

02 12

**BOX:**

493

**FOLDER:**

4499

**DESCRIPTION:**

Albert, Jacob

**DATE:**

09/07/92



4499

POOR QUALITY  
ORIGINAL

02 13

Witnesses:

Counsel,

Filed

Pleats,

1892

THE PEOPLE

Grand Larceny,  
(From the Person)  
[Sections 828, 829, 830, Penal Code.]

22  
Shirley  
tailor  
Jacob Albert

DE LANCEY NICOLI,  
District Attorney.

A TRUE BILL.

*James T. Beck*

Foreman.

Part 3, Sept 13<sup>th</sup>  
Pleats attached 4<sup>th</sup> day

2 yrs S.P. 1/2

POOR QUALITY  
ORIGINAL

0214

Police Court— 3 District.

(1365)

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 84 Clinton Street, aged 20 years,  
occupation Clook maker

deposes and says, that on the 21 day of August 1897 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of person of deponent, in the day time, the following property, viz:

One pocket book containing the  
sum of about nine dollars  
in gold and silver money of the United  
States

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 Jacob Albert (now here)

from the fact that deponent had  
paid for rent in her hand and she  
was walking on said street that  
came to deponent and did take said  
pocket book from deponent's  
hand and then attempt to run away.  
That deponent caught hold of defendant  
when then gave defendant said pocket  
book containing said money. Deponent  
therefore charges the defendant with  
Larceny from the person and swears  
that he is held to answer

Sophia Abramowitz  
maker

Sworn to before me, this  
day of August 1897

Police Justice.

POOR QUALITY  
ORIGINAL

02 15

Sec. 198—200.

CITY AND COUNTY } ss:  
OF NEW YORK,

3 District Police Court.

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

Question. What is your name?

Answer. *Jacob Sherr*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *13 Ludlow Street 2 days*

Question. What is your business or profession?

Answer. *Farmer*

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*  
*accept his*  
*murder*

Taken before me this

day of

*James H. [Signature]*  
Police Justice.



POOR QUALITY ORIGINAL

0216

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

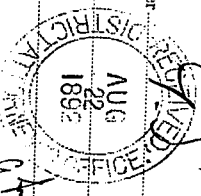
*John C. Thompson*  
*814 Duane St*  
*West Village*  
Offense, *Larceny from the person*

Dated, *August 21* 189*2*

*John C. Thompson*  
Magistrate.  
*John C. Thompson*  
Officer.

Witnesses  
No. *12* *William C. Thompson* Street \_\_\_\_\_  
No. *168* *Duane St* Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_  
to answer



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

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, *August 21* 189*2* \_\_\_\_\_ 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.

0217

Lee Tracey Recall  
District Attorney.

02 18

**BOX:**

493

**FOLDER:**

4499

**DESCRIPTION:**

Allen, Jrving J.

**DATE:**

09/20/92



4499

POOR QUALITY  
ORIGINAL

0219

Witnesses:

Counsel.

Filed, 20 day of

189

Pleads, -

THE PEOPLE

vs.

James J. Allen

P

(2-2-2000)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

James J. Allen

Foreman.

James J. Allen

S.P. 14

26 79

(Sections 528 and 531 of the Penal Code.)  
(MISAPPROPRIATION.)  
LANCEY NICOLL

POOR QUALITY  
ORIGINAL

0220

Grand Jury Room.

PEOPLE

vs.

Irving G. Allen.

who has pleaded  
guilty —

Please request  
the judge to send  
him to the ~~farm~~  
Elmira Reformatory  
on account of  
previous good  
character

JCH

POOR QUALITY  
ORIGINAL

0221

JOHN JAY MCKELVEY,  
ATTORNEY AND COUNSELLOR AT LAW,  
10 WALL STREET,  
NEW YORK.  
[TELEPHONE: 2699 CORTLANDT.]

Oct 25. 1892

Hon Rufus B. Conning -

Dear Sir: I enclose herewith  
papers on the application of Irving J. Allen to  
be sent to Elmina. I was unable to submit  
yesterday P.M. as I could not get Mr Allen's  
affidavit completed.

I trust your Honor will see your way  
clear to grant the request of the accused.  
It will be a great mercy to him and can cause  
no harm to any one else.

Very Respectfully

J. J. McKelvey

POOR QUALITY  
ORIGINAL

0222

Sec. 192

44 District Police Court.

Undertaking to Appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, }

An information having been laid before Charles J. Scirello a Police  
Justice of the City of New York, charging Irrving J. Allen Defendant  
with the offense of Larceny

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 Irrving J. Allen Defendant of No. 147  
West 15th Street, by occupation a Clerk  
Amelia Sprussig and of No. Bristol Street Boston Avenue  
by occupation a Maid Surety, hereby jointly and severally under-  
take that the above-named Irrving J. Allen Defendant shall personally  
appear before the said Justice, at the 4th 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 Twenty-five  
Hundred Dollars.

Taken and acknowledged before me this 3rd  
day of August 1892

Irrving J. Allen  
Charles J. Scirello  
Police Justice.

POOR QUALITY  
ORIGINAL

0223

City and County of New York, ss:

Sworn to before me this  
day of  
1891.  
Police Justice.

Amelia Eprossig  
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 Thousand ~~Five~~ 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 Two houses and lots, situated  
at Boston St about 225 feet N.E. west of  
Boston Ave, and worth the sum of  
Six Thousand Dollars above incumbrances

Amelia Eprossig

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Underlying to appear during  
the examination.

Taken the day of 189

Justice.



**POOR QUALITY  
ORIGINAL**

0224

JOHN JAY MCKELVEY,  
ATTORNEY AND COUNSELLOR AT LAW,  
10 WALL STREET,  
NEW YORK.  
(TELEPHONE: 2899 CORTLANDT.)

August 14th, 1894.

Henry W. Unger, Esq.,

District Attorney's Office .

My dear Unger:-

An application is now pending before the Governor for the pardon of Allen, whom you will doubtless remember. I presume inquiry will be made of the District Attorney and the Judge who sentenced Allen (Judge Collins) pursuant to what I understand to be the regular practice on applications for pardon. If you can do anything in the way of seeing that the matter is favorably reported on, I will be greatly obliged as I am interested in the application and wish to see it go through.

Yours truly,

*JJM McKelvey*

POOR QUALITY  
ORIGINAL

0225

-----o-  
PEOPLE, )  
          )  
      vs. )  
          )  
IRVING J. ALLEN. )  
                  )  
-----o-

PLEASE TAKE NOTICE that a motion will be made on behalf of the defendant in the above entitled action at a Court of General Sessions, at Number 32 Chambers Street in the city of New York on the 9th day of September, 1892, at 11 o'clock in the forenoon or as soon thereafter as counsel can be heard for a reduction of bail in this case.

Dated New York, September 7th, 1892.

Yours &c.,

*John Jay M. Kelvey*

Counsel for Defendant,

#10 Wall Street,

To

New York City, N.Y.

De Lancy Nicoll, Esq.,

District Attorney.

*32 Chambers St. N.Y.*

POOR QUALITY  
ORIGINAL

0226

Sir: Please take notice that

in the within entitled action, of which the within is a  
true copy, was upon the day  
of 189 duly entered and filed  
in the office of the Clerk of the  
of New York.  
at the in the City of New York.

Attorney for

10 Wall Street,

N. Y. City.

Dated, N. Y.,

189

To

Attorney for

Sir: Please take notice that a proposed order of  
which the within is a true copy will be presented for  
settlement to Hon.

one of the of the within named  
Court at

of said Court at the  
in the City of New York, on the  
day of 189, at  
o'clock in the noon, or as soon thereafter as  
counsel can be heard.

Attorney for

10 Wall Street,

N. Y. City.

Dated, N. Y.,

189

To

Attorney for

*Accepted*

against

*Erving J. Allen*

*Notice of Motion*

JOHN JAY McKELVEY,

ATTORNEY FOR

10 WALL STREET,

NEW YORK CITY, N. Y.

Due service of

the within

admitted, this

day of 189

is hereby



Attorney

POOR QUALITY  
ORIGINAL

0227

Sir: Please take notice that  
in the within entitled action, of which the within is a  
true copy, was upon the day  
of 189 duly entered and filed  
in the office of the Clerk of the  
of New York.  
at the in the City of New York.

Attorney for  
10 Wall Street,  
N. Y. City.  
Dated, N. Y., 189

To  
Attorney for

Sir: Please take notice that a proposed order of  
which the within is a true copy will be presented for  
settlement to Hon.  
one of the  
Court at

of said Court at the  
in the City of New York, on the  
day of 189, at  
o'clock in the noon, or as soon thereafter as  
counsel can be heard.

Attorney for  
10 Wall Street,  
N. Y. City.  
Dated, N. Y., 189

To  
Attorney for

*Properly*

against

*Living J. Allen*

*Notice of Motion*

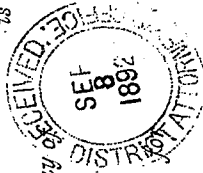
JOHN JAY MCKELVEY,  
ATTORNEY FOR *Diff*  
10 WALL STREET,  
NEW YORK CITY, N. Y.

Due service of

the within

is hereby

admitted, this day of 189



Attorney

POOR QUALITY  
ORIGINAL

0228

Police Court

14 District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

*Frederick Ditz*  
of No. *2119 West 50<sup>th</sup>* Street, aged *43* years,  
occupation *Vice President and Treasurer, P.E. Ditz Company* being duly sworn,  
deposes and says, that ~~from the 1<sup>st</sup> day of January 1887 to the 1<sup>st</sup> day of January 1889~~ *from the 1<sup>st</sup> day of January 1887 to the 1<sup>st</sup> day of January 1889* 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 Five thousand five  
hundred and fifty <sup>23</sup>/<sub>100</sub> Dollars.*

*\$5550 <sup>23</sup>/<sub>100</sub>*

the property of *the P.E. Ditz Company, manufacturer  
of lanterns &c, and in deponent's care and  
custody as Treasurer.*

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 *Frederick J. Allen,*

*for the reasons following to wit: That about  
the 1<sup>st</sup> day of January 1889 the said Company was  
organized. That said Allen was employed by  
deponent for the said Company as bookkeeper and  
cashier. That said Allen stayed in the employ of the  
said Company up to March 1892. That since said  
Allen left deponent, deponent has caused an  
examination of the books of the said Company  
to be made by an expert accountant, and that  
the said accountant has discovered, through  
the examination of the books, that during the  
said period January 1887 to January 1889  
that the said sum of money as aforesaid  
had been received by said Allen, and that*

said Allen has never accounted to department in  
any way for the same and that said Allen has  
appropriated the same to his own use and benefit.  
That said Allen has falsified account books  
and made false and fraudulent representations  
to department during the said period.

