

06 15

BOX:

514

FOLDER:

4685

DESCRIPTION:

Baker, Henry L

DATE:

03/10/93



4685

Witnesses:

Frank J. Harris
22 Precinct

52

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

Henry L. Baker

Second Degree.

Grand Larceny, [Sections 528, 587, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL

Wm. H. Newton,

Foreman.

Wm. H. Newton

9.50

E. L. Harris

0617

(1865)

Police Court—

4

District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No. 453 West 48th Street, aged 27 years,
occupation Lammyer being duly sworn,
deposes and says, that on the 6th day of March 1893 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property, viz:

Good and Lawful money of
the United States of the amount
and value of Forty-five Dollars
— (\$45.00) —

the property of

deponent

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

from the fact that on the aforesaid day
deponent gave said defendant the
said sum of money to deposit in
the National Bank of deposit in said
city to deponent's credit and deponent
is informed by the Book-keeper of said
Bank that said defendant did not
so deposit said money and said
defendant did confess and admit to
deponent in the presence of Officer Frank
J. Morris of the 22nd Precinct Police that
he, defendant, had not deposited said
money in the aforesaid Bank but had
appropriated the same to his own use and
profit.

Sworn to before me, this
day of March 1893
at New York
City.

James J. Morris
Police Justice.

06 18

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

aged 25 years, occupation Police Officer of No. 22 Beaman Police Street, being duly sworn, deposes and

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

Sworn to before me, this 8 day of Nov 1893 } Frank J. Morris

Lawrence P. Mizey
Police Justice.

06 19

Sec. 198—200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss:

Henry Baker 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 sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *Henry Baker*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *New Jersey*

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

Answer. *N^o 931 - 5 Avenue, Brooklyn about 10 years*

Question. What is your business or profession?

Answer. *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*
Henry L. Baker

Taken before me this

189

Police Justice.

0620

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 Alphonse

Alphonse ~~guilty~~ thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 200 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, March 8 1893

Alphonse Police Justice.

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

Dated, _____ 189 _____

Police Justice.

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

Dated, _____ 189 _____

Police Justice.

062

52 ✓ 261
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Laura P. Mingo
vs. Perry Baker

2
3
4

Offense

Laura P. Mingo

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, March 8 1893

Meade Magistrate.

Morris Officer.

22 Precinct.

Witnesses

No. Call Officer Street.

Receiving Teller of the

No. National Bank of Deposit Street.

to prove that no deposit was made.

No. Street.

\$ 1000 to answer \$ 50

0622

LAWRENCE P. MINGEY.

TELEPHONE THOMAS, JERMAN, SUSSY.

Law, Real Estate & Insurance,

910 EIGHTH AVENUE
405 WEST 51ST STREET,New York, March 21st 1893Hon. Gunning D. Bedford.
Asst. Dist. Attorney.
N.Y. County.

Dear Sir:

I am the complaining witness in the People v. Baker, on Part 1. this Am. I am actually engaged in the trial of 7 cases 20 of which are set down for employment for this Am. in the 11th District Court. If you will be kind enough to fix the hearing of the case for tomorrow Tuesday morning I can and will gladly attend without a subpoena. The case is short and will not take a half hour.

Respectfully Yours
L. P. Mingey

0623

505

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry L. Baker

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

Henry L. Baker

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

The said

Henry L. Baker

late of the City of New York, in the County of New York aforesaid, on the *sixth*
day of *March* in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, with force and arms,

*the sum of forty-five dollars
in money, lawful money of
the United States of America,
and of the value of forty-five
dollars*

of the goods, chattels and personal property of one *Lawrence J. Mingey*

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.

DeLancey Nicoll
District Attorney

0624

BOX:

514

FOLDER:

4685

DESCRIPTION:

Baker, James

DATE:

03/22/93



4685

0625

Witnesses:

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

James Baker

POOL SELLING.
(Section 851, Penal Code and Chap. 479,
Laws of 1897, §§ 4 and 7.)

DE LANCEY NICOLL,

District Attorney.

May 13/98.
Bail Discharged

A True Bill.

James Keaton,
Foreman.

There is not sufficient
evidence in my
opinion to sustain a
conviction.

Sgt. Sergeant M. Maughan
the officer in the case
can not positively
identify the def. after
now 5 years

I therefore recommend
that the def. be discharged
on his own recognizance

May 9 1898 J.A. Gray
D.A.

I concur in above.
Wm. H. No. 10
Asst District Attorney

0626

Pykin 286

COMMISSION OFFICE
Lochambers S.
NO BETTING DONE
OR PERMITTED HERE

RECEIVED
to Race Track at
Horse 1st
1st or 2d

at track quotations, if such can here be obtained.
It is understood and agreed that the undersigned act in this matter as Common Carriers
only for the purpose of transferring the money above mentioned to the place designated.

CHARGE FOR COMMISSION 10 CENTS

Notice.—Amount of Order allowed, less commission, if there is
failure to execute is due to accidental or other unavoidable
delays in transmission.

N. Y. B. SUPPLY Co., 80 Park Row.

0628

Sec. 192.

District Police Court.

Underlying to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before John J. Ryan a Police Justice
of the City of New York, charging James Baker Defendant with
the offence of Viol. Pool Law

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

We, James Baker Defendant of No. 384
5th Avenue Street; by occupation a Clerk
and Patricia Cunningham of No. 23 Chambers
Street, by occupation a Fig. & Co. Surety, hereby jointly and severally undertake
that the above named James Baker Defendant
shall personally appear before the said Justice, at the 101 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Ten
Hundred Dollars.

Taken and acknowledged before me, this 14

day of March

18 93

John J. Ryan POLICE JUSTICE.

0629

CITY AND COUNTY }
OF NEW YORK, } ss.

John J. [Signature]
Police Justice.

Sworn to before me this 14

Patriot Cunningham
the within named Bail and Surety being duly sworn, says, that he is a resident and *Free*
holder within the said County and State, and is worth *Twenty* Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,
and that his property consists of *The house 44 Barclay Street and is*
estimated at 23 Chambers Street and is
worth Fifty thousand dollars
clear of all encumbrances
Patriot Cunningham

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs.

Taken the day of 18

Justice.

0630

Police Court, 1 District,City and County
of New York, } ss.

of No. 20 Mulberry Street, aged 35 years,
 occupation Detective Sergeant being duly sworn, deposes and says,
 that on the 2 day of March 1893, at the City of New
 York, in the County of New York,

James Baker, (now here) did unlawfully
 keep and maintain a room on the first
 floor of the premises 110 Chambers
Street, for the purpose of unlawfully
 recording bets or wagers upon the
 result of a ~~contest~~ trial or contest
 of speed between horses at Guttenberg,
 New Jersey, and did at said premises
 on said date make a bet or wager with
Alphonse, and did become the custodian
 or depository for hire or reward of money
 staked or wagered on such result for
 the reasons following to wit: That
 on said date about the hour of 3:30 P.M.
 I, Alphonse, was in the said premises
 and saw the defendant there behind
 a partition. That defendant saw a
 blackboard in the said premises
 containing the names of horses on it
 with the odds opposite the names of
 each of the said horses. That defendant
 selected from the said blackboard a
 horse called Seabright which had
 opposite it the odds of twelve to one
 (meaning thereby twelve dollars to one
 dollar) That defendant then gave the
 defendant the sum of two dollars, and
 then the defendant called out the
 name Seabright twenty four dollars
 to two, (meaning thereby twenty four
 dollars to two dollars) That the
 defendant asked Alphonse for com-
 mission ten cents, which ten cents
Alphonse paid, and received from

0631

affidavit the ticket, thereto annexed
and marked exhibit A.

Therefore appears charges the
affidavit with violating section 351
of the Penal Code of the State of New
York and prays that he be declared
as the defendant
known to be for me this 3
14 day of March 1893

John Ryan
Police Justice
Robert McNaught

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be committed to the Warden and Keeper of the City
Prison of the City of New York, until he give such bail.
Dated 1888
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated 1888
Police Justice.

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

ss.

1
2
3
4

Offence,

Dated

1888

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer Sessions

0632

1902

POLICE COURT.....DISTRICT.

City and County of New York, ss.

THE PEOPLE

vs.

On Complaint of

For

Robert H. Naught
No Pool law

James Baker

After being informed of my rights under the law, I hereby waive a trial by Jury on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated

March 17 189*3*

James Baker
Police Justice.

0633

Sec. 198-200.

1882

District Police Court.

City and County of New York, ss.

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

Question. What is your name?

Answer.

James Baker

Question. How old are you?

Answer.

28 years

Question. Where were you born?

Answer.

New York City

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

Answer.

1034 - 5th Avenue 4 years

Question. What is your business or profession?

Answer.

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

James Baker

Taken before me this

189

Police Justice.

0634

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 *\$100* 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, *March 17* 189*3* *John Ryan* Police Justice.

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

Dated, *March* 189*3* *John Ryan* Police Justice.

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

Dated,..... 189..... Police Justice.

0639

177
Police Court---

314
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Robt W. Mudgett
Jas Baker

2.
3.
4.

Molden
Goal
Offense

BAILED,

No. 1, by *Pat Cunningham*
Residence *21 Chambers* Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated, *March 14* 189
Wm Mudgett Magistrate.
Wm Mudgett Officer.

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

No. *1000* to answer *Build*
11000 *Call 17-736*
Bailin

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

THE PEOPLE OF THE STATE OF NEW YORK,

against
James Barber

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *James Barber*

of the crime of keeping a room for the purpose of recording and registering bets and wagers, and
of selling pools, committed as follows:

The said *James Barber*

late of the *6th* Ward of the City of New York, in the County of New York aforesaid,
on the *11th* day of *March* in the year of our Lord
one thousand eight hundred and ninety - *6*, at the Ward, City and County aforesaid,
and not upon any grounds or race track, owned, leased, or conducted by any association incor-
porated under the laws of this State, for the purpose of improving the breed of horses, where
racing was then lawfully had, with force and arms, did unlawfully and feloniously keep a certain
room in a certain building there situate, for the purpose of therein recording and registering bets
and wagers, and of selling pools, upon the result of trials and contests of speed and power of
endurance of beasts, to wit, horses; against the form of the Statute in such case made and
provided, and against the peace of the People of the State of New York and their dignity.

Second Count, And the Grand Jury aforesaid, by this indictment further accuse the
said *James Barber*

of the crime of knowingly permitting a room to be used and occupied for the purpose of
recording and registering bets and wagers, and of selling pools, committed as follows:

The said *James Barber*

0637

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the ~~owner~~ of certain room in a certain building there situate, with force and arms, unlawfully and feloniously did knowingly permit the said room to be used and occupied for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed, and power of endurance of beasts, to wit, horses; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

James Barber

of the crime of keeping, exhibiting and employing devices and apparatus for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said

James Barber

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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being the ~~owner~~ of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein keep, exhibit and employ, divers devices and apparatus (a more particular description whereof is to the Grand Jury aforesaid unknown) for the purpose of recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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.

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

James Barber

of the crime of becoming the custodian and depository, for hire and reward, of money staked,

wagered and pledged upon the result of trials and contests of speed and power of endurance of horses, committed as follows :

The said *James L. ...*

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the *recorder* of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein then and there become the custodian and depository, for hire and reward, of certain money, to wit: the sum of *five* dollars in lawful money of the United States of America, which said money was then and there by one *James L. ...* staked, wagered and pledged upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Don't Fight* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situate at *Flushing* in the County of *Queens* in the State of *New York* and commonly called the *Flushing Meadows Race Track*, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the circumstances and manner of, upon, and in which the said money was so staked, wagered and pledged as aforesaid, is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

Fifth Count, And the Grand Jury aforesaid, by this indictment, further accuse the said *James L. ...*

of the crime of recording and registering a bet and wager, committed as follows :

The said *James L. ...*

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose

0639

of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between one

the year
owned,
purpose
are the
arms,
or the
the
ainst
le of

and divers other persons to the Grand Jury aforesaid unknown, upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Seecright* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *Seecright* in the County of *Seecright* in the State of *Seecright* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the said bet and wager so as aforesaid then and there made upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

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

of the CRIME OF POOL SELLING, committed as follows:

The said

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold, to one *Robert McNaught* and to divers other persons, to the Grand Jury aforesaid unknown, a certain pool upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Seecright* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year afore-

0640

said, at a certain place and race track situated at
in the County of *Hamilton* in the State of *New York*
and commonly called the *Hamilton* Race Track,
and which said trial and contest was had, holden and run on the day and in the year aforesaid at
the place and race track aforesaid (a more particular description of which said trial and contest,
and of the pool upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid
unknown, and cannot now be given), against the form of the Statute in such case made and pro-
vided, and against the peace of the People of the State of New York and their dignity.

Seventh Count, And the Grand Jury aforesaid, by this indictment, further accuse the
said *John J. Seale*

of the crime of recording and registering bets and wagers, committed as follows :

The said *John J. Seale*

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, and not upon any grounds or race track owned,
leased, or conducted by any association incorporated under the laws of this State, for the purpose
of improving the breed of horses, where racing was then lawfully had, with force and arms, did
unlawfully and feloniously record and register, and cause to be recorded and registered, divers
bets and wagers, then and there made by and between divers persons to the Grand Jury aforesaid
unknown, upon the result of divers certain trials and contests of speed and power of endurance of
and between divers horses (a more particular description whereof, and of each of them, is to the
Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year
aforesaid, at a certain place and race track situated at
in the County of *Hamilton* in the State of *New York*
and commonly called the *Hamilton* Race Track, and which
said trials and contests were had, holden and run on the day and in the year aforesaid, at
the place and race track aforesaid (a more particular description of which said trials and contests
and of the said bets and wagers so as aforesaid then and there made upon the same, is to the
Grand Jury aforesaid unknown, and cannot now be given), 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.

0642

BOX:

514

FOLDER:

4685

DESCRIPTION:

Baldy, Lizzie F

DATE:

03/20/93



4685

0643

Witnesses:

After a careful
consideration of all the
facts in this case,
I am of the opinion
that no conviction
could be obtained.
The answer, affidavit
of the complainant
shows that a criminal
prosecution could not
succeed.
I therefore recommend
that this indictment
be dismissed.

may 24/93
J. H. [Signature]
District Attorney
I concur in above recommendation
May 24, 93 J. H. [Signature]
D.A.

Counsel, by
Filed day of March 1893

Pleas,

THE PEOPLE

vs.

~~THE~~

George S. Balay
(2 cases)

Grand Larceny,
[Sections 828, 829,
Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Wm. M. Heaton.

On no plea
of acquiescence?
per desc.
May 24/93 J. H. [Signature]

0644

District Attorney's Office,
City and County of New York.

City and County } ss.
of New York,

of No. 310 Grand St. Weehawken N.J. Street, aged 23 years,
occupation Butler being duly sworn, deposes and says,
that on the sixth day of October 1888, at the City of New
York, in the County of New York,

one Lizzie F. Baldy feloniously did obtain from the possession of deponent, and did appropriate to her own use, the sum of five hundred dollars in money, property of deponent.

Deponent charges the said Lizzie F. Baldy with the commission of the said crime for the reasons following:

On the said date the said Lizzie F. Baldy, hired deponent, to serve in the capacity of clerk and collector for the business she was then conducting at No. 834 Broadway in the City of New York. She represented to deponent that she would require the deposit of said sum of ~~five~~ five hundred dollars with her as security for the faithful performance of his duties. Deponent then deposited with her, the said sum of money. She retained it in her possession for seven weeks, when she suddenly disappeared. Deponent ^{in February last} obtained information that she had opened an office at number 822 Broadway in said city and called on her, there and demanded the said ~~for~~ return of said sum of money. She promised to return it at the end of ~~the~~ thirty days, but before that time elapsed again disappeared.

Wherefore deponent asks that the said Lizzie F. Baldy be dealt with as the law directs
Sworn to before me this }
4th day of April, 1893 } Frank Lowery

Just. ~~Minister~~
Court ~~ordered~~
at New York

0645

DISTRICT ATTORNEY'S OFFICE,

City and County of New York.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

The District Attorney

vs.
Lizzie F. Baldy

Offence Grand Larceny
2nd degree

Dated April 4th 1893

Witnesses, Frank Lowery

No. 310 Grand Street,
Westchester, N.Y.

Michael Cleary

No. 107 Brighton Place
Street,

J. O'Brien & Taylor

No. C.O. Street

Mrs. Lowery

310 Grand Street

Westchester, N.Y.

Lowery
same address

0646

District Attorney's Office,
City & County of
New York.

The People

v

Elizabeth J. Baldwin

Grand Larceny

Frank Lowery

142 W. 133rd St.

0647

Police Court, 2 District.

1901

City and County of New York, ss.

Charles Goebel

of No. 707 Greenwich Street, aged 20 years,
occupation Clerk being duly sworn, deposes and says.that on the 14th day of November 1893, at the City of New
York, in the County of New York, Lizzie F. Baldy did obtain

from deponent by false representation in writing five hundred dollars in good and lawful money of the United States. Deponent went to the office of the defendant at No 834 Broadway where deponent went in answer to an advertisement in the New York World. The defendant represented that she made sales of real estate in the course of her business and that she proposed to hire deponent as collector of said money, and that deponent would receive considerable sums for her account. And defendant, before engaging deponent as collector required that deponent should give her five hundred dollars as security for deponent's honesty, and, relying upon the said false representations of the defendant, deponent gave the said five hundred dollars in cash, into the custody of the defendant, on Nov 14 1892, and defendant then gave deponent a receipt, hereto annexed, and signed by her and written by her wherein she represented that said money was held as security for deponent's position as collector for properties sold. Deponent soon learned that defendant had no business in selling properties, and deponent demanded the return of said money by the defendant several times, about the middle of December and subsequently, and defendant always refused to return said money and deponent charges that defendant has feloniously appropriated said money to her own use, and deponent asks that defendant be arrested and dealt with as the law directs.

Chas. Goebel.

SWORN TO BEFORE ME
THIS 14th DAY OF March 1893
Lizzie F. Baldy
POLICE JUSTICE

0648

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

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

Dated..... 18 Police Justice.

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

Dated..... 18 Police Justice.

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

Dated..... 18 Police Justice.

0640

B.O. 135 W 311
Police Court--- 2 --- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Goebel
Lizzie J. Bally

Lacey
Selby
Offence

2
3
4

Dated 188

..... Magistrate.

..... Officer.

..... Precinct.

Witnesses.....

No. Street.

No. Street.

No. Street.

\$..... to answer.....

BAILED,

No. 1, by Ernestine Schaffner

Residence 72 W. 50th Street.

No. 2, by

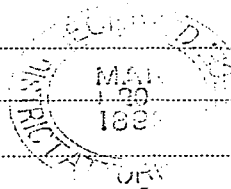
Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.



0650

INTERNATIONAL EXCHANGE.

OFFICES IN ALL THE PRINCIPAL CITIES.

NEW YORK OFFICE, 834 BROADWAY. *Room 28*

New York, Nov. 14th 1892

This is to certify that Chas. Goebel has furnished \$500. cash security for the position in the office of the International Exchange and as collector for them on business properties sold. Said amount to be refunded to him when he leaves the employ of the Exchange, he agreeing to give 30 days notice.

S. F. Baldy, Manager.

Nov. 14th 1892.

Chas. Goebel.

-----X
 PEOPLE ~~vs~~

VS

ELIZABETH F. BALDY.
 -----X

City and County of New York, ss:

CHARLES GOEBEL being duly sworn, says: I reside at 645 Second Avenue, New York City. I am the complainant in an action brought by the people of the State of New York against Mrs. Elizabeth Baldy, in which an indictment was obtained on or about the 28th day of March, 1893, charging her with obtaining from me the sum of Five Hundred Dollars under false pretences and by deceit and fraud. When making the charge at the Jefferson Market Police Court, and also before the Grand Jury, I omitted to state that during the latter part of November, 1892, after I had been in the employ of Mrs. Baldy for some time, at my request I received from Mrs. Baldy five hundred dollars worth of stock of the Southern Land & Silk Association of Baltimore City, a corporation organized under the laws of the State of Maryland, which stock I now hold. This stock was in consideration of the five hundred dollars which I had previously deposited with Mrs. Baldy for the faithful discharge of my duties as a clerk while in her employ. It was my intention at the time, and so understood by Mrs. Baldy, that I was to take the stock in place of the five hundred dollars, and in

0652

place of the agreement which Mrs. Baldy had given me that she would return to me the \$500. on 30 days notice, but after Mrs. Baldy had left the city owing me several weeks salary, and I could not hear from her by writing to her at Baltimore, I applied for a warrant for her arrest under the ~~general~~ ^{original} agreement as I wanted my money. I was in the employ of Mrs. Baldy for about six weeks and I know of no transaction whereby she obtained money by false pretences from any one. I was in the office most of the time and am familiar with the transactions which took place. An office was opened in Jersey City by Mrs. Baldy and I was sent there to take charge of it. It was opened for the purpose of conducting an Employment Agency. I had only been in the office about half an hour when I was arrested and confined in the County Jail at Jersey City for nearly three weeks before I was able to obtain my discharge. I understand that the charge against me was that I was attempting to conduct an employment agency in Jersey City without a license. I retained the key to the office at 892 Broadway New York City, occupied by the Southern Silk & Lard Association and by Mrs. Baldy, and upon my release in Jersey City I went to the office for the purpose of getting some things which belonged to me. On the desk was the agreement which Mrs. Baldy had given me referring to the deposit of \$500. I took this with me and a number of other things. I wrote Mrs. Baldy who was then in Baltimore telling her that I had been released at Jersey City and I wanted her to return me

0653

the \$500. as I needed money. Not hearing from her I went to the Jefferson Market Police Court and obtained a warrant for her arrest. As she could not be found in the city I was told to go before the Grand Jury where an indictment was ^{obtained} ~~found~~, and she was brought to this city from Baltimore. I know one Frank Lowery who had been in the employ of Mrs. Elizabeth Baldy about a month prior to the time I went there. He told me that he had deposited about four hundred and fifty dollars with Mrs. Baldy as security, and showed me a certificate of stock of the Southern Land & Silk Association of Baltimore City for 450 shares. He said that he purchased this stock of Mrs. Baldy, and took the stock in place of his deposit. It was after Mr. Lowery told me this that I took stock in the Southern Land & Silk Association for my deposit of \$500. I make this affidavit of my own free will, without promise or ^w regard, or fear of punishment.

Sworn to before me this :
 8th day of ^{May} ~~April~~, 1893. :

Chas. Goebel

S. Cusly Mead,
Notary Public (275)
N. Y. Co.

0654

	People	NW.	Elizabeth F. Bulby	Agg'dent of Charles W. 12.	
--	--------	-----	--------------------	-------------------------------	--

DILL, CHANDLER & SEYMOUR,
31 NASSAU STREET, NEW YORK.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Lizzie F. Baldy

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

Lizzie F. Baldy

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

The said

Lizzie F. Baldy

late of the City of New York, in the County of New York aforesaid, on the *fourteenth* day of *November* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

the sum of five hundred dollars in money, lawful money of the United States of America, and of the value of five hundred dollars

of the goods, chattels and personal property of one *Charles Goebel*

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.

Second COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said *Lizzie F. Baldy*
of the same CRIME OF *Grand* LARCENY, in the
second degree, committed as follows:

The said

Lizzie F. Baldy

late of the City of New York, in the County of New York aforesaid, on the *fourteenth*
day of *November* in the year of our Lord one thousand eight hundred and
ninety-~~two~~, at the City and County aforesaid, being then and there the
bailee of one *Charles Goebel*

and as such *bailee* then and there having in *her* possession,
custody and control certain goods, chattels and personal property of the said

Charles Goebel

the true owner thereof, to wit:

the sum of five hundred
dollars in money, lawful money
of the United States of America
and of the value of five hundred dollars

did afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with
force and arms, feloniously appropriate the said *sum of money*—

to *her* own use, with intent to deprive and defraud the said *Charles Goebel*

of the same, and of the use and benefit thereof; and the same goods, chattels and personal property
of the said *Charles Goebel*

did then and there and thereby feloniously steal, 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.

DE LANCEY NICOLL,
District Attorney.

0657

BOX:

514

FOLDER:

4685

DESCRIPTION:

Barlow, William W

DATE:

03/10/93



4685

Witnesses:

Wm. H. May

I recommend in this
case that defendant be
permitted to plead to petit
jury

Wm. H. May
P. but not attorney

Counsel,

Filed

day of

1893

Pleadg,

THE PEOPLE

23
1114 26
Pacton

vs.

William W. Barlow

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Wm. H. May

Foreman.

