORK. } ss.

Recognizance to Testify.

BE IT REMEMBERED, That on the 14th day of January in the year of our Lord 1889 Henry Shellrich of No. 43 Essex Street, in the City of New York, and Isaac Geller of No. 37 Essex Street, in the said City, personally came before the undersigned, one of the Police Justices in and for the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say; the said Henry Shellrich the sum of Ten **Hundred Dollars;** and the said Isaac Geller the sum of Ten **Hundred Dollars,** seperately, of good and lawful money of the State of New York, to be levied and made of their respective goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition following, viz:

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

John Monroe

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

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

Henry Shelrich

Isaac Geller

P. G. Duffy

POLICE JUSTICE.

0560

CITY AND COUNTY OF NEW YORK, } ss. Isaac Gelles

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

The house and lot of ground situated at No 7 & Christie Street and is worth Eighteen thousand dollars clear of all debts - and encumbrances

Isaac Gelles

Sworn before me, this 1st day of January 18 [illegible]

[illegible] Police Justice.

New York Sessions.

THE PEOPLE, &c.,

vs.

RECOGNIZANCE TO TESTIFY

POLICE JUSTICE.

18

Filed day of

0561

FIRST DISTRICT POLICE COURT.

CITY AND COUNTY OF NEW YORK. } ss.

Recognizance to Testify.

BE IT REMEMBERED, That on the 14th day of January in the year of our Lord 18 89

David Murray

of No. 119 Ninth Street, in the City of New York,

and John P. Murray

of No. 119 Ninth Street, in the said City,

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

the sum of Five **Hundred Dollars;**

and the said John P. Murray

the sum of Five **Hundred Dollars,**

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

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

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

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

David M Murray
John P Murray

P A Sheffer
POLICE JUSTICE.

0562

CITY AND COUNTY OF NEW YORK, } ss.

the within-named Bail, being duly sworn, ~~says, that he~~ is a Clerk holder in said City, and is worth Ten Hundred Dollars, over and above the amount of all his debts and liabilities; and that his property consists of stock, rags and fixtures now in Tenement 149 North Street in the City of New York and value at two thousand Dollars free and clear.

John P. Murray

John C. McGovern

Sworn before me this 1st day of September 1882

Police Justice.

New York Sessions.

THE PEOPLE, &c.,

vs.

RECOGNIZANCE TO TESTIFY

Police Justice.

Filed day of 18

0563

POLICE COURT— ..... DISTRICT.

CITY AND COUNTY OF NEW YORK, } ss.:

RECOGNIZANCE TO TESTIFY.

BE IT REMEMBERED, That on the 3rd day of January in the year of our Lord 188 9

Michael Cassellí

of No. 62 Mulberry Street, in the City of New York,

and Michael Di Monaco

of No. 47 & 49 Mulberry Street, in the said City,

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

Michael Cassellí

the sum of Five Hundred Dollars,

and the said Michael Di Monaco

the sum of Five Hundred Dollars,

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

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

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

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

Michele Gasetta

Michele Di Marsico

..... Police Justice.

0564

CITY AND COUNTY OF NEW YORK, } ss.

Michael Di Massico

the within-named Bail, being duly sworn, says that he is a Property holder in said City, and is worth Twenty Hundred Dollars, over and above the amount of all his debts and liabilities; and that his property consists of 1/2 interest in premises 47 & 49 Mulberry Street of the full value of Two Thousand dollars over all debts and obligations

Michael Di Massico

Sworn before me, this day of 188

Police Justice.

New York Sessions.

THE PEOPLE, &c.

vs.

Recognizance to Testify.

Magistrate

Filed day of 188

0565

POLICE COURT— 1 DISTRICT.

CITY AND COUNTY OF NEW YORK, } ss.

RECOGNIZANCE TO TESTIFY.

BE IT REMEMBERED, That on the 3 day of January in the year of our Lord 1887 Pasquale Angello of No. 147 Mulberry Street, in the City of New York, and Michael De Francisco of No. 47 & 49 Mulberry Street, in the said City, personally came before the undersigned, one of the Police Justices in and for the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say: the said Pasquale Angello. the sum of Five Hundred Dollars, and the said Michael De. Francisco the sum of Five Hundred Dollars, separately, of good and lawful money of the State of New York, to be levied and made of their respective goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition following, viz:

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

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

Taken and acknowledged before me, the 3 day and year first above written.

Pasquale Angello

Michele Di Francisco

Police Justice.

0566

CITY AND COUNTY OF NEW YORK, } ss.

Michael D'Massico

the within-named Bail, being duly sworn, says that he is a property holder in said City, and is worth Twenty Hundred Dollars, over and above the amount of all his debts and liabilities; and that his property consists of 1/2 interest in premises 47 & 49 Mulberry Street of the full value of Two Thousand Dollars over all incumbrances and debts

Michele D'Massico

Sworn before me, this day 188

Police Justice.

New York Sessions.

THE PEOPLE, &c.

vs.

Recognizance to Testify.

Magistrate

Filed day of 188

0567

State of New York
City of New York } ss

Pasquale Caponigri being duly sworn deposes and says:

I reside at 55½ Mulberry Street in the City of New York, where I keep a banking office.

I have known John Marone for the last ten years and I can positively state that he has been an honest and industrious man, who always attended to his business and family and of not a quarrelsome disposition.

That he never has been arrested for any cause whatever.

Pasquale Caponigri

Sworn to before me this
Twenty second day of October 1887

James F. Whelan
Notary Public No (28)
N. Y. Co

0568

State of New York
City & County of New York } ss. Carmine Cava

Being duly sworn deposes and says that he resides at No 40 Mulberry st in the city of New York that he is by occupation a Banker that he is well acquainted with John Marone the defendent herein and has known him for the past twenty years and has always found him a peaceable quite industrious and sober young man,

That the said John Marone has never been arrested for any crime against public order of decency to the knowledge of this deponent

That said John Marone is a man of family being father of three childrens all of tender age who are zealously found of him and whose absence from them for any lenght of time will in your deponent opinion seriously affect their health

Carmine Cava

Sworn to before me this twenty second day of Oct. 1882.
James M. Whelan
Notary Public No 28
N. Y. Co

0569

State of New York
City and County of New York } Augustus Sharbaro
of said city being duly sworn deposes and says that he resides at 60 Mulberry st that he has been a member of the Municipal Police for the past Fourteen years although now Honorably retired

That he has been intimately acquainted with John Marone for the past ten years and is also acquainted with his family.