Therefore department charges said  
J. Allen with feloniously taking  
stealing and carrying away the said sum  
of money and appropriating the same to  
his own use and benefit and prays that

Said Allen be apprehended and dealt  
with as the law directs.

Subscribed before me this 3<sup>rd</sup>

19<sup>th</sup> day of July 1892 Frederick Diez

Notary Public

Police Justice

POOR QUALITY  
ORIGINAL

0230

Police Court District.

City and County } ss.  
of New York.

of No. 1971 Varuch Ave. N.Y.C. Street, aged 36 years,  
occupation, spent accountant, being duly sworn, deposes and says,  
that on the day of 189 , at the City of New  
York, in the County of New York,

he has examined the books of the R.E. Dief G.  
from Jan. 1, 1897 to Jan. 1, 1899, and that he  
finds that the sum of \$5550.28 disappeared  
from the cash account of the corporation during  
that time which has not been accounted for;  
that he finds false additions in the cash  
book, and other false entries wholly in spite  
of this discrepancy in the cash the books have  
been made to balance.

Subscribed and sworn to before me  
this 19th day of July 1899

S. Eugene Sargent.

Harold  
Public Justice

POOR QUALITY  
ORIGINAL

0231

COURT OF GENERAL SESSIONS

-----o  
PEOPLE :  
 :  
vs. :  
 :  
IRVING J. ALLEN :  
 :  
-----e-

MEMORANDUM IN BEHALF OF MR. ALLEN UPON HIS APPLICATION FOR CLEMENCY.

The following suggestions are respectfully submitted upon the question of the sentence to be imposed upon Mr. Allen under his plea of "guilty" to the charges preferred in the indictments against him.:-

Mr. Allen's age is 29--Letters from his father and brother show this-- Exhibits A and B, hereto annexed.

He is, therefore, within the age at which the Court in its discretion may sentence to Elmira instead of States Prison.

The circumstances of Mr. Allen's case are such that to take into consideration only the extent of the misappropriation *and conclude that from its magnitude* there is no place for the exercise of clemency is to do a great injustice to him.

The following facts deserve careful consideration in forming an estimate of Mr. Allen's guilt:

The duties of his position were most arduous and his hours of labor consequently unusually long, while his salary was small. (See Mr. Allen's affidavit)

His position was peculiar in that he stood many times between old Mr. Dietz and his sons and was obliged to retain his position



**POOR QUALITY  
ORIGINAL**

0232

position, to deceive either one party or the other. Thus he was forced into being party to frauds practised by a son such as that mentioned in his statement.

Mr. Allen is a young man of singularly susceptible character and easily led--A man receiving royalties from the Dietz Company, induced him to furnish the money to gamble with and it is easy to see how once drawn into the vortex he was unable to stop and took more and more in hopes of making himself square again by some lucky chance. Mr. Allen now holds notes of this man for a number of thousands of dollars, which headvanced.

Mr. Allen has made all restitution in his power and has returned he believes enough to cover the entire amount of his defalcation. He hoped that he might be spared the disgrace of a criminal arrest and be permitted to leave the City and begin a new life elsewhere. His wife hoped this and his father, both of whom had given up much that this might be brought about.

The fact that a wife's interest in her husband's life insurance, and her rights to his real estate, that a father's sole support, a business he had built up on his son's land, were all taken upon the assurance that only restitution was wanted and that there was no desire to cause the family further disgrace, with the subsequent developement of a criminal arrest, arranged for the very hour he was liberated from the civil jail, Mr. Fred. Dietz appearing in the role of complainant, hiring special counsel to press the charges and last of all requesting the Court to place the stamp of convict upon the accused, is a spectacle which ought to show the Court the character of the prosecution and neutralize the effect of any pretension on the part of this complainant to prosecute the case "for the protection of

**POOR QUALITY  
ORIGINAL**

0233

a great commercial community".

Mr. Allen as shown by the letters and petitions submitted, has always borne a good reputation and is a young man of excellent family and connections. There is nothing shown which would lead to the belief that he is irretrievably bad. He is not a person of criminal instincts or disposition. He has made a great mistake, one which at best must cast a blight on his whole life--he realizes this. But for his family's sake and for the sake of giving him a chance to retrieve the past by leading an honest life in the future it is earnestly requested that the Court may see fit to sentence to Elmira Reformatory.

Respectfully submitted,

*John Jay McElwry*

POOR QUALITY  
ORIGINAL

0234

EDWIN D. MULLEN,  
PRESIDENT.

C. M. ALLEN,  
SUPERINTENDENT.

WM. G. WARDEN, JR.,  
SECRETARY AND TREASURER.

*Exhibit A*

Germantown Electric Light Company,

OFFICE: CUMBERLAND STREET.

REPLY TO LETTER OF *107 92*

REFERRING TO .....

GERMANTOWN, .....

*Oct 8* 18 *92*

*Mr John Jay McKelvey*

*#10 Mac St N.Y.*

*Dr Sir*

*My brother J. J. Allen was born in the summer of 1863. I cannot say whether June or August. If I can reach his father by mail I will determine the date for you. but I suppose his father is on a million trip at present and mail may not reach him promptly.*

*Truly yours*

*Chas W. Allen.*

POOR QUALITY  
ORIGINAL

0235

M. ALLEN.

M. ALLEN.

# Elmhurst :: Conservatories.

Exhibit B

M. ALLEN & ~~SON~~ Proprietors.

....

NO. 320 ELM STREET.

Cut Flowers a Specialty.

Northampton, Mass.,

Oct 9<sup>th</sup>

1899

Mr H. J. McKelvey New York -

Dear Sir your kind note of 8<sup>th</sup> inst. was very glad to hear from you in asking the age of my son J. F. Allen in looking up his age I was a little surprised to find him as old as he is I had supposed he was (28) last June but I find he was born June 26<sup>th</sup> 1863 which makes him 29. Last June his Mother died in his infancy & his present mother can vouch for this for she always had the care of him

Mervin Allen  
Cora L. Allen

**POOR QUALITY  
ORIGINAL**

0236

CITY AND COUNTY OF NEW YORK ss:

Irving J. Allen being duly sworn says: I have read the affidavit of S. Eugene Sargent, verified October 15, 1892, and the affidavit of Frederick Dietz, verified October 14, 1892, relating to the charges of grand larceny against me. I cannot answer these charges in detail for the reason they are made in such general terms that I have no data from which to refresh my memory as to any particular item or items.

I desire to say, however, in reference to the balancing of the books, referred to by Mr. Dietz in his affidavit, that the books, <sup>of F. E. Dietz</sup> during the whole period of my connection with them, were not balanced more than two or three times a year nor post~~ed~~ oftener than every two or three months.

I also desire to say that other parties were engaged on the books, both during the time of my connection with them and subsequent to it.

In reference to the statement of Mr. Sargent in his affidavit that it would have been impossible to have drawn off a correct trial balance on the first of each month, I wish to say that anyone can prove or make a simple trial balance come ~~out~~ correct from almost any set of books and yet unwittingly have errors in the account. I remember of an instance of this sort where I had an error of over Two ~~hundred~~ thousand dollars, which I did not discover for several months. I speak of this matter of errors because I am firmly convinced that I am being charged with crimes which I never committed and that the amount of my defaultation is being made to appear as large as

**POOR QUALITY  
ORIGINAL**

0237

possible because of the bitter feeling which exists against me  
on <sup>the part</sup> ~~behalf~~ of the Dietzes and especially of Mr. Fred. Dietz.

I positively deny that I ever insisted or even asked to keep the private books of R. E. Dietz after my resignation. I was personally requested by Mr. Fred. Dietz to help them on their books and I did so at much personal trouble and inconvenience to myself, devoting several hours each day for nearly a month.

I further emphatically deny that I ever removed any books from their accustomed place or retained any bank vouchers. I always submitted a monthly statement to the Treasurer of the Company, which was examined and endorsed by him as correct. The Treasurer or his brother, the Secretary of the Company, nearly always assisted in balancing the bank book and saw all vouchers. The vouchers so returned were kept in the desk of either the Treasurer or the Secretary.

The animus of the affidavit of Mr. Fred Dietz is shown by the fact that he makes no mention of the restitution, which I made in this matter, although I turned over all the property which I had, and my wife and father joined in making good the Dietz's losses.

I have, in my statement submitted in this matter, more fully set forth the circumstances under which I was led into my present troubles.

Sworn to before me this )  
25th day of October, 1892.)

*Erving J. Allen*

*James W. Brinck*  
*Commissioner of Deeds*  
*N.Y.C.*

POOR QUALITY  
ORIGINAL

0238

The Gambley

New York City  
Oct 14<sup>th</sup> 1892

Now Refers to  
Dear Sir:

I wish to submit to you the following regarding my connection with R. E. Ditz Co. & the unfortunate circumstances which led me into my present situation.

I want to say in advance I have done every thing in my power to make reparation for any wrong that has been done whether by myself or those whom I had employed & as I can say truthfully that they have fully recovered from myself & wife & father all monies lost through my wrong doing.

To assist me in repaying them they have impoverished themselves & my father now in his advanced years is penniless.

My term of service with this firm was over eight years & I left voluntarily. That you may understand how exacting were my duties during part of this term I was required to work from 16 to 18 hours daily, Sundays not excepted at an average salary of \$1,000 yearly. When the firm was incorporated it was over 2 months before I was able to transfer the old accounts into the new books.

The Company took the business from January 1<sup>st</sup> 1887. I also opened a new set of books for R. E. Ditz Co. taking all accounts prior to the above date. At that time many customers would remit by check for amounts due the old & new Company, this necessitated many entries, that if not explained would have the appearance of fraud.

I admit to errors made that I could never trace out, going over the books carefully, they would look peculiar.