Feb 2 - March 30 1893

Reads City Coroner

Pen 6 on on the

Burglary in the Third Degree.
Section 498, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

0659

Police Court—2nd DistrictsCity and County } ss.:
of New York,of No. 348 West 39th Street, aged 37 years,occupation Domesticdeposes and says, that the premises No 348 West 39th Street,in the City and County aforesaid, the said being a four story brick

building, in the rear of said premises.

and which was occupied by deponent as a tenement —

and in which there were at the time a woman being by name
 wife BURGLARIOUSLY entered by means of forcibly breaking a
lock on a door of a room leading from
 the hallway into said room. and afterwards
breaking a lock leading from said room into
 a closet which was in said room
 on the 21 day of February 1883 in the day time, and the
 following property feloniously taken, stolen, and carried away, viz:

four dresses of the amount and value
of sixty dollars — and a Razor of the
amount and of the value of seventy five
Cents — in all of the amount and of the
value of sixty dollars and seventy five
Cents

\$ 67
50
100

the property of deponent, and in deponent's care and custody
 and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
 BURGLARY was committed and the aforesaid property taken, stolen, and carried away by
William Barlow (now here)

for the reasons following, to wit: that deponent left the aforesaid
premises, about the hour of nine o'clock A.M.
of said date — leaving Moses Thomas of No 348
West 39th Street, in charge of said premises —
 and at that time the aforesaid property was
 in a closet, in said room, and which closet
 was securely locked and fastened — and
 that deponent is informed by said Moses Thomas
 that about the hour of two o'clock P.M. of said

0660

date, he securely locked and fastened the aforesaid door of said premises - and went away, and that in about twenty minutes he returned to said premises, and immediately discovered said lock on said door broken, and said closet broken into, and said property missing, and that deponent is further informed by Detectum Officer Allan May, of the 20th Precinct Police that he found a Razor in the possession of the defendant, and on said defendant being placed under arrest by said Officer, he attempted to assault him with said Razor which he then and then held in his hand - and that deponent has seen the said Razor found in the possession of the defendant by said Officer - and fully recognizes the same as her property and as part of the aforesaid property stolen from her on said date - Deponent therefore asks that the defendant may be held to answer -

Mary Clark
Mark

Sworn to before me this
1st day of March 1893

Thos. H. Brady
Police Justice

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0661

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

William Barlow

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 Barlow

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

W. J.

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

Answer.

111 West 26 Street - 6 Weeks

Question. What is your business or profession?

Answer.

Carpet Laying

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 W. Barlow

Taken before me this
day of *March* 189*3*

Police Justice.

0662

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 40 years, occupation Cook of No.

348 West 39

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Mary Clark

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

Sworn to before me, this

day

189

of

March 12 Moses Thomas

Police Justice.

0663

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 21 years, occupation Police Officer of No. 21st Avenue
Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of May Clark
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 1st day } Allan Hays
of March 1893

Thos. F. Brady Police Justice.

0664

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 Myers

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 75 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, March 1 189 3 Thos. J. Brady Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0664

72
Police Court--- District. 259

THE PEOPLE &c.,
ON THE COMPLAINT OF

Mary Clark
348 W 39
William Carlson

Offense
Burglary

2
3
4

Dated, March 1 1893

Grady Magistrate.
Curry & May Officer.
20 Precinct.

Witnesses Mary Bradley -
348 West 39 Street.

No. 7 Mrs. Thomas
348 W 39 Street.

No. 1000 Court Street.

\$ 1000 to answer

\$1500 & March 3. 2 P.M.
6. 2 P.M.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0666

R. H. HUNTER,
Business 210 or 360 St
CHANDELIER CLEANER,
424 SEVENTH AVENUE,

New York Mar 29 1893
To Whom it May Concern
The said William Barlow
has been in my employ
for 6 Six months and
I have all ways found
him honest and
industrious and I have
known him for some
time I hereby recommend
him to any one as a
Honest - Thrifty man
Respectfully
R. H. Hunter

0667

462

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

THE PEOPLE OF THE STATE OF NEW YORK

against

William W. Barlow

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

William W. Barlow

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

The said *William W. Barlow*

late of the *20th* Ward of the City of New York, in the County of New York aforesaid, on the *twenty-first* day of *February*, in the year of our Lord one thousand eight hundred and ninety-*three*, with force and arms, in the *day*-time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Mary Clark

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said *Mary Clark* in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

William W. Barlow

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

The said

William W. Barlow

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

*four dresses of the value
of fifteen dollars each, and
one razor of the value of seventy-
five cents*

of the goods, chattels and personal property of one

Mary Clark

in the dwelling house of the said

Mary Clark

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

THIRD COUNT:

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

William W. Barlow
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

William W. Barlow

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

four dresses of the value of fifteen dollars each, and one razor of the value of seventy-five cents

of the goods, chattels and personal property of

Mary Clark

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

Mary Clark

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

William W. Barlow

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

DE LANCEY NICOLL,

District Attorney.

0670

BOX:

514

FOLDER:

4685

DESCRIPTION:

Bauer, Anton

DATE:

03/21/93



4685

Witnesses:

Christian Curley

Opelathon erect

on Onffovera

and for

Robert Bower

306 W 69

Lyons floor

back - Shuman

for 11/14

Oct 7 - 1876

Counsel,

Filed

Pleas

1893

THE PEOPLE

vs

306 W 69

Shuman, P. Bower

Anton Bower

Grand Larceny,
[Sections 528, 529, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Old Bay

March

A TRUE BILL.

W. Neaton,

Feb 2 - April 5, 1893

Foreman

Pleas attempt to kill

Feb.

Ed. Def. 93

April 11/93

0672

(1885)

Police Court—4 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 314 W 69th Street, aged 49 years,

occupation Bar Flyer being duly sworn,

deposes and says, that on the 4 day of March 1893 at the City of New

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

of deponent, in the night time, the following property, viz:

A quantity of lead pipe
valued at Sixty-five

Dollars \$65.00

the property of Mrs Howland and
in the care and custody 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 Larry Bauer (number)

Henry Clair (now awaiting trial) and

Peter Butch (not yet arrested) who

were acting in concert for the purpose

following to wit: on the said date

deponent found the said de-

fendants in said premises they

having taken the lead pipe from

closets in said premises. They have

portion of the property in their pos-

session when deponent caught them

in said premises. The said Bauer

and Butch escaped at the time

James Thompson

Sworn to before me this 4 day of March 1893
at New York City
Notary Public

0673

Sec. 198-200

CITY AND COUNTY OF NEW YORK, ss:

District Police Court.

Jerry Bauer 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 sees 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.
Anton Bauer

Taken before me this

day of

189

Police Justice

0674

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 Leu 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, Mar 3 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0671

157 & 301
Police Court---

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1. *Josephine*
2. *Louise*
3. *Marie*
4. *Pauline*

Dated, *Mar 13* 189*3*
Meade Magistrate.
Braswell Officer.

Christine Curley 24 Precinct.
Witness

No. *306 W 69th* Street.

John Kelly
No. *313 W 69th* Street.

No. *1000* Street.

\$ *1000* to answer *3*

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0676

PART II.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

To *Gottlieb Bauer*
of No. *306 W 29 Street* *Greenwich Village*

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the *3* day of *APRIL* 189 *10* at the hour of *11* in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Anton Bauer
Dated at the City of New York, the first Monday of *3* *APRIL*
in the year of our Lord, 189 *3*

DE LANCEY NICOLL, *District Attorney.*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Anton Bauer

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

Anton Bauer

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

The said

Anton Bauer

late of the City of New York, in the County of New York aforesaid, on the *fourth* day of *March* in the year of our Lord one thousand eight hundred and ninety-*three* at the City and County aforesaid, with force and arms,

*five hundred pounds of lead
pipe of the value of fifteen
cents each pound*

of the goods, chattels and personal property of one

Charles E. Greene

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.

*Wm Lancy Nicoll
District Attorney*

0678

BOX:

514

FOLDER:

4685

DESCRIPTION:

Bayer, George

DATE:

03/09/93



4685

Witnesses:

James A. Fullam
Carroll H. Hume

Frank Chism
262 Broadway

Counsel,

Filed

Pleads,

day of March 1893

THE PEOPLE

vs.

George Bayer

DE LANCEY NICOLL,

District Attorney.

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

A TRUE BILL. Found

Wm W. Nealon

Foreman.

March 9/93
Alfred J. Foley

Ed. J. Foley
March 13/93

0680

Police Court, 7 District.

1007

City and County of New York, ss. John L. Doyle
 of No. 325 East 90 Street, aged 31 years,
 occupation printer being duly sworn, deposes and says.
 that on the 10 day of February 1893, at the City of New
 York, in the County of New York,

Harry A. Beckley (now here) did unlawfully and unlawfully violate the provisions of Section 515 of the Penal Code, in the manner following to-wit: that, on said date, defendant was in the employ of deponent having charge of the order-book and did then and there make a false entry in said order-book purporting to be an order for work to be done by deponent for the Alexander Medical Company of this city. That deponent has been informed by one Robert Dunlap, the manager of the aforesaid company, that he did not authorize defendant to do said work nor to enter said order in said account-book. That defendant made said false entry with intent to defraud deponent out of a sum of money to be paid defendant as commission for the order purporting to have been ^{thus} received by defendant and prays that he may be dealt with as the law directs.

Sworn to before me this } John J. Doyle
 12th day of March 1893

Wm. H. Brady
 Police Justice

0681

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Harry A. Beckley

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

324 W. 22 St. -

6 months

Question. What is your business or profession?

Answer.

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.

H. A. Beckley

Taken before me this
day of *March* 190*1*

12

Justice
Police Justice.

0682

CORRECTION

0683

BOX:

514

FOLDER:

4685

DESCRIPTION:

Bayer, George

DATE:

03/09/93



4685

Witnesses:

James J. Sullivan
Carl F. [unclear]

Frank Sherman
262 Bond

Counsel,

Filed

Pleads,

March 1893

THE PEOPLE

vs.

George Bayer
Grand Larceny, second Degree.
[Sections 828, 83, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL. Found

Wm W. Keaton

Foreman.

March 9/93
Henry G. [unclear]

Ed. [unclear]
March 13/93

0685

Police Court 2 District.

Affidavit—Larceny.

City and County }
of New York, } ss:Frank Schurmer

of No. 262 Bowery Street, aged 31 years,
 occupation Lodging House Keeper being duly sworn,
 deposes and says, that on the 26 day of February 1893 at the City of
 New York, in the County of New York, was feloniously taken, stolen and carried away
 from the possession of deponent, in the night time, the following property, viz:

three watches
 of the value of about one hundred
and twenty five dollars, and about
one hundred and twenty three dollars
 in cash money, also of the value
 of about two hundred and forty
eight dollars. \$248

the property of deponent's customer in
deponent's care

and that this deponent

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

nowhere. The defendant was employed
 by deponent as a clerk, and he had
 access to said property, and the
 said property was missed and the
 defendant absconded on said
 date and deponent is informed by
 Detective James J. Murphy now
 here that defendant confessed
 his guilt, and gave information
 on which a part of said property
 was traced to John shop.

F. G. Schurmer

Sworn to before me, this

day

of

March1893John J. Murphy Police Justice.

0686

CITY AND COUNTY }
OF NEW YORK, } ss.

Jeremiah J. Murphy
aged _____ years, occupation Detective of No. _____

300 Mulberry Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Frank Behrman

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

Sworn to before me, this 4

day of March 1893

Jeremiah J. Murphy

John F. Brady
Police Justice.

0687

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Geo. Baye 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. *Geo. Baye*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *262 Bowery. 1 1/2 years*

Question. What is your business or profession?

Answer. *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 admit that I took some*
things - I do not know the
value of them -
Geo. Baye

Taken before me this

day of

March

1888

Police Justice.

0688

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.....

Geo. Bayer
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Fifteen* 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 *March 4* 1897 *John F. Brady* Police Justice.

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

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

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

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

068

29
Police Court---2--- District. 248

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Frank Achirina
262nd B'way
Geo. Bayer

Offence

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated March 8 1893

Grady Magistrate.

Murphy Officer.

C.O. Precinct.

Witnesses Call Office

No. Street.

No. Street.

No. Street.

\$ 1500 to answer

at

0690

KOCH, LOCKWOOD & HART,
COUNSELORS AT LAW,
(TEMPLE COURT,
5 BEEKMAN ST., NEW YORK CITY.

JOSEPH KOCH,
JAS. B. LOCKWOOD,
WILLIAM F. S. HART.

Dec. 10-93

Hon. Jas. Fitzgerald
City Judge.

Dear Sir

George Bayer who is soon to
be sentenced by you on his plea of
guilty was in my employ during
1885 and part of 1886.

He was then an exceptionally
good boy - I think he had been well
brought up and I would then have
trusted him to the fullest extent.

I have learned with great regret
of his present trouble. I have known
nothing of him since he left my employ.
Yours Respy Jas. B. Lockwood

0691

505

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

George Bayer

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

George Bayer

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

The said

George Bayer

late of the City of New York, in the County of New York aforesaid, on the *twenty-sixth* day of *February* in the year of our Lord one thousand eight hundred and *ninety-three*, at the City and County aforesaid, with force and arms,

the sum of one hundred and twenty three dollars in money, lawful money of the United States of America, and of the value of one hundred and twenty three dollars, and three watches of the value of forty-five dollars each

of the goods, chattels and personal property of one

Frank G. Schirmer

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.

De Lancey Nicoll,
District Attorney

0692

BOX:

514

FOLDER:

4685

DESCRIPTION:

Beckley, Harry A

DATE:

03/30/93



4685

Witnesses:

W. D. Dwyer
Geo. Doyle

May 3 1893

Seemed to be
on another watch
- went into jury

17-

HD Macaroni
Case

27/12
Dubois

Counsel,

Filed 20th of March 1893
Pleads, *M. J. Doyle*

THE PEOPLE

vs.
P

Harry C. Buckley

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

DE LANCEY NICOLL,
District Attorney.

April 12-1893
M. J. Doyle

A TRUE BILL.

Wm. W. Heaton

Foreman.

April 13 1893
W. J. Doyle

off April 13th 93 -
Completed in 13 minutes.

0694

Police Court, 7 District.

1902

City and County of New York, ss. John J. Doyle
 of No. 325 East 90 Street, aged 31 years,
 occupation printer being duly sworn, deposes and says,
 that on the 10 day of February 1893, at the City of New
 York, in the County of New York,

Harry A. Beckley (now here) did wilfully
 and unlawfully violate the provisions of
 Section 515 of the Penal Code, in the
 manner following to-wit: that, on said date,
 defendant was in the employ of deponent
 having charge of the order-book and did
 then and there make a false entry in
 said order-book purporting to be an
 order for work to be done by deponent
 for the Alexander Medical Company of
 this city. That deponent has been
 informed by one Robert Dunlap, the man-
 ager of the aforesaid company, that he
 did not authorize defendant to do said
 work nor to enter said order in said
 account-book. That defendant made said
 false entry with intent to defraud deponent
 out of a sum of money to be paid defen-
 dant as commission for the order purporting
 to have been ^{thus} received by defendant and
 prays that he may be dealt with as
 the law directs

Sworn to before me this } John J. Doyle
 12th day of March 1893 }

Wm. H. Brady
 Police Justice

0695

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

2 District Police Court.

Harry A. Beckley 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.

Harry A. Beckley

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

324 W. 22 St. -

Brooklyn

Question. What is your business or profession?

Answer.

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.

H. A. Beckley

Taken before me this

12

day of

March 1895

Police Justice.

0696

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

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

Dated March. 12 18 93 J. H. Brady Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

069

B.O. 272 294
Police Court--- District.
(193)

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John J. Doyle
325 E. 98
Harry A. Buckley

Officer
Ferguson

2
3
4

Dated March 12 1933
Goady Magistrate.
Foley Officer.
Comp Precinct.

Witnesses Robert W. Dunlop
181 Broadway, N.Y. City
or Ridgewood, New Jersey
38 Murray

No. Street.

No. 505 E. 5
to answer

\$500 Ex. 2nd 14. 2nd 2.

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0698

Court of General Sessions of the Peace

1721

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Harry A. Beckley

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

Harry A. Beckley
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said *Harry A. Beckley*

late of the City of New York, in the County of New York aforesaid, on the *ten* -
day of *February* - in the year of our Lord one thousand eight hundred and
ninety- *three*, at the City and County aforesaid, with intent to defraud, feloniously did
forge a certain instrument and writing, which said forged instrument and writing is as follows, that
is to say:

Feb 10 25th Agents Report Blanks
Alex. Med. Co.

\$25.00

\$1.25

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.

0699

SECOND COUNT—

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

— *Harry A. Beckley* —

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

The said

Harry A. Beckley —

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 intent to defraud, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, which said forged instrument and writing is as follows, that is to say:

Feb 10

25th

Agents Report Blanks

Am. Med. Co.

\$ 25.00

\$ 1.25

the said

— *Harry A. Beckley* —

_____ 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.

DE LANCEY NICOLL,

District Attorney.

0700

BOX:

514

FOLDER:

4685

DESCRIPTION:

Beckman, Joseph E

DATE:

03/27/93



4685

0701

Witnesses:

W. Arnold

A. Orfacco

*Supprena
4 officers and
J. H. Smith*

262 Boston

Mr. McLean

*Jefferson Denney Room
60 Ave B
13th St*

Wm. Fogarty

33.3000

237
Thurley
Counsel
Filed
Pleds
1893
1000th - 28

Grand Larceny,
(From the Person,
[Sections 528, 529,
Penal Code.]

THE PEOPLE

vs.

Joseph E. Beckman

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Wm. H. Keaton

Foreman.

Feb 20 1937

6 mos per 13.

1893

0702

1021

CITY AND COUNTY } ss.
OF NEW YORK, }

aged 43 years, occupation Oyster Stand of No. 48 First Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Amos R. Arnold and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me this 17 day of March 1893 } Angelo X Orfano
of March 1893 } Mark

Amos R. Arnold Police Justice.

0703

Police Court—3 District.

1912

Affidavit—Larceny.

City and County {
of New York, } ss.

of No. 182 Friendship Amos W. Arnold Street, aged 34 years,
occupation Agent Providence R.R.

deposes and says, that on the 17 day of March 1893 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
and person of deponent, in the night time, the following property, viz:

One Gold Watch of the
value of seventy five dollars

\$75.00
100

the property of deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen
and carried away by Joseph B. Beckman (numberless)

from the fact that deponent was
in the Cyster stand situated South East
Corner First Street and Barry in
company with the said Beckman
Deponent is informed by Angels Orfan
the owner of said Cyster stand that he saw
the said deponent take said watch
from the lower left hand pocket of the
vest that was then worn on deponent's
person.

Deponent therefore accuses said deponent
with feloniously taking, stealing and carrying
away said watch from the possession and
person of deponent Amos W. Arnold

Sworn to before me this
17th day of March 1893

Amos W. Arnold
Police Justice.

0704

Sec. 198-200.

3 District Police Court. 1882

City and County of New York, ss:

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

Question. What is your name?

Answer. *Joseph E. Beckman*

Question. How old are you?

Answer. *40 Years*

Question. Where were you born?

Answer. *Lowell, Mass.*

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

Answer. *268 Bowery.*

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. *I am not guilty**J. E. Beckman*

Taken before me this

day of

March

1893

Police Justice.

0705

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

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

Dated, Mar 17 189 3 W. J. M. M. M. Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

070

2303 311
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anna M. Arnold
182 Franklin St. Prov.
Joseph B. Beckman

Offense *Unlawful*
Mar 17 1893

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

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

Dated, *Mar 17* 1893

Stock Magistrate.

Morris Officer.

14 Precinct.

Witnesses *A. Orlando*

No. *48-11 St St* Street.

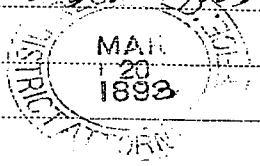
No. Street.

No. Street.

No. Street.

No. Street.

\$ *1000* to answer *Ed*



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 E. Beckman

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

Joseph E. Beckman
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:
The said *Joseph E. Beckman*

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

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

of the goods, chattels and personal property of one *Amos W. C. Arnold*
on the person of the said *Amos W. C. Arnold*
then and there being found, from the person of the said *Amos W. C. Arnold*
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.

*De Lancey Nicoll,
District Attorney.*

0708

BOX:

514

FOLDER:

4685

DESCRIPTION:

Bender, John

DATE:

03/21/93



4685

0709

POOR QUALITY
ORIGINAL

Witnesses:

Anna Leopold

Aft^r comparing
with last sheet
after my own who
had this case, I am
winded the conclusion
that no correction
can possibly be had
I therefore recommend
that the indictment
be dismissed

De Lancey Nicoll
District Atty.

Nov. 25th 1893

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE,

vs.

John Bender
On return of Dist. Atty.
Indict. dis. P.B.M.
Pr. Nov. 23rd 1893
with 28/93

DE LANCEY NICOLL,

District Attorney

Nov. 29. 1893. Ind.

A TRUE BILL.

Wm. Keaton

Part 2 - March 30th 1893.

Indict and Jury disagree 10ae

Rebuilt
Apr 1/93

Foreman

2 co.

Borgum.
(Section 96 Penal Code)

0710

POOR QUALITY
ORIGINAL

Witnesses:

Amos B. Gold

Aft^r comparing
with A. B. B. B.
After my own who
had this case, I have
reached the conclusion
that no correction
can possibly be had.
I therefore recommend
that the indictment
be dismissed.

De Lancey Nicoll
District Attorney

Nov. 25th 1893

Counsel,

Filed

day of

1893

Pleas,

THE PEOPLE,

vs.

B

John Bender
In name of Dist. Atty.
Indict. dis. 12.3.11
of Nov. 28/93
with 28/93

Borgum

(Section 96 Ind. Code)

DE LANCEY NICOLL,

District Attorney.

March 29, 1893. WMS.

A TRUE BILL.

Wm. H. Heaton

Part 2 - March 30th 1893.

Foreman.

Jury and Jury disagree 10ae

2 cm.

Rebuilt
apl 1/93

0711

**POOR QUALITY
ORIGINAL**

COUNSELORS AT
No. 335 BROADWAY, NEW YORK CITY.

Vernon F. Davis, Esq.
Assistant Dist. Attorney,
Co Dist. Attorney's Office.
32 Chambers Street, N.Y.

0712

LAW OFFICE
OF
KANTROWITZ & ESBERG,
No. 335 BROADWAY,

Dictated.

NEW YORK,.....March 17,.....1893.

My dear Mr. Davis:-

Enclosed you will find copy of the original affidavit of John Bender used in opposition to motion for alimony, and my own affidavit in opposition to Mr. Bender's., The originals are on file in the Common Pleas Court. I shall call to see you to-morrow about the matter. My clerk made the copies of the affidavit, but they have some clerical errors.

Resp'y yours,

M Esberg
per Jm

Vernon F. Davis, Esq.
Assistant Dist. Attorney,
c/o Dist. Attorney's Office,
32 Chambers St.

0713

Wm. J. Hill-
Munroe Bros.

New York Supreme Court.
Special Term, Part II.

Henry Leopold
vs
Anna Leopold.

Before
Thomas J.

April 5, 1892.

Testimony
of-

John Bender

Per J. S. B.
Mar. 29-92

POOR QUALITY
ORIGINAL

0714

NEW YORK SUPREME COURT,
Special Term, Part 2.

HENRY LEOPOLD,

-vs-

ANNA LEOPOLD.

Before

Hon. Charles H. Quax, J.

New York, April 5, 1892.

A P P E A R A N C E S :

Abe Hummel, Esq.

for the Plaintiff,

Joseph Stiner, Esq. and Charles Steckler, Esq.

for the Defendant.

1
J O H N B E N D E R , a witness for the plaintiff, being duly sworn, testifies:

BY MR. HUMMEL:

Q Where do you reside? A No. 667 Eleventh Avenue, New York.

Q Where did you live in the month of April, 1889?
A I lived next door, 510 Forty-third Street.

Q What is your business? A Driver.

Q Driver of what? A I drove at that time for Mr. Leopold. I drive for my brother-in-law also; then I drive for the feed store; I am driving for the feed store now.

Q Do you know the plaintiff, Henry Leopold? A I do.

Q Do you know the defendant Mrs. Anna Leopold, his wife? A Yes, sir.

Q Did you know the plaintiff, and the defendant during the month of April, 1889? A Yes, sir.

Q When were you first introduced to Mr. and Mrs. Leopold? A In 1889, the time they got married.

Q On their wedding day? A Yes, sir.

Q Were you working for Mr. Leopold at that time?
A Yes, sir.

Q What was Mr. Leopold's business then? A Man-

ufacturer of yeast.

Q Where? A 512 West 43rd Street.

Q Did he live there? A Yes, sir.

Q What was the dwelling house? A How do you mean?

Q I mean, was it a brick house, a brown stone house, or what? A A brick house.

Q How many floors? A Three floors.

Q Was there any yard to it? A Yes, sir.

Q Was there any store to the house? A No, sir.

Q What floor of that house did the Leopolds occupy? A The ground floor.

Q Do you know how many rooms there were on that ground floor? A Yes, sir.

Q How many? A Four.

Q With what did those four rooms connect? A There was a parlor, bedroom, dining-room, and kitchen.

Q Did they connect with the basement and hall way of the house? A Yes, sir.

Q Were you on friendly terms with both Mr. and Mrs. Leopold? A Yes, sir.

Q Where did you live at that time? A I worked

for Mr. Leopold, my uncle, at that time; during that time of 1889.

BY THE COURT:

Q Whose uncle? A My uncle.

Q What is his name? A Mr. Leopold.

Q The plaintiff in this case? A Yes, sir.

BY MR. HUMMELL:

Q You are the nephew of the plaintiff? A Yes, sir.

Q Where did you sleep? A On the first floor; one flight up on the front.

Q How old were you at that time? A Twenty-one.

Q Did you ever have anything to say or do with Mrs. Leopold? A Yes, sir.

Q When and where did you first have anything to say or do with her? A The first time I had anything to do with her, was down stairs in the manufactory; in the place where we make the yeast.

Q How did that come about; when was it? A In 1889.