That during your deponents acquaintanceship with the said Marone, the said Marone has always resided in the sixth precinct where your deponent has been for that time engaged in Police duty

That he has never heard of said Marone being charged with any crime against public order and further more of his own personal knowledge deponent knows said Marone to be a quiet inoffensive reputable man

Sworn to Before me this twenty second day of Oct. 1887.
James H. Whelan Notary Public No (28) N.Y. Co

Augustus Sharbaro

0570

State of New York
City & County of New York } ss. Solomon Landsberger

Being duly sworn deposes and says that he resides at 172 Park Row that he is by occupation a shoe dealer that he knows John Marone the defendent herein for the last twelve years and has always found him a quiet peaceable man and has always heard him spoken of has such among the people living in both defendents and deponents neighborghood,

That deponent has had business relations with your deponent and has always proved himself a reliable Honest and quick gentlemen,

That your deponent further states that said John Marone is spoken of by everybody with whom this deponent has come in contact as a model young man.

S. Landsberger

Sworn to before me
this Twenty second day of Oct 1887.
James F. Whelan
Notary Public No (28)
N.Y. Co.

0571

LAW OFFICES OF
Howe & Hummel
87 & 89 Centre and 136, 138 & 140 Leonard Sts.
NEW YORK CITY

William F. Howe.
Abe. H. Hummel.

October 18th 1887.

Randolph B. Martine Esqre

Dear Sir,

Will you kindly direct Mr. Parker to place the case of "John Marone" for Homicide on tomorrows' calendar in Part I for pleading.?

I am informed, that some months since, it was agreed that a plea of manslaughter in the 2nd degree should be interposed.

If I am correct in that, will you please direct Mr. Parker to endorse the papers and to place Marone on tomorrows' calendar that he may plead to manslaughter in 2nd degree.

Yours Faithfully
William F. Howe

The People
vs
John Marone

POOR QUALITY ORIGINAL

0573

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

If this Subpœna is disobeyed, an attachment will immediately issue.

Bring this Subpœna 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.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

Ask to see Mr. Purdy at 10 o'clock A.M.

The People of the State of New York.

To Gaspero Paresi

of No. 248 Washington 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 24 day of September instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

John Doe

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 September in the year of our Lord 1887

RANDOLPH B. MARTINE, *District Attorney.*

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

If this Subpœna is disobeyed, an attachment will immediately issue.

Bring this Subpœna 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.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

Ask to see Mr. Purdy at 10 o'clock A.M.

The People of the State of New York.

To Pietro Paladino

of No. 50 Mulberry Street, 2 floor

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 24 day of September instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

John Doe

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 September in the year of our Lord 1887

RANDOLPH B. MARTINE, *District Attorney.*

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

If this Subpœna is disobeyed, an attachment will immediately issue.

Bring this Subpœna 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.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

Ask to see Mr. Purdy at 10 o'clock A.M.

The People of the State of New York.

To Joseph Corfalo

of No. 198 E. Broadway 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 September instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

John Doe

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 September in the year of our Lord 1887

RANDOLPH B. MARTINE, *District Attorney.*

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 Marone

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

of the CRIME OF **Murder in the First Degree,** committed as follows:

The said John Marone,

late of the City of New York, in the County of New York aforesaid, on the first day of January, in the year of our Lord one thousand eight hundred and eighty-seven, at the City and County aforesaid, with force and arms, in and upon one Domenico Maniglia, in the peace of the said People then and there being, wilfully, feloniously, and of his malice aforethought, did make an assault, and the said John Marone, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said John Marone in his right hand then and there had and held, to, at, against, and upon the said Domenico Maniglia, then and there feloniously, wilfully, and of his malice aforethought, did shoot off and discharge, and the said John Marone, with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, him the said Domenico Maniglia, in and upon the head of him the said Domenico Maniglia, then and there feloniously, wilfully, and of his malice aforethought, did strike, penetrate, and wound, giving to him the said Domenico Maniglia, then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the pistol aforesaid, by the

0575

said John Marone, in and upon the head of the said Domenico Maniglia, one mortal wound of the breadth of one inch, and of the depth of six inches, of which said mortal wound — he — the said Domenico Maniglia, at the City and County aforesaid, from the said — first — day of — January, — in the year aforesaid, until the second day of January, in the same year aforesaid, did languish, and languishing did live, on which said second — day of January in the year aforesaid, the said Domenico Maniglia, at the City and County aforesaid, of the said mortal wound did die.

And so the Grand Jury aforesaid do say: That the said John Marone, him —

the said Domenico Maniglia, in the manner and form, and by the means aforesaid, wilfully, feloniously, and of him malice aforethought, did kill, and murder, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE,

District Attorney.

0576

BOX:
245
FOLDER:
2385
DESCRIPTION:
Marriott, Samuel H.
DATE:
01/11/87

2385

0577

BOX:
245
FOLDER:
2385
DESCRIPTION:
Rosseter, Nathan J.

DATE:
01/11/87

2385

Witnesses:

Lewis G. Rohnerich

Michael Vaccas

#104

David Thornton

Room 38 Potter Building

Counsel,

Filed 11 day of Jany 1887

Pleads Not Guilty

THE PEOPLE

vs.

Samuel H. Marriott

vs.

Nathan T. Rossiter

Forgery in the Second Degree, etc. Sections 511 and 521, Penal Code and 528 and 532, Penal Code.

RANDOLPH B. MARTINE,

District Attorney.

Jany 27/87 Both plead N.G.

A True Bill.

Chas. B. Roberts

Foreman.

Judgt Suspended.

H.H.G.

District Attorney's Office.

PEOPLE

vs.

Marriott & Rossiter -

Forgery -

In view of the fact that complt recommends clemency - and that defts are quite young ~~and that~~ ~~I cannot think that~~ I think the ends of justice would be fully served if the defts were allowed to plead to the count in the indictment for petit larceny RBM

Jan 20/87

8159

0579

Police Court— 2 District. Affidavit—Larceny.

City and County of New York, } ss.:

Louis G. Bohmrich

Room of No. 132 Temple Building Nos 15 & 25 Whitehall Street, aged 81 years, occupation Agent for M. N. Pettit Mailing Co being duly sworn deposes and says, that on the 20th day of December 1886 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

Good and lawful money of the United States to the amount and of the value of Eighteen dollars and thirty cents

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 Samuel N Morrisette and Nathan S Rossiter (both nowhere) for the reason, that about the hour of 1 P.M. on the above date, the defendants came together and in company with each other to deponents office at the above address; that the defendant Samuel N Morrisette asked deponent to cash the annexed check for the sum of Twenty-six dollars and twenty cents drawn payable to said Samuel N Morrisette on the Second National Bank by W. S Naughtenberg, and directed deponent to deduct the amount of Seven dollars and ninety cents which was due to deponent for money loaned to said defendant Samuel N Morrisette; that deponent thereupon gave the said Samuel N Morrisette the above described Eighteen dollars and thirty cents on said check,

Sworn to before me this day of 188

Police Justice

Deponent further says that he subsequently presented the annexed check at the Second National Bank and was told by the paying teller of said bank that there was no account to the credit of N. P. Naughtailing by whom said check was drawn, and that said check was fraudulent and worthless.