I was compelled for want of time & assistance to make a credit in the Cash book for "miscellaneous" returned & charge the amount on the other Cash book with some check already entered in order to save the trouble about way of entering it into the Journal. The result was the same & saved me much time. Always crowded I was forced to every expedient. As I kept only the checks that came in I would take the petty cash book weekly from the party who kept and enter the items in the general Cash book. Some accounts I would draw off on slips of paper & carry them along for a month or more before entering, & then place them any where in the Cash book books with checks charged. I would find sometimes an amount made up on the petty Cash book for deposit which I would enter in the regular way. When I asked for this would learn that it had been paid out all or in part. I then would get the bills & enter in my Cash book under their classified heads the total amounts so my Cash would balance & charge my deposit for Bank. The bills were put one side & being loose many were

lost & destroyed. All of these entries to an expert would look fraudulent & the books unless explained would appear as though there was a shortage. I have also added to the weekly Pay Roll entries from the petty cash book which made my general cash book appear different from the pay roll itself. This happened frequently. In the year 1889 I did very little work on the books on acct. of my health, the result of over work, & securing the services of two men to take my place I left to recuperate. I was absent from August until Dec upon my return found the books in a state of chaos & an apparent shortage in the cash. It was Feb before I straightened the muddled accounts but the shortage in the cash I was unable to ascertain how much had been taken. I consulted "R. E. Dietz" Pres of the Co explaining the condition of affairs, he advised me to charge it off, make my books balance, say nothing about it, and get rid of the assistants as soon as possible. This I did. I understand I am held accountable for the differences during that year.

In 1890 I was under great expense in settling bills incurred the year previous by my illness. It was at this time I yielded to temptation. A man connected with R. E. Dietz Co for many years induced me to furnish him money for gambling. I never played myself. I was to profit in his gains & he knew from whence I obtained the money. He agreed to make up the losses from his royalties which he never did. In May 1892 R. E. Dietz caused my arrest in a civil proceeding & I was placed in Ludlow St Jail upon the charge of Embezzlement. I then refused to him what I had taken from the Company and himself as the cause which led me to do so. I also explained to him that my partner in crime gave me promises that he would transfer his royalties on the patents controlled by the Dietz Co so I could make good the loss. I discovered when too late that they were in his wife's name & when she died in the summer of 1891 she left the income from them to her sister. In an interview with Mr Dietz at the jail he promised me if I made restitution he would not prosecute me criminally, or allow the Company to do so and would help me to try and do right in the future. The same promises were made by himself & lawyer to my wife & also by the latter to me. He gave them everything we had in the world leaving us without a penny. My father also gave to Mr R. E. Dietz all his possessions & I am thoroughly satisfied they have received every dollar that I had appropriated.



POOR QUALITY  
ORIGINAL

0240

5

When I was discharged from Leiden Jail I found an Officer awaiting me who placed me under arrest on a Criminal Charge. This was a violation of their agreement.

I do not say this in extenuation of my crime. But up to the period mentioned I always lived an upright life and if I was evil disposed, could have stolen two or three hundred thousand dollars.

I am well acquainted with Mr Sargent the accountant who examined the books of the R. E. Dietz Co. He informed me while we were engaged together in examining the books of "Friedrich Wickers & Co" last January that he was not an expert in Commercial Bookkeeping only an Jack & broken books. I think it is only fair to mention this as he is the one upon whose statement I am being prosecuted.

I am also obliged to state in defense of myself the manner in which the Complainant transacted the business of the R. E. Dietz Co. He would have goods mfg'd in the Company's factory and charged to the Chinax mfg Co of Chicago Ill at the cost of making while he would not reap any benefit from the R. E. Dietz Co. (he owing 13 interest in the Chinax Co) would get double profit from the Chinax mfg Co. but the President of the Dietz Co would be at a loss in these transactions not owing stock in the Chinax Co. I was often questioned by Mr R. E. Dietz about these things but had to prevaricate to save the trouble that would arise if known.

I was compelled under the Treasurer's direction and dictation to write out false statements to the Tax Department in regard to the Corporation, which he took oath to be being correct, thereby committing perjury to the Tax Department every year for the past four years. There are many other things which would have come to light if the case had gone to a jury that perhaps would have vindicated me. at least it would have shown my surroundings were not of an honest nature and it is plainly obvious that the Treasurer of the Company has an object in getting me out of the way. Not for the ends of justice but to gain his own freedom & possibly save himself from the disgrace of the Penitentiary.

I could have traced the amount claimed in the charge proving my innocence of larceny but acting under the advice of counsel I plead guilty. It is well known to the members of Dietz Company that I have been compelled to do things to keep peace in the Company that I would never do again for any one.

I appeal to your Honor for mercy & consideration

POOR QUALITY  
ORIGINAL

0241

feeling that after the restitution already made, and the definite promises then made me by Mr. R. E. Nick, I am the subject of malicious prosecution, and that an unfair and ulterior motive actuates it. I solemnly assure your Honor that while probably technically guilty of wrong doing I never in my life intended to defraud any man of one dollar.

Brought up amidst Christian influences nobody can point to a single irregularity in my life until the present trouble came.

My own shame & suffering, and the sorrow of my dear wife's relatives, are a greater punishment than any for any earthly judge can inflict. I am now 29 years of age. Life is almost all before me & I have the advantage of having learned bitterly but thoroughly one of life's most important lessons — to avoid temptation and the appearance of evil.

I shared the stigma of convict. I am sure my abilities would be sought by honest employers & by honest taxation in the future. My whole ambition would be to restore myself to public confidence and to reward the present fidelity of the loved ones dependent on me.

I remain Yours Respectfully,  
Erving J. Allen

**POOR QUALITY  
ORIGINAL**

0242

CITY AND COUNTY OF NEW YORK ss:

Etta F. Allen being duly sworn says: I am the wife of Irving J. Allen; have been married to Mr. Allen five years, during the most of which time he was in the employ of Mr. R. E. Dietz and the R. E. Dietz Company of this City. During all the time he was so employed he took a great interest in the business of the Company and worked early and late in the performance of his duties. He constantly worked evenings and on Sundays to keep his work up and in 1889 was completely broken down by overwork and was compelled to leave the office for several months.

While in the employ of the Dietzes, my husband has frequently informed me of differences arising between Mr. Dietz senior and his sons and of his efforts to keep peace among them. He was compelled, as I am informed and verily believe, to cover up many dishonest acts on the part of the sons and deceive their father in order that he might keep in favor with the sons, who were officers of the corporation, and with the father, whose private books Mr. Allen kept.

When Mr. Allen was under arrest in the civil suits and the Dietzes were endeavoring to persuade him and myself to turn over our property to them, they repeatedly said personally and through their lawyer that Mr. Allen and myself would sign such papers as they wished they would not institute any criminal proceedings against him. With that understanding and upon their assurance that everything should be all right and Mr. Allen should be released I signed over my rights in certain real estate and in certain Life insurance and Mr. Allen turned over

*Etta F. Allen*

**POOR QUALITY  
ORIGINAL**

0243

every cent he had to them.

On one occasion in the office of Mr. Ward, Mr. Dietz's attorney, when I was solicited to sign certain papers, I spoke of criminal proceedings being brought and that I would only sign with the understanding that no proceedings should be instituted by the Dietzes. Mr. Ward said that I had Mr. Dietz's word for that, referring to Mr. Fred Dietz, who sat in the room; that he would not put anything in writing, but that I had his word and that was enough. Subsequently this criminal prosecution was instituted and nominally at the instance of the R. E. Dietz Company as complainant. I have since had a conversation with Mr. Fred Dietz, an officer of the Dietz Company, and in the course of it he said that he heard Mr. Allen had made threats of having him prosecuted for some crime, but that he didn't care for that, and Mr. Allen would go to States Prison first if he did have to go afterwards. I cite this as showing the occasion for Mr. Dietz's bitterness against Mr. Allen.

I verily believe that Mr. Fred Dietz desires to have Mr. Allen sent to States Prison solely out of revenge and with the idea that it will silence Mr. Allen in respect to any criminal act which he, Mr. Dietz, may have committed.

Sworn to before me this        )  
  :  
24th day of October, 1892. )

*John C. Coleman,  
Notary Public,  
New York Co.*

*Etta F. Allen*

**POOR QUALITY  
ORIGINAL**

0244

W. D. MULLEN,  
PRESIDENT.

C. M. ALLEN,  
SUPERINTENDENT.

WM. G. WARDEN, JR.,  
SECRETARY AND TREASURER.

*Germantown Electric Light Company,*  
OFFICE: CUMBERLAND STREET.

REPLY TO LETTER OF.....

REFERRING TO .....

GERMANTOWN, September 12.....1897

Hon. Rufus B. Cowing,

Judge of the Court of General Sessions,

New York City.

Dear Sir

May I call the attention of your Honor to the case of my younger brother, Irving J. Allen about to come before you for sentence. I am about the only member of his family that can represent him at present. His aged father has lost his health since his youngest son's troubles have been brought to light, and has also lost his small property almost entirely, as my brother Irving at the time of his arrest turned over to R. E. Dietz everything he owned, and this property was real estate upon which his father had helped to make improvements. Therefore, by turning it over to Mr. Dietz, father lost as well as son, and I may safely say Mr. Dietz is the only one that has anything left. I think it should be considered in my brothers favor that he put no property beyond the reach of the Dietzs', but turned all over to them. It is also a fact that a few days before Irvings arrest he had in his possession \$16,000 of negotiable paper belonging to R. E. Dietz which he might have converted and have left the country, but Mr. Dietz will not deny that this money was

**POOR QUALITY  
ORIGINAL**

0245

MULLEN,  
PRESIDENT.

G. M. ALLEN,  
SUPERINTENDENT.

WM. G. WARDEN, JR.,  
SECRETARY AND TREASURER.

*Germentown Electric Light Company,*  
OFFICE: CUMBERLAND STREET.

REPLY TO LETTER OF.....

REFERRING TO.....

GERMANTOWN,.....18

HON. R. B. C. 2

handed to him intact, proving I claim that my brother is not a criminal watching for every chance to take advantage of others.

During the twelve years that Irving J. Allen has supported himself and handled the money of others this is the only shadow of a suspicion of his honesty that has ever occurred. I pray your Honor therefore that when the young man is brought before you, you be as lenient as possible; give him a chance to redeem the past. He has but one bad mark against an otherwise honorable record. Do not, I pray you, darken his whole life by a sentence to State's Prison, but rather send him to the Elmyra Reformatory, if sentence must be passed, where he can have the hope of coming back to us without the stigma of Convict and yet become a good citizen.

Pardon me for intruding on your valuable time but it is a plea of a brother for a brother and I hope will have your Honor's consideration.

Very truly yours

*Charles Merwin Allen*

POOR QUALITY  
ORIGINAL

0246

Allen.  
Elmhurst •• Conservatories.

M. ALLEN & SON, Proprietors

•••••

NO. 320 BLW STREET.

Cut Flowers a Specialty.