Q When in 1889? A It was in the month of March

Q Just state what occurred; state what ^{she} ~~you~~ said or did, and what you said or did to her? A She told me

that I was never to say nothing to him, nor to anybody about it; when Mr. Leopold was out, she was always around me, down stairs and all over; and she said if she could she would poison him; she was so down on him, that she could not bear him; and every night when I came home with the wagon, I used to eat my supper, and my uncle was there at the table, and she couldn't bear him no more, and she used to nudge me with her foot; kick me.

Q Under the table? A Yes, sir.

Q Did she do anything except kick you? A Yes, sir; she took me to her down stairs, when the old man was away; she would come down stairs to me and she would ask me this and that, and she would be at me all the time; and of course I didn't want to show my face upstairs, because the uncle was down on me.

Q What do you mean by saying ^{she said} "to you" this and that; did she make any proposition to you? A Yes, sir.

Q What did she say to you? A She told me never to say a word to nobody, or if I should happen to go to court, that I should swear black and blue that I didn't do it, and not to give her away.

Q You havn't told us yet what you did? A Well that I was in with her.

Q Let us first have some statement of fact about it; did you have sexual intercourse with her? A Yes, sir.

Q Where? A Down stairs.

Q In the bed-room? A Yes, sir.

Q In a bed? A Yes, sir; there was a bed there in the middle, right by the side of the room.

Q Did you kiss her? A Yes, sir.

Q Did she kiss you? A Yes, sir.

Q That was in the month of March? A Yes, sir.

Q How frequently did you have sexual intercourse with Mrs. Leopold; How often? A I couldn't just exactly tell you how many times; it was anyhow twelve or fifteen times.

Q Where? A Down stairs, and on the first floor; where we occupied the front room; there was a boy, his son, used to sleep with me; a boy named Henry; that was upstairs; upstairs there one night, she came up, and the little boy just happened to wake up, and she went downstairs again, and closed the door. My uncle was just to a meeting that night.

Q When did you leave Mr. Leopold's employ? A

I left there in April, 1889.

Q That same year. A Yes, sir.

Q Why did you leave?

Objected to as immaterial, irrelevant,
and incompetent. Objection sustained.

Q Were you discharged by Mr. Leopold? A Yes,
sir.

CROSS EXAMINED, BY COUNSEL FOR DEFENDANT:

BY MR. STECKLER:

Q Henry Leopold, the plaintiff in this action,
is your uncle? A Yes, sir.

Q Do you recollect the date when he was married
to the defendant in this suit? A Yes, sir.

Q Do you recollect the date? A Yes, sir.

Q What date was that? A That was in August.

Q August of what year? A 1889.

Q Was it August 1889? A Yes, sir.

Q Are you sure about that? A Let me see.
Yes, sir.

Q Sure? A Yes, sir.

Q No mistake about it? A No, sir.

Q How do you fix August, 1889, as the time that

the plaintiff and the defendant were married, Mr. and Mrs. Leopold; how do you fix that date; can you give us any reason for that? A No, sir.

Q Your best judgment is, that it was in August, 1889? A Yes, sir, that is my best judgment.

Q Are you sure about it?

MR. HUMMEL: He has said that already.

A Yes, sir.

Q And you are just as sure of that, as that you had connection with this defendant, Mrs. Leopold, in March, 1889? A Yes, sir.

Q You are sure that you had connection with this defendant in March, 1889? A Yes, sir.

Q Are you able to read and write? A Yes, sir.

Q You do read and write? A Yes, sir.

Q Where were you born? A In Germany.

Q How long have you been in this country? A I am here now since I was a boy, seven years of age.

Q How long have you lived with your uncle, the plaintiff, or how long did you live with him? A I was living with my uncle six weeks after.

Q After you came to this country? A No, sir, not after I came to the country.

Q When did you first go to live with your uncle?

A I came there as soon as I came from Germany; I was there since I was twenty-one years of age, when I left there

Q Up to the time you left there in April? A Yes, sir.

Q What year did you leave your uncle; you say you left in April, what year was it? A 1889.

Q How long before you were discharged by your uncle, the plaintiff in this case, was he married to the defendant? A In August.

Q In the August before that? A Yes, sir.

Q Are you sure about that? Yes, sir.

Q Were you at the wedding? A Yes, sir.

Q Where was the ceremony performed? A In the house where the marriage took place?

Q Where did the marriage take place? A In the front room of his own house.

Q In the house owned by Mr. Leopold? A Yes, sir.

Q And it was in August? A Yes, sir.

Q The summer time? A Yes, sir.

Q You are sure about that? A I am sure.

Q Suppose I were to tell you that Mr. and Mrs.

Leopold were married on the 16th day of February, 1889, would you be surprised? Look at me please. A I might be surprised.

Q You don't think they were married in February, 1889, do you? A No, sir.

Q How many children did Mr. Leopold have at the house, living with him? A Do you mean children of his own?

Q Yes. A Four.

Q This lady Mrs. Leopold, who is sitting beside me here in court, is his second wife? A Yes, sir.

Q Do you know how old those children were? A I don't just exactly know how old they are.

Q Where ~~did~~ the children ^{slept} live? A There was two of them slept with me.

Q Where did you sleep? A On the second floor.

Q One floor above the store? A Above the ground floor, where they lived.

Q Was there a store on the ground floor? A No, sir. there was no store.

Q Where was the business of manufacturing yeast carried on? A In the basement, down stairs.

Q And the first floor, the ground floor, was where you slept? A No, sir; I slept one flight up.

Q You slept one flight above the ground floor?

A Yes, sir.

Q Who slept on the ground floor? A The two.

Q You slept upstairs with the two children? A Yes, sir.

Q Where do you say this intercourse with Mrs. Leopold, with you was done? A Down stairs.

Q In whose room? A In the basement; in the cellar where the factory is.

Q You say there was a bed there? A Yes, sir; there was a bed there.

Q Whose bed was it? A It was a workman's bed; a bed laid down in the afternoon.

Q How many times did you have intercourse with her in this basement, or cellar, where they make yeast?

A Five or six times.

Q How many times did you have intercourse with her, at other places in that house? A I wouldn't just exactly say how many times; but it was about eight or ten times; elsewhere's.

Q Where were the other intercourses had? A Up-

stairs where I slept.

Q In whose room? A Where I slept.

Q What time of the day or night was it, you had intercourse with her, in the cellar or basement of this house. A It was between half past four, and five o'clock in the morning, and it was sometimes in the evenings.

Q Four or five ^{o'clock} ~~times~~, in the morning? A Yes, sir.

Q You say the workman slept there? A No, sir; he was out in the morning, about three o'clock in the morning.

Q And there was nobody in the house? A No, sir.

Q Mr. Leopold was out at that time? A Yes, sir.

Q What time of day or night, did you have intercourse with her upstairs in your bed? A Half past eleven o'clock.

Q Half past eleven in the morning? A No, sir, in the night.

Q Always about that time? A Sometimes a little later.

Q From eleven to twelve o'clock, or one o'clock?

A Half past eleven, to twelve o'clock.

Q You had connection with her, in those two places; in the basement or cellar, and also upstairs in your room? A Yes, sir, ^{and} on the ground floor.

Q No other place? A On the ground floor.

Q In whose bed. A In her bed.

Q When was that? A That was in the morning, around half past four, or five o'clock.

Q When; what month was it, or what year was it?

A That was 1890.

Q Please tell us the last time you had intercourse with this defendant, Mrs. Leopold? A Yes, sir.

Q When was it; was it in 1890? A Yes, sir.

Q What month in the year 1890? A It was in the month of April.

Q April 1890? A Yes, sir.

Q How many times did you have intercourse with her, in April 1890? A Five times.

Q Are you sure about that? A Yes, sir.

Q Are you sure it was in April 1890? A Yes, sir.

Q You can't be mistaken about it? A No, sir.

Q Your uncle discharged you, you say? A Yes, sir.

Q Did you ever go back to work for him, after he discharged you? A No, sir.

Q You never went back? A No, sir.

Q You have never been in the house from that date to this? A Yes, sir, I have been in the house.

Q You have been there? A Yes, sir.

Q How frequently have you been there; have you been there since that time, when your uncle was there?

A No, sir.

Q You have been in the house since he discharged you in April, do you say? A I was in there; I can't state just exactly about what date it was; and I was there about seventeen or eighteen times.

Q Did you call on him frequently? A No, sir.

Q Did you have a talk with him when he was there? A No, sir.

Q You had no business there at all? A No, sir, I had no business there at all.

Q You went there seventeen or eighteen times since he discharged you? A Yes, sir.

Q And you never spoke to him once? A No, sir not a word.

Q Did he see you in the place? A No, sir.

Q He never spoke to you? A No, sir.

Q How long after you had had intercourse with Mrs. Leopold, did he discharge you; how many weeks afterwards? A Six weeks.

Q Then you were discharged you say, in April, 1889? A Yes, sir.

Q Are you sure about that? A Yes, sir.

Q No mistake about it? A No, sir.

Q You are not getting the dates mixed up at all? A No, sir.

Q You are perfectly clear about it? A Perfectly clear.

Q Have you spoken to your uncle since you were discharged? A No, sir.

Q Did you speak to him in court to-day? A Yes, sir, I spoke to him in court to-day.

Q Then why do you say you never spoke to him? A I mean during the time I was away from that place.

Q Did you ever speak to him coming to the lawyer's office? A Yes, sir.

Q How many times did you speak to him, coming to the lawyer's office? A I spoke to him every time I went down with him.

Q How many times did you come down town with him to the lawyer's? A I went down about seven times.

Q And each time you spoke to him? A Yes, sir.

Q You spoke to him about this case? A Yes, sir.

Q Where would he meet you, to come down to court?

A At the elevated station.

Q What station? A Forty-second Street station.

Q What Avenue? A Ninth Avenue.

Q And you would come down in the cars together?

A Yes, sir.

Q And you talked about this case, while you were coming down in the cars? A Yes, sir.

Q How many times did he come down to court with you? A I was down twice; this is the second time now.

Q The second time now? A This is the second time now.

Q How would he reach you to let you know when to meet him; would he send you a letter, or would he go to the house where you lived? A He sent me a card, or either would send a boy up to me.

Q And then you would come down to him? A Yes,

sir.

Q How many times have you been down to the lawyer's office with him? A About seven times; seven or eight times.

Q Where would he meet you to go to the lawyer's office? A At forty-second Street station.

Q And he would send you a postal card ordinarily? A Or he would send a boy.

Q And you would go to meet him at Mr. Hummel's office? A Yes, sir.

Q Did you talk over this case there? A Yes, sir.

Q Seven or eight times? A Yes, sir.

Q When you were discharged by your uncle, the plaintiff in this action, how long were you out of work, before you got employment again? A I wasn't out of work a day.

Q Not a day? A No, sir.

Q Where did you go to work next after that? A Right across the way in a grocery store.

Q How long did you work there? A I worked there four months.

Q You were discharged from there? A No, sir,

I was not discharged; I left myself, of my own accord.

Q Where did you then go to work? A I went to work for Kelly then; I drove for Kelly.

Q How long were you working there? A I worked down there three months.

Q Where did you go then? A From there I got a better job and went around the corner in a butcher shop, and went to work there.

Q Where are you working now; are you out of work now? A No, sir, I ain't out of work at all.

Q Where are you at work? A In a feed store, with a man named Thompson.

Q Where? A At Fifty-second Street.

Q How far is that from your uncle's place? A That is twelve blocks.

Q Did your uncle ever call upon Thompson? A No, sir, not as I know of.

Q Did he ever see you at Thompson's?

Objected to as immaterial.

A No, sir.

Q Did you ever see him there; did you ever talk to him? A No, sir.

Q Not at all? A No, sir.

Q Do you mean to say that you saw him there and that you did not speak to him? A I did not speak to him.

Q How many times did you see him there? A Twice.

Q How long ago? A Three weeks ago, and at that time I was busy and I was just unloading a truck full of hay.

Q Did you say, "How do you do, uncle?" A I just nodded.

Q You didn't speak to him at all about this case? A No, sir, I did not speak to him.

Q Not at all? A No, sir.

Q You know that Mrs. Leopold brought a suit against her husband in the Court of Common Pleas do you not? A Yes, sir.

Q Were you brought to the Court of Common Pleas by Mr. Leopold at that time? A Yes, sir.

Q How many times did you go to Court with Mr. Leopold in the Court of Common Pleas case? A Once; this is the second time.

Q In the Court of Common Pleas, upstairs, is the place I am speaking about; I am talking about the case where Mrs. Leopold sued Mr. Leopold; do you recollect that case? A I was there once.

Q Did you speak to your uncle then? A Yes, sir.

Q And that case was tried before Justice Allen, last June, in 1891? A Yes, sir, that is right.

Q And you talked to your uncle about the case then did you not? A No, sir.

Q You never did? A No, sir, not about the case.

Q Not a word? A No, sir.

Q Where did you meet your uncle; did you meet him at the same station? A No, sir.

Q Where did you meet him? A At Fiftieth Street.

Q He came in there did he? A He came there on business, and we met at Fiftieth Street.

Q And he brought you down to the Court House, and took you upstairs in this building where the other case was tried? A Yes, sir.

Q And he did not talk to you about the case? A No, sir, not at all.

Q Did he bring you down as a witness? A No, sir.

Q Not at all? A No, sir.

Q What did he say, as the reason why you should come with him? A I was doing nothing that day, and he said that I should come down and give a statement.

Q You were out of work that day? A That was the day that I was idle.

Q In June, 1891? A Yes, sir

Q Do you know Mr. Baurmschmidt of No. 631 Ninth Avenue? A I don't know.

Q Do you know Mr. Fuchs, the saloon keeper? A Yes, sir.

Q You used to go to Fuch's? A Yes, sir.

Q Did you ever tell Mr. Fuchs that you never had anything to do with Mrs. Leopold? A No, sir.

Q Did you never tell him that it was all a lie? A No, sir.

Q Did you ever tell that to Mr. Bauerschmidt; did you not tell him so? A No, sir.

Q And that your uncle got you to make this statement to get rid of Mrs. Leopold? A No, sir.

Q What did you say to Mr. Fuchs about this matter? A I got a letter one day and I went across the way to his saloon, and I said, " I got a paper here". That was the day I went down to the lawyer's.

Q Did you ever tell Mr. Fuchs that you never had had anything to do with Mrs. Leopold? A No, sir.

Q That was all a lie? A No, sir.

Q Or to Mr. Bauerschmidt? A No, sir.

Q In that saloon? A No, sir.

Q And that your uncle got you to make this statement to get rid of Mrs. Leopold? A No, sir.

Q What did you say to Mr. Fuchs about this? A I got a letter one day, and I went across the way to his saloon, and I says, "I have got a paper here." That was the day I went down to the lawyer's.

Q What lawyer? A I don't just recollect his name now.

Q Was it Mr. Esburg? A Yes, sir, I went to find off Mr. Fuchs what this meant. He says, "The best thing for you to do is to go right away down."

Q And that is all? A Yes, sir, that is all.

Q You never spoke to Mr. Fuchs and never said a word to him against Mrs. Leopold? A No, sir.

Q You never said that to him? A No, sir.

Q Is Mr. Esburg a lawyer? A Yes, sir.

Q At 335 Broadway? A Yes, sir.

Q You went there in answer to a letter? A Yes, sir.

Q You got a letter from Mr. Leopold? A Yes, sir.

Q Did you see Mr. Esburg? A Yes, sir.

Q Did you talk with him? A Yes, sir.

BY MR. HUMMEL:

Q Who was Mr. Esburg; was he ^{her} a lawyer? ~~A~~ F

~~don't~~ know.

MR. STECKLER: I don't know. There was no suit pending there, at the time, to start with. He wrote the letter at the request of Mrs. Leopold.

MR. HUMMEL: I want to know who^{Mr.} Lawyer Esburg was.

MR. STECKLER: I have stated that I do not know; but I presume it was Mrs. Leopold's Counsel.

MR. HUMMEL: Then you do know? ^{# Mr. Steckler} A No, I do not know. As a matter of fact, I do not know; but I have no doubt in my mind that he was her Counsel.

Q You got a letter? A Yes, sir.

Q Did you meet Mrs. Leopold there? A No, sir.

Q Did you talk to Esburg, the lawyer? A Yes, sir.

Q Did you tell Mr. Esburg that you never had anything to do with this lady?

Objected to as immaterial. Objection overruled.

A Yes, sir.

Q You said that the charge that you had connection with her was untrue, did you not; did you tell him that?

A I only told him that I had nothing to do with her.

Q That you had nothing to do with her? A Yes, sir; that is all I told him, and he says, " All right".

Q And didn't he say to you that you should not have made those statements, that you had connection with Mrs. Leopold, when in fact you did not have anything to do with her, and that it was wrong for you to do it? A No, sir.

Q But you told him you had nothing to do with her? A That is all I told him.

Q And nothing else? A Nothing else.

Q When was it that you told Mr. Esburg that; how long ago? A That was in 1889.

Q In 1889? A Yes, sir.

Q Do you recollect what month it was? A No, sir, I could not just exactly state the month.

Q Mrs. Leopold was not there at that time? A No, sir.

Q Did you bring the letter down with you to Mr. Esburg? A No, sir; I left that letter at home.

RE-DIRECT BY COUNSEL FOR PLAINTIFF.

BY MR. HUMMEL:

Q Do you know how Mr. Esburg knew that you had

stated that you had had sexual intercourse with Mrs. Leopold? A No, sir.

Q You knew that you were going to the office of Mrs. Leopold's lawyer, did you not? A No, sir, I did not, until Mr. Fuchs told me.

Q And what time was that? A I went over there about eight o'clock in the morning, and he told me that I had better go down at nine o'clock.

Q What made him tell you that? A I was afraid, and kind of frightened.

Q And that is the reason you made that statement to Mr. Esburg? A Yes, sir.

Q How long after the marriage was it that Mr. Leopold discharged you? A Six weeks after the marriage.

Q And during that time after you were discharged, how did you get into the house? A She would sit at the window, either at night time or in the morning, and tap through the shutter and give me the hint. The uncle went away on the wagon early in the morning, and I got in.

Q Did you climb over any fence? A I climbed the fence a couple of times; that is the time that I was working for the butcher; and I worked for Kelley, and I had a room in 110.

Q You climbed over the fence? A Yes, sir.

Q And that was reported to your uncle? A Yes, sir.

Q You said that she told you not to tell about it? A Yes, sir.

Q Did you tell anybody of it? A No, sir; only the man across the way that I was working for, the grocery man; I worked for him.

Q What was his name? A Jake Hankin.

Q What did your uncle say when he discharged you?

Objected to as not binding upon the defendant.

Objection overruled. Defendant excepts.

A He says to me to go out of the house and never come near it, or neither to come near the door, or he will shoot me dead. He says, " I will kill you, if I ever see you come, or if you ever dare to show your face around the door."

Q Did he ever make a charge against you? A No, sir.

Q Do you know what I mean by making a charge? Did he say anything but that, about his wife?

Objected to as immaterial, and incompetent.

A No, sir, he did not.

RE-CROSS:: BY COUNSEL FOR DEFENDANT:

Q Did he tell you to get out and never come back into the place again, and that if you did he would shoot you? A Yes, sir.

Q And since then you have had sexual intercourse with her seventeen or eighteen times? A Yes, sir.

Q And since then you have been to the lawyer's office seven or eight times? A Yes, sir.

Q And you have met Mr. Leopold at the elevated railroad station seven times? A Yes, sir.

Q You were not afraid of your uncle were you? A Yes, sir, I was.

Q Were you afraid that he would shoot you? A I was never easy when I come near him.

Q You don't care anything about his threats now? A No, sir.

Q But you were afraid when you went to the lawyer's office? A No sir, I was not.

Q Were you afraid of him when you rode in the elevated railroad cars with him? A No, sir, I was not afraid.

Q When did you become reconciled to him; when

did you cease to be afraid that he would shoot you? A He found me in a saloon one day, on a Sunday; or else he would never have met me; he met me in the place of the man I was driving for.

Q He found you in a saloon? A Yes, sir.

Q When was that? A In 1890.

Q Where was the saloon? A In fifty-second street, corner of eleventh Avenue.

Q And did you have a talk with him then? A No, sir; he took me in there; the man did.

Q Did you talk to your uncle then? A Yes, sir.

Q Did you talk to him about this case? A Yes, sir.

Q How long did you talk with him? A About a quarter of an hour.

Q Then you made up your friendship, and you were not afraid of him? A No, I didn't make it.

Q But you became friends? A Yes, sir.

Q Since 1890? A Yes, sir.

Q And you have been trying to help your uncle ever since then, have you not? A No, I have not been trying to help him at all.

Q Every time you went to the lawyer's office, although you had to come down town, you were not out of

work? A No, sir, I left my work; I had a man in my place.

Q And did you pay the man for the time that he took for you? A Yes, sir.

Q You paid him out of your own pocket? A Yes, sir.

Q And your uncle never paid ^{you} ~~him~~ back? A No, sir.

Q And he never promised to pay you back? A No, sir.

Q How many times have you been away from your place of business, and had to get a man to take your place each time? A I can't tell how many times.

Q. And you paid the man yourself out of your own pocket? A. Yes, sir.

Q Out of friendship for your uncle? A Yes, sir.

Q And he never promised to pay you back? A No, sir.

Q And that is true, is it? A Yes, sir, that is true.

Q When you told Mr. Esburg that you had not had intercourse with Mrs. Leopold, you lied to him? A Yes, sir.

Q And you are telling the truth now? A Yes, sir, /
I am telling the truth now.

Q Why did you lie then? A I was frightened.

Q Who frightened you? A It was the first time I
had been to a lawyer.

Q The lawyer frightened you? A Yes, sir; after
I found out what it was, I told him the truth.

Q Excuse me; stop right there. When you got
Mr. Esburg's letter, you didn't know what it meant, did
you? A No, sir.

Q And you went over to Mr. Fuch's, your friend?
A Yes, sir.

Q Your friend who kept the saloon opposite? A
Yes, sir.

Q And you asked what it meant, and he told you?
A Yes, sir.

Q And he told you to go down to see the lawyer.

Objected to as repetition. Objection
overruled.

A Yes, sir.

Q You returned there. You were not afraid to
talk to Mr. Fuchs about that letter from the lawyer, were
you? A No, sir.

Q How long after that letter was it that you came down to see Mr. Esburg? A I went down there as soon as I showed it to Mr. Fuchs; I dressed myself and went right down.

Q The same day? A Yes, sir.

Q Were you working that day? A Yes, sir.

Q For whom? A I was driving for the grocery man, ^{ake} Hankin, right opposite my uncle's place.

Q And because you were frightened, you lied to the lawyer, is that it? A Yes, sir.

Q Did Mr. Esburg make any threats to you? A No, sir.

Q Did he treat you very kindly? A Yes, sir.

Q He told you to sit down in his office, did he not? A Yes, sir.

Q And he talked with you about the matter? A No, sir; he just asked me a few words and I went off.

Q What? A He asked me whether I had anything to do with Mrs. Leopold in any way, and I says, "No, sir."

Q And that was the truth? A Yes, sir. No, it wasn't the truth.

Q Now, have you told us everything you said to Mr. Esburg? A Yes, sir.

0745

33

Q Nothing more and nothing less? A That is all.

Q And when you told him that you had had nothing to do with Mrs. Leopold, you took your hat and went out?

A Yes, sir.

Q Are you sure of that now? A Yes, sir, sure.

Q Did you ever go back to Mr. Esburg's office again? A No, sir.

Q You never saw Mr. Esburg from that time to this?

A No, sir.

0746

Sec. 192.

3-

District Police Court.

Undertaking to Appear during the Examination.

CITY AND COUNTY } ss:
OF NEW YORK,

An information having been laid before Charles N. Tumbler a Police
Justice of the City of New York, charging John Bender Defendant
with the offense of Drury

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

WE, John Bender Defendant of No. 685
Elm St. Street, by occupation a Driver
James J. Thompson and of No. 414 West 51st Street,
by occupation a Freight driver Surety, hereby jointly and severally under-
take that the above-named John Bender Defendant shall personally
appear before the said Justice, at the 3rd District Police Court in the City of New York, during
the said examination, or that we will pay to the People of the State of New York the sum of One
Thousand Dollars.

Taken and acknowledged before me this 22nd
day of May 1892

John J. Thompson
Charles N. Tumbler Police Justice.

0747

City and County of New York, ss:

day of
Charles J. Thompson
 1891
 Police Justice

Sworn to before me this

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

and that his property consists of

*House and lot of land, situated
 in Rochdale, New York # 9-11-12 Mount Place,
 valued at \$10,000. Full and clear.
 (Business, situated 362 West 52 Street New York
 consists of full-store, stock valued at
 \$3,000. Clear,*

District Police Court.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

vs.

Undertaking to appear during
 the Examination.

Taken the day of 1891

Justice.