Deponent further says, that he has been informed by John Ward, Detective Sergeant of Central Office, that the said defendant Samuel H. Marriott admitted and confessed to him in the presence of Samuel Sheldon Detective Sergeant of the Central Office, that the annexed check was worthless, and that the said check had been made by the other defendant Nathan T. Rossiter.

Wherefore deponent charges the said Samuel H. Marriott and Nathan T. Rossiter with acting together and in concert and with obtaining the above described money from deponent with intent to defraud, by aid or offer of the annexed check, knowing at the time, that the drawer was not entitled to draw on the drawee for the same specified therein, and prays that they may be committed to answer and dealt with according to law

Sworn to before me
this 30 day of December 1886
J. M. Patterson
Police Justice

Louis G. Bohmrich

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

Dated ______ 188 ______ Police Justice.

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

Dated ______ 188 ______ Police Justice.

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

Dated ______ 188 ______ Police Justice.

Police Court, ______ District.

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

Offence—LARCENY.

Dated ______ 188
______ Magistrate.
______ Officer.
______ Clerk.

Witnesses, ______
No. ______ Street.
______
No. ______ Street.
______
No. ______ Street.
$ ______ to answer ______ Sessions.

0581

CITY AND COUNTY OF NEW YORK, } ss.

John Ward

aged 52 years, occupation Detective Sergeant of No. Central Office Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Louis G. Schmidt and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 30 *day of* December 188[illegible]

Wm. Patterson
Police Justice.

John Ward

0582

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Samuel N Marriott 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. Samuel N Marriott

Question. How old are you?

Answer. Twelve years

Question. Where were you born?

Answer, New York City

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

Answer. Brooklyn. About fourteen years

Question. What is your business or profession?

Answer, Insurance

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 have nothing to say at present. And I demand a trial by Jury on this complaint

S N Marriott

Taken before me this 30 *day of* November 188 6

Police Justice.

0583

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

Nathan E. Rosseter 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. Nathan E. Rosseter

Question. How old are you?

Answer. Twenty-two years

Question. Where were you born?

Answer, New York City

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

Answer. New York City. Five years

Question. What is your business or profession?

Answer, Gas-agent

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 have nothing to say at present and demand a hearing on this charge.

N. E. Rosseter

Taken before me this 10 *day of* November 188 9

Patrick Jones *Police Justice.*

0584

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court 6 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

1 Samuel H. Monnett
2 Nathan J. Rosenlin
3
4

Offence Forgery

Dated November 30 1886

Magistrate.

Officer.

Precinct.

Witnesses

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ ..... Witness fees.

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

Dated January 3rd 188 6 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.

0585

Law Offices of THORNTON, EARLE & KIENDL,

POTTER BUILDING,

Corners Park Row, Beekman & Nassau Streets,
Seventh Floor, Rooms 163, 164 and 166.

DAVID THORNTON,
CHAS. M. EARLE,
ADOLPH KIENDL.

New York, Jany 20 1887

Hon. R. B. Martine.

My dear Sir,

Since your talk with me to day I have been under the impression that you thought I was not candid with you respecting complaint agst Marriott & Rositer. It is not so. I told you just what I knew and I desire to remove any such impression if you have it. My first interview with you was before the papers were sent to your office I then told you of a separate complaint against Marriott and the firm are against both. You asked me if restitution had been made and I replied no,

and you then suggested that ought to be the first thing done, You asked me if I could get a state-ment from the complaints and I replied I thought I could and you detailed to me what it should contain as I stated I was not familiar with the modus operandi never having had any criminal practice, and directed me to bring statement to you. The separate complaint ags. Marriott I learned was through a mistake on his not paying over a premium on Insurance because of a disputed difference in the commission thereon he claimed. As you suggested, restitution was made and the complaints were withdrawn with the consent of the Justice, Then the papers in the joint complaint were sent to your office, next day an Indictment as I afterwards learned was found. following morning I was called

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Law Offices of THORNTON, EARLE & KIENDL,

POTTER BUILDING,

Corners Park Row, Beekman & Nassau Streets,
Seventh Floor, Rooms 163, 164 and 166.

DAVID THORNTON,
CHAS. M. EARLE,
ADOLPH KIENDL.

New York, ... 188

upon to go to Court as Boys would be brought to plead, I did so, pleaded not guilty and my name being asked I gave my own and not my firm because they do not take any Criminal business, Next day Complainant signed statement you suggested, I requested him to accompany me to your office, he did so and you were just going to Lunch, We returned at 2 p.m. and remained until 4½ but you did not come back, Next morning case was on Calendar for trial and complainant myself waited to see you until 11 am when I went up to Court and requested an adjournment, It was granted and then I returned to you, said you

and showed you statement and asked if you wished to see Complainant as he was in outer room, You said you did not, requested me to witness statement which I did, I asked you to read it so I might know if it was sufficient, You did and replied it was, I asked when I should call again and you told me it would not be necessary as you would send a memorandum to Chief Clerk. Same evening I saw Chief Clerk and he reported you had sent papers to him for his opinion, he requested me to send complainant to him at 4 p.m next day. I sought complainant all next day at his office did not find him, wrote him two letters requesting him to call at 4 p.m on Mr Parker, After that time I called on Clerk to enquire if Complainant had appeared, he had not and next morning I

0589

Law Offices of THORNTON, EARLE & KIENDL,
POTTER BUILDING,
Corners Park Row, Beekman & Nassau Streets,
Seventh Floor, Rooms 163, 164 and 166.

DAVID THORNTON,
CHAS. M. EARLE,
ADOLPH KIENDL.

New York, ... 188

received from him dispatch that he had just received my letters, I sent him and learned he had been engaged all previous day before Justice Norton, I asked him to go to Mr Parker, he did so, waited hour and quarter, did not see him, called again and saw him, what occurred I do not know except from statement of Mr Parker to me that complainant had stated substantially what I had told Mr Parker, after that I saw Mr Parker and he reported that he had sent his views to you & I had better see you. I did so same day and the report was read to me by you. I surprised me very much in-

0590

-deed and I concluded that I had
better get a Counsel for boys as
they might be called for trial at
any time and I engaged Mr
Conran and told him what
I had done. I did go to Mr
Parkers several times because
every night the Mother of Marion
would see me and I desired
to assure her I was not ne-
-glecting her boy, perhaps my
frequent visits made Mr Parker
impatient with me which I
regret. My object in writing
now is to explain that I have
acted in perfect good faith
with you and as I stated to
you my interest was to oblige
a mother who has been a neigh-
bor for twelve years and whose
family I have personally known
all that time, and are as I
have stated in my affidavit
given to Mr Parker at his

0591

Law Offices of THORNTON, EARLE & KIENDL,

POTTER BUILDING,

Corners Park Row, Beekman & Nassau Streets,
Seventh Floor, Rooms 163, 164 and 166.