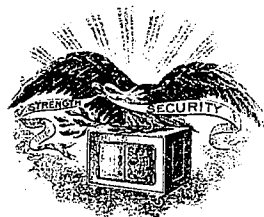
Northampton, Mass., Oct 10<sup>th</sup> 1892

To the Hon Rufus Canning  
in our deep sorrow we as a family  
beg of you that you will be as diligent with  
him as possible & if in your power send him  
to the reformatory instead of prison believing  
as we do that he was led into this affair  
by other parties & further from his <sup>past</sup> record  
up has always borne an unblemished character  
hoping an appeal from a Father of nearly three  
score years & ten will touch a tender place in your  
Heart & we most sincerely believe that that  
when he goes forth into the world he will lead  
an honorable upright life a fond Mother also  
joins in this request

Mervin Allen  
Caroline C Allen

POOR QUALITY  
ORIGINAL

0247



EXECUTIVE DEPARTMENT

The New York Endowment Company

GRANT HUGH BROWNE PRESIDENT.

New York Oct 12, 1892

Mr. Rufus B. Conning

Judge Court Gen. Sessions.

My Dear Sir:-

I write you in order to appeal to your clemency  
in behalf of Mr. Irving J. Allen, whom I understood  
came up before you for sentence to-morrow, Oct. 13. <sup>th</sup>.

- I hope you will find it in your discretion to sentence  
him to the reformatory at Elmira instead of to  
State Prisoners. - I believe that the above Company of which  
Mr. Allen was the Treasurer has suffered as much as any  
one by his actions, but from my personal knowledge of  
his many good qualities and the circumstances of his  
case, I sincerely believe myself justified in making this  
appeal for the opportunity of reformation offered at Elmira  
as against the State Prison. Believe me

Sincerely yours  
Grant Hugh Browne.



POOR QUALITY  
ORIGINAL

0248

OFFICE OF  
CHARLES N. CLARK,  
ATTORNEY AND COUNSELOR AT LAW  
AND NOTARY PUBLIC.  
OVER NORTHAMPTON NATIONAL BANK.

Northampton, Mass. July 11 1892.

Mr J. J. Allen

Dear Sir:

I have received your letter  
and read it to your father.  
There is a chance for some  
delay. Enclosed you will find  
a copy of the agreement which  
Mr Edwards is to give relative  
to this paper. Your father is  
not satisfied with it. He  
wishes it made stronger by  
adding these words at the end of  
line 20. pages. "under which  
the said J. J. Allen shall have  
been discharged from arrest  
and shall not have been  
detained or arrested on any other

POOR QUALITY  
ORIGINAL

0249

OFFICE OF  
CHARLES N. CLARK,  
ATTORNEY AND COUNSELOR AT LAW  
AND NOTARY PUBLIC.  
OVER NORTHAMPTON NATIONAL BANK.

Northampton, Mass. .... 189

proceed for a period of three days  
from this date of such discharge.

Judge Barrett will not agree  
to sign this - but will as I  
understand him - submit it  
to the jury. He does not  
expect it will be signed -  
The point is shall we move  
upon it. Judge Barrett says  
that the jury will agree not  
to arrest you and that no member  
of his firm shall and that they  
will not investigate any one to  
do so - but that they can go no  
further. Please believe me  
Yours truly  
C. N. Clark

POOR QUALITY  
ORIGINAL

0250

*Address all Correspondence to the Company.*

R. E. DIETZ, Presd.

FRED. DIETZ, Vice Presd. and Treas.

J. E. DIETZ, Secy.

MAIN OFFICE  
60 LAIGHT ST.  
NEW YORK.

**R. E. DIETZ COMPANY,**  
ESTABLISHED 1840.

WESTERN BRANCH  
25 LAKE STREET,  
CHICAGO.

MANUFACTURERS OF STANDARD TUBULAR GOODS.

W. McARTHUR, MANAGER WESTERN BRANCH.

*New York*

Feb. 5th, 1892.

I. J. Allen, Esq.,

My Dear Sir:-

Your resignation of the 2d has been acted on by our Company and accepted, same to take effect on or before the tenth day of March next.

While we regret that you now feel that after <sup>Eight</sup> seven years of valuable services to us that you have to leave our employ, we cannot blame you for accepting a position, in which your advance is assured. While with us you have made and suggested many changes that will be a lasting benefit to us, and we assure you that you have our very best wishes for your future success. We hope you may always consider us your friends.

Yours very truly,

R. E. DIETZ COMPANY,

*Fred. Dietz* Treas.

POOR QUALITY  
ORIGINAL

0251

W. B. DUNN COMPANY

DOYLE AND SONS

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160

POOR QUALITY  
ORIGINAL

0252

Essexhampton Mass.  
Oct 17<sup>th</sup> 1892.

Hon. Rufus Cowing, Judge  
of General Sessions, N.Y. City.

My Dear Sir, While it may  
seem presumptuous to address  
you in behalf of my broth-  
er, Irving J. Allen, whose  
final hearing before you,  
I understand, occurs on the  
19<sup>th</sup> of this month, I  
cannot let this opportuni-  
ty pass without appeal-  
ing to you to show what  
leniency you can in his  
case. Being many years  
older than he have al-  
ways looked on him as  
a mere boy - and though

he may have greatly  
grieved I cannot feel  
that he ought to suffer  
the severest penalty of  
the law. He left home in  
extreme youth - a quiet  
country home, far from  
a city, and you know the  
fearful temptations which  
beset on every hand.  
Do not think, however, that  
I uphold him in wrong-  
doing, or because he is  
my brother I look on it  
as a trivial affair - not  
so, by any means, but  
it seems hard that one  
so young should bear a  
convict's shame - that all  
chance for future usefulness  
should be denied him.

The shame, the disgrace all  
very best is, bad enough.  
can he not be spared this  
I have mentioned? I feel  
sure that with proper treat-  
ment now he will be a  
better man - he knows the  
anguish he has caused  
his father, he knows how  
all my hearts have bled -  
and he knows in the  
depths of his own soul  
what he must bear all  
his life. If sent to State  
Prison what opportunity  
will there be for any  
future good - do any care  
to employ a convict, to  
any reach out the hand  
of friendship? even children  
look askance and one  
has no home anywhere.

POOR QUALITY  
ORIGINAL

0254

I do hope and pray you  
may find it in your  
heart to perimely and favor-  
ably consider this I ask.  
Very respectfully  
Mrs. S. A. Phelps.  
To Hon. Rufus C. Loring.

POOR QUALITY  
ORIGINAL

0255

New York, October 18, 1892.

HON. RUFUS COWING,

Judge General Sessions,

New York.

Sir:

I take this means of informing you that I have known Mr. Irving Jerome Allen for the past eight years in a business as well as a social way, and my dealings with him have always been all that could be desired.

I am, Sir,

Very respectfully yours,

Thomas P. King,  
214 Broadway  
N.Y.C.



POOR QUALITY  
ORIGINAL

0256

M. ALLEN.

I. J. ALLEN.

## Elmhurst · Conservatories.

M. ALLEN & SON, Proprietors.

NO. 320 ELM STREET.

Cut Flowers a Specialty.

Northampton, Mass.,

189

Now Mr. McKelvey I want to state a few things to you. when this affair first came to my knowledge it was through Mr. Dietz. When he came here to try to bulldoze me & represented he could prove I was connected with him this failed & then he feared I had a sister that had a little & he wanted to fasten on to her in this he was failed finally it was arranged for Mr. Dietz to come up & look over the property & confer with me. instead of the head of the Company coming the San Francisco - came & almost the first thing said if he could have his way he would have his G = S = Head blown off this at least I considered to say the least very ungentlemanly toward me weighed down with trouble as I was in my almost three years & ten later we arranged that I sell my interest to the Dietz they agreeing not to press any charges against him. The moment they got the papers in their hands they had him arrested on a Criminal Charge. This same Fred Dietz told me he wanted to get him out of

POOR QUALITY  
ORIGINAL

0257

M. ALLEN.

M. ALLEN.

## Elmhurst • Conservatories.

M. ALLEN & SON, Proprietors.

NO. 320 ELM STREET.

Cut Flowers a Specialty.

9 Northampton, Mass.,

189.

The way so his Father could not employ him  
for he says I have never known anything about  
my father's business he would not trust me he said but  
placed all his confidence in young Allen  
& this is simply why young Dietz is so determined  
to get him in States Prison so his Father cannot meet  
him there are lots of other things he said & done  
which go to show the animosity is all with young  
Dietz & not his father

but this trouble has ruined me financially & what  
is worse I have lost my health am unable to  
do anything and thing more I am confident that  
young Dietz hired a party by the name of Dietz  
that I consider a second rate & Burned man to lead  
my son into this work

hoping you will be all in your power for him  
I remain being Respectfully

Wm Allen

NB Others of the family are out of town consequently cannot  
sign this appeal but we know our whole family join in  
making an appeal to the judge

**POOR QUALITY  
ORIGINAL**

0258

*La Colleen* —  
*Mamma Colleen*

POOR QUALITY  
ORIGINAL

0259

M. ALLEN.

# Elmhurst :: Conservatories.

M. ALLEN & SON, Proprietors.

NO. 320 ELM STREET.

Cut Flowers a Specialty.

Norhampton, Mass.,

Oct 21

1899

Mr J. J. McKelvey Sir yours of 20  
just at hand in reply to your  
inquiry about the agreement with Mr Dietz  
will say he positively agreed if I would  
sell him my lot on which the greenhouse  
stand that neither himself or his father  
or the Dietz Co would prefer any charges  
against ~~his~~ <sup>my</sup> son but would then & there drop the  
matter I think my attorney has letters in  
his possession that will substantiate this state-  
ment, I will see my attorney in the morning &  
confer with him & have him give you such in-  
formation as he can, will you kindly inform  
me where my son is & how the matter  
stands

Very Truly yours

M Allen

**POOR QUALITY  
ORIGINAL**

0260

Hon. Rufus B. Cowing,

Judge Court of General Sessions.

The undersigned have for a long time previous to his recent troubles been acquainted with Mr. Irving J. Allen, who is now before your Honor for sentence. In consideration of the excellent reputation which Mr. Allen has hitherto borne and believing that he has fallen because he has weakly yielded to temptations which so often beset the lives of young men in this City and not because of any innate tendency to crime or inclination to do otherwise than lead an honest life, we are moved to invoke the discretion which belongs to your Honor in cases of this character, and earnestly request that Mr. Allen may be sent to the Elmira Reformatory and not condemned to be the associate of criminals, who are recognized as beyond reformation.

