

0592

BOX:

202

FOLDER:

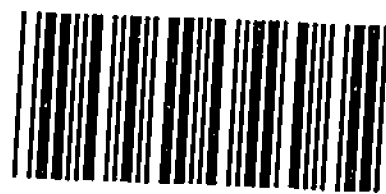
2025

DESCRIPTION:

Cain, Owen

DATE:

01/20/86



2025

0593

BOX:

202

FOLDER:

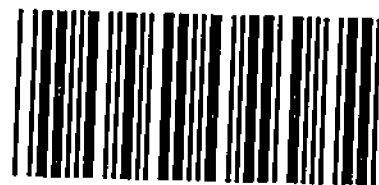
2025

DESCRIPTION:

Kiley, Dennis

DATE:

01/20/86



2025

0594

BOX:

202

FOLDER:

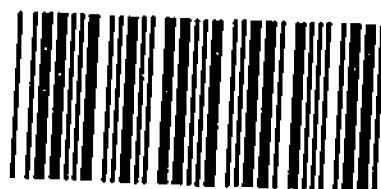
2025

DESCRIPTION:

Brown, William

DATE:

01/20/86



2025

0595

Witnesses:

905
Counsel, *Dr. H. H. H. H.*
Filed, 20 day of Jan 1886
Pleads, *Not guilty (2)*

THE PEOPLE

vs.

R
Ewen Cain *R*
Dennis Hiley *R*
William Brown *R*

(Sections 278 and 218, Penal Code.)

RAPPE.

RANDOLPH B. MARTINE,
Feb 4/86 District Attorney.

Spied convicted of rape
attempt

A True Bill.

1101 { 15 years to \$
" 25 years to \$
" 35 years to \$
" 5 years to \$
Chances Haggerty

Feb 10/86 Foreman
Feb 1/86
Feb 2/86
4/86

0596

Police Court, 5th District.City and County } ss.
of New York,

Mary Johnson
 of North Side 118th Len 4th Madison street, aged 45 years,
 occupation Fruit stand — being duly sworn, deposes and says,
 that on the 25th day of December 1885, at the City of New
 York, in the County of New York, Owen Cain + Dennis Kiley +

William Brown, were consorting together and
 in each other company - than the said Owen
 Cain, came to defendant premises on said
 night in company with Dennis Cyle and
 William Brown, than the said Dennis Kiley
 knocked defendant down upon the floor, and
 while defendant lay prostrate upon the floor
 the said Owen Cain + Dennis Kiley +
 William Brown did then + there each
 have sexual intercourse with + carnal
 knowledge of defendant body against
 her will + without her consent -

That defendant was unable to cry out
 for assistance the said William Brown
 holding his hand over defendant's mouth
 while the said Owen Cain + Dennis Kiley
 have sexual intercourse with defendant, and
 the said Dennis Cyle held his hand
 over defendant's mouth while said William
 Brown had sexual intercourse with defendant.

Therefore prays that the said
 Owen Cain + Dennis Kiley + William Brown
 may be arrested + dealt with as the law
 directs.

Subscribed before me this
 8th day of January 1885

Mary Johnson
 Mary Johnson
John Gorman
 John Gorman
 Police Justice

0597

Police Court-- 5th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary Johnson
vs.

- 1 Allen Cain
- 2 Samuel Cople
- 3 William Brown
- 4 _____

Offence, Rape

Dated January 8th 188 6

Gorman Magistrate.
(W) Rogers Officer.

Clerk.

Witnesses, _____

No. _____ Street,

No. _____ Street,

No. _____ Street.

\$ _____ to answer _____ Sessions

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

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named _____

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

Dated _____ 188 _____ Police Justice.

0598

Sec. 151.

Police Court 5th District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Mary Johnson —
of Northside 118th St Manhattan Street, that on the 25th day of December,
1886 at the City of New York, in the County of New York, Over Cain & Jennie Coyle
William did in same way, have sexual
intercourse with & carnal knowledge of
complainant forcibly against her will
& consent

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 them forthwith before me, at the 5th 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 8th day of January, 1886

John Herman POLICE JUSTICE.

0599

Police Court ^{5th} District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary Johnson
vs.

- 1 *Owen Cain*
2 *Dennis Cyle*
3 *William Brown*

Warrant-General.

Dated *January 8th* 1886

Sumner Magistrate

Dwyer Officer.

The Defendant, *Owen Cain, Dennis Cyle and William Brown*
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

John Dwyer Officer.

Dated *January 14th* 1886

This Warrant may be executed on Sunday or at
night.

Police Justice.

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.

Dated

188

Police Justice

*Owen Cain 21. A.S. 137 1/2" and 5 1/2" Measure,
Dennis Cyle 16. A.S. 119 1/2" and 5 1/2" Measure,
William Brown 16. A.S. 119 1/2" and 5 1/2" Measure
The within named*

0600

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

District Police Court.

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

Question. What is your name?

Answer

William Brown

Question. How old are you?

Answer

17 years

Question. Where were you born?

Answer.

New York

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

Answer.

119. Street between 5th & Madison about 1 year

Question. What is your business or profession?

Answer.

Peddler,

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

Answer.

I am not guilty.

William Brown

Taken before me this

13

day of

January

1886

John J. Brown

Police Justice.

0601

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss

District Police Court.

Dennis Kiley 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 *Dennis Kiley*

Question. How old are you?

Answer *16 years*

Question. Where were you born?

Answer *New York*

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

Answer *119 Street between 5th & Madison Avenue 8 Years*

Question. What is your business or profession?

Answer *I'm a Clerk.*

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*

Dennis Kiley

Taken before me this

13

day of

August
1886

John J. ...

Police Justice.

0602

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, { ss

District Police Court.

Owen Cain

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

Question. What is your name?

Answer *Owen Cain*

Question. How old are you?

Answer *21 years*

Question. Where were you born?

Answer *New York*

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

Answer *137th Street & 3rd Avenue. 3 years*

Question. What is your business or profession?

Answer *Laborer*

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

Answer *I am not guilty**Owen Cain*

Taken before me this

day of

1888

Police Justice.

0603

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 _____

Oliver Cain & Dennis Kiley & William Brown

Twenty five guilty thereof, I order that *they* 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 *6* *John J. Ferraro* 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.

0604

No. 1. Case for Ex in default
of 2500 Bail
Jan'y 17. 9 a m

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Mrs. Johnson
North Side 118th St.
Ref. 4th & Madison Ave.

1 Owen Carr

2 Dennis Kilay

3 William Brown

4 _____

Offence Rape

Dated Jan'y 8 1886

Magistrate

Officer.

570 P. Court Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 2500 to answer G. J.

Chad

Ex. Jan'y 17. 9 a m

0605

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Owen Cain, Dennis Hickey
and William Brown*

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

*Owen Cain, Dennis Hickey and
William Brown,*

of the CRIME OF RAPE, committed as follows:

The said *Owen Cain, Dennis Hickey
and William Brown, each* -

late of the City of New York, in the County of New York aforesaid, on the
twenty-fifth day of *December*, in the year of our Lord one thousand
eight hundred and eighty-*five* —, at the City and County aforesaid,
with force and arms, in and upon one *Mary Johnson*,
then and there being, willfully and feloniously did make an assault, and her the said
Mary Johnson, then and there, by force and with
violence to her the said *Mary Johnson*, against her
will and without her consent, did willfully and feloniously ravish and carnally know,
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
*Owen Cain, Dennis Hickey and
William Brown* -
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Owen Cain, Dennis Hickey
and William Brown, each* -

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 her
the said *Mary Johnson*, willfully and feloniously did
make an assault, with intent her the said *Mary Johnson*,
against her will, and without her consent, by force and violence, to then and there
willfully and feloniously ravish and carnally know, 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.

0606

BOX:

202

FOLDER:

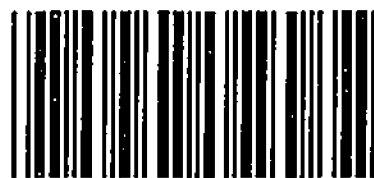
2025

DESCRIPTION:

Carlomagno, Philipo

DATE:

01/26/86



2025

0607

255

Witnesses:

Counsel,

R. A. R. A. C. C.

Filed 26 day of Jan'y 1886

Pleads: *Voluntarily*

THE PEOPLE

vs.

R

Philip Caromagno

RANDOLPH B. MARTINE,

Mr. Judge 25/1/86 District Attorney.

Wife & convicted Murderer 24

A True Bill. *med 29/1/86*

S.P. for term of Natural

Life

Chambers 1899 Foreman

191

POOR QUALITY
ORIGINAL

TORN PAGE

0608

S. T. Smith, 14 Park Place, N. Y.

STENOGRAPHERS' MINUTES.

Part of General Sessions.

The People vs.

Phillips Carlo Magno.

BEFORE

Hon. Rufus B. Cowing,

and a jury.

Tried March 19th 1886

Witnesses:

Direct. Cross. Re-Direct. Re-Cross.

Officer Peter J. Monaghan	1			
Louis Corelli	4			
Rafael Russo	4 1/2			
Joseph Russo	6			
Michael Fieri	8			
Donato Carloti	8			
Raphael Fontanelli	9			
Dr. Gustav Scholer	10			
Domenica Sasa	11			
Margaret Gorgona	12			

0609

COURT OF GENERAL SESSIONS.

THE PEOPLE

- against -

Phillippo Carlo Magno, indicted
for murder in the first degree.

)
)
) Before Hon. Rufus B. Cowing
) and a Jury.
)
)
)

Tried March 19, 1886.

A P P E A R A N C E S .

Assistant District Attorney Purdy, for the People; Robert H.
Racey, for the Defence.