DAVID THORNTON,
CHAS. M. EARLE,
ADOLPH KIENDL.

New York, ... 188

Regrets, I apologise for this line letter, and am obliged to you for your courtesy to me.

Chas. Earle

David Thornton

0592

The Beffle
vs
Marriott &
Rossiter

0593

A. Raymond & Co.
Clothiers,
129 to 133 Fulton Street,

New York, Jan 24 1886

Hon Henry A. Gildersleeve
Dear Sir —

I have been made acquainted with the facts connected with the complaint against S. H. Marriott and am personally acquainted with some of the members of his family and I cheerfully recommend leniency as you may see fit to give him

Yours Respectfully
A Raymond Jr

I Louis G. Bimerick the complainant against Samuel H. Marriott and Nathan Rossiter do hereby voluntarily state that from the enquiries I have made in respect to said boys and their previous good character and the references made to me as to their relations and connections, I am satisfied and convinced that at the times the boys procured the money from me on the check which is the basis of my complaint, that they did not intend to commit a crime, but expected and intended to repay me the money I advanced, I have learned their previous character was good, that their parents are very respectable indeed and I am willing to and hereby consent to withdraw the complaint I made against them. I further state

0595

that restitution of the money
I advanced has been made
to me and that my reasons
for signing this paper are
not controlled by any advan-
tage to me, and I recommend
the said defendants to such
leniency and clemency as
the District Attorney may
see fit to show. Witness G. D. Church
Dated January 12th 1885.
Witness
David Thomas

The People

vs

Marriott &

Rossiter

City and County of New York, ss:

ALBERT L. WEAVER, being duly sworn deposes and says; that he resides at 524 Grand Street, in the City of Brooklyn, and is a clerk in the United States Assay Office in the City of New York. That he has kknown the parents of Nathan T. Rossiter indicted herein between 25 and 30 yeas That they are people of the highest respectability and their standing in the community has always been of the highest. That deponent was intimately acquainted with Nathan T. Rossiter, the father of this defendant; that he was a man of the strictest integrity and for whom deponent had the highest respect. That said Mathan T. Rossiter departed this life some Twenty years since. That as to defendant, Nathan T. Rossiter, deponent only knows him through being introduced to him by him mother and has no positive knowledge of his character except from report which up to the present time, with the exception of the charges now against him, has always been good.

Sworn to before me this :
15th day of Jan. 1887. :

John J. Mackenzie
Notary Public
New York Co

Albert L. Weaver

0598

City and County of New York, ss:

AUGUSTUS S. FRISBY, being duly sworn, sdeposes and says that he resides at Norwalk, in the State of Conn. and is engaged in business in the ~~Liverpool London and Globe~~ Fire Insurance Association of London at 69 & 69 Insurance ~~Company~~, ~~Corner of Pine &~~ William St. in the City of New York. That he is acquainted with Nathan P. Rossiter indicted herein with one Marriott, for petty larceny and forgery. [illegible] ance of a number of years with the family and connections thereof. That the standing of said family is society has always been of the highest and the reputation borne by the individual members thereof of the best. That his acquanitance with said Nathan T. Rossiter was made in the year 1884 at a boarding house in 46th street bet. Broadway and 6th Avenue, in the City of New York where he boarded for the winter; said Rossiter being in said house for about the same period. That said Rossiter's conduct while at said house was without reproach and the reputation which he bore in the said house was good and nothing was ever said against him nor did he to deponent's knowledge do anything that would subject him to reproach.

Sworn to before me this : 15th day of Jan. 1887. :

Augustus S. Frisby

Geo. S. Bisby
Notary Public N.Y. Co. 821.

0599

City & County of New York ss:
David Hamilton being duly sworn says that he has known Samuel H Marriott and his family for at least ten years said family have been during all that time very clear neighbors to deponent. The Father of said Marriott was a Commission dealer in Coal and was a well known and respected man, He died about two years ago and his widow has since that time taken in sewing and had one or two boarders, most of the time a man and wife, Samuel H. is about nineteen years of age, during the whole time deponent has known him he went to School until for the past three or four years when as deponent is informed and believes he has for part of the time been engaged in the business of Insurance and since his Fathers death he has con-

entrusted to the support of his mother and two sisters one of which is about three or four years of age. Said Marriott was a boy of previous good character and deponent believes that the cause of his present trouble was his becoming acquainted with bad company who led him off into trouble. He has seen said Marriott several times since his arrest and he believes that the present imprisonment has taught him a severe lesson, said Marriott is penitent and deponent has good reason to believe that he will shun all evil doings in the future.

Sworn to before me
January 15th 1887
Adolph Kiende
Notary Public
Kings Co.

Patrick Thornton

Affidavit of
David Thornton

0602

Grand Jury Room.

PEOPLE

vs.

Marriott & Rofeiter
Forgery

32 -1, Brighton

Scarlatton

Neal McCallum

0603

150 Broadway
New York Jan 24. 1887

Hon. Judge Bildersleeve

Dear Sir

The bearer Mrs Nathan Rossiter is the widow of the late Hon Nathan Rossiter, formerly Judge of the County of Schoharie. N.Y.
He was an old and valued personal friend of mine; I knew him to be a man of honor and culture, a christian and a gentleman in every respect.
He died several years ago leaving a widow and a family of children. I am informed his son is in trouble, the nature of which I do not know, and that he will be brought before your Honor.
Whatever you can do consistently with your sense of duty in the way of mercy, will be most thankfully received and deeply appreciated by his excellent mother and a large circle of friends

With very great respect
I am
Your truly
Edmund Diggs

0605

New York Jany 21st 1886

Mrs S. D Rossiter

Dear Madam.

I learn with regret the trouble you are having about your Son State.

My long acquaintance with him, and the fact that he has always been so square in all his dealings with me, make me think that there must be some mistake about this matter. I hope for both your sakes it may be satisfactorily adjusted.

Anything I can do for you will be cheerfully done.

Very Truly Yours
D Mac Martin

19 Park Place.
N.Y.

0606

Samuel Corn & Son,
MANUFACTURERS OF
Caps and Furs,
92 & 94 Greene Street,
New York, Jan 24 1887

To _____

We agree to employ
Saml H. Marriott in our business
Respt
S Corn & Son

0607

5th Avenue and 23d Street.

No. 3547

NEW YORK, December 20th 1886

SECOND NATIONAL BANK,

Pay to Samuel H. Marriott or Order,

Twenty Six and 20/100 Dollars,

$ 26.20.

N. S. Stoughtailing

0608

Louis G. Bohmrich

0609

City & County of New York ss:

William Mason being duly sworn says that he has known Samuel N. Marriott for fourteen years and during all that time he considered him of good character and respectability. He never heard any thing reflecting said Marriotts character or respectability or derogatory of him until the present complaint.