We sincerely believe that Mr. Allen means to live and will live hereafter a strictly honest and upright life and it would seem a pity to stamp a young <sup>man</sup>, who has almost his whole life before him, with the mark of "convict", if there is a reasonable chance of his reformation.

We believe the case to be one for your Honor to exercise the important power placed in your hands of redeeming a wayward, but not intentionally bad young man, to an honest life.

Respectfully submitted,

*over*

POOR QUALITY  
ORIGINAL

0261

Grant Hugh / Bromme #142 m. 43<sup>rd</sup> ex  
Geo. W. Usher 187 Broadway  
Alfred Chausseaud 59 Cedar St Mutual Life Ins Co

AMBERG FILE & PHOTO CO.,

26 St. Vaudeville

Geo. W. Hedge 50 Broadway

POOR QUALITY  
ORIGINAL

0262

SIR: Please take notice that

in the within entitled action, of which the within is a  
true copy, was upon the  
of  
189 duly entered and filed  
in the office of the Clerk of the  
at  
of New York  
in the City of New York

Attorney for

10 Wall Street,  
N. Y. City  
189

Dated, N. Y.,

To

Attorney for

SIR: Please take notice that a proposed order of  
which the within is a true copy will be presented for  
settlement to Hon.  
one of the  
Court at

of the within named

JOHN JAY MCKELVEY,

ATTORNEY FOR

10 WALL STREET,

NEW YORK CITY, N. Y.

of said Court at the

in the City of New York, on the

189, at

day of

o'clock in the  
noon, or as soon thereafter as

counsel can be heard.

Due service of

of

Attorney for

10 Wall Street,  
N. Y. City  
189

Dated, N. Y.,

To

Attorney for

Attorney for

admitted, this day of

is hereby  
189

Court of General Sessions

People

against

Isaac J. Allen

Papers submitted by defendant  
in application for summary

Court of General Sessions of the Peace  
of the City and County of New York.

-----  
The People of the State of New York

against

Irving J. Allen,  
-----

City and County of New York/ ss.:

S. Eugene Sargent, being duly sworn, says:

I reside at No 1971 Seventh Avenue in this City. My occupation is that of a professional accountant. I have been engaged in keeping and examining books of account of commercial and financial concerns in this city for more than twelve years last past. In May, 1892, I was employed to make a critical examination of the books of account of Robert E. Dietz of this city. I was informed that they had been kept theretofore until March 1892 by the above-named defendant. I learned from this examination that the person who had kept said books had made false entries covering a defalcation of between \$23,000.00 and \$24,000.00. This was done in the following way, viz.: checks were drawn for larger amounts than the entries on the check book stubs showed. The checks were missing, but a statement was supplied by the bank of checks paid which showed the system clearly.

In June, 1892, I began an examination of the books of account of the R. E. Dietz Company. This examination covered the period from January 1887 to July 1st, 1892. These books I was informed, had been kept by the defendant. I



**POOR QUALITY  
ORIGINAL**

0264

f und as the result of said examination that there had been a number of false entries, false additions and erasures, and as a result of these a defalcation of between \$10,000.00 and \$11,000.00 had been concealed.

After a most careful and painstaking examination of these two sets of accounts I do not think that these various false entries, false additions and erasures could by any possibility have resulted from innocent mistakes on the part of the person having charge of these books. Had they been the result of innocent mistakes, it would have been impossible to have drawn off a correct trial balance on the first of each month, and this was done in the case of the R. E. Dietz Company as is shown by these balance sheets which I have examined. Had these been innocent mistakes, there would have been more cash on hand, as shown by the bank book, and the Petty Cash, than his accounts show, and he could not have had a correct trial balance.

*V. Eugene Sargent.*

Sworn to before me this

15<sup>th</sup> day of October 1892.

*William R. Warren,*  
*Commissioner of Deeds,*  
*Notary Public,*

New York County, N.Y.



**POOR QUALITY  
ORIGINAL**

0266

Court of General Sessions of the Peace  
of the City and County of New York.

-----

The People of the State of New York

against

Irvin J. Allen,

-----

City and County of New York: ss.

Frederick Dietz, being duly sworn, says; I reside at No 249 West 50th Street in the City of New York. I am Vice President and Treasurer of the R. E. Dietz Company a domestic corporation having their principal place of business in this City. I know the defendant. He has been in the employ of R. E. Dietz and R. E. Dietz Company for about seven years as Book keeper that is from some time in 1885 until March, 1892. He also kept the private books of R. E. Dietz. I have read the affidavit of S. Eugene Sargent made herein. The balance sheets therein referred to were presented to me, as Treasurer from time to time by the defendant. No inquiry was made into the methods of the defendant until the examination was made by Sargent. We were led to make this examination under the following circumstances-- On February 2nd, 1892, defendant sent the Company a letter of resignation, a copy of which is hereto annexed and intended to be taken as a part of this affidavit. This resignation was accepted. When he left he insisted upon still continuing to keep the private books of Mr Robert E. Dietz, although he (defendant) was to be in an office at a distance from our place of business. I insisted that this should not be and an effort was made to obtain the books of Mr R. E. Dietz

**POOR QUALITY  
ORIGINAL**

0267

from defendant. Defendant did not turn these books over in person but they were found in the office. I caused an examination to be made, of said R. E. Dietz's accounts and found the defalcations mentioned in the affidavit of S. Eugene Sargent. Defendant was then arrested on civil process and was taken to the office of my attorney, F. A. Ward at No 156 Broadway. I was present at the interview and defendant there and then admitted having appropriated the money of said R. E. Dietz and stated that \$20,000.00 would cover the amount taken. Defendant said he lost part of it in gambling in pool rooms and on race tracks and had put part of it in some property in Northhampton, Mass. The following is an illustration of one of his larcenies--

Defendant entered on stubb of R. E. Dietz's check book a small amount, less than \$5., for repairs of a range. The Bank paid on the check corresponding to the stub number \$2750. and therewith a certificate of deposit was obtained by Allen, the defendant, in his own name *and this he appropriated to his own use.*

The larcenies, false entries, false additions, and erasures made by defendant in connection with the accounts of R. E. Dietz and R. E. Dietz Company are so numerous that it would be impracticable to set them forth herein but the losses incurred by said R. E. Dietz and R. E. Dietz Company through these misdoings of the defendant are probably in excess of those discovered up to date, by said Sargent. It has been difficult to discover the amount of defendants <sup>returned</sup> defalcations as very many of the vouchers <sup>returned</sup> to him on behalf of R. E. Dietz and the R. E. Dietz Company, from the bank were taken and retained by him. Should the Court desire a fuller

**POOR QUALITY  
ORIGINAL**

0268

and more particular statement as to the numerous criminal acts of the defendant deponent will cause the same to be furnished in such manner as the Court may indicate.

The treatment of the defendant by his employers has been uniformly kind and considerate as will appear by the copy of defendants letter hereto annexed, and while deponent and his associates are loth to say anything that may add to the punishment of a man in defendant's unfortunate position, still they deem it a duty, that they should fully apprise the Court of the facts in this case that the Court may take such action as the protection of a great commercial community like this City requires.

Sworn to before me this  
14 day of October, 1892.

*Frederick Ditz*

*John A. Kuhlke*

Notary Public,

*Kings* New York County.

**POOR QUALITY  
ORIGINAL**

0269

MAIN OFFICE  
60 LAIGHT ST.  
NEW YORK.

ESTABLISHED 1840.

WESTERN BRANCH  
25 LAKE STREET,  
CHICAGO.

## **R. E. DIETZ COMPANY**

MANUFACTURERS OF  
TUBULAR LANTERNS, STREET LAMPS, DRIVING LAMPS, OIL STOVES.

*New York*

Feb. 2d, 1892.

Mess. R. E. Dietz Company,

My Dear Sirs:-

Circumstances have arisen recently which will necessitate the severance of those kindly relations which have for so many years existed between us, and I wish to formally tender to you my resignation to take effect on or before March 10th, 1892.

I have had on several occasions whilst in your employ offers made me of a tempting nature with other firms, but my regard for the house that has treated me uniformly so kindly and courteously has led me to decline them without speaking to you on the subject.

The time has now arrived when it is necessary that I should make up my mind to a change in which my advance is assured, but believe me it is with sincere and heartfelt regret that I contemplate the severance of our business relations.

It will be one of my most cherished recollections to recall the consideration and liberality exhibited towards me during my severe illness of two years ago, and I can only say that should any member of the Firm wish to make use of my services in any shape or way, I shall consider myself honored by their confidence, and

**POOR QUALITY  
ORIGINAL**

0270

-2-

exert myself to reciprocate in some measure the kindness I have  
experienced at their hands.

Believe me, gentlemen, to remain

Yours very sincerely,

(signed) I. J. Allen.

POOR QUALITY  
ORIGINAL

0271

N.Y. Court of General Sessions  
The People of the State  
New York  
against  
Irving J. Allen.

Affidavits -

JEROME & NASON,  
Attorneys for Complainant,  
Temple Court,

7 BEEKMAN STREET,  
NEW YORK CITY

Copies of  
of the within  
Affidavits  
is hereby admitted.

Dated, New York, Oct. 17<sup>th</sup> 1892

Attorney for Defendant



POOR QUALITY  
ORIGINAL

0272

(1895)

Sec. 198-200.

14 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Frederic J. Allen 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.

Frederic J. Allen

Question. How old are you?

Answer.

30 years

Question. Where were you born?

Answer.

Massachusetts U.S.

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

Answer.

No 147 West 15 St 8 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  
Frederic J. Allen

Taken before me this

day of

July

1895

at

Charles W. Stanton

Police Justice.

POOR QUALITY  
ORIGINAL

0273

Sec. 151.

Police Court 14 District.

CITY AND COUNTY }  
OF NEW YORK, } ss. *In the name of the People of the State of New York; To the Sheriff of the County*  
*of New York, or 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 Frederick D. G. 50  
of No. 249 West 50 Street, that on the 1<sup>st</sup> day of January 1887  
1887 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 Fifty Five Hundred and fifty 23 Dollars,  
the property of The A. C. Smith Company and in Complainant's custody  
w no taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by Henry J. Allen

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 bod of of the said Defendant  
and forthwith bring him before me, at the 14 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 19 day of April 1887  
M. A. White POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

0274

Police Court ..... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated ..... 188

Magistrate

*Crosby*

Officer.

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

Officer.

Dated *July 25* 188*72*

This Warrant may be executed on Sunday or at  
night.

*M. A. Wells*

Police Justice.

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

Dated ..... 188

Police Justice.