James J. Thompson

3rd District Police Court

Proper }
John Bender }

Counsel for defendant herein
wants examination and Counsel
for ~~prosecution~~ ~~and~~ defendant
agrees to produce defendant
John Bender with surety
tomorrow May 24th 1892
at 10 am. for trial & Court
of General Sessions.
Dated May 23rd 1892
Shaley Hasbrouck & Schlorder
Attys for defendant

City and County of New York, ss:-

Anna Leopold being duly sworn deposes and says: That she resides at No: 57 Grand Street in the City of New York, that on the fifth day of April, 1892, at the City of New York, in the County and State of New York, at Special Term Part 11 of the Supreme Court of the State of New York held in and for the City and County of New York on the fifth day of April 1892, at the County Court House in said city, a certain action was on trial before said court, before Hon: Charles H. Truax a Judge of the Superior Court of the city of New York duly assigned to said Supreme Court of the State of New York in and for the City and County of New York, in which said action one Henry Leopold was plaintiff and this deponent was defendant, brought to ~~xxxxxx~~ obtain an absolute divorce from deponent by said Henry Leopold her husband and that upon the trial of said action one John Bender appeared as a witness for and on behalf of said Henry Leopold the plaintiff in said action and was then and there duly and regularly sworn by the said Justice as such witness, that the evidence he the said John Bender should give relating to the matter in difference between the said parties should be the truth, the whole truth and nothing but the truth; and that upon the trial of the said action it then and there became material to inquire whether deponent had committed adultery and did have sexual intercourse with said John Bender, and that thereupon the said John Bender being so sworn as a witness as aforesaid, did then and there on the trial of said action falsely, wilfully and corruptly depose, swear and testify, among other things, that he had sexual intercourse with deponent at least twelve or fifteen times during the years 1889 and 1890 at a house known as No 512

0750

West 43rd Street, in the City of New York, and that he had sexual intercourse with deponent five times in the month of April 1890, at said house, and that since April 1889, and since he was discharged from employment by said Henry Leopold that he said John Bender did have sexual intercourse with this deponent seventeen or eighteen times; whereas in truth and in fact this deponent did not commit adultery with said John Bender and did not have sexual intercourse with said John Bender at least twelve or fifteen times during the years 1889 and 1890 or at any other time, at a house known as No 512 West 43rd Street in the City of New York, or at any other house or place in said City or elsewhere, and did not have sexual intercourse with said John Bender five times or at any time in the month of April 1890, or at any other time or year, at said house or elsewhere, and did not since April 1889, or since said John Bender was discharged from employment by said Henry Leopold, or since any other time or occurrence, have sexual intercourse with said John Bender seventeen or eighteen times or any time, and did not have sexual intercourse with said John Bender at any time or place.

Whereby the said John Bender did then and there wilfully and corruptly swear falsely and commit wilful and corrupt perjury.

Sworn to before me, this

11 day of May 1892

Anna Leopold
J. M. Smith
POLICE JUSTICE

CITY AND COUNTY OF NEW YORK, ss:

MOSES ESBERG, being duly sworn, deposes and says: I am an attorney and counsellor at law, and at the times herein-after stated was the attorney of Mrs. Anna Leopold, wife of Henry Leopold.

About the month of May, 1889, ^{as near as I can now recollect} the said Anna Leopold consulted me relative to bringing proceedings against one John Bender on account of a statement that it was alleged he, the said Bender, had made to the aforesaid Henry Leopold concerning the chastity of the said Anna Leopold, such alleged statement being that the said Bender had had sexual intercourse with the said Anna Leopold after her marriage to her husband, Henry Leopold.

I caused a letter to be sent to the said John Bender by mail, requesting him to call at my office. A young man called a day or two thereafter with the letter so sent and stated to me that he was John Bender. I then told him that Mrs. Anna Leopold aforesaid desired me to bring proceedings against him by reason of the falsity of the aforesaid statement which it was claimed he had made to various people. The said Bender then stated to me that he had never made such a statement to anybody; that he had never been on terms of improper intimacy with the said Anna Leopold, and that, so far as he knew, the said Anna Leopold was a perfectly respectable woman. I told him that I insisted upon his reporting the same to the Husband of Anna Leopold aforesaid, and he promised me to do so. Subsequently I saw the husband and told him of the conversation that I had had with John Bender, as more fully set forth hereinbefore.

Sworn to before me this
11th day of May, 1892.

Jacob M. ...
Notary Public
N.Y.C.

Moses Esberg

New York Supreme Court

City and County of New York
Henry Leopold

Against

Ama Leopold Affidavit

City and County of New York Dr. John Bunker
being duly sworn says: I am 22
years of age; I live at No. 941 Fifth
Avenue in the City of New York; the
plaintiff is my uncle, I was working
for the plaintiff as a driver in No. 572 West
43 Street; a few days after the marriage
of plaintiff; defendant Ama Leopold
came down to where I was working
in the basement, I think it was the
third day after they were married;
it was about two o'clock in the
afternoon, she lifted up her dress so
that I could see her legs, she
then said "The Quale is out, if you must
not say anything to any one, you must
not give her away, you can have it
if you want it; she then put the
blank against the door which she
had first shut, & then we had sexual
intercourse; a few days after that
Ama Leopold said, if the
the uncle would only die, you
(meaning me) could marry her

business and we could have the most
 of life, she then said she would poison
 the Uncle (meaning Henry Leopold); after
 that we had sexual intercourse together
 for about five weeks, always when
 my uncle was out or was asleep, this
 was always in my uncle's house No.
 572 N. 13 Street; always in the day
 time; only twice it was in the morning
 at about half past four o'clock, when
 she called me up from the street,
 after my uncle had chased me out of
 the house, she called me up into
 the house let me in through a
 side door & I committed sexual
 intercourse in her bed; when
 my uncle chased me out of the
 house, I was leaving the house when
 she called me, gave me a pair
 of cuff buttons, with the initial
 A, & she then told me to keep them
 as a remembrance of her. On one
 occasion about three weeks after the
 marriage between Plaintiff & Defendant
 the Defendant came to my bed
 room at about four o'clock in
 the morning, I was undressed in bed,
 not asleep; she came to my room,

dressed, she came up to the bed &
 said to me do you want it, I said
 yes; I opened the covers, she came
 into bed, lifted her dresses & I had
 communion with; during the six
 weeks that we had sexual intercourse
 together, we had such intercourse
 nearly every day, she told me that
 she could satisfy three men,
 When I went away she gave me some
 it was seventy five cents, she
 told me to take it for spending
 money, I took it & went out
 from to before mother
 2 day of December 1890 John Bender
 E. M. Shepard
 Notary Public
 W. J. Co

Court of General Sessions

-----:

The People &c :

agst :

John Bender :

-----:

Statement of facts.

The defendant stands indicted for perjury in having wilfully and falsely sworn on the trial of Leopold vs Leopold in the N.Y. Supreme Court before Judge Truax that upon various occasions at the home of the complainant Mrs Leopold (she at that time residing with her husband) of having had connection with her.

The evidence for the prosecution is as follows:-

Previous to the divorce suit upon which trial this perjury was committed by the defendant there was an action pending in the N.Y. Court of Common Pleas wherein the complainant Mrs Leopold was plaintiff and her husband was the defendant which action was commenced for a separation on the ground of cruel and inhuman treatment.

Mr Moses Esberg an attorney and counsellor at law of 335 Broadway represented Mrs Leopold in that action.

While said action was pending Mr Esberg sent for the defendant herein indicted, John Bender, and asked him if it was true that he had stated to various people that he had been unduly intimate with the plaintiff Mrs Leopold and he stated to Mr Esberg that it was untrue and that he had never been carnally intimate with Mrs Leopold.

Mrs Leopold was successful in that action and was awarded alimony. After that action had been terminated Mr

Leopold brought suit against his wife Mrs Leopold for an absolute divorce charging her with committing adultery with the defendant herein John Bender and upon the trial of that action John Bender the defendant herein falsely testified that he had committed adultery at various times with Mrs Leopold the defendant in the divorce proceedings and the complainant herein.

The cross examination of Bender in that action shows that he testified falsely (See stenographers minutes) and without hearing any evidence on the part of the defendant other than Mrs Leopold herself, Judge Truax awarded judgment in favor of Mrs Leopold.

Mrs Leopold the complaining witness will testify that Bender committed wilful perjury upon that trial in swearing that he had been intimate with her and Mr Moses Esberg an attorney and counselor at law, will corroborate such testimony as will also one Mr Fuchs whose name and address appears upon the papers and to whom Bender admitted that he had never been intimate with Mrs Leopold.

Mr James H. Fish of 111 Broadway was the stenographer who took the testimony of Bender on the trial of the action in the Superior Court before Judge Truax.

The defendant Bender is the nephew of Mrs Leopold the husband of the complaining witness Mrs Leopold and the defendant was employed with said Leopold at the time he claims that he was unduly intimate with Mrs Leopold and has been friendly ever since as will appear from the cross examination of Mrs Leopold.

Aug 4/91
April 5/92
April 5/92
April 8/92

Action was begun by Service of Summons & Complaint.
Action tried before Judge Truax, a judgment rendered for deft Mrs Leopold.
Findings signed & filed.
Decree signed by Judge Truax & judgment entered.

1/20/11
 1/21/11
 1/22/11
 1/23/11

Complaint alleges adultery
during March, 1899. obtaining funds
at 512 W 43 st. with John
H.

Blinder:

also during April 1999.

11/11/44-96
11/11/44-96

0758

Sec. 15

POLICE COURT 3rd DISTRICT. 1346

CITY AND COUNTY } ss. *In the name of the People of the State of New York: To the Sheriff of the County of*
 OF NEW YORK, } *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 Anna Leopold

of No. 57 Grand Street, that on the 5th day of April

1892, at the City of New York, in the County of New York, that John Bender

did commit wilful and corrupt perjury
in testifying falsely to certain facts, he
well knowing the same to be false
and untrue

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 3rd 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 12th day of May 1892.

J. H. H. H. H. POLICE JUSTICE.

075

Argued 61st & 62nd Ave

Police Court.....District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anna Leopold
vs. *57 Grand St.*

John Bender
grocery store
667 11th Ave

Warrant-General.

Dated *May 12th* 1892.

J. T. Kilbreth Magistrate.

J. Hagan Officer.

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

.....Officer.

Dated.....189

This Warrant may be executed on Sunday
or at night.

.....Police Justice.

May 19/92
24/4th
Ger
Dinner
m.

Ex 5-11, 11th Ave

0760

Part Two

Calendar

March 29th/93

0761

care of John Reader
Jas H. Fish
111 Broadway
Trafalgar Court
Geographers

0762

(1835)

Sec. 198-200.

CITY AND COUNTY OF NEW YORK } ss.

District Police Court.

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

Question. What is your name?

Answer. *John Bender*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *Off Bryant Avenue 7 Years*

Question. What is your business or profession?

Answer. *Order*

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

Answer. *I am not guilty*
John Bender

Taken before me this

day of

189

Police Justice.

0763

It appearing to me by the within depositions and statements that the Defendant 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 Ten Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated May 2 1892 Charles N. Smith Police Justice.

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

Dated May 24th 1892 Charles N. Smith Police Justice.

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

Dated _____ 18 _____ Police Justice.

0764

1000 for Exp

May 20

May 23/92 - 2:30 PM
24 9 am

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Subpoena County Clerk to
produce Judgment Roll in
case of Henry Leopold vs Anna
Leopold filed sometime since
April 5/92.
also the stenographers who
took notes of same case
on April 5/92 in Part II
Special Term of Supreme Ct.

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Annie Leopold
John Bender

2

3

4

Dated

May 21 1892
Kilbride Magistrate.

Witnesses
Moses Esberg

No.

No.

No.

to answer

Dallied

The maiden name of the complainant, Anna Leopold, was Anna Lutz. She married Henry Leopold on February 16, 1889, at New York City. At that time, Henry Leopold was a widower. In March, 1890, Solomon, Kantrowitz and Esberg attorneys, brought an action on behalf of Anna Leopold against Henry Leopold, in the Common Pleas Court, for a separation on the ground of defendant's cruelty, and because defendant had unjustly accused her of being a lewd woman. The defendant called upon Mr. Esberg a day or two after he got the papers, and by consent of the parties, the action was dropped, the defendant promising Mr. Esberg to thereafter treat the plaintiff in a proper and decent manner.

The plaintiff had left defendant's house on account of his cruelty, but returned to him upon his promise made to Mr. Esberg as aforesaid.

Subsequently, the defendant repeated the charge that plaintiff was a lewd woman, and otherwise treated her cruelly, and in December 1890, a new action was commenced for separation in the Common Pleas Court by Anna Leopold against Henry Leopold. To that action, Henry Leopold interposed a defense, claiming that plaintiff had been intimate with Jacob Bender, in the month of March, 1889 and in the month of April, 1889, and asking for an affirmative judgment in Henry Leopold's favor for an absolute divorce against Anna Leopold. The issues in this case were tried before Judge Allen, and resulted in a judgment for the plaintiff, plaintiff obtaining a decree of limited divorce and defendant's claim for an absolute divorce being

disallowed. On the trial of this action, Jacob Bender was in court, but was not called as a witness, and no one was called by the defendant to substantiate any of the charges of infidelity on the part of Mrs. Leopold. On the motion for alimony and counsel fees, an affidavit was made by Jacob Bender, setting forth explicitly his alleged claim of intimacy with Anna Leopold. These charges were denied by Mrs. Leopold, absolutely and unqualifiedly.

454

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Bender

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

of the crime of *Perjury*, —

committed as follows:

Heretofore, to wit: *on the 15th day of April,*
in the year of our Lord one thousand eight
hundred and ninety-two, at the City of New
York, in the County of New York, aforesaid,
there was duly depending in the Supreme
Court of the State of New York, a certain
action wherein one Henry Seefeld was Plaintiff
and one Anna Seefeld was defendant, for
a judgment of the said Supreme Court dissolving
the said Henry Seefeld and Anna Seefeld
and dissolving the marriage theretofore contracted
by them. The reason of the adultery of the said
Anna Seefeld, and on the day and in the
year aforesaid, at the City and County aforesaid,
at a Special Term of the said Supreme
Court duly holden in and for the City and
County aforesaid, before the Honorable

Reader Mr. Smart, one of the pages of the
 American South of the King of England, the
 good from the King and being recognized by the
 President the Governor of this State to
 read the said Special Term of the said
 Supreme Court, which, the said Supreme Court
 being given in the said Supreme Court
 between the said Henry George and Anna
 George, in the said action, come out to the
 King in the year of 1885, and were then
 and there in the year of 1885, and according
 to the form of the State in such manner
 and provided, being given at the said period
 Term of the said Supreme Court and before
 the said the Honorable Reader Mr. Smart,
 Justice as before.

And it was upon the said King, to wit:

on the part and in the year of 1885, at the King
 and being given, the said Supreme Court,
 to the King and being given, approved
 as a witness on the record of the said King
 George, the King in the said action, and
 was then and there being given, and before him
 covered with before the said the Honorable
 Reader Mr. Smart, Justice as before, to read
 the King, the said King, and nothing but
 the King. Concerning the matter in issue on
 the said King, the said the Honorable Reader
 Mr. Smart, Justice as before, then and there

having sufficient and competent authority to administer the said oath to the said John Bender in that behalf.

And the said John Bender being sworn as aforesaid, at, then and there, upon the trial of the said issues became and was a material witness, whether the said Anna Leopold had ever been guilty of adultery with the said John Bender, and whether the said John Bender had during the years 1889 or 1890 had sexual intercourse with the said Anna Leopold.

And the said John Bender, being sworn as aforesaid, upon his oath aforesaid, upon the said trial, before the said the Honorable Charles H. Tamm, Justice as aforesaid, then and there, to wit: on the said eighth day of April, in the year of our Lord one thousand eight hundred and ninety two, at the City and County aforesaid, feloniously, willfully, knowingly and corruptly, did falsely swear, depose and say (among other things) in substance and to the effect following, that is to say: that he the said John Bender had had sexual intercourse with the said Anna Leopold at least twelve or fifteen times during the years 1889 and 1890, at a house known as number 512 West 43rd Street in the said City of New York; that he the said John Bender had had sexual intercourse with the said Anna

Seefeld five times in the month of April, 1890, at the said house; and that since April 1889, and since he had been discharged from his employment by the said Henry Seefeld, he had had sexual intercourse with the said Anna Seefeld seventeen or eighteen times.

Whereas in truth and in fact the said John Bender had never at any time or at any place had sexual intercourse with the said Anna Seefeld, as he the said John Bender then and there well knew.

And so the Grand Jury aforesaid do say, that the said John Bender, in manner and form aforesaid, feloniously, wilfully, falsely, knowingly and corruptly, did commit illegal and corrupt perjury; 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.

Deane H. Hill,

District Attorney

0771

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Bender

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

-indictment accuse

John Bender

of the crime of

Perjury

committed as follows:

Heretofore, to wit: on the fifth day of April in the year of our Lord, one thousand, eight hundred and ninety-two at the City of New York in the County of New York, aforesaid, there was duly depending in the Supreme Court of the State of New York, a certain action wherein one Henry Leopold was plaintiff and one Anna Leopold was defendant, for a judgment of the said Supreme Court divorcing the said Henry Leopold and Anna Leopold and dissolving the marriage theretofore contracted by them, by reason of the adultery of the said Anna Leopold, and on the day and in the year aforesaid, at the City and County aforesaid, at a Special Term of the said Supreme Court duly holden in and for the City and County aforesaid

before the Honorable Charles H. Truax, one of the judges of the Superior Court of the City of New York, who had been theretofore duly designated by His Excellency, the Governor of this State to hold the said Special Term of the said Supreme Court, Justice, the issues before them duly joined in the said Supreme Court between the said Henry Leopold and Anna Leopold in the said action, came on to be tried in due form of law, and were then and there in due form of law, and according to the form of the Statute in such case made and provides, duly tried at the said Special Term of the said Supreme Court and before the said, the Honorable Charles H. Truax, Justice as aforesaid.

And at and upon the said trial, to wit: on the day and in the year aforesaid, at the City and County aforesaid, the said John Bender late of the City and County aforesaid, appeared as a witness on behalf of the said Henry Leopold, the plaintiff in the said action, and was then and there duly sworn, and took his corporal oath before the said the Honorable Charles H. Truax, Justice as aforesaid, to speak the truth, the whole truth and nothing but the truth, touching the matters in issue on the said trial, he the said the Honorable Charles H. Truax, Justice as aforesaid, then and there

having sufficient and competent authority to administer the said oath to the said John Bender in that behalf.

And the said John Bender being so sworn as aforesaid, at then and there, upon the trial of the said issues, became and was a material inquiry, whether the said Anna Leopold had ever been guilty of adultery with the said John Bender, and whether the said John Bender had during the years 1889 or 1890 had sexual intercourse with the said Anna Leopold.

And the said John Bender, being so sworn as aforesaid, upon his oath aforesaid, upon the said trial, before the said the Honorable Charles H. Travis, Justice as aforesaid, then and there, to wit: on the said fifth day of April in the year of our Lord, one thousand eight hundred and ninety-two at the City and County aforesaid, feloniously, wilfully, knowingly and corruptly did falsely swear, depose and say (among other things) in substance and to the effect, following, that is to say; that he the said John Bender had had sexual intercourse with the said Anna Leopold at least twelve or fifteen times during the years 1889 and 1890, at a house known as number 512 West 43rd Street in the said City of New York; that he the said John Bender had had sexual intercourse with the said Anna Leopold five times in

the month of April, 1890 at the said house, and that since April 1889, and since he had been discharged from his employment by the said Henry Leopold he had had sexual intercourse with the said Anna Leopold seventeen or eighteen times, and that in the month of March 1889 he had had sexual intercourse with the said Anna Leopold.

Whereas in truth and in fact the said John Bender has never at any time or at any place had sexual intercourse with the said Anna Leopold, as he the said John Bender then and there well knew.

And so the Grand Jury aforesaid do say, that the said John Bender in manner and form aforesaid, feloniously, wilfully, falsely, knowingly and corruptly did commit wilfull and corrupt perjury; 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.

De Lancey Nicoll,
District Attorney.

0775

BOX:

514

FOLDER:

4685

DESCRIPTION:

Blake, William T

DATE:

03/29/93



4685

Witnesses:

Wm. J. Blake
Jas. J. Walker
Jr. H. Macpherson

2408
Grand Jury
Counsel, 29 March 1893
Filed
Pleads, Myself, Jr.

THE PEOPLE
vs.
Grand Larceny,
[Sections 628, 637,
Second Degree,
Penal Code.]

William J. Blake

De Lancey Nicoll,
District Attorney,
April 6 1893

A TRUE BILL.

Wm. J. Blake

Foreman.

April 6/93
Grand Jury
Jas. J. Walker
Jr. H. Macpherson
April 14/93 14

0777

Police Court

7th District.

Affidavit—Larceny.

City and County }
of New York, } ss:

John H. Naughton
of No. 35 West Street, aged 23 years,
occupation Livery stable keeper being duly sworn,
deposes and says, that on the 30 day of May 1892 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the night time, the following property, viz:

Good and lawful money
of the United States of
the amount and value
of Sixty seven ⁵⁰/₁₀₀ dollars
\$67 ⁵⁰/₁₀₀

the property of Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by William Blake

for the reasons following to wit:
on the said date the said money
was in a drawer of a desk in
deponent's office and Deponent having
missed the said money he is in-
formed by Thomas Walker that
he Walker saw the said defendants
at said desk and he for them in-
forms deponent that from the time
deponent left the said office until
the said money was missing no one
but the defendants was in said office.
The defendants disappeared on said date
and has not returned. Therefore deponent
prays that the said defendants be appreh-
ended and turned to answer.

John H. Naughton

Sworn to before me, this

day

of May 1893

Police Justice.

0778

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 28 years, occupation Watchman of No.

35 Mott Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this 7th day
of January 189 5

Thos J. Warner

A. J. Warner

Police Justice.

0779

Sec. 151.

Police Court 1 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 any Marshal or Policeman of the City of New York:*

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 H. Mangham
 of No. 35 West Street, that on the 30 day of May
 1889, at the City of New York, in the County of New York, the following article to wit:

Good and lawful money
of the United States
 of the value of sixty seven 50 Dollars 67.50
 the property of Complainant
 was as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and
 believe, by William Blake

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 every of you, to apprehend the body of the said Defendant
 and forthwith bring 2 before me, at the 1 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 7 day of June 1889

M. Mahan POLICE JUSTICE.

0780

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer.

William Y. Blake

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

NY

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

Answer.

36 Oak St.

Question. What is your business or profession?

Answer.

Mediator business

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
W. Y. Blake

Taken before me this

day of *March*

21

188*2*

J. J. Clark
Police Justice.

0781

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.....

More ~~guilty thereof~~ I order that he be held to answer the same, and he be admitted to bail in the sum of *More* 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, *March 21* 189*3* *A. J. White* Police Justice.

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

Dated,.....189..... Police Justice.

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

Dated,.....189..... Police Justice.

078

268 325
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Murphy
vs
W. B. Jones

2
3
4

Offense
Warrant for arrest

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated, *June 1* 189*3*
W. B. Jones Magistrate.

..... Officer.

..... Precinct.

Witnesses *Thos J. Murphy*

No. *35* Street.

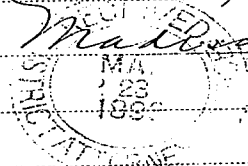
John S. Murphy

No. *48* Street.

No. Street.

\$ *5000* to answer *G. S.*

C. 45



0783

Wm Blake
Born New York
Acft. and
Marine Wd
Single Yrs
Residence 36 Cat St
Parents
Worth

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William T. Blake

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

William T. Blake

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

The said

William T. Blake

late of the City of New York, in the County of New York aforesaid, on the *thirtieth* day of *May* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

the sum of sixty-seven dollars and fifty cents in money, lawful money of the United States of America, and of the value of sixty-seven dollars and fifty cents

of the goods, chattels and personal property of one

John H. Naughton

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.

DeLaney Nicoll
District Attorney

0785

BOX:

514

FOLDER:

4685

DESCRIPTION:

Bloard, William O

DATE:

03/15/93



4685

Witnesses:

A. Fernandez

It is informed that
The Complainant
The Complainant is in
possession - and
The Defendant
cannot be connected
with his presence
The case at first is
of the Mackerel kind
I am not sure
I cannot see the
upon his own recognition
I am not sure

Wm. J. ...
Carr

Counsel,

Filed

Pleas

1893
May 11
Myself

THE PEOPLE

vs.

William O. Brown

Defendant

Attorney defendant

discharged

LANCEY NICOLL,

Defendant

Defendant

A TRUE BILL.

Wm. J. ...

Foreman,

Off. ...

Have Complainant ...

Served ...

Formal, as such.

Grand Larceny, First Degree,
(DWELLING HOUSE),
Sections 533, 534 of Penal Code.

0787

Police Court 2 District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Alfredo Fernandes
of No. 143 W 26 Street, aged 26 years,
occupation cook being duly sworn,
deposes and says, that on the 15 day of February 1893 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the night time, the following property, viz:

one suit of clothes, ^{and} a silver watch
with plated chain attached all
of the value of Fifty dollars

the property of

Deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by William O. Board

(or present) from the fact that deponent
saw said defendant coming out of
the hallway of No. 143 West 26th
Street in said City with said
clothing in his possession and
on ^{deponent's} approach ran away

Alfredo Fernandes
made

Sworn to before me
of New York 1893
day of February
Police Justice.

0788

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

William O. Board 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 O. Board*

Question. How old are you?

Answer. *34 years*

Question. Where were you born?

Answer. *West Indies*

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

Answer. *New Rochelle*

2 months

Question. What is your business or profession?

Answer. *Barber*

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 O. Board

Taken before me this

day of

1887

Police Justice.