Deponent has known intimately said Marriotts Father and Mother for many years, his Father died two years ago both of said parents were of eminent respectability during all the time deponent has known them.

Deponent believes that the Boy will not give any further cause of complaint against him should leniency be shown him by the Court in the present complaint against him and deponent recommends a suspension of sentence so

0610

the boy may be given an ~~[illegible]~~ opportunity to remove any cloud by reason of this complaint which defendant believes he will do. Defendant makes this affidavit cheerfully and voluntarily because of his knowledge of said boy.

Sworn to before me January 24th 1887

William Mason
370 Clifton Place

Augustus Mehrtt.
Notary Public
Kings County

Certificate to my

0611

County of Kings ss:
C. F. Wheeler being duly sworn says he knows Andrew Samuel H. Marriott for years and his family for the same time, up to the present complaints the boy has been a good character and deponent has not heard of any thing derogatory to him or his character or respectability. His Father died about two years ago, his mother is a widow, both parents dead and his mother is now of eminent respectability and good neighbors.

Deponent believes if leniency be shown the boy it will be of profit to him and deponent cheerfully and voluntarily recommends leniency and suspension of sentence — so the boy may regain and retain the good name he once held.

Sworn to before me January 24 1887 } C. F. Wheeler

Charles E. Hotaling
Notary Public Kings Co., N.Y.

County of Kings ss: Rev
E. P. Ingersoll being duly
sworn says he is Pastor
of the Puritan Congrega-
tional Church Brooklyn,
he has known the family
of Samuel H. Marriott for
several years, his father
died about two years ago.
During his life he was
a man of good character
and eminent respectability.
The mother of the boy is a
widow and has been during
all the time this deponent
has known her a good
neighbor and very much
respected and of good
character, The boy has
up to the present complaints
borne a good name. deponent
never heard any thing derog-
atory to him, and deponent
believes that if leniency be
shown him that he will
profit thereby, will never
give cause for complaints
against him in the future

0613

and will strive to regain
and retrieve the good name
he had up to this time,
and deportment cheerfully
and voluntarily recommends
suspension of sentence,

Sworn to before me
January 22 1883

Jamie Thornton
Notary Public
Kings Co.

Edward P. Ingersoll
485 Greene Ave. Brooklyn N.Y.

City & County of New York ss:
Alonzo Alford
being duly sworn says
resides 315 Dwight Street
Brooklyn, he has known
Samuel H. Marriott and
his parents for about twelve
years or more, His father
died about six years ago
and his mother is a
widow, the Marriott family
have been neighbors of
deponent for many years
and during all that time
they have been good neighbors
and of good character
and enjoying respectability
deponent never heard any
thing derogatory of Samuel
H. until the time of the
present complaint against
him. He was always a
good boy, and deponent
believes that any deviation
now shown has been be
of profit to him and tend
to his advantage and that
he will not give any further

Cause of complaint stated
Sentence be suspended.
Given before me
January 24' 1887

0616

County of Kings ss: David A. Baldwin being duly sworn says that he is ~~Teller~~ Employed in the Bowery Savings Bank and has been for Seventeen years. That he resides at 325 Monroe St. Brooklyn. He knows Samuel H. Marriott and has known him since his infancy, has during all of the past fourteen years seen him frequently. Believed him during all that time to be a good boy, never heard anything to his detriment or against his respectability or character until this time of the present complaint against him, Deponent has known his late Father who died about two years ago, knows his Mother, they have been all the time deponent has known of them of eminent respectability and good character, good neighbors. Deponent cheerfully and voluntarily recommends that leniency be shown Samuel H. Marriott

under the charge against him, Defendant believes the boy to be penitent and believes that he will not give cause for any further complaints against him should the Court suspend sentence upon the present complaining against him.

Sworn to before me January 22 1883

Lewis Thornton
Notary Public
Kings Co.

G. H. Baldwin

County of Kings ss; William Valentine being duly sworn says that he is Secretary of the Park — Fire Insurance Company, he has known Samuel H. Marriott for about ~~fourteen~~ ten years, found him at all times to be a good boy, and never heard any thing derogatory of him or against his character until the present troubles. Deponent has known the parents and family of Marriott all the time he has known the boy, and they have been eminently respectable, good neighbors, and of good character.

Deponent believes that any leniency shown the boy by the Court will be approved by the boy, and tend to give the boy an opportunity to regain and retain the good opinion formerly had of him and believes that the boy did not give any cause

of complaints against him in the future should his sentence be suspended,

Sworn to before me
January 22d 1887
Gard Thornton
Notary Public
Kings Co,

Wm Valentine

0620

County of Kings ss: George Jayne being duly sworn says that he has known Samuel H. Merriott since infancy and his parents previous thereto. That entire family have always been of great respectability and very good character. Samuel H. has always conducted himself properly and been a good boy and deponent has not heard any thing derogatory of him or his character until the present complaint. Deponent believes that any leniency shown said Merriott will be appreciated by him, that he will ever give cause for any justice complaint against him — I think sentence be suspended.

Sworn to before me
January 29 1887

George S. Jayne

Henry Thomkin
Notary Public
Kings Co.

0621

County of Kings ss:
William H. Tucker being duly sworn says he knows the family of Samuel H. Brownell, they are people of great respectability and good character, Samuel H. Marriott has been a good boy and deponent became attached to him. Deponent never heard any thing derogatory of said boy Samuel H. until the present complaints and was greatly surprised when he learned of it.

Deponent believes that the boy is persistent and lenency shown him will tend to his profit and benefit and believes that the said boy will not give any cause for further complaint should sentence be suspended.

Sworn to before me
January 2d 1881

Wm H. Tucker

Parlick Thornton
Notary Public
Kings Co.

0622

County of Knox S.S. William Alford being duly sworn says he has known the entire family of Samuel H. Marriott for several years, they have been and are men of great respectability and good character, Samuel H. has always been a good boy until the time of the present complaint and element has not heard any thing against or derogatory of him until this complaint, and element believes that leniency shown him will be of great profit to him and that said Marriott will not give any cause for further complaint against him. Asks sentence be suspended.

Sworn to before me
January 24th 1887 } W. H. Alford.
David Thornton
Notary Public
Knox Co.