OFFICER PETER J. MONAGHAN, being duly sworn, testi-
fied that he was connected with the 14th precinct. At about
8 o'clock on the evening of January 1st, 1886, the proprietor
of the lager beer saloon at 35 Crosby Street and the prisoner
accosted him. The prisoner asked him, the witness, to go
up-stairs, in the room 22 of 31 Crosby Street. He said that
there were several Italians up there, in the room, that he

06 10

wanted to get out. He, the witness, told him that he could not go up there, unless he had some good cause to go up there. He asked the prisoner what the men were doing, and the prisoner said that they wanted to play some game of cards, and he didn't want it. He wanted them to get out, or have them arrested. He, the witness, said that he would not arrest anybody on New Year's night, if he could help it. The proprietor of the saloon induced him, the witness, to go up, and see what the matter was. He, the officer, went up with the prisoner to investigate. When he got up, there were several Italians, among them being the deceased. Altogether, there were seven Italians in the room. He, the witness, asked what the difficulty was, and they said that the prisoner wanted them to pay their rent. The conversation was in Italian, but a witness in the court had translated for him. He, the witness, asked the men what they were paying a month, and they said One Dollar. They asked if they had to pay on the first of the month, and he, the witness said, that it was proper. They were not willing to pay the defendant that night, and wanted to leave the room. Then they agreed to pay the prisoner, the defendant, and stay there. Everything seemed to quiet down. He,

0611

the witness, went away. About 20 minutes later, the prisoner came down stairs. Mr. Corelli, the keeper of the saloon, said, in the presence of the prisoner, that the prisoner wanted him, the witness, to go up stairs again. The prisoner said, "go up and put that man out." He, the witness, said it was all right, and if there was any trouble, for the prisoner to come down stairs for him. On the way up stairs, the prisoner offered him some money; he said, "come up stairs, and me give you something." He, the witness, said, "some other time I will go, up." He, the witness, remained in the neighborhood for half an hour, and heard no disturbance, and went over his post. About half past 9 o'clock, he heard a loud noise. He was up in Spring Street, a block and a half away. He heard somebody rapping, and he ran down the street and found another officer from an adjoining post rapping for him, on the corner. He immediately ran down the street, and found the deceased lying on the sidewalk, and a crowd of Italians around him. He saw that it was one of the men that he saw in the room up stairs. He saw that the deceased was stabbed in the left hip. He, the witness, immediately summoned an officer and sent for an ambulance. The ambulance came and took him to the hospital. The other officer went

06 12

in search of the prisoner. He, the witness, took several witnesses to the station house, and then returned to 31 Crosby Street and searched for the prisoner. He went up to his room and looked under the bed and all around, but could not find him. About 12 o'clock he got a trace of him, and he rapped for three or four more policemen, and surrounded the house. He sent a policeman up each hallway, of 31 Crosby, - 35 and 37 Crosby street, and went up to the top floor of 31. He saw ^{and another man,} Joseph Lucca, locking the scuttle of the roof. He followed them down stairs, and went into the prisoner's room. He got a man to hold the lamp, and looked under the bed, and saw the prisoner's boots. He told him to come out, and he came out. He looked under the bed three times before, when he searched the room. He took the prisoner to the station house. The next morning, he took him to St. Vincent's Hospital, and the deceased identified him as the man who stabbed him. He asked the deceased, "John, is this the man that stabbed you?" The deceased answered, "This is the man, Phillipppo Carlo Magno."

LOUIS CORELLI, being duly sworn, testified that he was a saloon keeper at 35 Crosby Street. He knew the deceased, Giovanni Arlotti, during his lifetime. At about half past

06 13

8 o'clock on the night of the 1st of January, 1886, the defendant came down stairs to the saloon, and asked him, the witness, if he could talk with the officer for him. He wanted some officer to go up stairs. He had some trouble in the house. He, the witness, said, to the officer, "Peter, this man wants you up stairs. He got a few men that makes trouble in the house." The officer went up stairs. About 5 minutes afterwards, the witness came down to the saloon, and asked for a glass of beer. He looked very mad, and said, "I have to kill somebody to-night." He talked a little while in the saloon, and went up stairs.

RAFAEL RUSSO, being duly sworn, testified that he lived at 31 Crosby Street. He knew the deceased, Giovanni Arlotti, about 5 or 6 months before his death. He had known the prisoner about two years. He, the witness, saw the defendant in Mr. Corelli's saloon about a quarter past 9 o'clock on the evening of January 1st 1886. He heard the prisoner say that he wanted to kill somebody to-night. He, the witness, said, "If I knew that you wanted to kill somebody really, I would have you arrested." He, the witness, told this to Peter, the policeman. The policeman said, "It is the 1st

06 14

first day in the year, I will not arrest anybody if I can help it." He, the witness, saw the defendant stab the deceased. Before the stabbing, they were talking together, the prisoner and the deceased. The deceased was about to leave, or said he would leave, and he asked for \$3. The deceased threatened to kill the prisoner. The deceased said, to the prisoner, "If I had no children, I would kill you to-night." Carlo Magno was sitting at the table in his room, when the deceased said this. Carlo Magno did not say anything. He was just looking on. Carlo Magno said to the deceased, "don't leave the house. Stay here. I am a poor man, and cannot pay the rent alone. Stay here." Carlo Magno was drunk at the time, and the prisoner was drunk. Carlo Magno got up, and insisted upon the deceased staying. The deceased said, "I cannot remain in your house, because, when you are drunk, you are very stupid." Then the defendant stabbed the deceased. Carlo Magno was sitting, and he pulled a knife out from the side of his leg. He, the witness, could not say exactly where he pulled it from. He could only say that Carlo Magno pulled the knife from the side of his right leg. He just swung his hand around and stabbed the deceased. He, the witness, said, to Carlo Magno, "What have you done now? Run away now, be-

06 15

cause, if not, the policeman will arrest you." Carlo Magno went out by the fire escape, and he went on the roof. Just before the stabbing, Carlo Magno was sitting at the table, and the deceased was standing in front of him. Carlo Magno said, "You don't want to stay in my house?" The deceased said, "No, sir. When you are drunk you are too stupid." Carlo Magno said, "You want to go away sure?" He said, "Sure." Then he, the witness, saw the knife come up from Carlo Magno's leg, and stab the deceased. The deceased was standing right in front of Carlo Magno. He, the witness, could not say whether Carlo Magno took the knife from under the table, or on the table or from his leg. After the stabbing, he chucked the knife out into the yard. At the time Arlotti was stabbed, his brother had their clothing, and was going down stairs. He was in the hallway outside. After he was stabbed, the deceased went out. He didn't say anything. The defendant did not say anything. He looked just as though he was stupified.

JOSEPH RUSSA, being duly sworn, testified that he lived at 31 Crosby Street. He knew the prisoner and the deceased. When he was in the room of Carlo Magno about half

05 16

past 10 O'clock on the night of January 1st, 1886, he saw a number of men about to go away. Carlo Magno said to those men, "why do you leave?" They said, "You have just chased us out of the house by the police, and we are going." They went out, and the deceased and the defendant remained in the room. The deceased and the defendant were talking together. The deceased said to Carlo Magno, "You owe me \$10. Now, you give to me the interest of the money. The interest amounts to \$3." Carlo Magno said to another man, "Can you lend me \$3 to pay this man." This man was Michael Fiori. He took out \$3 from his pocket, and was in the act of giving it to the deceased when the deceased said, "I am going to leave your house, Carlo Magno. You chased me from the house with the police, I am going away." Then the deceased said, "Bid me farewell." Then Carlo Magno hit the deceased with his fist. He, the witness, didn't see any knife. The deceased went outside of the door, and said, looking at his hands, "I am wounded. I will arrange you down stairs now." Carlo Magno, seeing the blood, went out through the window, and went on the roof.

06.17

MICHAELI FIORI, being duly sworn, testified that he lived at 31 Crosby Street. He had known the prisoner all his life. He had also known the deceased for some time. He did not see Carlo Magno use any knife. When he, the witness, offered the deceased \$3, that he said Carlo Magno owed him, the deceased said, "It doesn't matter. I am satisfied, if you give it to me to-morrow, or after to-morrow." As he was going down, Carlo Magno made a motion. As the deceased got to the door, he said, "All right, God-father, I am going down stairs, and I will arrange you." He looked at his hand, and there was blood on his hand.

DONATO ARIOTTI, being duly sworn, testified that he lived at 20 Roe Street. He, had known Carlo Magno for a year. The deceased was his cousin. He was in Carlo Magno's room at 31 Crosby Street on the night of the 1st of January. He lived there with his cousin, from the 1st of May preceding. They paid a dollar, each, a month. Six other men occupied the same room. When the deceased was about to go out of the room, Carlo Magno said, "God-father John, are you going?" The deceased said, "Yes, I am going. You went for a policeman and I am going." Then Phillippo Carlo Magno said,

06 18

"As you are going, let us kiss each other," and he made a motion from behind. He, the witness, did not see whether Carlo Magno had a knife or not. He, the witness, got up to hold Carlo Magno, but Carlo Magno said, "You let me go, or I will cut you also." He, the witness, then let him go.

For the defense, RAPHAEL FONTANELLI, being duly sworn, testified that he lived at 31 Crosby Street. The defendant was his step-father. He was in his step-father's room on the night of January 1st, 1886, at the time of the difficulty between the step-father and the deceased. A woman and a man came to see his step-father, and the deceased tried to chase them out. His step-father said, "Don't chase my friends out of the house." Then deceased said to his step-father, "You are a swine, and all that belong to you are swines." His step-father sat down, and the woman began to cry, the woman that came with her husband to see his step-father. She said, "This man wants to chase ~~you~~^{us} out of the house." His step-father and the two friends went out of the room and went down stairs. His step-father came back with the policeman, in order to put the six lodgers out of the room. As

06 19

Several of the men took up their luggage and went away. The deceased came back, and wanted three dollars interest. His step-father asked the people standing round to lend him the three dollars. Then the deceased said, "I don't want it yet. I don't ^{want} it now." Before that, he said, "I want the three dollars, and, if I don't get it, I will cut the blood out of you." When the policeman came up stairs, the deceased had a knife in his pocket. When he saw the policeman, he put the knife under the bed. The policeman tried to make peace among the men. When the deceased said, "I will cut the blood out of you," his, the witness's, step-father took the knife and made a motion. His step-father took the knife from the table. The deceased got hold of the step-father, and then his step-father stabbed him. His step-father then threw away the knife, and went out of the window. It was an ordinary table knife. He didn't see the knife when his ^{step-}father made the motion. He only saw the motion of his arm.