The within named

*1698 30 115 No 147. 11, 15, 41-*

0275

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

0276

*M* 1671  
1090  
Police Court... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*Juan Acit*  
*Q 249 no record*  
*Strong A. Allen*

1 Had indictment  
2 on this complaint  
3  
4

Dated *July 25* 18*92*  
*Clinton* Magistrate.  
*Grover* Officer.

Witnesses:  
*Eugene D. Wright*  
No. *1971-47d* Precinct,  
Street,

No. \_\_\_\_\_ Street,  
Precinct,

No. \_\_\_\_\_ Street,  
Precinct,

SEP 1892  
CLERK'S OFFICE  
STREET

No. *5000* Street,  
*Anna*

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

POOR QUALITY  
ORIGINAL

0277

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

538

THE PEOPLE OF THE STATE OF NEW YORK  
against

Irving J. Allen

The Grand Jury of the City and County of New York, by this indictment, accuse  
— Irving J. Allen —  
of the CRIME OF Grand LARCENY, in the second degree, committed  
as follows:

The said Irving J. Allen,

late of the City of New York, in the County of New York aforesaid, on the ~~twenty third~~  
day of ~~October~~, in the year of our Lord one thousand eight hundred and  
~~ninety-eight~~, at the City and County aforesaid, being then and there the clerk  
and servant of a certain corporation called the  
R. E. Dietz Company, —

and as such clerk and servant then and there having in his  
possession, custody and control certain goods, chattels and personal property of the said  
— corporation, —

the true owner thereof, to wit: the sum of three hundred  
dollars in money, lawful money of the  
United States of America, and of the  
value of three hundred dollars,

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

to his own use, with intent to deprive and defraud the said corporation —  
of the same, and of the use and benefit thereof; and the same goods, chattels and personal  
property of the said corporation, —

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.

POOR QUALITY  
ORIGINAL

0278

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Counsel,

Filed,

Pleads,

1892

THE PEOPLE

vs.

I

Irving J. Allen  
(2 cases)

*Grand LARCENY, 2nd degree*  
(MISAPPROPRIATION.)  
(Sections 528 and 531 of the Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*John Taylor*  
Foreman.

POOR QUALITY  
ORIGINAL

0279

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

533

THE PEOPLE OF THE STATE OF NEW YORK

against

*James J. Allen*

The Grand Jury of the City and County of New York, by this indictment, accuse  
of the CRIME OF *James J. Allen* ~~Grand~~ LARCENY, in the second degree, committed  
as follows:

The said

*James J. Allen*  
late of the City of New York, in the County of New York aforesaid, on the ~~twentieth~~  
day of *November*, in the year of our Lord one thousand eight hundred and  
~~ninety-eight~~, at the City and County aforesaid, being then and there the ~~agent~~  
and servant of a certain corporation called  
*the R. F. Dietz Company*.

and as such ~~agent~~ and servant then and there having in his  
possession, custody and control certain goods, chattels and personal property of the said

*corporation*  
the true owner thereof, to wit: *the sum of three hundred*  
*dollars in money lawful money*  
*of the United States of America,*  
*and of the value of three hundred*  
*dollars,*

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

to his own use, with intent to deprive and defraud the said *corporation*  
of the same, and of the use and benefit thereof; and the same goods, chattels and personal  
property of the said *corporation*

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.



0280

**BOX:**

493

**FOLDER:**

4499

**DESCRIPTION:**

Amore, Antonio

**DATE:**

09/26/92



4499

0281

POOR QUALITY  
ORIGINAL

Witnesses:

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

Antonio Amore

DR LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*James A. L...*

Sept 2 - Sep. 7, 1892. Foreman.  
Trial and acquitted.

Sept 26/92

Grand Larceny, Second Degree, [Sections 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]

POOR QUALITY  
ORIGINAL

0282

(1305)

Police Court— District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 13 Mott Street, aged 43 years,  
occupation Green being duly sworn,  
deposes and says, that on the 19th day of September 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 Trunk containing  
100 pair blouses  
1 Winter blouse  
1 Open faced wrist watch and 2  
plata chains  
2 Pairs of Gingham  
a quantity of Books  
10 pairs of Stockings  
Being together of the value of  
ninety three (\$93.00) Dollars  
the property of Deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen  
and carried away by Antonio Muscare (now free)  
for the reasons to wit On said  
day said trunk containing said  
property was in deponent's store  
at 12 Mott Street and deponent missed  
said property and found said trunk  
containing said property in the  
rooms occupied by deponent  
at 51 Bayard Street and fully identified  
said trunk and said property as  
being his and charged said deponent  
with the larceny of said

Wg King  
mem

Sworn to before me, this 20 day

of September 1892

Wm. J. King  
Police Justice.

POOR QUALITY  
ORIGINAL

0283

(1985)

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *Antonio Amore*

Question. How old are you?

Answer. *31 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *57 Bayard Street 4 months*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer.

*I am not guilty*  
*Antonio Amore*

Taken before me this

*21st*

189 *2*

Police Justice.

POOR QUALITY  
ORIGINAL

0284

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

Police Court---292 District.

THE PEOPLE &c.,  
ON THE COMPLAINT OF

1933  
13 30th St  
District of Columbia

Offense

Dated Sept 20 1892

Magistrate.

Witnesses

No. \_\_\_\_\_  
Street \_\_\_\_\_

No. \_\_\_\_\_  
Street \_\_\_\_\_

No. \_\_\_\_\_  
Street \_\_\_\_\_

No. \_\_\_\_\_  
Street \_\_\_\_\_

No. \_\_\_\_\_  
Street \_\_\_\_\_

No. \_\_\_\_\_  
Street \_\_\_\_\_

No. \_\_\_\_\_  
Street \_\_\_\_\_

No. \_\_\_\_\_  
Street \_\_\_\_\_

No. \_\_\_\_\_  
Street \_\_\_\_\_

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

Defendant

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

Dated, Sept 21 1892 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.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Antonio Amore*

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

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

The said *Antonio Amore*,

late of the City of New York, in the County of New York aforesaid, on the *19th*  
day of *September* in the year of our Lord one thousand eight hundred and  
ninety-*two*, at the City and County aforesaid, with force and arms,

*seven blouses of the value of*  
*ten dollars each, one watch of the*  
*value of five dollars, two chains*  
*of the value of one dollar each,*  
*two pieces of gingham of the value of*  
*one dollar each piece, twenty printed*  
*books of the value of one dollar*  
*each, and ten pair of stockings of the*  
*value of twenty-five cents each pair,*  
*and one trunk of the value of five dollars,*  
of the goods, chattels and personal property of one *Ng King -*

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.

POOR QUALITY  
ORIGINAL

0286

SECOND COUNT—

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

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

The said *Antonio Amore*

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

*Ug King*

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

*Ug King*

unlawfully and unjustly did feloniously receive and have; the said

*Antonio Amore*

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.*

0287

**BOX:**

493

**FOLDER:**

4499

**DESCRIPTION:**

Anderson, Charles

**DATE:**

09/19/92



4499



POOR QUALITY  
ORIGINAL

0288

Counsel

Filed, 19 May 1882

Pleads, 19 May 1882

THE PEOPLE

vs.

B

Charles Anderson

POOL SELLING.  
(Section 351, Penal Code, and Chap. 470, Laws  
of 1887, §§ 4 and 7.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Luluie Catlin,  
Foreman.

Jan 5/99.  
Paula Bichard

Witnesses:

Offester

Chief Clerk and Deputy

Police Court / District.

City and County } ss.  
of New York.

of No. *Fourth Precinct Police* Street, aged *Peter D. Carter* years,  
occupation *Police Officer* being duly sworn, deposes and says,  
that on the *15* day of *May* 189*1*, at the City of New  
York, in the County of New York,

*Charles Anderson (now here) did unlawfully keep and maintain a room in the premises No 93- Park Row. 2<sup>nd</sup> floor for the purposes of unlawfully recording bets or wagers upon the result of a trial or contest of speed between horses at Gravesend Brooklyn Long Island, and did at said premises on said date, make a bet or wager with deponent, and did become the custodian or depositary for hire or record of money, staked and wagered upon such result for the reasons following to wit: That on said date deponent went to said premises, and saw the defendant in said premises behind a partition and saw a blackboard in the said room containing the names of horses on it, and the said blackboard being marked and headed, with, 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup> 4<sup>th</sup> 5<sup>th</sup> 6<sup>th</sup> races - and opposite the horses in the 1<sup>st</sup> race on said blackboard - was marked the odds on said horses - deponent further says that he then told defendant he wanted to put two dollars straight on Charley Post, in the first race at Gravesend Long Island, the defendant then replied that deponent would have to fill out one of the blanks, which were on a shelf in said room, deponent then filled out one of the blanks (of which one is hereto annexed) and gave it to the defendant, defendant then told deponent he would have to give him (defendant) ten cents for commission to forward the money to the track,*

POOR QUALITY  
ORIGINAL

0290

Deponent then gave defendant the two dollars  
and ten cents - and the defendant then  
received the same, and gave deponent the  
ticket hereto annexed -

Deponent therefore charges the defendant  
with violation of Section 351 & 352 of  
the Penal Code

Sworn to before me  
this 15 day of May 1913 } John C. Carr  
Solon B. Bennett  
Police Justice

Police Court, District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

ss.

1  
2  
3  
4

Offense.

Dated 189

Magistrate.

Officer.

Clerk.

Witnesses.

No. Street.

No. Street.

No. Street.

\$ to answer Sessions.

POOR QUALITY  
ORIGINAL

0291

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Charles Anderson* 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 Anderson*

Question. How old are you?

Answer.

*27 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*137 East 45 Street - 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*

*Charles Anderson*

Subscribed before me this  
day of *March* 19*15*  
*Sam H. Smith*  
Police Justice.

POOR QUALITY  
ORIGINAL

0292

BAILED  
No. 1, by John Cabot  
Residence 103 Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court---

District.

THE PEOPLE vs.,  
ON THE COMPLAINT OF

John D. White

Charles Anderson

Violation  
Pool Law

Dated

May 15 1891

Residence

Frank Magistrate.

No. 3, by

Carrie Officer.

Residence

4 Precinct.

No. 4, by

Witnesses.

No. 4, by

Street.

No. 4, by

Street.



No. 4, by

500 Street.

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

five 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 15 1891 Solon B. Smith Police Justice.