0789

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 75 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 March 8 1873 Thos. J. Brady Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0790

90
Police Court---

261
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Alfredo Hernandez
143 W. 26
1 *William O. Board*
2
3
4

Grand Jury
Officer

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

March 5 1893
Magistrate.
Lang
19
Officer.
Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ *1000* to answer

Com

G.S.
91
1
11

0791

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

THE PEOPLE OF THE STATE OF NEW YORK

against

William O. Board

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

William O. Board

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

The said William O. Board

late of the 20th Ward of the City of New York, in the County of New York aforesaid,
on the fifteenth day of February, in the year of our Lord
one thousand eight hundred and ninety-three, in the night time of the same day, at the
Ward, City and County aforesaid, with force and arms,

one coat of the value of eighteen
dollars, one vest of the value of eight
dollars, one pair of trousers of the
value of nine dollars, one watch
of the value of fifteen dollars
and one chain of the value of
five dollars

of the goods, chattels and personal property of one Alfreds Fernandes

in the dwelling house of the said Alfreds Fernandes

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

SECOND COUNT—

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

William O. Board

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

The said

William O. Board

late of the *20th* Ward of the City of New York, in the County of New York
aforesaid, on the *fifteenth* day of *February*, in the year of
our Lord one thousand eight hundred and ninety-*three*, at the Ward, City and
County aforesaid, with force and arms,

*one coat of the value of eighteen
dollars, one vest of the value of
eight dollars, one pair of trousers
of the value of nine dollars,
one watch of the value of fif-
teen dollars, and one chain of
the value of five dollars —*

of the goods, chattels and personal property of one *Alfredo Fernandes*

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

unlawfully and unjustly did feloniously receive and have; the said

William O. Board

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

DE LANCEY NICOLL,

District Attorney.

0793

BOX:

514

FOLDER:

4685

DESCRIPTION:

Boekling, Robert

DATE:

03/30/93



4685

Witnesses:

Wm M Lake

Counsel,

Filed, *307* day of *March* 1893

Pleas,

Guilty & plea

THE PEOPLE

vs.

B

Robert Boekling

VIOLATION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Wm H. Healan

Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Robert Boehling

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

Robert Boehling

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

Robert Boehling

late of the City of New York, in the County of New York aforesaid, on the

day of — *March* —

in the year of our Lord one thousand eight hundred and

ninety- *three* , at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~ *54*

~~and~~ to certain ~~other~~ persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

Robert Boehling

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Robert Boehling

late of the City and County aforesaid, afterwards, to-wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

John McCabe

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0796

BOX:

514

FOLDER:

4685

DESCRIPTION:

Boyle, Thomas D

DATE:

03/23/93



4685

0797

BOX:

514

FOLDER:

4685

DESCRIPTION:

Dealay, Joseph

DATE:

03/23/93



4685

Witnesses in

Q. R. K.

De Vries-Wiersma

After examining the
within case I am
convinced that the
people were to
be made to stand
a glorious tribute
on the part of the dispensing
the Company and I was
in the morning that the dispute
is discharged - I feel
that that is a
proper disposition
of the case - I would
be their discharge
upon their own
responsibilities!

Robert J. Menden

2000

Counsel.

Filed *23* day of *March* 189*3*.

Pleas, Mary

THE PEOPLE

us.

Thomas D. Boyle

and

Joseph Dealay

DE LANCEY NICOLL,

District Attorney.

Part II. 16th April 1931.

A TRUE BILL.

My Heart,

Sent April 26/93
 to Hon. J. District
 Attorney Salt Lake
 accompanied on their verbal
 representations.

[Sections 528, 529, 530 Penal Code.]

Police Court 2nd District.

Affidavit—Larceny.

City and County }
of New York, } ss:Herman Heinsonof No. 366 Madison Street, aged 34 years,occupation Milk Business being duly sworn,deposes and says, that on the 12 day of March 1893 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the day time, the following property, viz:

A living animal (a horse) a Milk-wagon,
nine milk Cans. and about seventy
quarts of Milk. in all of the

amount and value of about three
hundred and thirty dollars. (\$ 330 ⁰⁰/₁₀₀)
the property of deponent. and said Milk
Cans being in his care and custody.

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

Thomas D. Boyle and
Joseph Delany (both now here) and while
acting in concert with each other from the
following facts to wit; that about the hour of
7.30 o'clock A.M. of said date, deponent went
into a house in Downing Street near Barclay
for the purpose of serving a Customer with Milk
leaving the aforesaid Horse and Wagon, standing
in said Street - and at said time said Cans
containing said Milk were in said Wagon,
and that in a few minutes thereafter
deponent came out of said house - and
immediately missed said Horse - Wagon and
Contents thereof - and that deponent is informed
by Officer Alexander Kirk of the 9th Precinct

0000

Pleci. that about the hour of four o'clock P.M.
 of said date, he saw the defendants in company
 with each other, driving a horse attached to
 a Milk Wagon in Christopher Street near West
 Street - and in said Wagon at said time said
 Officer found three empty Milk Cans - and
 deponent further says that he has seen said Horse
 Milk Wagon - and said three empty Milk Cans
 found in the possession of the defendants by
 said Officer and fully recognizes the same as
 his property, and as part of the aforesaid
 property stolen from on said date, deponent
 therefore charges the defendants with having
 committed a Larceny and asks that they may
 be held to answer

Sworn to before me this } Herman Heinon
 14 day of March 1893 }
 Thos. H. Brady

Police Justice

0801

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

Alexander Kirk
aged _____ years, occupation *Police Officer* of No. _____
Fourth Precinct Police Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *Herman Weisen*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this *17th* day of *March* 189*3* } *Alexander Kirk*
of _____

John McQuinn Police Justice.

0002

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

District Police Court.

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

Question. What is your name?

Answer. *Joseph Delany*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *260 West Houston Street - 6 months*

Question. What is your business or profession?

Answer. *Gold Beater*

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 -*
Joseph Delany

Taken before me this
day of *March* 189*3*

Joseph Delany

Police Justice.

0003

Sec. 193-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *Thomas D. Boyle*

Question. How old are you?

Answer. *20 years -*

Question. Where were you born?

Answer. *New York*

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

Answer. *A-Cammini Street - 3 years -*

Question. What is your business or profession?

Answer. *Crack Driver*

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

Answer. *I am not guilty*
Thomas D. Boyle

Taken before me this
day of *March* 19*33*

Police Justice.

0004

0805

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

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

Dated March 14 1893 John R. Williams Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0000

The magistrate printing in
my absence will please
hear and determine the within
Complaint

March 14. 1893

Wm. H. Grady
Police Justice

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

201 312
Police Court--- District.

THE PEOPLE &c.,
ON THE COMPLAINT OF

Herman Kemin
366 Madison
Thomas D. Boyle
Joseph Delany

Grady
Officer

Dated *March 14* 1893

Grady Magistrate.

Kemin Officer.

9 Precinct.

Witnesses _____

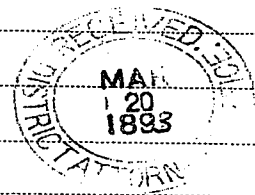
No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ _____ to answer



Each
\$1000 E. each 16. 2 p. h.

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUSBoyle &
Lalany

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. and I am satisfied that there was no intent on their part to steal the horse & wagon referred to in the Complaint.

April 26/89

Herman Heinson

Complainant

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas V. Boyle
and
Joseph Dealay

The Grand Jury of the City and County of New York, by this indictment, accuse
Thomas V. Boyle and Joseph Dealay
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said

Thomas V. Boyle and Joseph Dealay, both

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

*one horse of the value of two
hundred dollars, one wagon of
the value of one hundred dollars,
nine milk cans of the value of
five dollars each, and seventy
quarts of milk of the value of
five cents each quart*

of the goods, chattels and personal property of one

Herman Hinson

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.

SECOND COUNT—

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

Thomas W. Boyle and Joseph Dealay
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Thomas W. Boyle and Joseph Dealay, both*

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

one horse of the value of two hundred dollars, one wagon of the value of one hundred dollars, nine milk-cans of the value of five dollars each, seventy quarts of milk of the value of five cents each quart

of the goods, chattels and personal property of one

Herman Hinson

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

Herman Hinson

unlawfully and unjustly did feloniously receive and have; the said

W. Boyle and Joseph Dealay

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

DE LANCEY NICOLL,

District Attorney.

08 10

BOX:

514

FOLDER:

4686

DESCRIPTION:

Brandwein, Jacob

DATE:

03/30/93



4686

Witnesses:

The Compt. appears in open
Court in presence of Mr.
Justice Cairns stating that
prior to the institution of this
proceeding the check upon
which it is based was
shred on to payment had before
Justice Goffe in the Civil
Court which was paid
The profit obtained, all before
the Complaint in this case.
That proceeding was instituted
by her to compel payment of
an additional \$29 one dollar
by deft, but upon which no
criminality can be predicated.
Therefore recommending deft's
discharge on his own re-
sponsibility Stephen J. Hare
Dec 3/94 D.A. Brodsky

Counsel,

Filed

day of

1893

Pleas

THE PEOPLE

vs.

Jacob Brandwein

Grand Degree.
[Penal Code.]

Grand Larceny,
[Sections 528, 53.]

Quind & Condy

DE LANCEY NICOLL, 194

District Attorney.

A TRUE BILL.

Wm. W. Harten

Foreman.

Part 3. Dec 3/94
Deft. discharged on
his verbal recog.

08 12

Police Court 3rd District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Sarah Levy
of No. 69 Avenue C Street, aged 29 years,
occupation Butter & Egg Dealer being duly sworn,
deposes and says, that on the 16th day of August 1892 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 check drawn by one Fuchs, on the 11th
ward Bank of the City of New York, for the sum of \$52.90
which upon

the property of Sarah Levy (deponent)

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by Jacob Brandwein
who procured another check for the
one so stolen from the maker Fuchs
and caused the same to be cashed
and kept the proceeds thereof \$52.90
he that said Brandwein has
refused to return said
check or money to deponent.

S. J. J.

Sworn to before me, this

16th

day

of

August

1892

Police Justice.

08 13

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY } ss:
OF NEW YORK,

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

Question. What is your name?

Answer. *Jacob Braudwein*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *Austria*

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

Answer. *119 Lewis Street; 1 year*

Question. What is your business or profession?

Answer. *None*

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

Answer. *I am not guilty. I was tried be-
fore Hon. Henry M. Goldfogel at 5th District Court on Aug. 23/1892 in a
civil action for conspiracy being identical case now presented at Co-
rt. Cant. Jacob Braudwein*

Taken before me this *28*
day of *August* 189*3*

Police Justice.

08 14

SEC. 15

1346

POLICE COURT DISTRICT.

CITY AND COUNTY } ss. In the name of the People of the State of New York: To the Sheriff of the County of
OF NEW YORK, } 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 *Barak Henry*
of No. *12* Street, that on the *10* day of *June*
189 *7*, at the City of New York, in the County of New York,

Frederick American took
stole and carried away
\$52,90¢

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 *3rd* 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 *26* day of *June* 189 *7*

E. J. [Signature]
POLICE JUSTICE.

081

119 Lewis St

Police Court.....District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Jacob Brannen

Warrant-General.

Dated Aug 26 1892

H. Freyden Magistrate.

Dugley Officer.

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

.....Officer.

Dated.....189

This Warrant may be executed on Sunday
or at night.

.....Police Justice.

Aug. 28. 92
357
Munich
Beer Store

119 Lewis

08 16

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 *100* 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, *Aug 28* 189*2* *[Signature]* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

081

B^o 2753

1067

Police Court,

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Sarah Levy
69 Avenue C
Jacob Branden
Grand Juror

BAILED,

No. 1, by

Residence

David Reizen
54 Ave. C

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated,

Aug 28

1892

Hogan

Magistrate.

Dingley

Officer.

Court

Precinct.

Witnesses

No.

No.

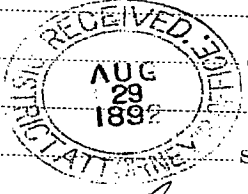
No.

\$

1000

to answer

Am



00 18

State of New York, }
CITY AND COUNTY OF NEW YORK, } ss.

1417

I, David Bleier the surety mentioned
in the annexed undertaking to answer, do hereby authorize and empower any
Policeman of the City of New York, or
or either of them, in my name, place, and stead, to take, seize and
surrender the said Jacob Brandwein (in the said
undertaking held as defendant,) to the Court wherein he is bound to
appear for trial, or deliver him to the custody of the authorities of said city
and county, in my exoneration as surety therein.

Dated Nov. 5th 1894

David Bleier Surety.



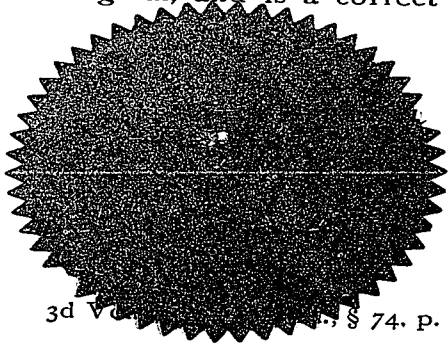
08 19

1707

I, JOHN F. CARROLL, Clerk of the Court of General Sessions of the Peace, and Clerk of the Court of Oyer and Terminer held in and for the City and County of New York (each being a Court of Record and having a Common Seal), do hereby certify that the annexed is a copy of *an*

Undertaking to Answer

now on file in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom and of the whole of such original.



3d V. C. § 74. p. 687.

GIVEN UNDER my hand and attested by the seal
of the said Court this *Fifth* day
of *November* in the year of our Lord one
thousand eight hundred and ninety-*four*

John F. Carroll

0820

0820

1 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

UNDERTAKING TO ANSWER.

An order having been made on the 28th day of August 1892 by
Hon. Edward Hogan Police Justice of the City of New York, that
Jacob Brandwein be held to answer upon a charge of
Grand Larceny
 upon which he has been duly admitted to bail in the sum Five Hundred Dollars.
 WE, Jacob Brandwein Defendant of No. 119 Lewis
David Bleier Street, occupation Clerk; and
Baker of No. 54 Avenue C Street,
 that the above-named Jacob Brandwein Surety, hereby undertake jointly and severally
 above mentioned, in whatever Court it may be prosecuted; and shall at all times render h self amenable
 to the orders and process of the Court; and if convicted, shall appear for judgment, and render h self
 in execution thereof; or if he fail to perform either of these conditions, that we will pay to the People of
 State of New York the sum of Five Hundred Dollars. Jacob Brandwein
David Bleier
 Taken and acknowledged before me this 28
 day of August 1892
E. Hogan Police Justice.

082

THE PEOPLE, & c.,
ON THE COMPLAINT OF

U.S.

Jacob Brandwein

Undertaking to Answer.

Taken the day of 189

Justice.

Filed 1 day of *Sept* 189 *7*

Copy

0022

505

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Jacob Brandwein

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

— Jacob Brandwein —

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

The said

Jacob Brandwein —

late of the City of New York, in the County of New York aforesaid, on the — 6th —
day of August in the year of our Lord one thousand eight hundred and
ninety-two — at the City and County aforesaid, with force and arms,

*one written instrument and evidence
of debt of the kind called bank checks
of the value of fifty dollars and ninety cents*

of the goods, chattels and personal property of one

Sarah Levy

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.

De Laury Howell
District Attorney

0823

BOX:

514

FOLDER:

4686

DESCRIPTION:

Breese, William

DATE:

03/16/93



4686

Witnesses:

Thacker Dean

Counsel,

Filed

Pleads,

1893

11th day of March

THE PEOPLE

vs.

William Breece

Forgery in the Second Degree.
[Sections 811 and 821, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Wm. W. Henton,

Foreman.

March 22/93

Charles D. Kelly

Ed. R. P. J.

March 22/93

30

0024

0825

2074.

CHAS. E. WARING,
President.PETER J. ELTING,
Vice President.JOHN H. KEELER,
Cashier.

Yonkers, N. Y. March 22nd 1893.

To whom it may Concern.

I have known Mr
Bruce & his family for a
number of years and have
never known of their being
anything less than industrious
law-abiding people.

Very Respectfully
J. H. Keeler

COURT OF GENERAL SESSIONS.

-----o
THE PEOPLE :

vs :

WILLIAM BREESE :
-----o

CITY AND COUNTY OF NEW YORK, SS:-

*Edward H. Castello Plumber
and Contractor of 63 South
Broadway City of New York*

That deponent has known the above named defend-
ant for about *five* years, that he ^w knows other people who
who know him, and his reputation heretofore for honesty
has been good. Everyone in the neighborhood speak well
of him as an honest, hard working man.

Sworn to before me this :

29th. day of March 1893 :

Edward H. Castello
John H. Miller
Notary Public

0827

COURT OF GENERAL SESSIONS.

THE PEOPLE :

VS :

WILLIAM REESE :

CITY AND COUNTY OF NEW YORK, SS:-

Frederick Starr
Box Mfg

That deponent has known the above named defend-
ant for about 15 years, that he knows other people who
who know him, and his reputation heretofore for honesty
has been good. Everyone in the neighborhood speak well
of him as an honest, hard working man.

Sworn to before me this :
29th. day of March 1896 :

Frederick Starr

John T. Miller
Notary Public

0828

Police Court, 4 District.

(1868)

City and County } ss.
of New York,of No. 530-5th Avenue Street, aged 31 years,
occupation Cashier being duly sworn, deposes and says,
that on the 11th day of March 1893 at the City of New
York, in the County of New York

William Berse did felon-
iously make, forge, utter
and counterfeits with intent
to defraud the name Mrs Ida
Mayer to a check purporting
to be drawn on the 5th Avenue
National Bank for the sum
of Twenty-five dollars in
violation of section 511 of the
Penal Code of the State of New
York for the reasons following
to wit: on the said date the
defendants presented the an-
nexed check numbered Ex "A"
to deposit at the 5th Avenue
National Bank in this City
and receive the sum of Twenty-five
dollars for said check.
Defendant is informed by Mrs
Ida Mayer that the signature
Mrs Ida Mayer on said check
is not in her handwriting
nor did she authorize any
person to sign her name to
any check. Wherefore defendant
prays that the said defendants
be apprehended and bound to
answer said complaint.

Sworn to before me
this 14th day of March 1893 Frank H. Brown

W. W. H. H. H.
Police Justice

0829

1877.

CITY AND COUNTY }
OF NEW YORK, } ss.

Mr. Ida Meyer
aged 54 years, occupation Housekeeper of No.

70 - West 54th Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Frank Dean

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

Sworn to before me, this 14
day of March 1893 } Ida Meyer

W. W. Meade
Police Justice.

0030

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, 189 Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

003

Police Court---107 & 287 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Frank Dean
Wm. P. Prouse

2
3
4

Offense

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated, 189

O'Brien & McCully Magistrate.
C. D. Officer.
Precinct.

Witnesses *Frank Dean*
Cashier & Thane Bank
No. *Cox 44th St & 5th Ave* Street.

Selah Lewis Bennett
5th Avenue
No. *cor 5th Ave & 44th* Street.

No. Street.

\$ to answer

0832

No. 089 New York, March 11th 1898

W THE FIFTH AVENUE BANK OF NEW YORK
THROUGH THE NEW YORK CLEARING-HOUSE ASSOCIATION.

Pay to Mrs. Ida Meyer or Order,
Seventy five Dollars Dollars.

\$ 75.00 Mrs. Ida Meyer
70 W 54

0833

Mrs. J. C. Mayo

Wm. Burns

L 311/93

0834

March 11th 1893

Dear Sir

Please give Bremer the same
in small Bills and
oblige

Yours

Mrs. F. A. Meyer

70 West 54th St.

0035

Sav. Bank
44 E. 5th
N.Y.

0036

COURT OF GENERAL SESSIONS.

-----o
THE PEOPLE :
VS :
WILLIAM BRITSE :
-----o

CITY AND COUNTY OF NEW YORK, SS:-

*A. W. Sanford Clerk Betty House
Yorktown N.Y.*

That deponent has known the above named defend-
ant for about 3 years, that he knows other people who
who know him, and his reputation heretofore for honesty
has been good. Everyone in the neighborhood speak well
of him as an honest, hard working man.

Sworn to before me this : *A. W. Sanford*
29th. day of March 1898 :

John H. Keller
Notary Public

0037

COURT OF GENERAL SESSIONS.

-----o
THE PEOPLE :

vs :

WILLIAM BREESE
-----o

CITY AND COUNTY OF NEW YORK, SS:-

Just H. Barker. Carpenter & Builder

That deponent has known the above named defendant for about 20 years, that he knows other people who know the defendant, and his reputation heretofore for honesty has been good. Everyone in the neighborhood speak well of him as an honest, hard working man.

Sworn to before me this:

29th. day of March 1893:

John H. Kuler
Notary Public

Just H. Barker

0030

COURT OF GENERAL SESSIONS.

-----o
:
THE PEOPLE
:
VS
:
WILLIAM BRENN
:
-----o

CITY AND COUNTY OF NEW YORK, SS:-

E M Rarus Contractor & Builder

That deponent has known the above named defendant for about 3 years, that he knows other people who know the defendant, and his reputation heretofore for honesty has been good. Everyone in the neighborhood speak well of him as an honest, hard working man.

Sworn to before me this:
:
29th. day of March 1893:

E M Rarus

John H. Miller
Notary Public

0039

COURT OF GENERAL SESSIONS.

:
THE PEOPLE
:
VS
:
WILLIAM BRENN
:

CITY AND COUNTY OF NEW YORK, SS:-

Oscar T. Barker - Hotel Roper

That deponent has known the above named defend-
ant for about 10 years, that he knows other people who
knows the defendant, and his reputation heretofore for
honesty has been good. Everyone in the neighborhood
speak well of him as an honest, hard working man.

Sworn to before me this:

Oscar T. Barker

29th. day of March 1935:

John H. Kull
Notary Public

NEW YORK GENERAL SESSIONS.

PEOPLE ON MY COMPLAINT,

versus

William Breese

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

Full restitution has been made in the above case, and I respectfully ask that clemency be extended to the defendant in the matter of his punishment.

Samuel H. Brown
Clerk

March 29, 1893.

004

U. S. General Sessions

The People

Plaintiff

against

William Brer

Defendant

Affidavits

JAMES M. McLAUGHLIN,
Attorneys for *Left*

No. 280 BROADWAY, New York City

Due and timely service of cop of the
within hereby admitted

this day of 18
Attorney.

To _____

COURT OF GENERAL SESSIONS.

.....X
 THE PEOPLE, &c.,
 :
 :
 vs.
 :
 :
 W I L L I A M B R E E S E .
 :
 :
X

CITY AND COUNTY OF NEW YORK. : SS.

CHARLES W. PALMER, being duly sworn, says; he is in business as Contractor and Builder at 35 Dock Street, Yonkers, New York; I have known the above-named defendant for about seven years, and know other people who know him, and he has always had an excellent character for honesty in the neighborhood; I never heard a single word against his character during all the years I know him. He has never been arrested, charged with any offense. He has good home and family, consisting of his wife and four children. I have examined the bible of the Breese family and find that the defendant was born on April 13th, 1865, making the defendant twenty-eight years of age on April next.

Sworn to before me, this :
 :
 24th day of March, 1893. :

Chas W. Palmer

Jacob M. ...
Notary Public,
N.Y.C.

0843

Court of General Sessions.

-----o
: The People :
: vs :
: William Breese :
: -----o

City and County of New York, ss:-

CORNELIUS O. BREESE being duly sworn says, he
resides at No. 26 South Broadway, Yonkers, New York.

That he is the father of the above named de-
fendant. That the defendant has always been honest, hard
working and industrious. He has never been arrested or
charged with any offense before.

The defendant was born April 13th. 1865 and w
be
will twenty eight years old in April.

Sworn to before me this : *Cornelius O Breese*
: :
24th. day of March 1893 :

Jacob A. ...
Notary Public
N.Y.C.

0044

Court of General Sessions.

-----o
: The People :
: vs :
: William Breese :
: -----o

City and County of New York,,ss:-

MRS. CATHARINE R.BRESE being duly sworn, says,
she resides at No.26 South Broadway, Yonkers, New York.

That the above named defendant is deponent's
son, that he has never been arrested charged with any
offense before. He has always been hard working, indus-
trious and honest and every one in the neighborhood where
we reside speak well of him.

The defendant will be twenty eight years of
age on April 13th.1893.

Sworn to before me this:

:
24th. day of March 1893:

Jacob Emanuel Catharine H. Breese
Notary Public
N.Y.C.

U. S. General Sessions

The People

Plaintiff

against

Wm. Breese

Defendant

Affidavits

JAMES M. McLAUGHLIN,

Attorneys for Dep't -

No. 280 BROADWAY, New York City

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

To _____

0846

THO'S E. BOOTH,
Contractor, Dock and Bridge Builder,
AND DRIVER OF FOUNDATION PILES,
24 GOLD STREET.

Yonkers, N.Y., March 20 1893
To whom it may concern:
This is
to certify that I have known
Wm. Greer for a number of
years and that I have al-
ways found him an honest
and industrious man.
Respy. Thos. E. Booth.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Breese

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

William Breese

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

The said

William Breese

late of the City of New York, in the County of New York aforesaid, on the *eleventh* day of *March* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with intent to defraud, feloniously did forge a certain instrument and writing, which said forged instrument and writing is as follows, that is to say:

No. 039

New York, March 11th 1893

*The Fifth Avenue Bank of New York
Through the New York Clearing House Association.*

Pay to Mrs. Ida Meyer or Order

Seventy five Dollars Dollars

\$75⁰⁰/₁₀₀

Mrs Ida Meyer

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

SECOND COUNT.

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

William Breese

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

The said

William Breese

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 intent to defraud, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, which said forged instrument and writing is as follows, that is to say:

No. 039

New York, March 11 = 1893

The Fifth Avenue Bank ^{New York}
through the New York Clearing House Association

Pay to Mrs Ida Meyer or Order,
Seventy five Dollars Dollars.