DR. GUSTAV SCHOLER, called by the prosecution, out of order, testified that he was one of the Deputy Coroners of the ~~State~~ ^{City} of New York. On the 12th, of January 1886, he held an autopsy on the body of John Arlotti, the deceased. The

0620

wound was on the left side, commencing right on the bones that every body sits on, to use plain English. The wound went in three and a half inches, an in an upward direction, cutting the sciatic artery, which lies very deep in that part of the body, and furnishes the left side of the body with blood, the lower part of the body. The artery was completely severed. The cause of death was a profuse hemorrhage resulting from this wound. The wound must have been caused by a sharp knife, or another sharp instrument.

Under cross examination, he testified, that, to some extent, that part of the body where the wound was was necessary ^{vital} ~~essential~~. In his opinion, ninety percent of persons would die from such a blow. If the sciatic artery was not cut, he didn't think that death would result.

DOMENICA SASA, a witness for the defense, testified that the defendant was her husband. According to the Italian custom, she gave her maiden name. She corroborated her son as to his statement of what occurred in the room. Just before the stabbing, the deceased stood before her husband, who was sitting at the table, and took out his stiletto. Holding it

0621

it in his hand, he knocked it on the table. She, the witness, tried to pacify him. She had her baby in her arm. She said, "What do you want to raise such a row about three dollars for?" The others went out of the room, and she and the deceased and her husband remained. She did not see the deceased stabbed.

MARGARET GORGONA, being duly sworn, testified that she and her husband, Angelo Gorgona, lived at 193 Mulberry Street. She had one child. She was born in Brooklyn, though her husband was an Italian. The defendant was in the habit of visiting her husband. On the 1st, of January 1886, the defendant invited her husband and herself to come to his room, and offered them some refreshments. The men there, the lodgers, commenced to play cards. Carlo Magno said, "Never mind about the cards. Never mind about going for the can of beer. We will have a keg of beer. It is New Year's Day, and we will have a little fun." After that, the men commenced to play cards, and they made a noise and "hollered". They were angry because Carlo Magno brought her husband and herself there. She commenced to cry, and got frightened and wanted to go home.

0622

Carlo Magno said, "It is best for you to go home." Excuse me, Maggie. I don't make any trouble. I will have these men arrested for making trouble, because I brought you here to treat you good, and I can not help if trouble is made." Then Carlo Magno went home with her husband and herself. Before they left the room, one of the men commenced to take off his coat, the deceased. He said, "Come outside, and I will fight." Carlo Magno said, "Never mind, never mind." Then Carlo Magno asked her, the witness, to go home with him. One of the other men took up a trunk, and wanted to break it, and throw it at Carlo Magno. Carlo Magno said, "Never mind, I will get a policeman."

PHILLIPPO CARLO MAGNO, the defendant, being duly sworn testified that he was a laborer. His particular work was blasting rocks. He was a married man, and had had seven children, but five were dead. He lived at 31 Crosby Street, and had three rooms. He paid eight dollars a month, and took six lodgers, and they paid him at first one dollar and half a month. Afterward they paid him fifty cents a month. He, the defendant, prevented Arlotti from playing cards in the house, and then Arlotti raised a disturbance. Then, he, the

0623

defendant left the house with his two friends, ^{and} took them home. Arlotti commenced the disturbance by quarrelling with another man. He, the witness, told him not to raise any trouble. Arlotti said, "I will kill you also." After he took his two friends home, he came back, and went into Corrille's saloon. He had ten cents, and he bought a glass of beer. He said to Correlli, "Where can I get a policeman? to-night, there will be in my house a homicide." The policeman went up stairs with him, and quieted the men. After the defendant went back to his rooms, Antonio Sasano, one of the lodgers, took up his trunk, and said, "Let us go boys; I've found a house." Sasano went away. Then Arlotti said to him, the defendant, "Now, because we found a house, give me three dollars, or I will take your blood out." Two other men approached him at the same time. He saw the deceased put his hand into his pocket, and his brother also. They advanced towards him, coming nearer. Then he, the defendant, got up and took a knife which was on the table. As they came very near towards him, he used the knife. He didn't mean to kill him. There were three men against him, and they would have cut him to pieces. He ran away because he was in danger of his life yet. He thought they would kill him, and he ran

0624

away. When the house was clear of those people, he came back. At the time he struck the deceased with the knife, he believed that they were going to stab or kill him. He was afraid of his life. They were around him, and he could not get out of the way. They were just about to clinch him. He never told Luigi Correlli, the saloon keeper, or anybody else, that he was going to kill somebody that night. He did say, "They will kill each other in my house, to-night." It was the first time that he was in any trouble, or was ever arrested. He served six years as a soldier in Italy, and never had a day of imprisonment. He was 46 years of age. He was drinking that night, but understood what was going on around him.

Under cross examination, he testified that he drunk five or six glasses of beer that night. He drunk nothing else. The knife had been in use around the house. It was a knife not pointed. It was a table knife; a knife used for eating. He never carried a knife.

In the rebuttal, JANUARICO ARLOTTI, being duly sworn, testified that he was a brother of the deceased. He was not present at the time of the stabbing. He had taken his trunk out of the rooms, and was going downstairs.

-----000-----

TORN PAGE

0625

Indictment filed Jan. 26/86.

Court of General Sessions.

The People vs.

v.

Philippus Carlo Mag...

STENOGRAPHERS' TRANSCRIPT.

Tried March 19th. 1886.

18

0628

STATE OF NEW YORK
Executive Chamber
ALBANY

March 10 1899.

Dear Sir:

Application for Executive clemency having been made on behalf of Philip Barlow who was convicted of Murder 2d in the County of N. Y. and sentenced Mar 29 1886 to imprisonment in the State Prison for the term of Life.

I am directed by the Governor respectfully to request that in pursuance of Section 695 of the Code of Criminal Procedure, you forward to him a concise statement of the facts of the case, together with your opinion of the merits of the application.

It is particularly requested that each letter of enquiry from the Executive Chamber should be separately answered.

Very respectfully yours,

Hon. Asa Bird Gardiner,
District Attorney,
New York

Wm. J. Youngs
Private Secretary.

0629

G. SCHOLER, M. D.
343 W. 38TH ST.,
NEW YORK.

Carlini

- Autopsy -

made Jan. 12, 1886
John Harlotta 38 years Native of Italy

An incised wound was found
extending upward for about four inches
starting from the center of the nates
and also extending downward for about
three inches.

At the bottom of the wound the
Sciatic Artery was found completely
severed.

Deceased died from profuse
hemorrhage.

G. Scholer, M.D.
Reg. Coroner

0630

City & County
of New York }

Giuseppe Russo. and
Michael Terra of number 31 Crosby
Street being each sworn, separately and
severally, with deposes and say.

That about the hour of
10³⁰ P.M. on the night of the first day
of January 1886. said Terra was in
the room of the premises 31 Crosby St.
occupied by Philipo Carluogno.
and at said time there were a number
of other people in said room, when
said defendant told said persons.
they must pay the rent that night
as he was boss of the room, and
if they did not they must move.
and among the persons in said
room was Giovanni Giallato,
and they packed up their things and started
to go, out of said room, and as said
Giallato was about leaving said
room Giuseppe Russo saw said
defendant ~~for~~ make a motion with
his arm, touching said Giallato on
the hip and immediately thereafter saw
Giallato put his hands on his hips

0631

said oh my God, I am wounded,
"Philippo you have those wounded me
(meaning the dependants) And will
have you fixed for it," immediately
after said Giddato said oh my God
I am wounded. said dependant
came from the window and went
out upon the fire escape and went
on to the roof and made his
escape.

Sworn to before me }
this 18th day of January 1886 } Giuseppe ^{his} Rosso.
Michael ^{his} Filero.
^{more}

Samuel P. Reilly
Police Justice
Ct.

0632

St Vincent's Hosp.

Jan 13 '86

To whom it may concern

This will certify that
John Herlotta who
was admitted to this
hospital suffering
from stab wound of
hip, on Jan 1st '86 - died
Jan 11th '86.

Thomas Kelly M.D.

House Surgeon

0633

W. Vincent (Hosp.)
June 11 '66

To whom it may concern
This will certify that
John Verlatter who
was admitted to this
institution on Jan 1:
is still in a precarious
condition

Thos. Kelly M.D.
House Surgeon

0634

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

POLICE COURT, 102 DISTRICT.

Peter J. Monahan
of No. The 14 Greene Street, being duly sworn, deposes and says,

that on the 10th day of January, 1886

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

Pilino Carlomagno (nowhere) who did feloniously assault and beat one Giovanni Arlotto by cutting and stabbing said Arlotto on the left hip with the blade of a knife then and there held in the hands of said Carlomagno inflicting injuries from which the said Arlotto is now confined in St Vincent's Hospital and is unable to appear in court and the said Arlotto identified said Carlomagno in the presence of deponent as the person that did inflict

Sworn to before me this

of

1886

day

Police Justice

0636

City and County } S.S.
of New York

Peter^T Monahan,
an officer of police attached to
the 14th Precinct, being duly
sworn say - That on the 11th day
of January instant, the injured
man, Giovanni Artotto, named
in the annexed Affidavit of de-
ponent died at St. Vincent's
Hospital from the effects of his
injuries as stated in said
Affidavit. As deponent is informed
by the physician in charge of
said Hospital, and as deponent
truly believes.
That deponent therefore charges
Filippo Carlomagno, now here,
the defendant named in
deponent's said Affidavit, with
having deliberately and premed-
itatedly caused the death of
said deceased by stabbing him
in the back with a knife, as
the sworn statements of the
witnesses to such stabbing, here.

0637

with annexed, more fully
set forth

Sworn to before me this } Peter J. Monahan
18th day of January 1886

James C. Bell Police Justice

~~City and County of~~ D.D.
~~New York~~

Police Justice

0638

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK,

District Police Court.

Pilipo Carlomagno 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

Pilipo Carlomagno

Question How old are you?

Answer

47 years

Question Where were you born?

Answer

Italy

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

Answer

31 Grooby St 3 years

Question What is your business or profession?

Answer

Laborer

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

Answer

I am not guilty

Pil

*Pilipo Carlomagno
mark*

Taken before me this

1888

day of *August* 1888

Police Justice.

0639

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 _____

Peter Carlomagno
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~~. *Be legally discharged*

Dated _____ 188

Samuel P. Kelly 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.