We the undersigned do hereby certify that we know the family of Samuel H. Marriott. His Father died two years ago, Both parents were and his mother now living is very respectable Samuel H. has always been a good boy and we never heard of any cause for complaint against him until the present complaint, and we recommend that the Court be lenient to him upon the present charge, believing that the boy will profit thereby and in the future regain and retain the good opinion his friends and neighbors have had of him, and be of some help and assistance to his widowed mother —

David Kennedy —	256 West 21st St. New York
Thomas K. Alford	174 Hart St Brooklyn NY
R. J. Morrison	265 Macon St " "
W. S. Wadsworth	627 Marcy Ave

0624

S. Steiger	61 Pulaski St
B. J. Dulso	812 Sewall Ave
S. W. Hurley	317 Quincy St
Geo. S. Bishoff	310 Throop Avenue
H Searing	505 Lafayette ave
H. L. Waterman	812 DeKalb Ave
M R Cammiani	224 Sandford St
Geo. E. Gammann	61 Vernon Ave
L. G. Edmeds	702 Willoughby Ave
A. J. Young	241 Koscinsko St
Henry A. Wilson	589 Lafayette Ave.
Seth A. Hosford	150 Hart St
C. J. Carman Jr	623 Lafayette Ave
D B Hixon	654 " "
C H. Oliver	620 Willoughby ave
H L Russell	62 Pulaski St
Wm J Flanagan	95 DeKalb St
H C Smith	265 Lounsbury Ave
D. Warren Partridge	684 Lafayette ave.
Geo B. Adams	769 Lafayette ave
Wm Kane	648 Greene Ave
R. A. Holmes	345 Quincy St.

0625

We the undersigned having been made acquainted with the facts connected with the complaint against Samuel H. Marriott, and believing that the boy will profit by leniency shown him by the Court and that he will not give any cause for any other and future complaints against him, do hereby cheerfully and voluntarily recommend that leniency be shown him by the Court and that sentence on the present complaint against him be suspended.

Dated January 22nd 1889.

100 & 102 Grand St N.Y.	~~Lewis Emmerich~~ Germania Mills
" " " " "	
34 Mercer St.	John Lutz Jr
39 Barclay St	Geo. W. Laird
21 Platt St	Geo J Seabury
62 Walker St.	Russian Hair Felt Co.
62 Walker St	L. Stock
Nassau & Fulton sts.	J Raymond & Co
22 Broadway Brooklyn	R. J. Morrison Insp. Pac Railroad

0626

Henry A. W. Goll 25 Pulaski St
A. A. Speer 627 Lafayette Ave
J. W. Rowles No. 800 Monroe St.
Chas. A. Groff, 692. Lafayette Ave.

0627

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Samuel H. Marriott
and
Nathan T. Rossiter

The Grand Jury of the City and County of New York, by this indictment, accuse Samuel H. Marriott & Nathan T. Rossiter of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said Samuel H. Marriott and Nathan T. Rossiter, both ——— ——— ——— late of the City of New York, in the County of New York aforesaid, on the Twentieth day of December, in the year of our Lord one thousand eight hundred and eighty-six, with force and arms, at the 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 called Trade-Dollars, — which said forged Trade-Dollar ——— ——— ——— is as follows, that is to say:

No. 354. H New York, December 20th 1886
Second National Bank
Pay to Samuel H. Marriott
Twenty Dollars and 20/100 Dollars,
$ 20.20 N. T. Rossiter

with intend 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.

0628

SECOND COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said Samuel H. Marriott and Nathan T. Rossiter

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

The said Samuel H. Marriott and Nathan T. Rossiter, both

late of the City and County aforesaid, afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, having in their possession a certain forged instrument and writing, to wit: an order for the payment of money of the said called Bank Drafts, which said forged Bank-Draft is as follows, that is to say:

No. 3654 New York, December 20th 1886
Second National Bank,
Pay to Samuel H. Marriott
Twenty Six and 20/100 Dollars,
$26.20 N. Q. Vanderbilt

with force and arms, and with intent to defraud, the said forged Bank-Draft then and there did feloniously utter, dispose of and put off as true, they the said Samuel H. Marriott and Nathan T. Rossiter, 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.

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

0629

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Samuel H. Marriott and Nathan S. Rossiter

of the CRIME OF Petit LARCENY,

committed as follows:

The said Samuel H. Marriott and Nathan S. Rossiter, both

late of the City of New York, in the County of New York aforesaid, on the twenty-sixth day of December, in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with force and arms, with intent to deprive and defraud one Louis G. Schmidt

of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to their own use, did then and there feloniously, fraudulently and falsely pretend and represent to the said Louis G. Schmidt,

That a certain paper writing which they the said Samuel H. Marriott and Nathan S. Rossiter then and there produced and delivered to the said Louis G. Schmidt, which said paper writing is in the words and figures following, that is to say:

No. 3514. # New York, December 20th 1886

Second National Bank,
Pay to Samuel H. Marriott
Twenty six and 30/100 Dollars.
#26.30. W. R. Worthington

was then and there a good and valid order for the payment of money under the value of twenty six dollars and twenty cents,

0630

By color and by aid of which said false and fraudulent pretenses and representations, the said Samuel H. Marriott and Nathan T. Rossiter, did then and there feloniously obtain from the possession of the said Sonia Fy Schmidt the sum of eighteen dollars and thirty cents in money, lawful money of the United States and of the value of eighteen dollars and thirty cents,

of the proper moneys, goods, chattels and personal property of the said Sonia Fy Schmidt, with intent to deprive and defraud the said Sonia Fy Schmidt of the same, and of the use and benefit thereof, and to appropriate the same to their own use.

Whereas, in truth and in fact, the said paper writing which they the said Samuel H. Marriott and Nathan T. Rossiter so as aforesaid then and there produced and delivered to the said Sonia Fy Schmidt, was not then and there a good and valid order for the payment of money, and was not of the value of twenty six dollars and twenty cents or of any value whatsoever, but was in truth then and there wholly void and worthless;

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said Samuel H. Marriott and Nathan T. Rossiter to the said Louis G. Edmunds, was and were then and there in all respects utterly false and untrue, as they, the said Samuel H. Marriott and Nathan T. Rossiter at the time of making the same then and there well knew.

And so the Grand Jury aforesaid do say: That the said Samuel H. Marriott and Nathan T. Rossiter the day and year first aforesaid, at the City and County aforesaid, in the manner and form aforesaid, and by the means aforesaid, with force and arms, the said proper moneys, goods, chattels and personal property of the said Louis G. Edmunds,

then and there feloniously did STEAL, against the form of the Statute in such case made and provided, and against the peace and dignity of the said People.

RANDOLPH B. MARTINE,
District Attorney.

0632

BOX:
245
FOLDER:
2385
DESCRIPTION:
Martin, James

DATE:
01/17/87

2385

Bail fixed at $3000.
W.H.G.

Witnesses:

Chas Hartman
Lissie Crosby
Mary J. Martin

172.

Ordered

Counsel, R. A. Livingston 46/mm
Filed, 17 day of May 1887
Pleads, Not Guilty

THE PEOPLE

vs.

James Martin

[Section] 193, Penal Code.

RANDOLPH B. MARTINE,
District Attorney.

Acquitted on our own motion by Judge

A True Bill.

Chas. B. Podrich
Foreman.