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

Dated May 15 1891 Solon B. Smith Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0293

**A** **083** Commission Office,  
93 PARK ROW.  
NO BETTING DONE OR PERMITTED HERE.

Received New York, May 1891.  
to Race Track at Brooklyn Jockey Club and there placed on  
Words 1st  
at track quotations, if such can there be obtained.  
It is understood and agreed that the undersigned act in the premises as Common Carriers  
only for the purpose of transferring the money above mentioned to the place designated.  
**CHARGE FOR COMMISSION, TEN CENTS.**  
**NOTICE.**—Amount of Order returned, less commission, where  
a failure to execute is due to accidental or other unavoidable  
delays in transmission.

**POOR QUALITY  
ORIGINAL**

0294

MAY 15 1891

**POOR QUALITY  
ORIGINAL**

0295

In the case of the People vs. James F. Clery- Reported in 13 Miscellaneous Reports p. 546, the learned Court concludes as follows;

"At the 'Ives Pool Law' repealed the provisions of the Penal Code relative to pool selling and bookmaking and the adoption of the new Constitution abrogated the 'Ives Pool Law' and at the time of the commission of the offenses named in the Indictment (while the same were made unlawful by the terms of the Constitution), no punishment was prescribed for such offenses, and the subsequent amendment of the Penal Code cannot affect the defendant for the reason that its provisions, in so far as they relate to the crime charged in the indictment, are ex post facto."

In view, therefore, of the foregoing, I recommend the discharge of the defendant's bail.

*John J. Terry*  
Asst. Dist. Atty.



GLUED PAGE

POOR QUALITY  
ORIGINAL

0296

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Court at New York, this 15th day of May, 1911.

## 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 Anderson*

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

*Charles Anderson*

of the CRIME RECORDING AND REGISTERING A BET AND WAGER, committed as follows:

The said

*Charles Anderson*

late of the City of New York in the County of New York aforesaid, on the *fifteenth*  
day of *May* in the year of our Lord one thousand eight hundred and  
ninety-*one*, at the 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 pur-  
pose of improving the breed of horses, where racing was 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

*Peter D. Carter*

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 *Charley Post*  
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 *the town of Braintree*  
in the County of *Kings* in the State of *New York*  
and commonly called the *Brooklyn Jockey Club* 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.

**POOR QUALITY  
ORIGINAL**

0297

SECOND COUNT:

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

*Charles Anderson* —

of the CRIME OF POOL SELLING, committed as follows:

The said

*Charles Anderson* —

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

*Peter O. Carter* — 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 — 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 *the town of Gravesend* — in the County of *Kings* — in the State of *New York* — and commonly called the *Brooklyn Jockey Club* 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 provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0298

**BOX:**

493

**FOLDER:**

4499

**DESCRIPTION:**

Anderson, Jeremiah

**DATE:**

09/28/92



4499

0299

**BOX:**

493

**FOLDER:**

4499

**DESCRIPTION:**

Murray, Preston

**DATE:**

09/28/92



4499

POOR QUALITY  
ORIGINAL

0300

Witnesses:

*Geo. Phacan*

*John Carey*

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

vs.

*Jeremiah Anderson*

and

*Bessie Murray*

DE LANCEY NICOLL,

District Attorney.

Burglary in the Third Degree  
[Section 488, of Penal Code, 1892, c. 10, § 1, p. 332.]

A TRUE BILL.

*Sep 28/92*

*Sam. Lacey*

*Oct 4 1892 Foreman.*

*Robert*  
*Wendell A. Dugan*

*Each will one*  
*Pen 1 yd*

POOR QUALITY  
ORIGINAL

0301

Police Court— District.

City and County } ss.:  
of New York,

of No. 150 Bleecker Joseph Chacon Street, aged 46 years,  
occupation Restaurateur being duly sworn

deposes and says, that the premises No 150 Bleecker Street,  
in the City and County aforesaid, the said being a four story brick  
building

and which was occupied by deponent as a restaurant in the basement  
and in which there was at the time no human being, by name

were BURGLARIOUSLY entered by means of forcibly by ramming

a window of the rear of the said  
premises and entering from the fire escape  
on the 22 day of August 1892 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

clothing, a gold chain, two coats,  
one pocket book containing fifty cents  
one match box and razor. also of the  
value of forty dollars \$45

the property of Deponent

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

Jeremiah Anderson and Preston Murray

for the reasons following, to wit:

Deponent left the said  
place securely locked and closed at the  
hour of 8 o'clock A.M. on said date, and  
the place was found broken open at the  
hour of about 12.45 o'clock P.M. on said  
date, and the said property was  
missing, and deponent is informed by  
Henry Jones and Mary Waterbury, both  
now here that they saw the defendants

near said place about the time that  
the said burglary took place and defendant  
is informed by Policeman Michael J. Conroy  
now here that he arrested the defendants  
on August 23 1892 and defendant  
Anderson had in his possession several  
jewel trunks for portions of said  
jewelry and said Anderson admitted  
that defendant Murray assisted  
him in disposing of said jewelry.

John Chalcos

Arron to before me this  
24 day of August 1892  
John Ryan  
O. Sheriff.

Police Court District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

vs.

Burglary

Degree.

Dated 1892

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Sred.

POOR QUALITY  
ORIGINAL

0303

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877

Henry Jones  
aged 25 years, occupation Cook of No.

118 West 9th Street, being duly sworn, deposes and

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

Sworn to before me, this August  
day of 1892

Henry Jones

John P. Ryan  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877

Michael J. Carey  
aged 36 years, occupation Officer of No.

15 Precinct Street, being duly sworn, deposes and

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

Sworn to before me, this 24  
day of August 1892

Michael J. Carey

Police Justice.



POOR QUALITY  
ORIGINAL

0304

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877

May Waterbury  
aged \_\_\_\_\_ years, occupation Cook of No. \_\_\_\_\_

79 Blumbe Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Joseph Chacon  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 24  
day of August 1892

May Waterbury  
Wash

John Ryan  
(Police Justice)

POOR QUALITY  
ORIGINAL

0305

(1885)

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss.

2 District Police Court.

Jeremiah Anderson 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. Jeremiah Anderson

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. N. S.

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

Answer. 82 Houston

Question. What is your business or profession?

Answer. Hostle

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

Answer. I am not guilty of burglary  
Jeremiah Anderson

Taken before me this

day of

189

Police Justice.

POOR QUALITY  
ORIGINAL

0306

(1835)

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Oresto Munoz*

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.

*Oresto Munoz*

Question. How old are you?

Answer.

*19 years*

Question. Where were you born?

Answer.

*U.S.*

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

Answer.

*80 Houston St - 2 months*

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*

*Oresto Munoz*  
*Waiter*

Taken before me this  
day of

*27*

*James J. [Signature]*

Police Justice.

POOR QUALITY  
ORIGINAL

0307

BATED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

Police Court... 02  
District... 1199

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Frank Chason  
166 Jackson  
General Auditor  
Green House

Offense

Dated, Aug 24 1892

Cary D. Morgan  
Magistrate  
Precinct 15

Witnesses  
Cary  
15

No. \_\_\_\_\_  
Street \_\_\_\_\_  
Henry Jones

No. \_\_\_\_\_  
Street \_\_\_\_\_  
116 W. 94

No. \_\_\_\_\_  
Street \_\_\_\_\_  
May Waterbury  
72 Bleecker

No. \_\_\_\_\_  
Street \_\_\_\_\_  
1000 2d St  
to answer

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

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, Aug 24 1892 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 1892 \_\_\_\_\_ 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, \_\_\_\_\_ 1892 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0308

483

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

THE PEOPLE OF THE STATE OF NEW YORK

against  
Jeremiah Anderson  
and  
Preston Murray

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

Jeremiah Anderson and Preston Murray

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

The said

Jeremiah Anderson and Preston Murray both

late of the 15th Ward of the City of New York, in the County of New York aforesaid, on the  
22nd day of August in the year of our Lord one  
thousand eight hundred and ninety-two in the day - time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the restaurant of  
one

Jose Chacon

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

Chacon in the said Restaurant  
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

*Jeremiah Anderson and Preston Murray*  
of the CRIME OF *Grand* LARCENY in the second degree committed as follows:

The said

*Jeremiah Anderson and Preston Murray, 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 *day* time of said day, with force and arms,

*divers articles of clothing and  
wearing apparel, of a number  
and description to the Grand Jury afore-  
said unknown, of the value of twenty-  
five dollars, one chain of the value  
of ten dollars, two coats of the value  
of five dollars each, one pocketbook  
of the value of fifty cents, divers coins  
of a number, kind and denomination  
to the Grand Jury aforesaid unknown of  
the value of fifty cents, one match box  
of the value of twenty-five cents and  
one razor of the value of one dollar*  
of the goods, chattels and personal property of one *Jose Chacon*

in the

*restaurant*

of the said

*Jose Chacon*

there situate, then and there being found, in the *restaurant*  
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.

POOR QUALITY  
ORIGINAL

03 10

THIRD COUNT:

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

*Jeremiah Anderson and Preston Murray*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

*Jeremiah Anderson and Preston Murray, both*

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,

*the same goods, chattels and personal  
property described in the <sup>second</sup> ~~first~~  
count of this indictment*

of the goods, chattels and personal property of

*Jose Chacon*

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

*Jose Chacon*

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

*Jeremiah Anderson and Preston Murray*  
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.*

0311

**BOX:**

493

**FOLDER:**

4499

**DESCRIPTION:**

Anderson, Lizzie

**DATE:**

09/16/92



4499



POOR QUALITY  
ORIGINAL

03 12

Witnesses:

Counsel,

Filed,

Pleads,

189

THE PEOPLE

vs.

B

Rizzie Anderson

KEEPING A HOUSE OF ILL-FAME, ETC.  
(Sections 822 and 886, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Sept 15/92

Foreman.

County of San Francisco, Cal.

of said County, do hereby certify,

that the within bill was filed for record on the 17th day of September, 1892.