0640

Donato Ariotti
20 Roosevelt
Donis Corralo
31 Crosby St
Rafaela Russo
31 Crosby St.
Lunaro Ariotti
47 Crosby St.
Dr. G. Scholer Dep. Coroner
343 West 38 St.

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court

68 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Peter Monahan
14 Breet.

Rafaela Russo

Offence Homicide

Dated

January 16

1886

Scholer

Magistrate

Monahan

Officer.

Precinct.

Witnesses

Giuseppe Russo

No.

31 Crosby

Street.

Michael Russo

No.

31 Crosby St.

Street,

Peter J. Monahan

No.

14 Breet

Street,

Committed to answer

Dr. Thomas Kelly

St. Vincent's Hospital

See Other Side

0641

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the house of *Orayne's Office*
 No. 13 & 15. Chatham Street, in the *Fourth* Ward of the City of
 New York, in the County of New York, this *21* day of *January*
 in the year of our Lord one thousand eight hundred and *86* before
Ferdinand Eidman Coroner,
 of the City and County aforesaid, on view of the Body of *Giovanni Aslotti*

Served Upon the Oaths and Affirmations of
 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
Giovanni Aslotti came to his death, do
 upon their Oaths and Affirmations, say: That the said *Giovanni Aslotti*
 came to his death by

State wound of the
buttock received at the hands of Phillips
Carlmagnus at No 31 Crosby Street Jan 1886
about 9.30 PM but with what weapon
used is unknown to the jury

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.

Mr. Hamerschlag
C. C. Aiken
Max Destreicher
William Singer
John Smith
Joseph D. Geed

144 Chatham St.
198 Chatham St.
246 Chatham St.
35 Bowers
192 Chatham St.
25 Bowers

John Willers

84 Forsyth Street

Ferdinand Eidman

CORONER, L. S.

0642

CORONER'S OFFICE.

TESTIMONY.

Officer John J. Monahan 14th Precinct
 being sworn says, On June 1/86
 about 9 P.M. the prisoner Charles
 Carlson came to me and asked
 me to come to his room at No
 31 Crosby st and put some
 men out who would not pay
 my rent he went into a lower
 bar saloon and spoke to the
 landlord who told me I
 had better go up and see
 what was the matter, I went
 up stairs and saw 5 or 6
 Italians in a room arguing
 with the prisoner about paying
 rent as the prisoner said and
 they said he was not the
 proper landlord, I finally
 convinced them he was and
 they agreed to pay the rent
 of one dollar a month each
 after I had every thing settled
 and came down stairs, the
 prisoner followed me down
 and offered me money to go
 up and arrest me of the men
 among them the deceased or put
 him out, I told him I was not

Taken before me
 this day of

188

Ferdinand Eidevan CORONER.

0643

CORONER'S OFFICE.

TESTIMONY.

2

arresting any body on New Year's
 night, he went into the Cas-
 tier saloon at No 33 Crosby st.
 he came out again crossing
 and crossing and when he came
 out an Italian said to me
 "Oh I think there will be
 trouble tonight, the landlord
 also told me that the prisoner
 had said he would kill some-
 body last night, the prisoner
 went up stairs and about 20
 minutes after I started from
 33 Crosby towards Spring st
 a light and a bell from the
 floor on reaching there I heard
 a loud noise and the rapping
 of clubs and when I went
 back I found officers Shay
 had done the rapping and
 found a man lying in front
 of 33 Crosby bleeding from a
 stab wound of the left hip
 who proved to be Giovanni
 Orletto the deceased, I then
 summoned an ambulance
 and took the ante-mortem
 statement of the man, ~~in~~

Taken before me
 this day of

188

Ferdinand Didman CORONER.

0644

CORONER'S OFFICE.

TESTIMONY.

The statement was read to the jury
 the deceased was taken to St. Vincent's
 Hospital by ambulance, after
 searching the house for the
 prisoner until 12 P.M. I
 was informed he was on the
 roof of 31 & 33 Crosby Street
 the house was surrounded
 and an officer was sent in
 each doorway of 31, 33 & 37
 I went up to the roof of
 No 31, and while going up
 saw a man looking the
 scuttle down, the officers
 that were on the roof ahead
 of me said nobody was on
 the roof I then came to Room
 12 where the prisoner lived
 and found him lying under
 the bed it was then about 12.40
 Am Jan 2/06. I took him to
 the Station House and on the
 morning of the 2nd took him
 to St. Vincent's Hospital where
 he was identified by the
 deceased as the man who
 shot him, I visited him again
 on Jan 11/06 and was told that

Taken before me
 this day of

188

Ferdinand Edwards CORONER.

0645

CORONER'S OFFICE.

TESTIMONY.

The man was beyond seeing.

Peter J. Monahan

Louis Corolla, being sworn says. I reside at 31 Crosby street and keep a saloon at 35 Crosby street. On Jan 1886 about 9 P.M. I saw the prisoner in my place and asked for a glass of beer which I gave him and he drank, he asked me some questions about some Italian names with him and making trouble in the house, he wanted me to ask an Officer to go up stairs with him to get 12 Italians locked up, he went with an Officer up stairs after a while he came back to the saloon, he said that he would kill some body to night, about 9.30 P.M. an Italian came into the saloon and told me that an Italian was lying in a hard cast in front of 35. I went and lit a candle and looked at the Italian in the

Taken before me
this day of

188

Ferdinand L. Dorman CORONER.

0646

CORONER'S OFFICE. •

TESTIMONY.

and saw blood on him
 I then ran to Crosby & Dorman
 and met Officer Shay 14th
 Precinct told him some
 Italian in front of No 35
 Crosby street

- Leg: Dec 28 1888

Rafello Russo being sworn says, I
 reside at No 31 Crosby street. On
 Jan 1886 about 9 P.M. I saw the
 prisoners go into the upper back subm
 35 Crosby street and heard him
 say he was going to kill somebody
 that night. I said to him do you
 want to kill somebody to night
 and said if you do I will
 have you arrested. I asked
 Officer Menaghan that somebody
 was going to be stalked and
 said to the officers for him to
 look out, while I was ^{then sleeping} in front
 of my ~~house~~ room that in the house
 I was at Room 27, I saw the
 deceased come from Room 28 and
 I then saw the prisoners plunge

Taken before me
 this day of

1888

Frederick L. Edman CORONER.

0647

CORONER'S OFFICE.

TESTIMONY.

the knife into the deceased who
then walked down street

Rafaeli Russo

Joseph Russo being sworn says I
reside at No 31 Crosby street in
room No 25. On Jan 1/86 about
10.30 P.M. I was ~~was~~ came home
from Elizabeth street to go to sleep
and when reaching my room met
to that of the prisoner and saw
him under the influence of liquor
and quarreling with some one of
the boarders. The prisoner wanted
to go down stairs. I don't know
what for. I told him not to
go as some trouble might
arise. The deceased came into the
room to get his clothes which he
did and then went out. was
left alone with the prisoner and
myself. The prisoner and the deceased
then ~~the~~ ~~deceased~~ and deceased got
quarreling because he wanted the
money before he left the room.
While they were quarreling another
boarder came in to get some clothes

Taken before me
this day of

188

Frederick Wideman CORONER.

0648

CORONER'S OFFICE.

TESTIMONY.

The deceased was going away after the quarrel when the prisoners went to him and made a plunge at him with his hand, I did not see any knife or any blood but deceased went to the door and said "My God I am stabbed" after that he went down stairs and said he would average himself, after that I saw some blood coming from his left side, the prisoners then went up on the roof. I then went down stairs and saw the deceased lying in front of No 31 Crosby St.

Joseph Russo

Michael Tora being sworn says I reside at No 31 Crosby Street Room 27. On Jan 1886 about 9.30 & 10 P.M. I was playing with my family I heard the prisoners voice and he was asking for an interpreter, he had four boarders with him. I heard the prisoners in Room 26 after I heard the voice I went down stairs to see the trouble and when

Taken before me

this day of

188

Ferdinand Edman CORONER.

0649

CORONER'S OFFICE.

TESTIMONY.

I entered the room I saw the prisoner sitting with Officer Monaghan five or six Italian men around him, the prisoner was the landlord of the room and wanted the boarders to pay up or leave the room some of them pulled out money to pay they were to pay \$16 per month for lodging the deceased wanted \$10 from the prisoner and all the interest due thereon, the prisoner said I have not the money to pay besides the two dollars interest the prisoner had received one dollar before, the prisoner addressed the Italians in the room and asked who would give him \$3 to pay deceased I pulled out \$3 and handed it to the prisoner, when I gave him the \$3, deceased said he did not want it now I am sure enough when you guarantee to pay it. The deceased and all the other Italians went out, I and the prisoner were alone in the room, about 10 minutes ^{the deceased} went back to the room with three men.

Taken before me

this day of

188

Ferdinand Sidman CORONER.

0650

CORONER'S OFFICE.

TESTIMONY.

They wanted all their clothes
 deceased and prisoners got in a
 gauntlet and I saw the prisoners
 plunge something into the body
 of deceased, I cannot say what
 it was, the ~~prisoners~~ deceased
 went to the threshold of the
 room and said "I will
 avenge myself"

Michael Fiori

Donato Molatto being sworn says I
 reside at No 31 Crosby St. Room 21
 on Jan 1/85 between 9 & 10 PM I saw
 the prisoners asking the deceased when
 he was going away are you going
 now he said yes I am going
 the prisoners then replied and ~~myself~~
 kiss me before you go then kissed
 one another at the same time the
 prisoners plunged something into
 the body of deceased, I don't know
 what it was, the deceased then
 went to the threshold and said
 I am wounded and I will

Taken before me

this

day of

188

Ferdinand Cidman CORONER.

0651

CORONER'S OFFICE.

TESTIMONY.

among myself, the prisoner saw
upon the roof and deceased
went down stairs

Quatrecas
1888

Taken before me
this day of

1888

Ferdinand C. Cidman CORONER.

0652

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } SS.

Philip Carlomagno 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—

Phillips Carlomagno

Question—How old are you?

Answer—

46 years

Question—Where were you born?

Answer—

Italy

Question—Where do you live?

Answer—

31 Crosby st.

Question—What is your occupation?

Answer—

Laborer

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

By advice of counsel I have nothing to say.