\$75.00

Mrs Ida Meyer

the said

William Breese

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.

DE LANCEY NICOLL,

District Attorney.

0049

BOX:

514

FOLDER:

4686

DESCRIPTION:

Brennan, William

DATE:

03/24/93



4686

Witnesses:

Cedric Guiteau

Subscribed

*offered to accept
for 24h*

203

Counsel,

Filed

day of March 1893

Pleas,

THE PEOPLE

vs.

William Brennan

Grand Larceny, second Degree.
[Sections 628, 629, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Wm. W. Keaton.

Foreman.

March 30th

St. J. L. L.

2nd 6mo Pz.

April 4th 93

0851

(1305)

Police Court—4th District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No. 44 West 53rd Street, aged 37 years,
 occupation Mr. Herman - Kuper being duly sworn,
 deposes and says, that on the 21st day of March 1893 at the City of New
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession
 of deponent, in the day time, the following property, viz:

A quantity of Silverware
 of the value of about
 One hundred and Fifty Dollars
 (\$150.⁰⁰/₁₀₀)

the property of deponent

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

from the fact that on the aforesaid day
 the said property was in premises
 of 44 West 53rd Street and deponent is
 informed by Lewis Einstein that at
 about the hour of 4 P.M. on aforesaid
 day he Lewis entered said premises
 and found said defendant concealed
 under the piano in a room of said
 premises, he Lewis did then follow
 said defendant out of said premises
 to the street and did accuse him, the
 defendant, with having taken, stolen and carried
 away the said property, when said defendant
 did brand and give to him, Lewis, back

Sworn to before me, this
 189 day

Police Justice

of said property which was concealed
 upon his defendants, person, defendant
 did, then also accuse defendant of
 with having stolen said property
 and he defendant did give defendant
 more of the said property
 defendant therefore charges and
 William Sumner with having
 committed said larceny and asks
 that he may be dealt with as the law
 directs

Sumner to whom me this } Cecilia Eustice
 Friday 12 March 1893 }

W. M. Mahon
 Police Justice

0853

CITY AND COUNTY }
OF NEW YORK, } ss.

1377.

Lewis Einstein
aged 16 years, occupation none of No.

44 West 53 Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Cecilia Einstein
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 23
day of March 1893 ✓ Lewis Einstein

Wm. Mahon
Police Justice.

0054

Sec. 193-200.

CITY AND COUNTY } ss.
OF NEW YORK }

4 District Police Court.

William Brennan 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. *William Brennan*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *No 318 West 50 Street & about 2 months*

Question. What is your business or profession?

Answer. *Plumber*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 Brennan

Taken before me this

day of

1897

William Brennan
Police Justice.

0855

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

Dated, Feb 22 1893 W. M. S. L. Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

085

B.O. 203 326
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Cecilia Feinstein
William Brennan

2
3
4

Offense

Sanctions

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, March 22 1893

Magistrate.

Officer.

Witnesses Precinct.

No. 44 West 53 Street.

Call Officer

No. Street.

No. Street.

\$ 5000 to answer 8-5-

Com

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Brennan

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

William Brennan

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

The said

William Brennan

late of the City of New York, in the County of New York aforesaid, on the *21st* day of *March*, in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with force and arms,

twenty-four spoons of the value of one dollar and fifty cents each, twenty-four forks of the value of one dollar and fifty cents each, one salver of the value of twenty dollars, two bon-bon boxes of the value of ten dollars each, two salt-cellars of the value of ten dollars each, and divers other articles of silverware of a number and description to the Grand Jury aforesaid unknown) of the value of fifty dollars
of the goods, chattels and personal property of one *Cecilia Einstein*

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.

SECOND COUNT—

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

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

The said

William Brennan

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,

the same goods, chattels and personal property described in the first count of this indictment

of the goods, chattels and personal property of one

Cecilia Einstein

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

Cecilia Einstein

unlawfully and unjustly did feloniously receive and have; the said

William Brennan

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

DE LANCEY NICOLL,

District Attorney.

0859

BOX:

514

FOLDER:

4686

DESCRIPTION:

Brooks, Charles E

DATE:

03/28/93



4686

0060

Witnesses:

Arthur Raptke

Arthur Raptke

200

Counsel,

Filed

28 day of March 1893

Pleads,

Myself

THE PEOPLE

vs.

Charles E. Broderick

Grand Larceny, (From the Person.)
[Sections 523, 524, Penal Code.]

DE LANCEY NICOLI,

District Attorney.

A TRUE BILL.

Wm. H. Eaton,

April 25, 1893 Foreman.

Reads 1/2.

Read 1/2.

Wm. H. Eaton

0861

1912

Police Court— District.

Affidavit—Larceny.

City and County of New York, ss.

of No. *13 Monroe* Street, aged *38* years,occupation *Married* being duly sworn,deposes and says, that on the *22* day of *March* 19*12* at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the *day* time, the following property, viz:

One pocket book containing
One dollar and two cents.

the property of *deponent*

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by *Charles O. Brooks*

because from the fact that while deponent was boarding a Broadway car at Broadway and Chambers Street said property was stolen from her pocket and deponent is informed by Abraham Rapsky 132 Greenwich Street that he saw the deponent take said property from deponent's pocket and have the same in his hand.

Catharine Ouel
mont

Sworn to before me, this

day of

March 1912

John J. Smith
 Police Justice.

0062

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 47 years, occupation Carloman of No. 137 Greenwich Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Catherine O'Meara
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this

of

189

day

Abraham Rasky

Chas H. Park

Police Justice.

0063

Sec. 198—200.

1882

District Police Court.

City and County of New York, ss:

Charles E. Brooks 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.

Charles E. Brooks

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

New York City

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

Answer.

6 17 1/2 Madison St. New York

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 am not guilty**Charles E. Brooks*

Taken before me this

day of *April* 188*2**John W. Smith*
Police Justice.

0864

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

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

Dated, March 4 1893 J. M. J. J. J. Police Justice.

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

Dated, 189 J. M. J. J. J. Police Justice.

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

Dated, 189 J. M. J. J. J. Police Justice.

0861

2407
Police Court---

349
1884
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Catharine O'Neill
Mrs O. Woods

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

officer
J. J. O'Brien

Dated, March 20 1893

Magistrate.
Grost
Officer.

Witnessed Abraham Rafsky
No. 137 Greenwich Street.

No. _____ Street.

No. _____ Street.
\$ 10.00 to answer

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles E. Brooks

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

Charles E. Brooks

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

The said

Charles E. Brooks

late of the City of New York, in the County of New York aforesaid, on the *23rd* day of *March* in the year of our Lord one thousand eight hundred and ninety-*three*, in the day time of the said day, at the City and County aforesaid, with force and arms,

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

of the goods, chattels and personal property of one *Catharine O'Neil* on the person of the said *Catharine O'Neil* then and there being found, from the person of the said *Catharine O'Neil* 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.

De Lancey Nicoll,
District Attorney.

0867

BOX:

514

FOLDER:

4686

DESCRIPTION:

Brown, William

DATE:

03/08/93



4686

0068

Witnesses:

Officer James Brady
Central Office

Mr. W. H. Jones

109 W 30th

Counsel,

Filed

Pleads,

day of March 1893

THE PEOPLE

vs.

William Brown

Grand Larceny, Second Degree, [Sections 628, 629, 630 Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL. Found

Wm. H. Keaton.

March 8/93 Foreman.

James J. Casey

172 Pine St.
March 10/93

70

0869

Police Court 2nd District.

Affidavit—Larceny.

City and County } ss:
of New York,

Edward Schlesinger
 of No. 153 & 155 Broadway. 38 years,
 occupation Clothing Business being duly sworn,
 deposes and says, that on the 27 day of February 1893 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:

Six White Shirts. Eight Six Handkerchiefs.
and two suits of clothes. Consisting of two
Coats. two pair of Pants. and two vests.

in all of the amount and value of
thirty nine dollars (\$39⁰⁰/₁₀₀)

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 William Brown (now here) from the
 following facts to wit: that said defendant
 was in the employ of deponent as a Porter -
 in his place of business at the above mentioned
 address, and by virtue of said employment
 had access to and handling the property
 in deponent's place of business, and that
 deponent is informed by Detective Officers Grady
 and Doran of the Central Office, that about
 the hour of 6.30 o'clock P.M. of said date,
 they found the aforesaid property in the
 rooms occupied by said defendant in premises
 No 224 West 17th Street - and that deponent
 has seen the aforesaid property found in the
 rooms occupied by the defendant by said

0870

Officers Grady and Doran, and fully recognizes
said property as his property and as property
stolen from his place of business, on or about
the aforesaid date - and present therefore charges
the defendant with having committed a Larceny
And asks that he may be held to answer

Sworn to before me
this 28 day of February 1913
John R. Wooding
Police Justice

0071

CITY AND COUNTY } ss.
OF NEW YORK,

1921

aged years, occupation Dennis Grady of No.
Central Office Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Edward Schlesinger
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 28 day } Dennis Grady
of February 1893

John P. Morris Police Justice.

0072

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged George A. Doran years, occupation Detective Officer of No. Central Office

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Edward Schlessinger

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

Sworn to before me, this

day

of May 1892

George A. Doran

John H. Woodhull Police Justice.

0073

Sec. 193-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

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. *23 years* -

Question. Where were you born?

Answer. *N.Y.*

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

Answer. *224 West 17th St. - 3 years* -

Question. What is your business or profession?

Answer. *Porter*

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

day of *May*

188*3*

James M. McQuinn
Police Justice.

0074

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

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

Dated May 28 1893 John P. [Signature] Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0079

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

Edward Schlesinger
753 Broadway
Mellie Bern

2
3
4

Dated *February 28* 18*93*

W. H. Harris Magistrate.

Mad & Dran Officer.

C. O. Precinct.

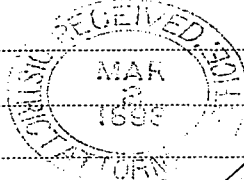
Witnesses

No. Street.

No. Street.

No. Street.

\$ *1000* to answer



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Brown

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

William Brown
of the CRIME OF GRAND LARCENY IN THE *second*
as follows:

DEGREE, committed

The said

William Brown

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

*two coats of the value of eight
dollars each, two vests of the value
of four dollars each, two pairs of
trousers of the value of four dollars
each pair, six shirts of the value
of one dollar each, and eight
handkerchiefs of the value of
fifty cents each*

of the goods, chattels and personal property of one

Edward Schleringer

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.

SECOND COUNT—

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

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

The said

William Brown

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,

two coats of the value of eight dollars each, two vests of the value of four dollars each, two pairs of trousers of the value of four dollars each pair, six shirts of the value of one dollar each, and eight handkerchiefs of the value of fifty cents each —

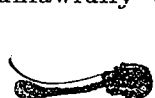
of the goods, chattels and personal property of one

Edward Schlesinger

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

Edward Schlesinger

unlawfully and unjustly did feloniously receive and have; the said



William Brown

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

DE LANCEY NICOLL,

District Attorney.

0878

BOX:

514

FOLDER:

4686

DESCRIPTION:

Buck, John

DATE:

03/30/93



4686

Witnesses:

Chas. J. Hester

Counsel,

[Signature]

Filed,

20 day of *March* 1893

Pleads,

Amendments

THE PEOPLE

vs.

B

John (Buck)

VIOLATION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney.

April 10

A TRUE BILL.

Wm. W. Hester

Foreman.

0879

0000

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

5833

THE PEOPLE OF THE STATE OF NEW YORK
against

John Buck

The Grand Jury of the City and County of New York, by this indictment, accuse
John Buck
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND
BEER ON SUNDAY, committed as follows:

The said

John Buck

late of the City of New York, in the County of New York aforesaid, on the *twelfth*
day of *February* in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

~~and~~ to certain ~~other~~ persons whose names are to the Grand Jury aforesaid unknown, against
the form of the statute in such case made and provided, and against the peace of the people of
New York and their dignity.

SECOND COUNT—

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

John Buck

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,
WINES, ALE AND BEER, committed as follows:

The said

John Buck

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and
expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the
form of the statute in such case made and provided, and against the peace of the People of the State
of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0001

BOX:

514

FOLDER:

4686

DESCRIPTION:

Bund, August

DATE:

03/23/93



4686

Witnesses:

John F. [Signature]

Counsel,

Filed

1893

Pleads,

THE PEOPLE

vs.

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

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Wm. W. Keeton,

Foreman.

*Set 2 - April 3, 1893.
Tried and acquitted*

Rambor [Signature]

00003

Police Court— 4 District.City and County } ss.:
of New York,of No. 628-8-17th Street, aged 30 years,
occupation Fireman being duly sworn
deposes and says, that on 23 day of February 1883 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

August Band (numbered) and John Smith (not yet arrested) who were acting in concert. The said Band and Smith struck deponent down and whilst he was prostrate they did discharge the contents of barrels of revolvers which they held in their hands at the body of deponent, a bullet from each revolver striking deponent on the head and said assault was committed

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

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

Sworn to before me, this 16 day
of March 1883.

Thomas F. Coleman

W. M. Nelson Police Justice.

0005

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

Dated, May 6 189 5 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0000

82
15
307
Police Court--- District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thos Coleman
628 E-17
August Bunn

Offense
Vol Work

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

2.....

3.....

4.....

Dated, *Mar 16* 189*3*

McMahon Magistrate.

Jimmy Oppert Officer.

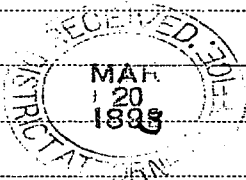
18 Precinct.

Witnesses *Michael Conley*

No. *576-E-16* Street.

No. Street.

No. Street.



\$ *2500* to answer *G.B.*

Good line & back 18th 9am

C.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

August Bunc

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

August Bunc

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

The said

August Bunc

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

SECOND COUNT—

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

August Bunc

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

The said

August Bunc

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at
the City and County aforesaid, with force and arms, in and upon the body of the said
Thomas J. Coleman in the peace of the said People then and there being,
feloniously did wilfully and wrongfully make another assault, and to, at and against
the said *Thomas J. Coleman*

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the
said

August Bunc

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

DE LANCEY NICOLL,

District Attorney.

0000

BOX:

514

FOLDER:

4686

DESCRIPTION:

Burke, James M

DATE:

03/27/93



4686

0009

Witnesses:

Wm. Proctor
Jm. Maguire

In this case upon examination
from James of the appearance of
the defendant did not seem to
be that of a man who would
be so easily taken in by the
influence of a few, unknown, to
go to the place at Kitterbury. The
property has all been removed.
The complainant also states that
the defendant in his opinion did
not intend to steal. In view of
this excellent character, I regret
that the indictment be returned
Apr 11, 1893. What Mr. Maguire
has not made out

Counsel,

Filed day of March 1893
Pleas, Maguire, et al

THE PEOPLE

vs.

James M. Burke

Grand Juror

DE LANCEY NICOLL,

District Attorney.

Post No. 11 - April

A TRUE BILL.

Wm. W. Steaton,

Foreman.

Part 2 - April 11/93.

An Ordinance of District Attorney
Indictment returned,

Grand Larceny, Second Degree,
[Sections 528, 531, 532
Penal Code.]

Court of General Sessions.

The People
vs
J^rpt -
James Burke -

City & County of New York ss. John E. Fitzgerald
being duly sworn says.
I am Assistant Deputy Register
of the City and County of New York.

I am personally acquainted
with the defendant above named
and have known him fully
(15) fifteen years.

He is a hardworking and
an honest lad.

I have never known or
heard of the defendant previous
to the present charge, I
ever before being in any
trouble -

Subscribed and sworn to before me
this 10th day of April 1893
Leet. Needham
May 1893
John E. Fitzgerald

Court of General Sessions.

The People
vs
James Burke

City & County of New York ss:

William F. Lee

being duly sworn says, I reside at
No 34 Harrison Street this city.

I am employed in the New York Canal
Office at No 20 Exchange Place
I have been so employed for the
past five years -

I am acquainted with the defend-
ant for the last 10 years
and during that time have
seen him very often.

He has always been a hard
working industrious and
honest young man - and never
heard of his being in trouble
previous to the present charge.

Subscribed and sworn to before me

this 10 day of April 1873

Phil Walden
Notary Public
N.Y.C.

W. F. Lee.

N.Y. General Sessions:

The People &c }
Against }
James Burke }

City and County of New York S.S.
of No 457 Washington Street, Kate O'Connor
being duly sworn says, I and
the Aunt of the defendant above
named and since he was
four years old I have had
~~him in my~~ ^{the} care and custody, sent him
to school, and ^{he} always lived
with me until last September
when he got married. he
has always worked for a living
and to my certain knowledge
has never before been arrested for
anything. He is an honest hard
working and industrious young
man and his character heretofore
has been good

Sworn to before me
this 10th day of April 1893

Neil Waldheim
Notary Public
N.Y.C.

Mrs
K O'Connor

Court of General Sessions.

The People
vs
- Apt -
James Burke -

City and County of New York

William Fitzgerald
being duly sworn I am engaged
in the milk business and for the
past 19 years have been located
at No 74 Laight Street New York.
I know the defendant for the
past 14 years and previous
to the present charge, have
never heard or knew of his
being charged or convicted
of any crime -

He has the reputation of being
a very industrious and
hard working young man

sworn to before me
this 10th day of April 1873

Richard A. Schenck
Notary Public
in & for the City of New York

his
William Fitzgerald
mark

My General feeling

The People &c

agst

James Burke

affidavits

& Character

Jacob Berlin

att'y at law

23 Chambers St.

N.Y.C.

0895

Form 206-5 M-2-93.

OCEAN STEAMSHIP CO. OF SAVANNAH,

H. M. COMER, RECEIVER.

R. L. WALKER, AGENT, NEW PIER 35, N. Y.

NEW YORK,

TO

Whom it may Concern

189

*This is to certify that James Burke has
been employed by me for the past 5 years
and have always found him honest
and industrious and will willingly
employ him again.*

Respectfully

*H. M. Comer
Capt*

0896

ESTABLISHED 1868.

M. H. HELLMAN,

COMMISSION MERCHANT,

POULTRY, GAME, CALVES, ETC.

197

ALL SALES AND CHECKS MAILED DAILY.

REFERENCES:

Irving National Bank, New York.

Bradstreet's and Dun's Mercantile Agencies.

All Drafts on Poultry must be accompanied by Bill of Lading.

New York, Apr 10th 1893

Da whom it may concern
This will certify that I have
known J. M. Burke and have
always found him honest and
trustworthy

Yours Respectly
M. H. Hellman

0897

M. N. EDWARDS.

M. WHISPELL.

M. N. Edwards & Co.

Produce Commission Merchants,

322 Greenwich and 187 Duane Sts.,

New York, Oct 10 1893

*To whom it may concern
I have known J. M. Burks for
some years and have always
found him honest and
straightforward*

M. N. Edwards

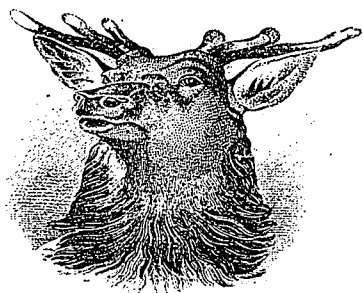
0090

New York April 10. 1893.

This certifies that I have
known James M. Burke for
over four years. I have
always known him to be
an honest industrious and
a hard working man

Dr J C Bouller
186 Hudson St

0899



ESTABLISHED 1872.

Franklin J. Mineck.

PRODUCE

199 Duane Street.

COMMISSION MERCHANT

REFERENCES:
NEW YORK NATIONAL EXCHANGE BANK.
AND ALL COMMERCIAL AGENCIES.

New York, Apr 10th 1893

To Whom it may Concern.

This will certify that I have known
J. M. Burke and have always found him
honest and trustworthy

Yours Respectfully
D. Ransom.

0900

New York.....189

No.....

BOUGHT OF DEVINE & RUSH,

DEALERS IN

HAY, STRAW, OATS AND FEED, PACKING, SHIPPING,
SALT HAY AND OAT STRAW CONSTANTLY ON HAND.

401 & 403 WASHINGTON STREET.

April 10/93

Mr. James M. Burke now locked up for stealing
we know him from his childhood and allways
looked on him as a model young man he was brought
up by honest christian people that had great hopes
in his future and we are positive he did not
with a dishonest intent do what he is charged with

Devine & Rush

0901

IF NOT DELIVERED IN 5 DAYS, RETURN TO

Franklin J. Minck.

PRODUCE

COMMISSION MERCHANT



199 DUANE ST.
NEW YORK.

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

THE PEOPLE OF THE STATE OF NEW YORK

against
James M. Burke

The Grand Jury of the City and County of New York, by this indictment, accuse
James M. Burke
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said

James M. Burke
late of the City of New York, in the County of New York aforesaid, on the *22nd*
day of *March* in the year of our Lord one thousand eight hundred and
ninety-*three* at the City and County aforesaid, with force and arms,

*one horse of the value of four
hundred dollars, and one set of
harness of the value of twenty
five dollars*

of the goods, chattels and personal property of one

John A. Maguire

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.

SECOND COUNT—

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

James M. Burke
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:
The said

James M. Burke
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,

one horse of the value of four hundred dollars and one set of harness of the value of twenty five dollars

of the goods, chattels and personal property of one

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

John A. Maguire
unlawfully and unjustly did feloniously receive and have; the said

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

DE LANCEY NICOLL,

District Attorney.

0904

BOX:

514

FOLDER:

4686

DESCRIPTION:

Burns, William

DATE:

03/28/93



4686

Witnesses:

James H. Hester
Thos. J. M. [unclear]

Counsel, *248*
Filed, *28th* day of *March* 1893
Pleads, *Magallying*

THE PEOPLE

vs.

William Burns

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

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Wm W Keaton
Foreman.

April 4/93

Wm J. [unclear]

Per 1 mo. R.R. [unclear]

0906

1900

CITY AND COUNTY } ss:
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

Bruner Meyer

of No. 106 W 40 Street, aged 26 years,
 occupation Bartender being duly sworn, deposes and says,
 that on the 20 day of March 1893
 at the City of New York, in the County of New York, William Burns

(now present) ^{did} ~~now~~ wilfully and maliciously
 throw a stone at the plate glass
 in store window of premises No 140 9
 Broadway breaking and doing
 damage to the same to the
 amount and value of one hundred
 or twenty dollars the property of Louis
 Appel. Wherefore deponent prays that
 he may be dealt with according
 to law Bruner Meyer

Sworn to before me this 21 day
 of March 1893

John W. McCord
 Police Justice.

0907

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question. What is your name?

Answer.

William Burns

Question. How old are you?

Answer.

63 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

Soldier Home

Question. What is your business or profession?

Answer.

Soldier

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 know nothing about
h —

Wm
William Burns
made

Taken before me this

day of *March*

188

John P. McArthur

Police Justice.

0908

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

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 Mar 21 1897 John E. Thomas Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0904

248 333
Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Bruner M. Stetson
106 N. 4th
William Burrup

Officer Malveria M. Stetson

2
3
4

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated Mch 21 1897
Decker Magistrate.
W. C. M. O. Officer.
19 Precinct.

Witnesses
No. Street.

No. Street.

No. Street.

to answer G. S.
Edw. 17

09 10

Court of General Sessions of the Peace

517

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

William Burns

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

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

The said

William Burns

late of the City of New York, in the County of New York aforesaid, on the *twentieth*
day of *March*, in the year of our Lord one thousand eight hundred and
ninety- *three*, at the City and County aforesaid, with force and arms,

one pane of plate glass —

of the value of *one hundred and twenty dollars*,
of the goods, chattels and personal property of one *Bruno Metzner*
then and there being, then and there feloniously did unlawfully and wilfully

break
and destroy:

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

09 11

SECOND COUNT.

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

The said

William Burns

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,

one pane of plate glass —

of the value of *one hundred and twenty dollars*
in, and forming part and parcel of the realty of a certain building of one *Bruno*
Metzner — there situate, of the real property of the said
Bruno Metzner
then and there feloniously did unlawfully and wilfully *break and*
destroy:

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

DE LANCEY NICOLL,

District Attorney.

09 12

BOX:

514

FOLDER:

4686

DESCRIPTION:

Bynes, James

DATE:

03/30/93



4686

Witness:
Charles J. [Signature]

Counsel,
Filed *20* day of *March* 1893

Pleads,

THE PEOPLE

vs.

B

James Byrnes

Transferred to the Court of Special Sessions for trial and final disposition

Part 2. [Signature] 29 [Signature] 1893

VIOLATION OF THE EXCISE LAW.
(Illegal Without License.)
[Chapter 101, Laws of 1892, § 31.]

DE LANCEY NICOLL
District Attorney.

A TRUE BILL.

Wm W. Healer
Foreman.

09 14

2000

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Byrnes

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

James Byrnes

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINE, ALE AND BEER, IN QUANTITIES LESS THAN FIVE GALLONS AT A TIME, WITHOUT HAVING A LICENSE THEREFOR, committed as follows:

The said

James Byrnes

late of the City of New York, in the County of New York aforesaid, on the - *24th* - day of *March* in the year of our Lord one thousand eight hundred and ninety *three*, at the City and County aforesaid, certain strong and spirituous liquors, and certain wine, ale and beer, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantities less than five gallons at a time, to

certain *other* *one Charles B. Fichter and to* persons whose names are to the Grand Jury aforesaid unknown, without having a license granted to him in pursuance of any law of this State permitting him to sell either strong or spirituous liquors, wines, ale or beer, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

DE LANCEY NICOLL,

District Attorney.