Part III March 23/87
Tried & Acquitted

POOR QUALITY ORIGINAL

0634

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, *ss.*

AN INQUISITION,

Taken at the Coroners Office
No. 67 Park Row *Street, in the* 4 *Ward of the City of New York, in the County of New York, this* 5th *day of* January *in the year of our Lord one thousand eight hundred and* 87 *before*

MICHAEL J. B. MESSEMER, Coroner.

of the City and County aforesaid, on view of the Body of James Ford *now lying dead at*

Upon the Oaths and Affirmations of Six *good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said* James Ford *came to his death, do upon their Oaths and Affirmations, say: That the said* James Ford *came to his death by* Shock from accidental Pistol shot wound of Heart and Pulmonary artery, caused by the accidental discharge of a Pistol in the hands of James Martin at 225 E. 103rd St on December 31/86 about midnight. We exonerate the said James Martin from all blame.

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

JURORS.

Albert Spitzer 231 E 109th
John A Porter 96 E 10th St
Joseph Davis 222 E 6th St
Emil Fowley 2157 3rd Ave
Thos H. Harden 55 Park Row
Edd W. Sawyer 161 [illegible]

M J B Messemer

CORONER, L. S.

Coroner's Office. TESTIMONY.

Mrs. Mary Martin being sworn says: I reside at 225 E. 103rd. Street. The deceased was a second cousin of mine. On New Years' Eve, December 31/86 about 9 PM my husband and I were in the store together and I was fixing up the shelves when the deceased James Ford came in. I asked him if he would assist me and he said "Yes". I went upstairs to nurse the baby and left the two together in the store, I came down again in a few minutes. About five or ten minutes to midnight my ~~said~~ husband said to the deceased that he thought they would strike work as it was near the New year. Shortly after the deceased came in he asked my husband if he had a revolver and he said he had and that it was loaded with bullets. The deceased said that he did not like bullets and ~~of~~ asked if he had any blanks, my husband said "no" but that they could be got up at the corner. About 2 minutes before twelve o'clock, the deceased came up to me and asked me for a couple of dollars which I gave him I said to him that if he would stay till morning I would give him more money. He said "that is enough to go round New years. At 12 o'clock the three of us went up stairs. My husband often gave me strict orders not to go near or touch the pistol which was in the drawer

Taken before me

this day of 188

CORONER.

He also gave my little sister similar orders I went to the servant girl intending to take the baby from her, I said Bessie give me the baby and get some water - hot water to make punch - James Ford the deceased asked me where the pistol was I said "it is here; I opened the drawer and took out the pistol and gave it to the deceased. He took it out of my hand and raised the window and my husband said "Jamie! fire up" He said no I'll fire down and we'll find the bullets in the yard in the morning". The deceased was leaning out the window and I was leaning over him, I was counting the shots and so was deceased, When he came to the sixth shot I put my fingers to my ears and said "James stop that firing" it pierced me so - When he had fired the sixth shot, he clicked the hammer a couple of times and said to my husband, "Jamie they're all gone" "Yes" James they are" answered he. I closed the window and James Ford the deceased sat down in the rocking chair and said to my husband. "Jamie I thought you said it was a selfcocker" "So it is" said my husband "I'll show you" I heard the hammer of the pistol click two or three times, On a sudden I heard a report I turned round laughing thinking that it went off

Taken before me
this 5th day of January 188 7
W. J. B. Messenger CORONER.

Coroner's Office. TESTIMONY.

accidentally, I looked at my husband who looked very pale, He said to the deceased "Jamie did I hit you or did I hurt you?" I am not sure which. The deceased got up and put his hand to his breast and said "Yes, Jamie." "Yes." He tried to sit on the side of the bed and fell down on the floor my husband bent over him and said "Oh Jamie did I hit you?" I said to my husband "Jump up and run for a doctor". which he did. I went to the next door and asked assistance When the man came in I sent him for another Doctor. I turned the deceased over and put a couple of pillows under his head. I said to Bessie to stay and that I would go for the priest, I ran to the priests house and went for Dr Fleming, and he was out I went to another Doctor and he was out also. I then went to another Doctor and he would not come Then I went to Dr Olds' and he came with me, When I came to the house again the deceased James Ford was dead.

Mrs Mary Martin

Taken before me
this 5th day of January 188 7
M J O'Meara
CORONER.

0638

Coroner's Office. TESTIMONY. 4

Bessie Crosby being sworn says: I reside at 225 E. 103rd St. Am employed as a domestic by Mrs. Martin. On New Year's Eve. at 12 P.M. Decr. 31st 18 the deceased James Ford fired six shots from a revolver from the window of the house 225 E. 103rd St. He then came from the window and sat down on a chair, He said "Jennie; I thought this was a self cocker" and Mr Martin said "Give it force and let Sam see that it go". Mr Martin then put his thumb on the pistol turée, then I heard a report and I saw the blaze of fire strike the deceased on the breast. I was so near I thought it was myself that was shot. Mr. Martin looked at ~~deceased~~ his wife and then at deceased and said "Jennie did that touch you?" The deceased said "Yes" and stood up and fell. He thought to get on to the side of the bed but he fell and died in about 2 minutes.

her
Bessie + Crosby
mark

Taken before me
this 6th day of January 188
M. J. McGeoghegan CORONER.

0639

Police Court, 5 District.

City and County of New York, } ss.

Charles Hartman of No. The 23d Precinct Police Station aged 40 years, occupation Police Officer being duly sworn, deposes and says, that on the 1st day of January 1887, at the City of New York in the County of New York, I arrested James Martin (now here) charged with having feloniously caused the death of James Ford in premises No. 225 East 103d Street by pointing a gun and discharging the shot from a revolving pistol loaded with powder and ball at the body of the said Ford, that the ball from said pistol entered the right breast of the said Ford causing injuries from which the said Ford died on said date. That the said Martin came to the station house of the 23d Precinct Police and surrendered himself to deponent and admitted and confessed to deponent that he had caused the death of the said Ford.

Sworn to before me this 1st day of January 1887

Charles Hartman

Wm. Wilde
Police Justice

~~Charles Hartman~~

0640

POLICE COURT, 8 DISTRICT.

CITY AND COUNTY OF NEW YORK, } ss.

Bessie Crosby

of No. 225 East 103 Street, aged 30 years,

occupation Domestic being duly sworn deposes and says,

that on the 1st day of January 188 7

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

at or about the hour of 12½ a.m.

my said adult daughter, Jane

James. Martin having a pistol

in his hands shown it to James,

Jane. That the said Martin had

the pistol pointed towards Jane

and was pulling the trigger to

show Jane. That it was a self

cocking pistol - when it was

discharged - and the ball from the

pistol entered the body of the said

Sworn to before me, this day of 188

Police Justice.

Police Court, ... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

.....

vs.

.....

.....

AFFIDAVIT.

Dated 188

..... *Magistrate.*

..... *Officer.*

Witness, ...

.....

.....

.....

.....

.....

Disposition, ...

.....