Philip Carlomagno

Taken before me, this

day of

188

Ferdinand Bidman CORONER.

0653

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
37. Years. Months. Days.	Italy	S. Vincent to Cape	Jan 12/86

No 145 1886. 1886
HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

Francisco Sabote

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

D. M. C. Carrasme.

Request taken on the 21st day
of January 1886
beforeD. M. C. Carrasme
Coroner.

Committed

Died

Discharged

Date of death

Jan 11/86

0654

No 145. 1886. Jan 11

HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of
Giuseppe Salotti
whereby it is found that he came to
his Death by the hands of

John J. Connamo.

Inquest taken on the 21 day
of January 1886
before
Edmund Edman Coroner.

Committed
Bailed
Discharged

Date of death Jan 11/86

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
<i>27</i> Years. <i>4</i> Months. <i>4</i> Days.	<i>Italy</i>	<i>St Vincent & the Grenadines</i>	<i>Jan 11/86</i>

0655

TORN PAGE

St Vincent Hosp.
Jan 12 '96

Thomas Kelly House Surgeon of St Vincent
Hospital says that Major Cope-

that on Jan. 1st '96. John Herlatter
of 31 Crosby St. was admitted to
the hospital suffering from stab
wound of Buttock. Sustained by
while engaged in a fight with an
other Italian at above residence
the wound was found to involve the
gluteal artery. in spite of
treatment he died on Jan 11th
His friends live at 31. Crosby St.

P.S. other organs examined after death
negative

Summery m.c.

Taken before me
this 13th January 1896

Ferdinand C. Corman

0656

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Philipo Cardamagno

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

Philipo Cardamagno
of the CRIME OF murder in the first degree,

committed as follows:

The said

Philipo Cardamagno,

late of the First Ward of the City of New York, in the County of New York afore-
said, on the First day of January, in the year of our Lord
one thousand eight hundred and eighty-six, at the Ward, City and County aforesaid,
with force and arms, in and upon
one Giovanni Adatto, then and
there lawfully residing, feloniously
and of his malice aforethought did
make an assault, and from the
said Giovanni Adatto, with a
certain knife which he the said
Philipo Cardamagno in his right
hand then and there had and
held, in and upon the said
Giovanni Adatto, feloniously
and of his malice aforethought,
did strike, stab, cut and wound,
giving unto him the said Giovanni

And also, then and there, with the
 knife aforesaid, in and upon the
 left hip of him the said Figueroa
 And also, one mortal wound of the
 breadth of one inch and of the
 depth of six inches, of which said
 mortal wound, he the said Figue-
 roa And also, at the City and
 County aforesaid, from the day
 first aforesaid, in the year aforesaid,
 until the seventh day of
 January, in the same year aforesaid,
 did languish, and languishing
 did die, and on which seventh
 day of January in the year aforesaid,
 the said Figueroa And also,
 at the City and County aforesaid,
 of the said mortal wound did
 die.

And so the Grand Jury
 aforesaid do say, that he the
 said Philip Cardenas, him
 the said Figueroa And also,
 in manner and form and by
 the means aforesaid, wilfully
 feloniously and of his malice
 aforethought, did kill and
 murder, against the form
 of the Statute in such case
 made and provided, and against

0658

the peace of the People of the
State of New York, and their
dignity.

Randolph B. Martin,
District Attorney.

0659

BOX:

202

FOLDER:

2025

DESCRIPTION:

Carpenter, Joseph

DATE:

01/20/86



2025

0660

196 7039
Counsel,
Filed 20 day of Jan 1886
Pleads

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

THE PEOPLE

vs.

Joseph B. Carpenter

(2 cases)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Chas. Higgins
May 24/86 Foreman.
Clara D. Kelly
District Attorney.
May 20/86

Witnesses:

0661

State of New York.)
City and County of New York.) S. S.

P. S. Jennings being duly sworn says:

I reside in the City of New York, and among other business interests, am engaged in an Oil business, having Works and an Office at Nos. 383 & 385 West 12th Street, in said City. In my said Office, and in connection with said Oil business prior to July 1st. 1885, for a period of nearly two years, I employed as confidential clerk and book-keeper, one Joseph B. Carpenter, then living in the City of Brooklyn, N. Y., ^{now in Sullivan's Jail on a civil warrant.} Said Carpenter made all entries; all checks were drawn to his order, all payments whether by check or cash, were made by and through him, and it was his duty, and I believed that he kept honest and correct entries of all receipts and payments. My business required absences frequently, of ten days or more, and my confidence in said Carpenter was so great, that I entrusted to him, substantially the entire conduct of the business when absent, and whenever I was about to leave the Office for an absence of several days, it was my practice to sign a number of checks to his order in blank.

From information received from an employee, I became satisfied that said Carpenter had abused my confidence and was using his position to impart information to others, who designed starting a similar business, and that he was a party to such design. I also subsequently learned that said Carpenter was carrying on a business

0662

at Turners Falls, Mass. with one of my travelling salesmen, and my suspicions were aroused as to Carpenter's honesty. I then discovered that two of my cash books were missing, and that he purposely kept them out of the Office. I then notified him of his discharge to take effect July 1st. 1885. On June 30th. 1885 he failed to appear at my Office, nor did he return the missing books, but telegraphed at one P. M. on the 30th. that he was detained on account of sickness and he would be over the next day. On the following day, July 1st. 1885 he came to my Office with one of my cash books and confessed that he had stolen my money, and that there was a cash shortage in his account of \$2672.86. He, on the same day stated to several others that he had embezzled \$2672.86 of my money. I then took an examination of his books and accounts, although it was several days before all of the missing books were returned, and I found in addition to the amount of \$2672.86 admitted by him to have been embezzled, the following theft and breaches of trust.

- A. April 23rd. 1885, said Carpenter filled a check to his own order on the American Exchange National Bank, signed by me and dated that day for \$350.00 and
- B. entered it on the stub of the check book as \$250.00 he also entered the same falsely in my cash book as \$250.
- C. and posted the same falsely as \$250. in Ledger.

0663

I found, further examining my check book, that of the checks signed to his order, two were filled in during my absence and used by him in his Massachusetts business, and the stubs of each were falsely marked, and entered "Exchange Check."

D. One on the same bank, February 25th. 1885 for \$600.00

E. the other on the same bank March 18th. 1885 for \$450.00

I annex a statement of entries in general Cash Book, of Carpenter, as "Petty Cash Sundries", for which he gives no items or record as to what they were paid for, but Carpenter claims that they are all for Office incidentals. It is impossible that such could be the fact. All stationary, wages, and nearly every possible disbursement, has in my business its specific entry, indicating just what the payment was made for. I find therefore that the Petty Cash charges from January 1st. 1884 to June 1885, inclusive, cover stealings of fully one half, and is in addition to his confessed shortage. I also find that money has been paid to him in cash for goods sold for which no entry has been made, and the amount embezzled by said Carpenter in this way, I am unable to give.

I also found that said Carpenter had paid to one of my travelling men, who was engaged with him in his Massachusetts enterprise, moneys not due him; in addition to which he credited salary and travelling expenses during April 1885, while, as he well knew, such salesman was not travelling for me, but was devoting his

0664

entire time to said Massachusetts business, in which they were mutually interested.

On July 24th. 1885, Carpenter made affidavit that he had stolen only \$2600.00 whereas he has previously admitted stealing \$2672.86, and my examination as above stated, shows that he falsely stated the amount of his embezzlement on both occasions.

Subscribed and Sworn to
this 13th day of Nov. 1885.
C. W. Sanderson
Notary Public M. Co.

P. J. Jennings

0665

Entries made in General Cash Book by Joseph B. Carpenter as Petty Cash Sundries, for which there is no explanation in detail.

1883	
March	
April	143 65
May	156
June	94 05
July	74 31
August	69 14
September	84 61
October	73 32
November	61 27
December.	99 13
1884	39 96
January	
February	58 55
March	176 35
April	141 57
May	172 69
June	135 65
July	112 92
August	131 67
September	119 34
October	142 27
November	144 31
December.	198
1885	158 60
January	
February	139 98
March	157 15
April	160 84
May	155 09
June	209
	126 56

0666

People vs Carpenter

Longenecker

Affidavit

U.S. Marshal
303 W. 12th St
St. Paul, Minn

Witness

J. P. Hines

18 March

0667

it is his sincere purpose, if permitted, to devote his time & labor, honestly & diligently to the support of his wife & daughter & an aged and infirm mother. He has been imprisoned for nearly nine months and I am informed ^{for now} ~~that~~ his mother, wife & child need his support, being themselves destitute as I am informed; and I am informed and believe that steady employment is offered by an uncle of Carpenter & that he may thus have the opportunity of usefulness and furnish a needed support to his mother, wife & child. I did not present the charges against the prisoner in the expectation of thereby effecting the return of the stolen money, nor has there been any settlement of debt, nor any satisfaction to the complainant of the pecuniary loss. I have been moved to present this letter for your consideration rather from seeing personally the prisoner and his present condition & that of his mother, wife & child, who I think suffer most seriously by his further imprisonment.

Very Respectfully Yours

Wm W. L. Wro.

New York May 19th 1886

J. J. F.

People vs. Joseph B. Carpenter.

Hon. Randolph B. Martine Dist. Atty.

Dear Sir:

The accused is now incarcerated in Ludlow St. Jail where he has been I believe some eight or nine months. He was lodged there about Aug. 1st 1885 by an order of arrest in an action in the Supreme Court, being unable to procure the bail (\$2500) required. An examination by the complainant and myself as his Attorney of books & checks revealed very extensive embezzlement and forgery by Carpenter, and believing that justice required his punishment immediately I presented the case for your consideration & he was thereafter indicted by the Grand Jury for two specific offenses constituting forgery in the 2nd degree. These indictments are still pending, and have been for the past five months but he has not plead nor has his counsel moved in respect thereto as I am informed. While there is no doubt of the wrong-doing and the gravity of the crime, there are some considerations which may warrant the exercise of mercy & suspension of punishment in his case. Up to the commission of the offenses (which cover a period of about two years prior to Aug. 1885), Carpenter was unmarried, had borne a good reputation and had been faithful & his wife & mother attest that he was ever a kind husband and a dutiful son. I believe him now to be truly penitent & that

Joseph B. Carpenter

0669

it is his sincere purpose if permitted to devote his time & labor honestly & diligently to the support of his wife & daughter & an aged and infirm mother. He has been imprisoned for nearly nine months ~~and I am informed~~ ^{as I am informed} ~~for now~~ ^{as I am informed} his mother wife & child need his support, being themselves destitute as I am informed: and I am informed and believe that steady employment is offered by an uncle of Carpenter & that he may thus have the opportunity of usefulness and furnish a needed support to his mother wife & child. I did not present the charges against the prisoner in the expectation of thereby effecting the return of the stolen moneys, nor has there been any settlement of debt, nor any satisfaction to the complainant of the pecuniary loss. I have been moved to present this letter for your consideration rather from seeing personally the prisoner and his present condition & that of his mother wife & child, who ~~women~~ I think suffer most seriously by his further imprisonment.