09 15

BOX:

514

FOLDER:

4687

DESCRIPTION:

Caciatore, James

DATE:

03/21/93



4687

0916

Witnesses:

Mr. de la Roche
Mr. Weston
Mr. R. M. de la Roche

Counsel
Filed *11* day of *March* 1893
Pleads *Not Guilty*

THE PEOPLE

vs.
B.
James (Cicero) de la Roche

Assault in the Second Degree.
(Section 218, Penal Code.)

DE LANCEY NICOLL,
District Attorney.

May 18. 1893. Wm

A TRUE BILL.

Wm. Weston,
Foreman.
Feb. 3. May 1893.
Tried and Acquitted

0917

Police Court—5th District.City and County } ss.:
of New York, }James Lawlor
of No. 2234 First Avenue Street, aged 15 years,
occupation Printer being duly sworndeposes and says, that on the 12 day of March 1887 at the City of New
York, in the County of New York,he was violently and feloniously ASSAULTED and BEATEN by James
Leaciator (now here) who

did wilfully and feloniously cut
and stab deponent twice in the
left side of the body with some
sharp instrument. The defendant
held in his hand and said
assault was committed

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

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

Sworn to before me, this 13 day }
of March 1887 }C. E. Simms Police Justice.James Lawlor

09 18

Sec. 198—200.

5

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

James Baciatore

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 sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

James Baciatore

Question. How old are you?

Answer.

14 years old

Question. Where were you born?

Answer.

Italy

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

Answer.

114 East 124 St - Six months

Question. What is your business or profession?

Answer.

Schoolboy

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

Answer.

I Am Not Guilty
James Baciatore

Taken before me this

day of

March

189

*3**13**189**John J. Murray*

Police Justice.

09 19

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 John Paul

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, March 12 1893 C. E. Simms Police Justice.

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

Dated, March 11 1893 C. E. Simms Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0921

156 5 293
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Lawlor
2234 1st Ave
James Vaccaro
2
3
4

BAILED,

No. 1, by Vincenzio Campertano
Residence 38 Baxter Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated March 13 1893
James B. Cassan
Magistrate.
29 Precinct.

Witnesses Thos Metz
No. 208 E 118 Street.

Dr Healy
No. 116 1/2 St bet 2 + 3rd Ave
Thomas F Moore
No. 108 East 23rd Street.

\$1000- to answer G. S. 2

Com
Bailed

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James C. ...

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

James C. ...

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

The said

James C. ...

late of the City and County of New York, on the

10th

day of

March in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, in and upon one

James C. ...
in the peace of the said People then and there being, feloniously did wilfully and wrongfully
did make an assault; and the said

James C. ...
with a certain *sharp instrument* which *he* the said

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

0922

SECOND COUNT—

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

James C. Crawford

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

The said

James C. Crawford

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, in and upon the said

James Crawford

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

James Crawford

the said *James Crawford* with a certain sharp instrument, to the Grand Jury aforesaid unknown

which

he the said *James Crawford*

in *his* right hand then and there had and held, in and upon the

body

of *him*

the said

James Crawford

then and there feloniously did wilfully and wrongfully strike, beat, cut, slash, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *James Crawford* to the great damage of the said *James Crawford* 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.

DE LANCEY NICOLL, District Attorney.

0923

BOX:

514

FOLDER:

4687

DESCRIPTION:

Carlton, John

DATE:

03/20/93



4687

0924

BOX:

514

FOLDER:

4687

DESCRIPTION:

Mayer, Hubert

DATE:

03/20/93



4687

Witnesses: *James P. Anderson*

Robert C. Davis

1276496-20340

Simpson

Wells Bldg

Garmisch

Pleasy

Counsel
Filed
20 day of June 1893

THE PEOPLE

us.

John Carlton

attached

Hubert Indye

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

My Kater,

Foreman,

John

Harriet Dury
Ldwy

2001/12/27
2002/1/1

Burglary in the Third Degree.
[Section 498, N.Y.C.P.]

0925

0926

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

David J. Latham
Detective
age *34* years, occupation *Police* of No. *14*
Frederic Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Charles A. Whitney*

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

Sworn to before me this *14* day
of *March* 189*3*

David J. Latham
John Ryan Police Justice.

0927

Police Court First District.

City and County of New York, ss.:

Charles A. Whitman
 of No. 27 Peck Slip Street, aged 38 years,
 occupation President Palermo Mica Co being duly sworn
 deposes and says, that the premises No. 27 Peck Slip Street, 2^d Ward
 in the City and County aforesaid the said being a four story brick

building and which was occupied by deponent as a warehouse and salesroom on
the first and second stories
~~and in which there was at the time a bureau being by name~~

were BURGLARIOUSLY entered by means of forcibly

breaching open
the door leading from the floor of the building
to 25 Peck Slip in the second story of
deponent's premises at No 27 Peck Slip

on the 27 day of Feb 1893 in the night time, and the
 following property feloniously taken, stolen, and carried away, viz:

forty two pounds of stone mica of \$5
the value of One hundred and eighty six 100
dollars claiming two umbrellas and
some postage stamps of the value of about
ten dollars the property being all together
of the value of about One hundred and
twenty six 100 dollars

the property of The Palermo Mica Co and in deponent's
 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

John Carlton, George Mayhew
and William R. Carter all together

for the reasons following, to wit:

That at about the hour of
Six O'clock P.M. on said day deponent
locked and securely fastened the doors
and windows leading into the aforesaid
premises and the said property was
therein. That when deponent returned
to the premises about the hour of ten O'clock
A.M. on the following morning and found
that the premises had been entered as

0928

affirmed and the said property taken
supposed is now in possession of Daniel
Callaghan of the N.Y. Precinct Police
that he Callaghan arrested the defendants
and that the defendants Carl Stora and
Mayer admitted to the officer that they
had burglariously entered the premises
as aforesaid and had taken the said
property. That the officer found
the mugs (parts of the aforesaid property)
in the defendant Kelly's room at
his residence to 363 Ave. St.

Therefore defendant prays
that the defendants be dealt with
according to law

From the Court in this
1st day of August 1893
John Ryan
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 1893
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1893
There being no sufficient cause to believe the within named
guilty of the offense within mentioned, I order he to be discharged.
Dated 1893
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—BURGLARY.

Dated 1893

Magistrate.

Officer.

Clerk.

Witness,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

0929

Sec. 108—200.

1882

District Police Court.

City and County of New York, ss:

John Carlton 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am guilty
J Carlton

Taken before me this

day of

1890

Police Justice.

0930

Sec. 198-200.

1882

District Police Court.

City and County of New York, ss:

Hubert Mayer 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. *Hubert Mayer*

Question. How old are you?

Answer. *34 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *363 Pearl St. - 5 years*

Question. What is your business or profession?

Answer. *Book Binder*

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*

Hubert Mayer

Taken before me this 17th day of 1903

[Signature]

Police Justice.

0931

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

William Reilly 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 Reilly*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *436 3rd Street 5 weeks*

Question. What is your business or profession?

Answer. *Printer*

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 Reilly*

Taken before me this

day of

Sept 11 1882

Police Justice.

0932

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

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

Dated, March 1 1893 [Signature] Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, March 1 1893 [Signature] Police Justice.

093

The justice presiding
in my absence will
hear and determine
the within case

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

133
Police Court---

28¹³⁴⁴
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Chas W Whiskey
John C. Cotton
Charles W. Cotton
Am. R. Co.

Offense

Dated

March 1

189

Magistrate.

Callahan W. Cotton

Precinct.

Witnesses

Callahan W. Cotton

No.

No 3 Do J.R.

No.

No 3 Do J.R.

No.

2000 Ex March 10

\$

to answer

com

2000 Ex March 10
and required
Defendant to call on May 1

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

THE PEOPLE OF THE STATE OF NEW YORK

against
John Carlton
and
Hubert Mayer

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

John Carlton and Hubert Mayer

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

The said

John Carlton and Hubert Mayer, both

late of the *second* Ward of the City of New York, in the County of New York aforesaid, on the *twenty-seventh* day of *February* in the year of our Lord one thousand eight hundred and ninety-*three* in the *night*-time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the building of ~~one~~ a certain corporation known as *the Palermo Wax Company*

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said *Corporation* in the said *building* — then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

John Carlton and Hubert Mayer
 of the CRIME OF *Grand LARCENY* in the second degree, committed as follows:
 The said *John Carlton and Hubert Mayer, both*

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

forty-two pounds of stone mica
of the value of four dollars and
fifty cents each pound, and
articles of clothing and wearing apparel,
of a number and description to the
Grand Jury aforesaid unknown,
of the value of ten dollars, two
umbrellas of the value of two dollars
each, and fifty United States postage
stamps of the denomination and value
of two cents each,
 of the goods, chattels and personal property of *one* *a corporation known*
as the Palermo Mica Company —
 in the *building* — of the said *corporation*

there situate, then and there being found, in the *building*
 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.

De Lancey Nicoll,
District Attorney

0436

BOX:

514

FOLDER:

4687

DESCRIPTION:

Castellano, Frank

DATE:

03/27/93



4687

0937

Witnesses:

George H. H. H. H.
W. B. H. H. H.

Counsel

Filed

Pleads

189

THE PEOPLE

vs.
P

Frank Castellano

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

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Foreman.

W. H. H. H.
April 14/93
April 14/93
S. P. H. H. H.
April 14/93
April 14/93

0938

Sec. 198-200.

3 District Police Court. 1882

City and County of New York, ss: .

Frank Castellano

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. *Frank Castellano*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *743 Columbus Avenue, 8 months*

Question. What is your business or profession?

Answer. *Barber*

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*

Frank Castellano

Taken before me this *21*

day of *March* 1893

Police Justice.

0939

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

defendant

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

Dated, March 21 189 3 Thos. J. [Signature] Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated; _____ 189 _____ Police Justice.

0941

229 3
Police Court---

327
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Lizzie Legaire
of 31 St. Mark St.
Frank Castellano

Offense
Fel Assault

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

4. HOUSE OF DETENTION CASE.
Dated, March 1893

Koch Magistrate.

Hock & Mallon Officer.

William Gleason Precinct.

Witness No. 10 J. J. J. Street.

John McDonald

No. 14th Precinct Street.

No. _____ Street.

\$ 1.00 to answer

Am
Complainant Am with
to the House of Detention

People
Frank Castellano

Don't forget to
No Beard -

the the debt. boarded postcard here.
Kenny sent to me

Y. R. R. R.

THE PEOPLE,

COURT OF GENERAL SESSIONS, PART 1.

vs.

BEFORE JUDGE MARTINE.

FRANK CASTELLANO.

Wednesday, April 5, 1893.

Indictment FOR ASSAULT IN THE FIRST DEGREE.

A Jury was empanelled and sworn.

LIZZIE LEGARE, sworn and examined, testified:

Where do you live now? No. 31 St. Marks Place. How old are you? I will be twenty-five years old the 28th of this month. On the 19th of March, about 11 o'clock, where were you? I was after leaving some friends to the car, in 14th street. You have no business, have you? No. You are a woman of the town? Yes. You left your friends at the car and then walked down the avenue? No, they walked up the avenue, I left them at the car, 14th street and Third avenue. Where did you go after you left them? I came down Third avenue, and this man (the defendant) met me; I walked down to the corner of 12th street, and met him at the corner of 12th street and Third avenue. You had some conversation with him? Yes. After the conversation were did you go with him? I went to 78 Third avenue with him, a furnished room house; I went up stairs with him, to the top floor, and went to bed with him. How long were you in the room with him? I was not fifteen minutes in the room; I got up and put on my hat and coat and went to the room of a girl. Did he say anything to you while you were putting on your hat and coat? Yes; he asked me to go to bed with him again, and I said, "No;" he said, "You won't, eh?? I'll get square on you." He said to me, "You go down first;" I said, "No, you go down first." So I came down first. You went down to the bottom of the house? Yes, and went into the bar-room, and he stood at the door.

Did you have any conversation with him? Yes; he asked me to treat him, and I said, "No;" he came out, and I came out after him, and he stood in the street. Where did you go, down the avenue? Down the avenue, and he followed after me; he had his right hand in his pocket all the time; I walked down as far as 10th street, and he walked alongside of me; he had his hand in his right pocket of his overcoat; he was pulling me, he says, "Come on and have a drink." This was on the north-east corner of Third avenue, and 10th street; I says, "No, I don't want any drink." Did you go in? He pulled me; I wouldn't go in, I stayed on the corner; and the first thing I knew he took out his knife and he stabbed me. Did you see the knife? No; as I thought, he hit me a blow, and then he ran away towards Broadway and 10th street. When you put your hand up to your side did you notice anything? I felt the blood on the side, and I said, "My God! I am stabbed." There was some girl came along, and I spoke to her. Then I went to the station house and I got my wound dressed, with Officer John McDonald. While you were on the way to the station house, or while you were there, did you see that knife? (Knife shown) A citizen brought that knife to the policeman as we were going to the station house, he handed it to him. You had never seen that knife before? No; the surgeon probed the wound, to see how deep it was, the next day there were two stitches put in the wound; there was not very much hemorrhage. Is that the cut that was made there in the right side, this cut, by that knife? (Pointing to her person) Yes; I went home, and the next day I went to Bellevue, and the doctors put two stitches in it. The defendant was arrested, and I was sent to the House of Detention, and from there I was taken to the New York Dispensary, and the wound

dressed. I was taken to the station house to identify the man. I was stabbed on Sunday night, and on Monday I went to the station house to identify the man. That was the first time I had seen him from the time I left the corner of 10th street. I am positive that this is the man who was in bed with me.

CROSS EXAMINATION, by Counsel:

How long have you been doing this business of prostituting yourself? About four years. Do you know this Gleason? No, I never saw him until he came to my house, with the detective. Do you know the woman who supports him? No, he is married and he works for a living -- I suppose he is a married man, I don't know anything about him. I don't know how long he had been working. I met the defendant on Sunday night, the 19th of March, about 11 o'clock, at the corner of 12th street and Third avenue, and had a conversation with him. He was dressed just the same as he is now. He had a beard on; there was just about two or three weeks' growth of beard, but there was more of a goatee; he was not neatly shaved, as he is now. Before going to the room he paid the man in the hall; I don't know the man. Do you frequently go to that house? Not so often; I don't think I have been there five times in my life. You informed the police that it was at 78 Third avenue that you went with this prisoner? Yes; I stayed in this room fifteen minutes with him, and he paid me one dollar. Had you any dispute about that? Yes, he wanted me to go to bed the second time for the dollar. About how long a time elapsed between the time that you wanted him to treat you, and the time that he refused to treat? I don't think five minutes. Was this man with anybody at the time you met him? No. Did he have anything with him? No, nothing in his hand. You

didn't see that knife? No, I didn't, until the citizen brought it up to the policeman on the way to the station house. Will you tell me how he came to stab you? I don't know; he had no reason to do so, I didn't do anything to him. Did you call him any names? No. During the time that you were up in the room with him, at 78 Third avenue, did he tell you anything about his private business? No. Did you have conversation about his relations? No. Aside from what was necessary between you and him, did you have any outside conversation? No. And, after you were through, isn't it a fact that he paid you what he agreed to pay you, and that you went away quietly about your business? Yes, I went into the saloon and he stood at the door; he came down behind me. Were you ever convicted of any crime? No, never. Weren't you ever fined? Oh, yes, I was fined, but that is not a crime; I never was fined more than about five times; the last time I got a month, I was drunk that time, in the street. How many drinks did you have on the night in question? The night I was with this man I didn't have any; I might have had a glass of beer in the house, but I am sure a pint of beer wouldn't set me drunk. We were only in this room about five minutes, I took off my coat and hat only, he was undressed and I waited till he dressed and we came out of the room together. I went into the saloon when we came down stairs and he stood at the door. Just preceding the cut he said nothing? No. He asked you to have a drink and then cut you? Yes. You felt a sensation at your side? I thought he hit me a blow and I put my hand up and felt the blood; it was a warm sensation; he had run away. Before he ran away did he say anything? No, not a word. How long did you say you were with him altogether that night? I don't think I was

with him half an hour. The room that we were in was lighted by gas. There is no doubt about it, I am positively sure that this is the man that I was with. Why did you wait for this prisoner to dress himself when you had already dressed yourself, when he said he was going to get square on you; was it because you wanted him to treat you? Oh, no. Why did you wait for him? It didn't take him so long to put his clothes on, and while I was putting my hat and coat on he was dressed. At the time of the stabbing who was present? There was nobody at all, only two ladies and a gentleman was passing down Third avenue. Is the lady or gentleman here? No, they didn't see the stabbing, they had gone down the street when this man stabbed me, I didn't scream; I said, "I am stabbed;" that is all; I don't know whether I attracted their attention or not, I didn't look to see. Who first came to you after you felt this sensation? I was standing on the corner and a couple of men came up and asked me what was the matter; I don't know who they were. Is it not a fact that that night you drank more than usual? No, I didn't. And then in fact you don't know who stabbed you? Yes, I do know; I had a portion of two glasses of beer that whole evening, and I had nothing to drink during the day; I went to bed sober.

JOHN HOCK, sworn and examined, testified:

I am a police officer, connected with the 14th precinct, and this case of the People against this defendant was given in my charge. I remember going to Police Headquarters on Monday, the 20th of March, the day after this stabbing. I met, in the inspector's room, a man named Gleason and had a conversation with him, and I got from him a description of a knife. I hand you a knife; did the description of the

knife given you by Gleason correspond with this knife? Yes.

Where was this knife that I have just handed you to identify at the time you had that conversation with Gleason? In the station house, in one of the drawers of the sergeant's desk. In consequence of the conversation that you had with Gleason, and under instructions given you at Police Headquarters, did you take Gleason with you to the 14th precinct station house, and was the knife that I have shown you exhibited to Gleason? Yes. Did he there identify it? Yes. Was this defendant present at that time? No. After this conversation with the man Gleason, your side-partner, Mr. Mallon, was taken into the case; was he not? Yes; Mallon went away from the station house with Gleason, I didn't accompany them; I was present in the station house when Mallon returned with Gleason and the defendant. Tell what was said by the defendant, by Mallon, by or by anybody else in the presence of the defendant? I asked Mallon if that was the man Gleason pointed out. I said to Mallon, "Is this the man that Gleason told you about?" I said that in the presence of the defendant. I asked Mallon where he got him; he said in 11th street, in a lager beer saloon, between Avenue A and First avenue. Mallon said he had taken some barber from the corner of 6th street and Avenue C with him, to bring this fellow out of the saloon, because he knew him. Mallon promised this fellow that he was going to get him a position as a coal-passer. Mallon stood outside and sent the barber in to send this fellow (the defendant) out; he was going to get him a position as a coal-passer in an outgoing steamer; after he got him outside, he brought him to the station house; he told him he had better take a walk along with him. Did the defendant say anything in the station house? When he was ac-

caused all he said was, "I don't know anything about it." The knife was locked up in the drawer at this time, and the defendant did not see it. That is all the conversation there was at the time he first came in. The defendant didn't see the knife till Lizzie Legare was called up. How long after Mallon got back with the prisoner was it that Lizzie Legare was brought into the station house? It must have been half or three-quarters of an hour. Where was this defendant when Lizzie was brought into the station house? He was in the back sitting-room, and she was in the Captain's room. Was this man (the defendant) brought out? Yes. Was she sitting in the Captain's room when this man was brought out? Yes. As he passed out of this back room did he pass where Lizzie was sitting, or where she could see him? No. Where was he taken when he was brought out of this room, in front of the desk? No, he was taken into the Captain's room. As he came to the door of the Captain's room what was said or done by Lizzie, what was the first thing said by her, or by anybody? Lizzie was asked if she knew that man, and she said, "Yes, that is the man that stabbed me last night." What did the man say? He says, "You make a mistakee," kind of broken English. Then, after that conversation and that identification, was this knife exhibited? Yes. Was Mr. Gleason there? Yes. What did Mr. Gleason say about this knife, in the presence of the defendant? He said he had it in his possession two or three weeks before. What did Castellano say to that? He says he never saw the knife; he couldn't speak very much; he speaks kind of broken. You tax your memory as far as you can, and see if you recollect anything else that was said concerning this time two weeks previous when this knife was said to have been exhibited? No. Have you told

all you recollect on this subject? Yes. Was there anything about a bundle of keys? No.

CROSS EXAMINATION, by Counsel:

When this knife was exhibited to the defendant you are positive that he said, "This is not my knife, I never carried a knife?" He said he never seen it. When did you first see the knife? The first time I saw it was in the station house, about half past 4 o'clock. Who did you first see about the case? Gleason. Who had the knife when you first saw it? The sergeant had it in his drawer; I first saw Gleason in the station house, and afterwards at Headquarters; I saw him in the station house about twenty minutes previous to my going to Headquarters. Did you go with him to Headquarters? No; I saw him in the station house on Monday, at about half past 4 o'clock in the afternoon. When this defendant was taken out from the back room, in the presence of Lizzie Legare, the complainant in this case, and Gleason, was he among other prisoners? Only between me and Detective Mallon and the door-man. Then the sergeant asked her whether this was the man, and she said yes? We didn't ask her anything; she said, "phat is the man;" she pointed him out. What did this man say? He says, "You make a mistakee," something like that. Had you ever met this Lizzie before? No. Had Lizzie seen you go out to talk to this man? No. She knew that you were an officer? Yes.

BY THE DISTRICT ATTORNEY: Was she asked any question at all when she identified the man? The Captain asked her if she knew him. Where was the Captain? He was in the room; the Captain asked her if she would know the man if she would see him, and she said, "Yes, I would, immediately." Was that in the presence of the defendant? No. She was alone in the

Captain's room; was she? Yes; I asked her was that the knife was found in the street, and she said, "Yes." I asked him if he owned that knife, or if he ever saw it.

DAVID J. MALLON, sworn and examined, testified:

You are attached to the 14th precinct? Yes. Do you remember on Monday, the 20th of March, having a conversation with Officer Hock about the Castellano case? Yes. Do you remember a man named Gleason being in the station house? Yes; I went to 702 East 5th street; Gleason went in and saw the proprietor of the establishment, and made inquiries for the party who desired to go on one of the steamers as a coal shoveller; he said the party had lived in 11th street; that he was not there at present. Gleason referred me to him, and I had a conversation for ten or fifteen minutes. I got information from that man, and in consequence of the conversation I went to 11th street, between First avenue and Avenue A; Gleason accompanied me; it was a barber shop, I think his name is Grappo. I waited on the north-east corner of Avenue A and 11th street myself, and I stationed Gleason on the opposite corner, and let the proprietor, Grappo, go into this place. He went in the saloon and remained possibly fifteen minutes; where he went from the saloon I don't know. He remained out of sight fifteen minutes, and came back on the street again? Yes, out of the saloon, in company with Castellano, this defendant. He came down to Avenue A, and I stayed in the distance until such time as they reached 7th street. Gleason joined the two of them in 10th street and Avenue A, and I followed on to 7th street. Then I came up to them and put this party under arrest. I asked him where he had been last night, and he said he was down town.

Then I said, "I understand you were trying to make arrangements to go away on one of the steamers," and he said, "Yes." Then I escorted him to the station house. The conversation between us on the way to the station house had no bearing on the case. He said he was very anxious to go away on the ship. I placed him in our sitting room, in the station house. I notified Detective Hock, and he instructed the sergeant in command to detail an officer to go up and bring the complainant, Lizzie, down to the house. She was sent for, and brought there. Were you present when this defendant was brought out? Yes. Where was Lizzie at that time? She was kept in the Captain's room, about forty feet off from where he was stationed, and two doors between the two of them. When this defendant, Castellano, was brought out what occurred, did she say anything? No; while he was with me, as he reached the door, he cast his eye in the direction of her. He was in front of me, I had hold of him; he immediately started, as if he was struck with wonder and surprise. He was brought in front of Lizzie? I don't know whether she immediately faced him, she sat on the chair; I think, as she turned around, she says, "That is the man cut me." She didn't know what I was bringing him in for. I don't know whether there was any question put to her or not relative to the case. If they were, they were put before you arrived? They may have been put in an undertone, but I didn't hear them. After this identification what did this defendant say when she said, "That is the man who cut me?" I am not very good in imitating his language; he says, "Me know nothing of the case," shrugging his shoulders. I said, "What about the woman?" He said, "Me no see her; me have no knife." That was the first thing he said to me when I asked him about the

knife. Did you have the knife with you on the street? No, the knife was in the station house. Before Lizzie arrived did you show him the knife? No, the knife had not been shown to him until he arrived at the house. Was this knife shown to him? Yes. What did he say? He said it was not his knife. At the time of his arrest did he have a beard? No, he was freshly shaved, as if he had been shaved that morning.