.....

Paul Cauvain
Paul Cauvain, being duly sworn
Maintains officer. he arrest two
Drunkards
No 1 Stanton Street
Jan 1, 188
Mr Mulcahy
Police Justice

0642

Sec. 188—200.

11 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

James Martin 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 Martin

Question. How old are you?

Answer. 32 Years —

Question. Where were you born?

Answer. Ireland —

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

Answer. 225 Cherry 10 & Street 2 Years —

Question What is your business or profession?

Answer. Plasterer —

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 it was an accident —

his
James + Martin
mark

Taken before me this 1 *day of* January *188*9

Police Justice.

0643

Police Court 2 District

THE PEOPLE, &c., on the complaint of

1 Samuel Martin
2 Jas. Martin
3
4

Offence Assault

BAILED,

No. 1, by Daniel Shaffin
Residence 112 Beach St. Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated January 1 188 6

Magistrate.

Officer, 20th Precinct.

Witnesses Officer Carey
No. 275 Canal St. Street.
Samuel Martin
No. 225 Canal St. Street.

No. Street.

$ Committed to answer

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

Dated January 1 188 6 *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.*

0644

MEMORANDA.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE When Reported.
24 Years — Months — Days.	Ireland	225 E. 103 St.	Jan 1

deceased was single, 6 yrs. in this city from Ireland occupation plasterer, formerly grocery at 1st Ave bet. 81 - 82 Sts. residence at 1529 - 1st Ave with Mr. Charles; deceased came here about 1 yr ago to cousin Mr Jas. Martin at 225 E. 103 St. They drank one pint of beer, Leonard very temperate, Jas. Martin keeps a saloon there at 225 E. 103 St. the deceased helped around in the saloon until 12 Mid. exactly, he began to dance with Mrs Martin singing, all became up stairs to bed apartments which are on the floor, he has been for months past [illegible] & asked for some cartridges the proprietor [illegible] cartridges which loaded cartridges was a 7 chamber revolver, the [illegible] at 12 mid. the quarrel was started by Jas. Martin, when the deceased [illegible] the revolver, after [illegible] the window, Mrs. Martin [illegible] to shoot up! but he shot down his [illegible] thinking it was a 6 chamber revolver, the deceased disputed that it was a self cocker Mr. Martin took the revolver & snapped it off three times, the deceased was sitting in a chair in front of Mr. Martin, who was showing him the action of the revolver, the revolver going off the 4th time shot deceased, who died in 2 min dying at 12.10 a.m. Jan. 1/87 -

M. J. B. M.

No. 8

Bureau.

1887

AN INQUISITION

On the VIEW of the BODY of

Patrick Ryan

hereby it is found that he came to his death by

Patrick Ryan
died at home
Mrs Robinson
Cathy

Inquest taken on the 7th day of January 1887 before

M. J. B. MESSEMER, Coroner.

0645

TESTIMONY.

St. Justin Hrvol M. D., being duly sworn, says: I have made an autopsy of the body of James Ford now lying dead at 2256.103 and from such autopsy and history of the case, as per testimony, I am of opinion the cause of death is Shock, from pistol shot wounds of Lungs and Pulmonary Artery; accidental

Justin Hrvol M. D.

Sworn to before me this 5th day of January 1887

M. J. Messemer CORONER.

0646

Coroner's Office. TESTIMONY.

Officer Charles Hartmann, 27th Precinct being sworn says: On January 1/87 about 1.30 AM, I was on post on Ave "A" I went to the Station House and saw the prisoner James Martin there talking to the Captain I heard him say that he was just after accidentally shooting a friend of his. I was sent to ~~the~~ house where the shooting took place, when I went there I found the deceased James Ford lying dead on the floor, I asked how it occurred, ~~He~~ Mrs Martin told me that the deceased had fired off several shots from a self cocking revolver, and after shooting had said to her husband "I thought you said this was a self cocking revolver," and her husband said "So it is" "let me show you" and that he had pulled or snapped the trigger two or three times, ~~His friend~~ and that a shot was fired – the deceased got up and Mr Martin asked him if it had touched him, the deceased replied "Yes" and fell over. I took the prisoner the ~~next~~ same morning to Court where he was held without bail by Judge Welde

Charles Hartman.

Taken before me
this 5th day of January 188
Jno C B McCaffery CORONER.

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 Martin

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

of the CRIME OF Manslaughter, committed as follows:

The said James Martin

late of the City of New York, in the County of New York aforesaid, on the first day of January, in the year of our Lord one thousand eight hundred and eighty-seven, at the City and County aforesaid, with force and arms, in and upon one James Ford, in the peace of the said People then and there being, wilfully, feloniously, ~~and of malice aforethought~~, did make an assault, and the said James Martin, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said James Martin, in his right hand then and there had and held, to, at, against, and upon the said James Ford, ——— then and there feloniously, wilfully, ~~and of malice aforethought,~~ did shoot off and discharge, and the said James Martin, ——— with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, him the said James Ford, in and upon the breast of him the said James Ford, then and there feloniously, wilfully, ~~and of malice aforethought~~, did strike, penetrate, and wound, giving to him the said James Ford, then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the pistol aforesaid, by the

said James Martin, in and upon the breast of the said James Ford, one mortal wound of the breadth of one inch, and of the depth of six inches, of which said mortal wound he the said James Ford, ~~at the City and County aforesaid, from the said day of in the year aforesaid, until the day of in the same year aforesaid, did languish, and languishing did live, on which said day of in the year aforesaid, the said at the City and County aforesaid, of the said mortal wound did die.~~

then and there died.

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

James Martin, being

the said James Ford, in the manner and form, and by the means aforesaid, wilfully and feloniously, ~~and of malice aforethought~~, did kill, and slay, ~~murder~~, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE,

District Attorney.

0650

CORRECTION

0651

BOX:
245
FOLDER:
2385
DESCRIPTION:
McAleer, James

DATE:
01/20/87

2385

#124

Counsel, J. J. Blackburn, E. Howell.

Filed 20 day of Jany 1887

Pleads, Not Guilty 24.

THE PEOPLE

vs.

B

James McAleer

VIOLATION OF EXCISE LAW.
(Keeping Open on Sunday.)
[III Rev. Stat. (7th Edition), page 1880, Sec. 5].

RANDOLPH B. MARTINE,
By Thos. J. Mc District Attorney.
Transferred to Special Sessions for trial by Consent.

A True Bill.

Chas. B. Frederick

Foreman.

Witnesses:

Henry McDuffield

0653

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 McAlear

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

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said James McAlear,

late of the City of New York, in the County of New York aforesaid, on the second day of January, in the year of our Lord one thousand eight hundred and eighty-seven, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of, and having the control of a certain place there situate which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did open, and cause and procure, and suffer and permit, to be open, and to remain open; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

RANDOLPH B. MARTINE, District Attorney.