Very Respectfully Yours

Wm W. L. Wro

New York May 19th 1886

0670

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph R. Raper

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

Joseph R. Raper

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

The said Joseph R. Raper,

late of the City of New York, in the County of New York aforesaid, on the
Eighteenth day of March, in the year of our Lord
one thousand eight hundred and eighty-five, 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 to the
said commonly called Bank of America,
which said forged Bank of America,
is as follows, that is to say:

No. 1580
+ 450 ⁰⁰/₁₀₀ * new York March 18 1885
The American Exchange National Bank
Pay to the order of J. R. Raper,
Four hundred & fifty ⁰⁰/₁₀₀ Dollars
\$ 450 ⁰⁰/₁₀₀ C. D. Raper.

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

0671

SECOND COUNT:

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

Joseph C. Raper
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said Joseph C. Raper,

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 his possession a certain forged instrument and writing, to wit: an order for the payment of money of the kind commonly called bank checks, which said forged bank check, is as follows, that is to say:

No. 1580, \$450⁰⁰/₁₀₀ New York, March 18 1885
The American Exchange National Bank
Pay to the order of J. C. Raper.
Four Hundred & Fifty⁰⁰/₁₀₀ Dollars
P. C. Jennings

with force and arms, and with intent to defraud, the said forged bank check then and there did feloniously utter, dispose of and put off as true, the said Joseph C. Raper, 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.

0672

197. *W. J. W. J. W.*

Witnesses:

I have examined the papers which have been submitted to the Commission of the Court in the case of Joseph B. Carpenter and do not believe the application for a writ of habeas corpus is correct.

May 24/88

Counsel,

Filed 20 day of

Jan 1886

Pleads

THE PEOPLE

vs.

NA

Joseph B. Carpenter

(2 cases)

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

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Wm. H. Huggins

Foreman.

*Wm. H. Huggins
Agent at Lumber
H. J. J. J. J. J.*

0673

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Joseph B. Carpenter

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

Joseph B. Carpenter
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said Joseph B. Carpenter, —

late of the City of New York, in the County of New York aforesaid, on the
twenty-fifth day of February, in the year of our Lord
one thousand eight hundred and eighty-five, 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 commonly called bank checks,
which said forged bank check, —
is as follows, that is to say:

No. 1535
600⁰⁰/₁₀₀ New York, Feb 25 1885
The American Exchange National Bank
Pay to the order of J. B. Carpenter,
Six Hundred ⁰⁰/₁₀₀ Dollars
\$600⁰⁰/₁₀₀ C. B. Jennings. —

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

Randolph B. Martinie,
District Attorney.

0674

BOX:

202

FOLDER:

2025

DESCRIPTION:

Cava, Antonia

DATE:

01/25/86



2025

Witnesses:

Wm. Brown
John Brown
J. Brown
J. Brown

FD

137

Counsel, R. B. Brown
Filed 20 day of January 1886
Pleads, July 26.

THE PEOPLE
vs.
Antonia Cava

(Section 219, Penal Code.)

RANDOLPH B. MARTINE,
District Attorney.
Filed 15/86
Mada g. g. g.
A True Bill. 15-1886

Chas. H. Brown
Res. on 10/10/86
Recd. for present
J. Brown

0576

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, { ss

Heard District Police Court.

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

Question What is your name?

Answer

Antonia Lova

Question. How old are you?

Answer

Twenty

Question. Where were you born?

Answer.

Italy

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

Answer.

282 10th, 3 months

Question What is your business or profession?

Answer

Housekeeper

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

Antonia Lova
mark

Taken before me this

1st

day of

March

1905

at

the

City

of

New

York

in

the

County

John J. [Signature]
Justice

0677

Sec. 151.

1st District Police Court.

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 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 Augustine Wilson

of No. 100 East 23d Street, that on the 4th day of January, 1885 at the City of New York, in the County of New York,

Antonio Canidia (aged 7 years) as a person is informed he was violently Assaulted and Beaten by Antonio Corva by striking her on said Antonio Canidia on the head and on her right arm and shoulder with a stick, cutting, bruising and mauling said Antonio Canidia.

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 her forthwith before me, at the 1st 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 5 day of January, 1885

Solomon B. Smith
POLICE JUSTICE.

0678

POLICE COURT, *1st* DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

A. B. Wilson

vs.

Antonio Carra

Warrant - A. & B.

Dated *7 Jan* 188*5*

Solomon B. Smith Magistrate.

Officer.

The Defendant

Antonio Carra

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

Wilson

Officer

Dated *7 Jan* 188*6*

This Warrant may be executed on Sunday or at
night.

Police Justice

REMARKS.

Time of Arrest, *7 Jan 1885*

Native of *Italy*

Age, *20*

Sex *Female*

Complexion, *Dark*

Color *White*

Profession, *Housekeeper*

Married *No*

Single, *No*

Read, *No*

Write, *No*

0679

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 _____

Antonio Lava
_____ *Three* _____
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 *9 January* 188 _____

Solomon B. Smith

Police Justice.

I have admitted the above-named _____

to bail to answer by the undertaking hereto annexed.

Dated *Jan 9* 188 _____

Solomon B. Smith

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.

0680

BAILED,
No. 1, by Morris Cohen
Residence 260 Elizabeth Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Augustine Wilson
100 E. 23rd St
Antigua, Guaya

1 _____
2 _____
3 _____
4 _____

Offence Assault & Battery
on child

Dated 9 January 1886
Volney Davis Magistrate
W. H. C. C. Officer.
W. H. C. C. Precinct.

Witnesses A. Brice Cardia
No. 100 East 23rd 47 years
Street.

No. _____
Street.

No. 200 to answer S. S.
Street.

Bail
Bailed

0681

Police Court— First District.

CITY AND COUNTY } ss.
OF NEW YORK, }

of No. 100 East 23d Street, aged 36 years,

occupation Agent being duly sworn, deposes and says, that

on the 11th day of January 1886 at the City of New York,

in the County of New York,

She was violently ASSAULTED and BEATEN by Antonia Canidia (aged 47 years
is unmarried) by striking Antonia Canidia
on the head and on her right arm and shoulder
with a stone, cutting, bruising, and mauling.
said Antonia Canidia

without any justification on the part of the said assailant

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

Sworn to before me, this 5th

day of January 1886

John B. Smith Police Justice.

0682

W/
Police Court, 1st District.

THE PEOPLE, &c.,

on the complaint of

Augustine Wilson

vs.

1 Antonia Corbin

2

3

4

Offence—Assault & Battery

Dated Jan 10 1888

Smith Magistrate.

Officer.

Clerk.

Witnesses, _____

No. _____ Street,

No. _____ Street,

No. _____ Street,

\$ _____ to answer _____ Sessions.

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

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named _____

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

Dated _____ 188 _____ Police Justice.

0683

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Antonio Rava

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

— Antonio Rava —

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

The said *Antonio Rava*.

late of the First Ward of the City of New York, in the County of New York
aforesaid, on the *fourth* day of *January*, in the year of our Lord
one thousand eight hundred and eighty-*six*, at the Ward, City and County
aforesaid, in and upon the body of one *Antonio Randia*,
in the peace of the said people then and there being, with force and arms, unlawfully
did make an assault and *then* the said *Antonio Randia*,
did then and there unlawfully beat, wound and illtreat, to the great damage of the
said *Antonio Randia*; 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.

0684

BOX:

202

FOLDER:

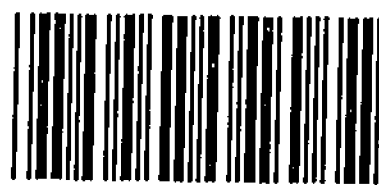
2025

DESCRIPTION:

Ceaser, George

DATE:

01/25/86



2025

Witnesses:

Mrs. of the Property
Mcnerred
PR

239

Counsel, J. S. Blake
Filed 25 day of Jan'y 1886.
Pleads *Indictment*

THE PEOPLE

VS.

PR

George H. Caesar

vs. 62
5569

Grand Larceny 2nd degree
[Sections 628, 68 1, -- Penal Code.]

RANDOLPH B. MARTINE,

Dr. Feb'y 4/86 District Attorney.
pleads P.L.

A True Bill.

Thurman Higgins

9 New River Foreman.

PR

0685

0686

Police Court—

District.

Affidavit—Larceny.

City and County } ss.:
of New York,

of No.

15 West 20th St.

Street, aged

30

years,

occupation

Lady of Leisure

being duly sworn

deposes and says, that on the

10 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:

One riding
dress skirt and waist, One
ponyee skirt, One white dress,
One blue calico and one blue
flannel dress all of the value
of One hundred dollars
(\$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

George H. Cesser (now
here), in the manner following,
to wit: on the morning of the
above date, deponent went to
her trunk containing said
property and found the same
gone; and Mrs. Charity Sherwood
saw said defendant in his
room folding the said property
up, and he told her, that he
was taking the same to the
dress makers; and believing his
statement false; his arrest
subsequently followed; when
the defendant was arrested

Subscribed before me this 11th day of
February 1889

Police Justice

0687

he admitted having taken said
property but said he was only
"fooling" with the lady.
Wherefore deponent prays
that the said defendant be
dealt with as the Law directs

Done before
me this 70 day of Jan 1886

L. Charlotte Bellet

[Signature]
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1886
I have admitted the above named
to bail to answer by the undertaking hereunto annexed.
Dated 1886
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1886
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—LARCENY.

vs.