CROSS EXAMINATION:

In the station house, this defendant was in the back room? He was in the sitting room. Who brought him out? I did. In company with whom? myself, I think; no one else; there is always four or five men around the station house. Was Officer Hock with you? Hock was in the room with the Captain at the time. So it is not true that you and Hock and the doorkeeper were with the defendant and brought him out, when Lizzie Legare identified him? Certainly we were all together in the room when he was identified. When this defendant entered the room of the Captain, do you remember ^{whether} any question was put to Lizzie Legare in reference to the identity of this defendant? I didn't hear it. Does your Captain speak in a low tone when he asks questions of complainants, as to the identity of prisoners? That varies, at times. He sometimes speaks in a very low tone; is that so? At times, in ordinary conversation. Will you positively swear that the Captain did not ask a question as to the identity of the defendant? No, I can't positively swear he did or did not; I didn't hear it. Did you have any conversation with this prisoner with reference to going on the steamer, did you say anything to him? I did, in the back room, relative to making arrangements for him to go somewhere. What did this prisoner say to you? That he wanted to go, words to that effect. Have you ever

met this defendant before? No; this Legare woman described him to me previous to making the arrest; the description which she gave me of the man tallied with the defendant. You are positive she said that it was a man who had a beard? Yes, she said he had a beard. When the defendant and Lizzie Legare came together in the station house, where was the knife? The knife was on the Captain's desk, I think. When Lizzie Legare and the defendant were brought together in the station house, was the knife produced while they were there? Yes, the Captain exhibited it, he opened it and showed it to the prisoner; I can't really tell the conversation that transpired between the Captain and this prisoner here, relative to the knife; I said nothing about the knife. What did Officer Hock say about the knife, in the presence of the defendant? I don't remember hearing him say anything. What did Lizzie Legare say about the knife, in the presence of the defendant? Nothing. I asked the defendant where did he get the knife from; he denied that he had had the knife. When was the knife exhibited to this man, or was it exhibited at all? It was not exhibited, I can't remember it being exhibited to him in front of me. Did you have a conversation with him about the knife? Yes, I did; in the back room. What did you say to him about the knife? I asked him how he came to cut that woman; he says, "Me no cut no woman." That was all the conversation. Was the word knife used at any time in your hearing, while the defendant was there?? No. Did you hear the defendant say anything about using the word knife at any time? No. Then what did you mean when you told us, a little while ago, the defendant said he did not have a knife? That was in the early part, when he was brought into the office; I believe the Captain put the same question, and he -

denied having the knife, he denied all knowledge of the knife; I couldn't tell the exact words what he said.

WILLIAM GLEASON, sworn and examined, testified:

Where do you live? I live at 10 First street, New York. You know this defendant, Castellano? Yes, I met him a couple of times. When did you first meet him, about how long ago? As near as I can remember about three weeks ago, before the stabbing occurred. On this first occasion when you met him where did you go with him? Him and I were talking about going to see a girl, and having a good time; we went to No. 10 First street; it is a furnished room house; I can't exactly tell the date. When you got out of there did you go any place else? Yes, him and I went and had a drink in a saloon across the way; I didn't want to go in at first, it was pretty late at night; he says, "Don't be afraid." Did you tell him anything about the character of the place, why you didn't want to go in? No, I didn't want to say anything about the place; he put his hand into his hip pocket and pulled out a bunch of keys and a knife; he placed the keys and the knife on the table in the house No. 10 First street; there was a lamp lit on the table. Did you see that knife at that time, did you look at it and examine it? Yes, I had it in my hand. I urged him to put that knife into his pocket, I didn't want to look at it any longer; he put that knife and the bunch of keys back into his pocket again. We had several drinks together, and we talked about several things, such as girls. He told me about working in 14th street, and being a barber, and getting \$14.00 a week. We had a good time that night, and finally he said he thought he would go home. We parted at the corner of First street and the Bowery, about 2 o'clock

in the morning, as far as I can remember. When did you next see him? I saw him about a week after. What conversation did you have? Nothing particular, only he told me he was working in that same barber shop, and wanted me to have a drink; I didn't wish to go into the saloon; he asked me to go down and see a girl again, and the two of us went. We got tight in the house, drinking beer. He stayed there about ten or fifteen minutes, and walked home; I went with him as far as the corner of Second street and the Bowery. Was there anything said about getting him a position as a coal-passer at that conversation? I couldn't remember; there might have been something said about it. What is your business? A firm on a steam-ship; I am a Hungarian and my name is Glassey, they generally pronounce it Gleason. On the 20th day of March you went to the 14th precinct station house; did you? I couldn't tell the day of the month, it was Monday, about 2 o'clock in the afternoon. I met the defendant on that Monday, at my house, between 11 and 12 o'clock. He asked me: could I get him a job on the ship that I was on, as a coal-passer. I told him I didn't know how a barber wanted a job as a coal-passer on board of ship, since a coal-passer only gets \$25.00 a month, and he was telling me he was getting \$14.00 a week as a barber; I noticed also that he had no beard on his face. Had he a beard on him before? Oh, yes. I told him I didn't know of any vacancy, but if I should know of any I would let him know. He wrote the address down; it was, I believe, No. 700 Sixth street; he didn't write down his name. No. 700 Sixth street is a barber shop; I don't know the name of the barber. He told me to go down to the barber shop and inquire for him whenever I wanted to see him. You did subsequently go to that barber shop, with detective Mal-

lon? Yes. On Monday he wrote you this address; did he go away? He went off between 11 and 12 o'clock; this was the first conversation I had, and he showed up again in about three-quarters of an hour afterwards. Give us the conversation on the second time he came to you? He asked me the very same thing; he told me he would pay me well if I would get him a job as a coal-passer. I told him I didn't know of any coal-passers jobs, but I will see about it. Then he walked away, and I walked over to the corner of Houston and Bowery and took the Evening World, as I always do. The first article I seen was, "Jack the Slasher at his work again--"as near as I can remember those are the words of the heading. Was there a description of a knife in that article? It only said a bone handled knife and a man with a blond beard. In consequence of what you read in the paper, and in consequence of conversations that you had with this defendant, between 11 and 12 o'clock, and between 12 and 1 o'clock, what did you do? I kept pondering over this, the fact of him getting his beard shaved off; I went over to the 5th street station house and asked the sergeant to see the knife; I didn't see it. Where did you go from there? To Police headquarters, 300 Mulberry street; I saw Inspector Williams and had some conversations with him. After this conversation was over, did you see an officer named Hock? Yes, in Inspector's Williams' office. Did you leave Police Headquarters with Officer Hock? Yes, and went with him to Saint Marks place, and from there to the station house. When did you see the knife, if at all? Between 5 and 6 o'clock in the evening. I described the knife before Inspector Williams and also before Captain Doherty, and it was shown to me afterwards, in the station house, and I identified it then. Was the knife that you had seen

in this room, three weeks before, on the table under the lamp, taken out of the pocket of this defendant, that knife? That is the very knife. Is that the knife? (Knife shown to the witness) There is the knife, I took it in the station house and showed it to the Captain. That is the knife you saw in the house in 10th street? Yes. Who had the knife when you first saw it? The defendant.

DISTRICT ATTORNEY: I offer the knife in evidence.

CROSS EXAMINATION:

I am a fireman, but have not been working for four or five weeks. I work on the ship Caroline Miller; she belonged to the McAlden Brothers; I have been employed by that company, off and on, for the last four or five years; they run to South Carolina for the timbers that they use on the elevated railroad. The ship goes to McClay's lumber dock, Long Island City, and the place of business of the firm is Broad street. During the four or five weeks which you were off, in which you were not working, is it not a fact that you were boarding, that is, living with a prostitute, in No. 10 First street? She is a good looking young girl; when I first went to see her-- in fact, you would fall in love with her yourself. I then thought I would stick to her. Did you tell the District Attorney that you were living with this woman, and it was the very woman that connection with that man that night? No. Was it with that woman that this man had connection? I know nothing about it. Did you have connection with a woman in the room where that girl was? Not as I know of. It was the same house, No. 10 First street, where this girl lives that this man went with you, you claim, on that night when he exhibited that knife and the bunch of keys? Yes.

16 You want the Court and jury to believe that you don't remember

in which room you went with this defendant? This defendant didn't go into another room; it doesn't look well for two men to be in a room with a girl. Where did you meet the defendant? I met him on the Bowery, between 2nd and Houston streets, somewhere around there. What were you doing on the Bowery? Looking around the street, having a drink every once in a while. Spending the money of this woman whom you lived with? Spending my own money, that I earned. Didn't you say, a while ago, that in conversation with this prisoner you stated that even \$25.00 a month was not enough for you why he should go on a steamer? I don't think you understand the English language; I didn't say any such a thing. When you met this defendant what did you say? We went in and had a drink first. The man spoke to me first; I couldn't say the exact words that he said when he met me. I never seen the man before we met that night. I went in at his invitation, and he paid for the drinks. I couldn't remember what I said to him before we had the drink, but it was something about girls. Isn't it a fact that you proposed to this man that you had a girl in First street that was supporting you, and that you said, "She is a very pretty girl; come with me and she will only charge you a dollar," is it not a fact that you said that, and in the meanwhile you said, "Come and have a drink?" That is an invention on your part; I don't propose to be insulted here; it is nothing in my pocket. I know the man; he had a drink with me, I never had no quarrel with him. He said he would like to see a nice young girl somewhere. I says, "Oh, there is plenty of them around, I suppose." He says, "Let us take a walk after we drink this." After we drank it I says, "Will you have a drink with me?" He says, "No, I don't care for any more now; we will go out;" we went

out. We got as far as No. 10 First street, that is where I live. While being down in the girl's room he produced that knife and bunch of keys, and also I went for a pint of beer. There was one girl there. I don't know that the house in 10th street is a house of prostitution. The girl who lived there is the girl who I lived with for the last four or five weeks. What conversation had you with this defendant at the time he put this knife and keys on that table? He said a few words in Italian; I understand some Italian words. I had a number of Italians working for me, and I learned a little of the language. I have lived in 35 Mulberry street. I did not have this girl with me at 35 Mulberry street. Did you have some other girl working for you at 35 Mulberry street prostituting her body for the Italians? No. At the time I knew the defendant he had a full beard, a strong goatee, it was light on the sides, it was more of a goatee than a beard; the goatee was very heavy, full and thick. After I read the account in the paper I walked as fast as I could to the station house. I never changed my name, and was never convicted of crime. I am in this country since 1873. I worked for the Department of Public Works, at the time Mayor Hewitt was there, before he ran for the Mayoralty, the second term.

JOHN McDONALD, sworn and examined, testified:

I am attached to the 14th precinct, and on the 19th of March my tour of duty was from 12 o'clock midnight. I had for a post on that night 9th and 10th streets, from Fourth avenue to Avenue A. Shortly after you went on post that night did you see a woman named Lizzie Legare? Yes; I was going up 9th street, past the post office, and I heard a woman scream somewhere, but I couldn't tell right away where it was. I

ran up Third avenue as fast as I could. You found Lizzie Legare there; did you? Yes. Did you notice anything about her, anything on her hands? She showed me where she was stabbed inside and the blood was coming through the clothes. Did you give pursuit to the man whom you were informed had turned the corner and had gone? Yes; I chased him two or three blocks. Did you see him? No. Did you see any one ahead of you? No; I came back and I found her lying in the same manner -- I told her to wait until I came back, I came back and brought her to the station house. She was surrounded by a number of people? Yes. You went off towards the station house with her; did you? Yes. Shortly after you began to move towards the station house did anything occur, anybody come to you? Yes, a citizen followed me up and handed me that knife (pointing to the knife), and that was the knife I left in the station house on the sergeant's desk.

DISTRICT ATTORNEY: That is the People's case.

THE CASE FOR THE DEFENCE.

GIATANO RIGGIO, sworn, and examined through the interpreter, testified:

I live at 430 Eleventh street, and am a married man. I am an importer of foreign cheese and oils. I have known the defendant for the last seven years, and knew him in the old country. Do you remember what took place on the 19th of March, 1893? Yes. I remember well what happened on the 19th, it being Saint Joseph's day. About night time a man named Cuttia came to my house; he is a friend of mine. After he was in my house for half an hour the defendant came to my house, with his mandolin. He commenced playing the mandolin,

and we amused ourselves, and we had a game of cards, and then we had supper. After we had supper, Cuttia got up and looked at his watch, and said, "Gentlemen, it is half past 1," and the company was scattered and everybody went to his home; it was half past 1 in the morning. Tell the names of the persons who were in your house? Myself, my wife, Cuttia and the defendant. Do you remember, during the time you have known this defendant in this country, whether you have ever seen him with a beard? I have never seen him with a beard, he was just as he is now. Do you know other people who know the character of this defendant? Yes, I do. What is his reputation for peace and quietness? I have always known him for a good man.

APOSTOLO CUTTIA, sworn, and examined through the Interpreter, testified:

Do you know this defendant? Yes. What is his business? Barber. Where is your place of business? No. 700 Sixth street, near Avenue C. Do you remember the 19th day of March, 1893? Yes, I do. Did you go to the house of Mr. Riggio that night? I did. Tell the Court and jury what was done that evening at his house? I left my house about 7:00 in the evening and went to the house of Mr. Riggio, and I found him and his wife at home, No. 430 11th street, between First avenue and Avenue A. After I was in Riggio's house about half an hour the defendant came in. A little while afterwards he commenced playing the mandolin, and we sang some songs. After two or three hours Riggio asked us to have some supper, and after having finished out supper I took out my watch and looked at it and said, "Gentlemen, the hour is late and it is time to go to our homes." It was after half

past 1. We bid good-night to each other; the lady and the husband went to bed, and we went to our homes. Did you go with this defendant? I left the house of Riggio in company with the prisoner. When we arrived at 8th street we took the elevated railroad, and I don't know where he went; I went to my house. Do you know other people who know the character of this defendant for peace and quietness? Yes, I do; I always heard from other countrymen of mine that know him that he is a good man. How long have you known this man? Over two years. Have you known this defendant to carry any kind of a knife or weapon? No, I don't remember. Did the prisoner have the mandolin with him when he went away at half past 1? A. Yes, he took the mandolin in a leather bag. Where did the defendant live? I know that he lives up-town, but I don't know if it is 108th or another street.

CROSS EXAMINATION:

I took the elevated railroad at 8th street and 1st avenue. Did you have any conversation with the defendant, and did he tell you he was going to his home when he took the train? He says, "You are going home and I am going home"-- that is all he said. I have seen the defendant several times in my shop, but I haven't been to his house. I don't know where Columbus avenue is. Do you remember being visited by a man named Gleason on Monday afternoon, the day after St. Joseph's day that you have testified to? I do. Did you take Gleason to the place where he found Castellano? Yes. Did you take him to the German whom you say he worked for? No, I took him to Riggio's house, in 11th street; Mr. Riggio was there. Do you know what time on Monday Castellano went back to Riggio's house? No, I can't say the hour, but I know that they had just finished their dinner. If you knew that Castellano

was at Riggio's house, and you left him at the elevated station at half past 1 o'clock the night before, how did you know that he was at Riggio's? I knew that he was at Riggio's because on the Monday, at 2 o'clock in the afternoon, he came to my place and told me that he was going to Riggio's in company with another man-- he said he was going to find employment for a brother-in-law of his who was a shoe-maker. Did he tell you how he got home to Columbus avenue by taking the Second avenue elevated? He did not; I know that he went on the train.

CONCETTINA RIGGIO, sworn and examined through the interpreter, testified:

I live at 11th street, with Mr. Riggio, my husband, who just testified. I know the defendant. He was at my house on the 19th of March, 1893. He came there about 7 o'clock in the evening. Did he have anything with him? He had a mandolin. What was done that evening at your house? They commenced playing and amusing themselves; then they had a game of cards, and we had supper. The defendant was playing the mandolin. About what time the defendant with other persons leave your house? It was about half past 1 in the morning when they left the house. I know that because Cuttia pulled out his watch and said, "Gentlemen, it is late, it is half past 1. It is time to go home." How do you remember that Sunday was the 19th of March? It was St. Joseph's day. Do you celebrate that day? Yes, all over Italy. How long have you known this defendant? I have known him since he was a boy. How long are you in this country? Fifteen months. During those fifteen months have you seen this defendant with a beard? Never. When he left did he take the mandolin with him? He did, and

he left the house with Cuttla. What is the character of this defendant, if you know, for peace and quietness? He is a good man. Have you ever known this man to get into trouble before? No, never.

FRANK CASTELLANO, sworn and examined through the interpreter, testified:

How old are you, Frank? Twenty-five. What is your business? Barber. Where do you live? I live in 100th street and Columbus avenue, I don't remember the number, it is near the corner. With whom do you work? I work with Mr. Benzel, 743 Columbus avenue, between 96th and 97th streets, he is a barber. Is your residence near this place where you work? Yes, it is three blocks. What is the name of your housekeeper or lady with whom you board? Mrs. Patrick. How long have you been working for Mr. Benzel? About eight months. Do you know Lizzie Legare, did you ever meet her before, the complainant in this case? No, I don't know her. Have you ever met her before? I have never seen a woman like that.

(The complainant came forward to the witness-stand.)

Have you ever seen this woman before she was produced at the Police Headquarters for you to be identified? No, sir, that was the first time; she is foolish. Did you ever have any connection with that woman? No, I never had anything to do with her. I now show you a knife; did you ever possess a knife like this, or this knife? No, I didn't. I am not a shoe-maker -- this is a shoe-maker's knife. Mr. Gleason has stated that you met him on the Bowery and that you went to No. 10 First street, and there had some beer; state how you came to meet Mr. Gleason? I met a young woman of about eighteen years old, on First street between Second and Third

avenues. It is a woman that lived in Pennsylvania before. What did she say to you? She asked me if I would go up to her house; she said, "Follow me; there is nobody up in my house, here are the keys in my hand." Did you go? I did. For what purpose did you go with her to that house? I went to have connection with her, and when we got up we found a man. Who was that man; (stand up, Gleason) was that the man? That was the man. What was he doing in that room? I found him, and the woman said, "Go to hell; why don't you get up?" He got up and left us alone. After twenty minutes he came back. Within those twenty minutes did you have sexual connection with this woman? I did. Had you paid her? I did. After twenty minutes you said this man came in; what happened then? The woman asked me if I was French, German or Italian, and while the man came in I was just telling her that I was an Italian. The man said, "I can speak a little Italian, as I lived four or five years in Mulberry street." Then he went and got a pint of beer. He paid for the beer and treated me. I didn't order the beer. Myself and Gleason drank the beer, and a woman drank a little. What conversation did you have with Gleason at that time? He asked me what I was employed at; I answered that I was a barber. And then I asked him what his business was, and he said that he was employed on board of a steamer, and he was doing very well. Then I told him that if he could get me a situation on board the steamer as a barber, I would make him a present of \$10.00. After a week I went back to him, to ask him if he had any news about the steamer, and I didn't find the man at the house. At that time did you have any connection with the woman? Yes, I did. When did you go there again, when was the next time that you met this Gleason? After another week. At that

time did you make any proposition to this woman? I did. What was that proposition? If she would leave the man she was living with and come and live with me. What did she reply to that? She says, "Come back another time, and then I shall give you an answer." Did you go back, and when? I did, after three or four days. Whom did you find there? I went there and found the door closed, and the door was opened by Gleason. What did Gleason say? ? When he opened the door he says, "What the hell did you come here for?" and he shut the door in my face, and he hit me on the arm with the door. Gleason testifies that he met you, for the first time, on the Bowery, and while having a drink, that he invited you or you invited him, he doesn't remember which-- and after having a drink with him you had a conversation about girls, and that after that you went to No. 10 First street? No, it is not true; I went there after twice I had been in his house; he closed the door in my face. Have you ever met that woman after Gleason shut the door in your face? I did not. How long afterward were you arrested, after Gleason shut the door in your face, and after you had made that proposition to the woman? Three or four days. Did you ever have a beard? Never. Were you ever convicted of any crime, here or in Italy? Never, I have got my pass-port. How long are you in this country? Nearly four years. What have you been doing those four years? I always worked. Can you name some of the gentlemen with whom you have worked? I worked at 356 Myrtle avenue, in Brooklyn, I don't remember the man's first name, but his second name is Navaara. Have you ever had a barber shop of your own? Yes, I had twice a shop on my own account. You swear positively that you didn't say to this Gleason that you wanted to have a place on a steamer as a coal-basser instead of saying you wanted a job as a

barber on a steamer? I asked him for a situation as a barber. Did you ask him for a place as a coal-passer? No.

CROSS EXAMINATION:

Where were you working just before your arrest? No. 743 Columbus avenue. Were you discharged from that place, or did you have to leave it on account of your arrest? I left the place because I was arrested; I have got my tools in the shop. What time of day do you go to work usually in the barber shop? Seven o'clock in the morning, and work up to 9 o'clock in the evening, but on Sundays we finish work at half past 1 in the afternoon. Do you get into the house of Mrs. Patrick, where you board, with a key, or is the door opened for you? I get in with a key. Did you sleep alone in the room, have you a room for yourself? Yes, I have a room for myself. Do you know that Columbus avenue, where Mrs. Patrick lives, is a continuation of 9th avenue, and runs from West 59th street north-west as far as 127th street? I did know it. Do you remember on Sunday night being at the house of Mr. Riggio, on St. Joseph's night? Yes; I was invited there the Sunday before. Do you remember leaving that house that night, with Mr. Cuttia? Yes. Do you remember going to the elevated railway station with Mr. Cuttia and bidding him good-night? I do. What time was that? It was about a quarter to 2 o'clock in the morning. You went up stairs and took the car; did you? Yes. After you got on the elevated car tell the jury all the places you went and the streets you went through until you got over to Columbus avenue, where Mrs. Patrick lives? I went across Central Park; I got out at 100th street. Do you know that there is no station at 100th street, on the east side elevated? I know that there is no station, but I took that street. What

station did you get out at on the elevated road? I don't remember whether it was 98th or 97th streets; I went across Central Park and went home. I walked up two blocks and then I turned toward Central Park; I went around by the different paths. I went out of the park either by 98th or 99th streets. What time was it, as far as you can remember, when you got to Mrs. Patrick's? I arrived there after three o'clock; I went to bed and got up in the morning after 7 o'clock. I did not get my breakfast at home. I went to a restaurant. I didn't see Mrs. Patrick before I went out of the house that morning, but I heard her talking. That Monday was my day off, and I didn't go to the shop. Mrs. Patrick is not here.

CARNALLO TRAPANI, sworn and examined, testified:

I know this defendant four years. He has worked for me as a barber about seven months. I know other people who know him. Do you know his general reputation for peace and quietness, what people generally say about him? He is a good man. Did you ever see this man carry a knife like that or this knife? No. You never saw him carry any knife? No. Where is your place of business? No. 350 West 26th street. I keep a grocery store now, at 456 West 27th street.

LEWIS FANCHERE, sworn and examined, testified:

I reside No. 22 West 99th street. I know the defendant. I met him in the barber shop of Mr. Benzel. I know the defendant between seven and eight months. I saw him for the last time about a month ago. At that time, or at any other time, have you seen this defendant with a beard? No, I did not. You are positive about that? Yes. So far as you know, can you testify as to the character of this defendant, whether

it is good or bad? I can't say that, I don't know anything about that. Did you ever see him with such a knife as this here? No.

JOHN M. BENZEL, sworn and examined, testified:

I reside at 73 West 96th street, and my place of business is 743 Columbus avenue; I know this defendant. He has been employed in my place of business, as a barber, for about eight months. During that period of time has this defendant been in any trouble, so far as you know? No. So far as you know, what is his character for peace and quietness? Very good. Was he still in your employ at the time you heard of the arrest? Yes. That Monday, the 20th of March, was his day off? Yes. Have you ever seen this defendant with a beard? No. Was he in your shop on the 19th, Sunday? Yes, that Sunday. What time did he get away? About half past 1. Do you know this defendant to play any instrument whatever? Yes, a mandolin, so he told me. Have you ever seen this knife, or any knife like it, in the possession of the defendant, or any other kind of a knife? No, I never saw him with a knife.

BERNARD GILROY, called IN REBUTTAL, by the District Attorney, testified:

Where do you live? No. 558 Henry street, Brooklyn. What is your business? Train despatcher on the Third Avenue Elevated railroad. How long have you been employed by the elevated railroad? Since 1878, since it opened. Are you familiar with the various stations on the west side elevated railroad? Yes, pretty much. Is there a station at 8th street on the Sixth avenue elevated railroad? Yes, there is one on the

Sixth avenue at 8th street. Is there one on the west side road at 104th street? Yes, I think there is. What avenue does the Sixth avenue elevated railroad run on from 59th street? It runs up 9th avenue. Do you know that Ninth avenue above that point is called Columbus avenue? I believe it is. As train despatcher, you are familiar with the times trains run and when they stop? Yes. What time does the last train leave the South Ferry terminus on what you call the Second avenue road? The last train leaves South Ferry on the Second avenue road at 12:46 A. M. And that train, running on time, barring accidents, would arrive at 8th street and First avenue at what hour? The running time from South Ferry, on the Second avenue road, as we call it, would be fifteen minutes, which would fetch him there 1:01. On the morning of the 20th of March was there any variation of the schedule time of running that you have given us? Not that I know of.

The Jury rendered a verdict of GUILTY.

100V

Testimony in the
case of
Frank Castellano

filed
March 1993

100V

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

the motion for the summary judgment and the application of

0972

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT 3 DISTRICT.

CITY AND COUNTY }
OF NEW YORK, } ss.

of the 14 Precinct Police, being duly sworn, deposes
and says that Luzie Lafair
(now here) is a material witness for the people against
Frank Castellano charged
with Assault As deponent has
cause to fear that the said Luzie Lafair
will not appear in court to testify when wanted, deponent prays
that the said Luzie Lafair be
committed to the House of Detention in default of bail for his
appearance.

John Hock

Sworn to before me, this
day of March 1931

[Signature]
Police Justice.