1.
2.
3.
4.

Dated

1886

Magistrate.

Officer.

Clerk.

Witnesses.

No.

Street.

No.

Street.

No.

Street.

\$ to answer

Seal.

0688

CITY AND COUNTY
OF NEW YORK, } ss.

aged 37 years, occupation *Wagon Keeper* of No. 15 West 20th Street, being duly sworn deposes and

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

Sworn to before me, this

day of

188

Jan & *Charity Sherwood*

W. G. Duffy
Police Justice.

0689

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK { ss

7 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty
George H. Cesser

Taken before me this
day of *July* 188*9*
Police Justice.

0690

to 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 Dependant

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 Dependant to bail to answer by the undertaking hereto annexed.

Dated 188 Police Justice.

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

Dated 188 Police Justice.

District.

THE PEOPLE, &c

ON THE COMPLAINT OF

Police Court _____ District. *277*

THE PEOPLE, &c

ON THE COMPLAINT OF

Ignatius S. S. S.

15th *20th*

1888

Geo. A. Cresser

James

ancient

BAILED,

No. 1, by _____
Residence _____ Street _____

No. 2, by _____
Residence _____

No. 3, by _____
Residence _____

No 4, by

Residence

2

3

4

Dated

Magistrate.

Officer.

Precinct,

Witnesses

No. 25-2 Street

No. 5 Street 15 West 20th
Mrs. Charity Sherwood

No. _____ Street.

99

Chen

0692

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Figoras St. Pearson

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

— *Figoras St. Pearson* —

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

The said *Figoras St. Pearson*,

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

Two shirts of the value of
fifteen dollars each, one pair
of the value of fifteen dollars,
and three dresses of the
value of twenty five dollars
each,

of the goods, chattels and personal property of one *Charlotte*

Selleck,

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.

David St. Martin,
District Attorney

0693

BOX:

202

FOLDER:

2025

DESCRIPTION:

Clark, Samuel

DATE:

01/29/86



2025

306.

Counsel,
Filed 29 day of Jan'y 1886
Pleads *Emquilly*

THE PEOPLE
vs. *R*
Samuel Clark
Mayor of
Spied & Council of
Bury & day

RANDOLPH B. MARTINE,
District Attorney.

S.P. 4 years.
A True Bill.

Guaretrigues
Foreman
The in Tacon in
the are, be not
allies the not
Filed Feb 11/86
7:30

Burglary in the Third Degree.
Sections 498, 506, 528, 553, 554

0695

L
The People
vs.
Samuel Clark.

Court of General Sessions, Part I.
Before Judge Cowing.

Thursday, February 13, 1896.

Indictment for burglary in the third degree.

Henry Fritt sworn and examined testified. I live at 211 West 13th Street in this city and lived there on the 15th of January, the prisoner did not live there at that particular time but he had been living there during that month, I left my room about half past five on the morning of the ¹⁵th of January, I locked my door and hung the key up outside the door, I left in there all my Sunday clothes my dress coat and my watch; when I returned in the afternoon I missed my watch, I bought it off a man and gave him ten dollars for it, I did not authorize the prisoner or any man to enter my room during my absence that day.

Cross Examined. I last saw my watch on the night of the 11th, I wound it up and hung it over the fire-place and I missed it on Friday, January 15, at one o'clock, I had not seen it since the night before, I did not say at the police Court that I never missed the watch until Sunday, that was the watch of my friend whom I left asleep between six and seven o'clock. The prisoner was not in my place with other friends after this alleged stealing, he came in there on Christmas night and staid five minutes and walked out again, he was not in my room on the Saturday evening after I lost the watch, I was not home, I was at work. There was a lady went into my room, she has made up my bed for the last four years, I discovered that I lost my watch on the 15th of January.

0696

Mary E. Matthews sworn. I live at 211 West 28th Street, we have men lodgers, on Friday, the 15th of January the men usually go out to work at half past five and they lock the door and on the side of the woodwork they generally hang the key, the bell rung about five or ten minutes after and Henry Britt had gone out, Samuel Clark came up the steps and my window is situated on the hall, a dark room, I got up and looked out of the window to see who it was and finding it was Samuel Clark he was asked what he was doing in Britt's room at that early hour. He said he saw Henry on the outside and it was all right; we knowing that Samuel Clark knew Britt we did not say anything to him, he went in the room and locked the door on the inside, which I heard distinctly. My father, who was very ill at that time got up and shook the door and asked who was in the room. Clark did not answer until he shook three times, he opened the door and he had a light by this time, he said Mr Matthews Britt told me it was all right.

Britt came home at one o'clock in the afternoon and said he missed his watch, I told him there was no one had been in the room but his friend Samuel Clark who said he had sent him in.

Eli Boon sworn. I live 211 West 28th St. and lived there on the 15th of January, I don't know anything about the prisoner stealing Britt's watch but I am a complainant against him for stealing my watch.

The evidence as to the stealing of the watch of Boon was stricken out on motion of prisoner's Counsel.

0697

Matthew McConnell sworn. I am an officer of the 20th precinct and arrested the prisoner, he denied taking the watch but said he was there.

Samuel Clark sworn and examined in his own behalf, testified: It was on a Thursday night I believe that the complainant was asking for me where I visit and I was there about five o'clock, I says, I guess I will go over and see him, he has not gone to work; when I got to the door about half past five the door was standing about two inches open and I went in, I says, I will wait for him, while I sat down I leaned back against the door and Mr Matthews came to the door and said, who is there? I said it is me, Britt has been asking for me and I thought he had not gone to work, he said all right, I waited about half an hour, he did not come in and I went out, Saturday night I went up to change my clothes and his friend was in his room, I asked him where Britt was and he said he had not come home yet, I waited half an hour, he did not come in, I said, I will go out and find him, Monday night I heard there was a warrant out for me, they told me it was for stealing two watches, one valued at sixty and the other at ninety dollars, I did not take Britt's watch, I never saw him have a watch and I worked with him all last summer. I never saw Mary Matthews that morning nor heard her voice, I am a waiter and was working at 765 Sixth Avenue in a bar-room.

Mary Matthews recalled. I saw the prisoner take down the key from the side of the panel and unlock the door.

The Jury rendered a verdict of guilty.

0698

Testimony in the case
of Samuel Clark
filed Jan. 1896.

0699

CITY AND COUNTY }
OF NEW YORK, } ss.

Mary E Mathews
aged *23* years, occupation *House cleaning* of No.
211 West 28th Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *Henry Britt*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this *25*
day of *January* 188*6*

Mary E Mathews
PJ Duffy
Police Justice.

0700

Police Court—2nd District.

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

of No. 211 West 28th Street, aged 22 years,
occupation Waiter being duly sworn.

deposes and says, that the premises No. 211 West 28th Street,
in the City and County aforesaid, the said being a three story and
basement brick building and a room on
the third floor of which was occupied by deponent as a Sleeping room
and in which there was at the time no human being, by name

were BURGLARIOUSLY entered by means of forcibly unlocking
the door facing the hallway, and leading
into said bedroom

on the 15th day of January 1886 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

One double Case silver watch of the
value of ten dollars

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

Samuel Clark (now here,

for the reasons following, to wit: On said date, about the hour
of 5:30 o'clock a.m. deponent locked
the door leading into his bedroom in said
premises and hung up the key on a nail
on the side of said door. That deponent
returned to said bedroom about the
hour of five o'clock on the afternoon of
said date, when deponent was informed
by Mary E. Matthews of No 211 West 28th

0701

that said defendant told her about the
 him of 6 o'clock a.m. on said date, that
 defendant had ~~sent~~ ^{directed} him (said defendant)
 to enter defendant's room. That said
 Mary saw the said defendant take the
 key ^{from} where it was hanging on the side of
 the door of said bedroom, and unlock said
 door and the said defendant then entered
 said bedroom, and locked the door on the inside.
 That defendant after returning to his bedroom
 at the time before mentioned he found the
 above described property missing. Defendant
 further says that he never authorized said
 defendant to enter his bedroom and charge
 said premises and with the larceny of said
 property.

Osworn to before me
 this 25th day of January 1886 } Henry D. Smith
 J. B. Dwyer
 Police Justice

Police Court District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Degree.

Burglary

vs.

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.

0702

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

2nd District Police Court.

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

Question What is your name?

Answer

Daniel Clark

Question How old are you?

Answer

17 years

Question Where were you born?

Answer

Texas

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

Answer

No 115 west 27th street. About one week

Question What is your business or profession?

Answer

Waiter

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

Answer

The door of the bedroom was open and I went in -

D. P. Clark

day of

Taken before me this

25

1888

Police Justice

0703

Police Court *July 99* District.

THE PEOPLE, &c,
ON THE COMPLAINT OF

Henry Britt
211 W. 28th
vs.
Samuel Clark

Offence *Burglary*

2
3
4

Dated *July 25* 188 *6*

Druffy Magistrate.

Stephen Cammick Officer.
Matthew McNamee
24 Precinct.

Witness *Mary E. Matthews*
No. *211 West 28* Street.

Eli. Brown
No. *211 West 28th* Street.

No. *500* Street.
to answer *G.S.*

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

Samuel Clark
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 *July 25* 188 *6* *Police Justice.*

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

Dated *July 25* 188 *6* *Police Justice.*

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

Dated *July 25* 188 *6* *Police Justice.*

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0704

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 Clark

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

— Samuel Clark —

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

The said *Samuel Clark*.

late of the *Tenth* Ward of the City of New York, in the County of New York, aforesaid, on the *fifteenth* day of *January*, in the year of our Lord one thousand eight hundred and eighty *— six —* with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *dwellinghouse* of one

— Henry Britt —

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

Henry Britt

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

0705

SECOND COUNT—

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

- Samuel Clark -

of the CRIME OF *Petit* LARCENY, —

committed as follows :

The said *Samuel Clark,*

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

one watch of the value of

ten dollars,

of the goods, chattels and personal property of one *Henry Smith,*

in the *dwellings* house of the said *Henry Smith,*

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

Samuel H. Smith
Attorney

0706

BOX:

202

FOLDER:

2025

DESCRIPTION:

Codney, Albert

DATE:

01/05/86



2025

0707

Witnesses :

Counsel,

Filed

Pleads,

15
of May 1886

THE PEOPLE

vs.

Albert Codney

Grand Larceny, (From the Person.)
[Sections 528, 530. — Penal Code.]

RANDOLPH B. MARTINE,

District Attorney.

22 Jan 5/86

Read & L. 20.

A True Bill.

State Reformatory, Elavira.

Foreman.

0708

Police Court—2 District.

Affidavit—Larceny.

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

Charles Barrett

of No. 32 Harrison Street, aged 33 years,
occupation waiter being duly sworndeposes and says, that on the 22 day of December 1888 at the City of NewYork, in the County of New York, was feloniously taken, stolen and carried away from the possession and
Person of deponent, in the night time, the following property viz:One silver waltham watch of
the value of twenty dollarsthe 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 Albert Godding (now here) from the fact that deponent was standing in the gallery of the Grand Opera House when he felt a tug at his watch chain and on looking down deponent saw the defendant in the act of drawing his the said defendant's hand from deponent's vest. Deponent caught hold of the arm of the defendant when the defendant dropped the watch into the hand of deponent. Wherefore deponent charges the said defendant with feloniously taking stealing and carrying away the aforesaid watch from the upper left hand pocket of the vest then and there worn by deponent.

Charles Barrett

Sworn to before me, this 23 day of December 1888.Samuel P. Hall
Police Justice.

0709

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, { ss

District Police Court.

Albert Bodney

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

Question What is your name?

Answer *Albert Bodney*

Question. How old are you?

Answer *16 years old*

Question. Where were you born?

Answer. *New York State*

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

Answer. *453 West 46th St about 2 months*

Question What is your business or profession?

Answer. *Butcher*

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
Albert Bodney

Taken before me this

day of *December* 188*8*

Samuel M. Smith Police Justice.

0710

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

Dated Dec 23rd 1885 Sam'l O'Brien 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.

0711

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles Parrott
Jr. Harrison
Albert Bodine

Officer Larcum
from the Person

2
3
4

Dated Dec 2, 188

D. O'Reilly, Magistrate
Jas. F. Madden, Officer.
16 Precinct.

Witnesses Edward M. O'Connell
No. 304 E 26th Street.

No. Street,

No. Street,

\$ 1000 to answer

Sum

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0712

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Albert Rodman

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

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

The said *Albert Rodman*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *twenty second* day of *December*, in the year of our Lord one thousand eight hundred and eighty *five*, in the *night* time of the said day, at the Ward, City and County aforesaid, with force and arms,

one watch to the value of twenty
dollars.

of the goods, chattels and personal property of one *Charles Barrett*, —
on the person of the said *Charles Barrett*, —
then and there being found, from the person of the said *Charles Barrett*, —
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.

Samuel J. Martin,
District Attorney

0713

BOX:

202

FOLDER:

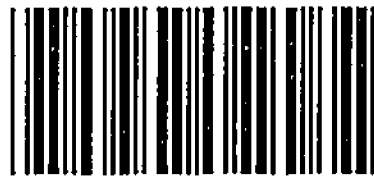
2025

DESCRIPTION:

Cohen, Tobias

DATE:

01/28/86



2025

[illegible]

५५

Counsel, *P. L. 37 Army*
 Filed *18* day of *August* 188*6*
 Pleads *not guilty* &c.

THE PEOPLE

512

Tobias Cohen
178 hundred

RANDOLPH B. MARTINE,

District Attorney,

26 Apr. 77

A True Ball.

Paid May 17/87
 Pleads guilty
 Thomas Hoggan

Price \$5.

May 12/50

10

Administrated with:

[Section
Constitutional Act, 1986,
Point Code]
See 1986, Constitution Act,
point code

0714

0715

City and County of New York, ss.

John G. Scham M.D.

Assistant Sanitary Inspector of said city, being duly sworn, deposes and says, that on the
2nd day of *December* in the year 1885

at premises number *134 1/2 Ludlow St.* in the City of New York, the said premises being a place then and there where Milk was kept for sale, one *Tobias Cohen* unlawfully did then and there keep, have and offer for sale three quarts of impure and unwholesome Milk, which had been and was then and there watered, adulterated, reduced and changed by the addition of water or other substance, or by the removal of cream therefrom, and that such impure, unwholesome, watered, adulterated or reduced and changed Milk was then and there, by the said *Tobias Cohen*, unlawfully held, kept and offered for sale against and in violation of the provisions of the Sanitary Code, and of such Sanitary Code then and there, and at all times thereafter in force and operation, and especially against and in violation of the provisions of a section and ordinance of such Sanitary Code which was duly passed and adopted by the Board of Health of the Health Department of the said City of New York, and by said Health Department at a meeting thereof, duly held in said city, on the twenty-third day of February, 1876, in the manner and language following, to wit:

"Resolved, That under the power conferred by law upon the Health Department, the following additional section to the Sanitary Code, for the security of life and health be, and the same is hereby, adopted and declared to form a portion of the Sanitary Code.

"No Milk which has been watered, adulterated, reduced or changed in any respect by the addition of water or other substance, or by the removal of cream, shall be brought into, held, kept or offered for sale at any place in the City of New York, nor shall any one keep, have or offer for sale in the said city any such Milk."

That said ordinance was thereafter duly published once a week, for two successive weeks, in the *City Record*, a daily official newspaper and journal published in said city, to wit, in the issues of such newspaper of the 24th day of February, 1876, and also of the 2d day of March, 1876, and that said ordinance was, at all times alleged herein, in full force and operation in said city and county.

Sworn to before me the 9th day
of *December* 1885.

John G. Scham M.D.
Milk Inspector
Supervisor
Police Justice.

0716

Police Court, 5 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John J. Shaw

vs.

Thomas Cohen

124 1/2 Sullivan St.

New York City

Dated

188

Justice.

Officer.

Add. Water = 13%

Daily Sale = 82 to

J. J. Shaw

Prok. Def.

0717

Sec. 151.

CITY AND COUNTY
OF NEW YORK, } ss.

Police Court _____ District.

*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 John G. Deen Milk Inspecter
of No. 1055 Lexington Avenue Street, that on the 2 day of Dec
1885 at the City of New York, in the County of New York,

at premises No 124 1/2 Ludlow St.
one Tobias Cohen
did then & there unlawfully keep have & offer for
sale impure unwholesome natural adulterated
condensed & changed milk in violation of the provis-
ions of the Sanitary Act of said City

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him
forthwith before me, at the 3 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 9 day of Dec 1885

as of order POLICE JUSTICE.

0718

Police Court 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John J. Mahan
vs.
Tobias Cohen

Warrant-General.

134 1/2 Ludlow St.

Dated Dec 9 1885

Dauer Magistrate

Bell Officer.

The Defendant

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

Bell Officer.

Dated Dec 11 1885

This Warrant may be executed on Sunday or at
night.

Police Justice.

Dec 11 1885

Tobias

Polen

age

134

Dated
183

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.

Cohen

63

years

Ludlow

The within named

Police Justice.

0719

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss

3 District Police Court.

Julius Cohen

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

Question. What is your name?

Answer. *Julius Cohen*

Question. How old are you?

Answer. *33 years*

Question. Where were you born?

Answer. *Russia Poland*

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

Answer. *134 1/2 Madison a month*

Question. What is your business or profession?

Answer. *Sweeper*

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 bought the goods of a man at 21 Essex Street. I supposed it was pure milk. I do not put anything in the milk to adulterate it. I sell about 8 quarts a day. I demand a trial by jury. J Cohen*

Taken before me this

day of

December 1887

1887

Police Justice.

0720

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 _____

Tobias Cohen

md /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 *Dec 11* 188 *5* _____ *W. J. Power* Police Justice.

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

Dated *Dec 11* 188 *5* _____ *W. J. Power* 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.

0721

Dec 16 1885.

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John B. Itham

1055 Lexington Ave.

Gobias Cohen

1.

2.

3.

4.

Dated

Dec 11

1885

Dover

Magistrate

Shell

Officer.

Court

Precinct.

Witnesses

No.

No.

No.

\$

to answer

Transferred to Court of
General Sessions on Dec 18.

0722

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edwin Cohen

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

Edwin Cohen of a misdemeanor,

~~of the same or~~

committed as follows:

The said Edwin Cohen,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the second day of December, in the year of our Lord one thousand eight hundred and eighty-nine, at the Ward, City and County aforesaid,

did unlawfully expose for sale, keep
aparts to ransom, impure, indecent,
adulterated and murderous matter,
against the form of the Statute in
such case made and provided, and
against the peace and dignity of
the said People.

Second Count: (Sec. 186, Sanitary Code)

And the Grand Jury
aforesaid by this indictment further
accuse the said Edwin Cohen of a
misdemeanor, committed as follows:

The said Edwin Cohen, late of the
Ward, City and County aforesaid, -

Char. 183
San. 1865
Sec. 1.-

0723

afterwards, the milk on the day and in the year aforesaid, at the place aforesaid, did unlawfully take, have and offer for sale, ten quarts of milk which had been and was then and there watered, adulterated ^{and} reduced, and changed by the addition of water and other substances to the said cream, and by the removal of cream therefrom, against and in violation of the provisions of the Sanitary Code of the Board of Health of the Health Department of the City of New York, the said Code duly adopted and declared as such, as amended in accordance with law, and then and there finding and in force in said City, and especially against and in violation of the one hundred and eighty sixth section of the said Sanitary Code, being an ordinance and section duly passed and adopted by the said Board of Health, and by said Health Department at a meeting of the said Board of Health duly held in said City on the 23rd day of February, 1876, which said ordinance and section is as follows, to wit:

"No milk which has been watered, adulterated, reduced or changed in

0724

any respect by the addition of water
or other substance, or by the removal
of cream, shall be brought into, sold,
kept, or offered for sale at any place
in the City of New York; nor shall
any one keep, have or offer for sale
in the said City any such milk."
which said ordinance was thereafter
duly published once a week for
two successive weeks in the "City
Record", a daily official newspaper
and journal published in said City,
to wit: in the issues of said newspaper
and journal of the 24th day of Feb-
ruary, 1876, and also of the 2nd day
of March, 1876, and which said ordinance
and section was then and there
at all times thereafter in full force
and operation: 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. Martin,

District Attorney.