Bel

POOR QUALITY  
ORIGINAL

0313

Court of General Sessions of the Peace

470

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
AGAINST

*Rizzie Anderson*

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

*Rizzie Anderson*

(Sec. 322,  
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE  
OF ILL-FAME, committed as follows:

The said

*Rizzie Anderson*

late of the ~~Seventeenth~~ Ward of the City of New York, in the County of New York afore-  
said, on the ~~twenty-fifth~~ day of *August* in the year of our Lord  
one thousand eight hundred and ninety-~~two~~, and on divers other days and times, as  
well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County  
aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep  
and maintain; and in said house divers ill-disposed persons, as well men as women, and common  
prostitutes, on the days and times aforesaid, as well as in the night as in the day, there unlawfully  
and wickedly did receive and entertain; and in which said house the said evil-disposed persons and  
common prostitutes, by the consent and procurement of the said

*Rizzie Anderson*

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlaw-  
ful assemblies, disturbances and lewd offenses on the days and times aforesaid, as well in the night  
as in the day, were there committed and perpetrated; to the great damage and common nuisance of  
all the good people of the said State there inhabiting and residing, in manifest destruction and sub-  
version of and against good morals and good manners, 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

*Rizzie Anderson*

(Sec. 385,  
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

*Rizzie Anderson*

late of the Ward, City and County aforesaid, afterwards, to wit: on the ~~twenty-fifth~~  
day of *August* in the year of our Lord one thousand eight hundred and

ninety- *two* — , and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in *her* said house for *her* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, 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

*Lizzie Anderson*

(Sec. 822,  
Penal Code.) of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows :

The said

*Lizzie Anderson*

late of the Ward, City and County aforesaid, afterwards, to wit: on the *twenty-sixth* day of *August* — in the year of our Lord one thousand eight hundred and ninety- *two* — and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in *her* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are habitually disturbed, 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.*

03 15

**BOX:**

493

**FOLDER:**

4499

**DESCRIPTION:**

Antico, Pasquale

**DATE:**

09/12/92



4499

POOR QUALITY  
ORIGINAL

0316

Witnesses:

Subpoena affd  
for 12th

Counsel,

Filed

day of

1892

Pleas,

THE PEOPLE

16 against

vs.

41 Mubony

12

Passage of Antico

Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code.)

Set 2-ber. 7/1892

trial and Corinist

of Assault 2nd Degree

with name of

DE LANCEY NICOLL,  
District Attorney.

Set 3-ber. 7/1892

A TRUE BILL.

James T. Lang

Foreman.

Nov 28th 92

Nov 1st 92

Nov 1st 92

Nov 1st 92

Nov 1st 92

Nov 1st 92

Nov 1st 92

Nov 1st 92

Nov 1st 92

Nov 1st 92

Court of General Sessions:

The People of the State of New York

Barquale apt Andico

City and County of New York

Barquale Andico

Being duly sworn deposes and says that  
he is the Father of Barquale Andico  
Charged with the crime of Felonious Assault  
and having had a trial by jury before  
the Hon. James Fitzgerald was convicted  
of Assault in the 3<sup>d</sup> degree or simple  
Assault with a strong recommendation  
of mercy, your department further alleges  
that the age of the above named defendant  
is Sixteen your department further alleges  
that up to the present time he has  
always borne a most excellent Character  
for honesty and industry and the first  
time he has ever violated the law.

Seen before me

This 12 day of Decr 1892

Oliver Lloyd  
Notary Public

my co

His  
Barquale Andico  
man

POOR QUALITY  
ORIGINAL

03 18

Court of Sessions  
in and for the City & Co. of N.Y.

The People of the  
City of New York

vs

Parquet Andrieu

Applicant &c

COURT OF GENERAL SESSIONS OF THE PEACE,

City and County of New York,

\*\*\*\*\*

T H E P E O P L E,

-against-

PASQUALE ANTICO.

\*\*\*\*\*

4b

"

" "

"

"

Before

HON. JAMES FITZGERALD,

and a Jury.

TRIED, NEW YORK, DECEMBER 6TH, 1892.

INDICTED FOR ASSAULT IN THE FIRST DEGREE.

INDICTMENT FILED SEPTEMBER 12TH, 1892.

\*\*\*\*\*

APPEARANCES:

\*\*\*\*\*

ASSISTANT DISTRICT ATTORNEY BARTOW S. WEEKS,

For THE PEOPLE.

J. B. MAYO, ESQ.,

For THE DEFENSE

\*\*\*\*\*



FRANCESCO PASSI NANTE, the complainant, testified that he now lives at 312 East 45th Street, and, on the 24th of August, lived at 143 Mulberry Street. On August 24th of this year the defendant stabbed him in the right shoulder . The complainant did not know the defendant before that. He stabbed him with a knife. The complainant identified the knife and the suspender and coat that he wore on that occasion and which the defendant cut. The complainant was in the street opposite No. 69 Mulberry Street when he was stabbed. The defendant was kept in Bellevue Hospital two days, and had three stitches taken in his wounds. The defendant put his hand on the woman that the complainant was keeping company with, and the complainant pushed him away, and the defendant then stabbed the complainant. He, the complainant, had no knife or weapon in his hand. In

C r o s s - E x a m i n a t i o n

the complainant testified that he came to this country

in 1882, and has lived in the City of New York about eight years, and worked in the Sixth and Third avenue stables. The ~~complainant~~ was a married man. His wife and his children were in Italy. He has three children in this country by the woman whom he lives with, and who was the woman the defendant touched, and in whose behalf he, the complainant, pushed the defendant away. He did not strike the defendant in the face with his fist. The ~~complainant~~ drank two glasses of beer, but he was not drunk. The stabbing took place between 1 and 2 o'clock. The defendant worked at the stables, 6th Avenue and 43rd Street. He was not working on the day of the assault. The woman above referred to came into the saloon about 1.30 to inform the complainant that dinner was ready. Dominico Torre was with the complainant, and they were at 69 Mulberry Street. The complainant saw the defendant stab him. The defendant was behind him, and after stabbing him, he turned and ran away, and the complainant saw the knife. The complainant spent two days at the hospital, and was taken there in an ambulance. In

R e - D i r e c t   E x a m i n a t i o n ,

the witness testified that the coat and vest that he had on, at the time of the trial, were the ones that he wore when he was stabbed. In

R e - C r o s s E x a m i n a t i o n,  
the complainant testified that about a minute before the cutting, he was talking to the defendant's mother, and said, that her son should not be so "pushful", and just after he left her he was stabbed by the defendant.

\*\*\*\*\*

MARY PARSONS, testified that she lived with Frank Parsons as his wife, and was not related to the defendant, and was in the saloon on the 26th of August, at 69 Mulberry Street. She was then living at 143 Mulberry Street with Frank Parsons. She went to the saloon between 1 and 2 o'clock. There was in the saloon at that time a couple of men, whom she did not know, her husband and the defendant. The defendant caught hold of the witness's dress and afterwards of her leg, and her husband pushed him aside and asked him what he did it for, and her husband went out then and was on the street

about five minutes, and the defendant came out of the back door and stabbed her husband. She saw the defendant stab him. In

C r o s s - E x a m i n a t i o n,

the witness testified that the defendant, after stabbing the complainant, ran away, pursued by a crowd. When she went into the saloon she spoke to her little boy and asked him why he did not go home, and the boy said he was waiting for his father. When the complainant was talking to Mrs. Antico, the witness was standing beside him, listening to what he was saying. The witness did not speak ~~in~~ Italian, but they were speaking in that language, and she did not understand Italian. She did not hear him curse Mrs. Antico. She ~~thought~~ she could understand cursing in Italian. She did not see the complainant hit the defendant, and the complainant was not drunk. The witness went home after the complainant was taken to the hospital. She remained there all the time that the complainant was talking to Mrs. Antico. It was about 10 minutes, and he had been talking to her about that time before the stabbing. The

witness testified that there had been no marriage cere-<sup>6</sup>  
mony between her and her alleged husband. She did not  
know, when she began to live with him, that he had a  
wife and child in Italy. She learned this about three  
years ago. She never saw the defendant before the day  
in question.

\*\*\*\*\*

MICHAEL PRICE, testified that his business was that of a boss  
truckman, and he lived at 61 Bayard Street, and his  
stand was at 74 Bayard Street. He saw the defendant  
take a knife out of his sleeve and as he, the complain-  
ant, turned his back, he stabbed the complainant and  
ran away, and the witness followed the defendant into the  
saloon corner of Canal and Mulberry Street, and caught  
him, after he had closed the knife, which the witness  
identified in court. The defendant escaped, with the  
assistance of his relatives and friends. The knife  
had blood on it. In

C r o s s - E x a m i n a t i o n,  
the witness testified that he was in the express busi-  
ness. After the stabbing the defendant closed the

7  
knife and put it in his pocket, and ran away, and the complainant pursued the defendant, and would have caught him as he was running away, but as the defendant at that time had the knife out, he was afraid to take hold of him until he got in the saloon, and had put the knife in his pocket. After the assault, and before the trial, the defendant called upon him, the witness, and asked him to go to his lawyer with him and they would make a settlement, and the defendant's father offered him, the witness, money, twice. The witness refused the offers of both.

\*\*\*\*\*

OFFICER JOHN F. MITCHELL, testified that he was a policeman, attached to the 6th precinct, and one of the precinct detectives. He first heard of the stabbing at a quarter to 2 o'clock, on the 24th. He was then in the back room of the station-house, when the complainant was brought into the station-house by Officer Eager. The complainant was bleeding. The witness questioned the complainant, who said that he had been stabbed by a young barber, whose father kept a fruit stand. An

**POOR QUALITY  
ORIGINAL**

0326

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ambulance was sent for and the complainant taken to the Chambery Street Hospital and then to Bellevue. The witness then saw the defendant in a saloon at 77 Mulberry Street, but he was not bruised or marked, and did not require the attendance of a physician. He arrested him. The knife was given to Officer Eager by Mr. Price, the previous witness. The defendant said he had been beaten by the complainant.

\*\*\*\*\*

**POOR QUALITY  
ORIGINAL**

0327

9

T H E     D E F E N S E .

-----

PASQUALE ANTICO, the defendant, testified in his own behalf, that he will be 16 years of age next January, and that he lived at 71 Mulberry Street at the time of the trouble. For a living he sometimes acts as a driver or a barber, or, in fact, almost anything. His father keeps a fruit stand and a barber shop, and the defendant worked for him. Mrs. Parsons came in the saloon at 69 Mulberry Street, and he, the defendant, was drinking a glass of beer at the bar, and she began to beat a little boy, and he, the defendant, touched her on the shoulder but no where else. Then Passinante came up, and said, "why are you touching my wife?" The defendant said, "I did not know that she was your wife. I took her for a bad woman." And while I was just answering him in such a way, he gave me a blow on my eye with his fist, and then, after giving me the blow, he drew out a knife, and if it were not for three people, who separated us, he would have stabbed me. I left the place im-



**POOR QUALITY  
ORIGINAL**

0328

10  
mediately and then when I got on the street I found  
my mother and my sister and all the other people of the  
family, and Passinante was using some bad language to-  
wards my mother---he called her a whore. The words  
were spoken in Italian. Then he saw Passinante go-  
ing to strike his mother and, to defend her, he, the de-  
fendant, struck the complainant with a knife, but not  
to kill him, and then he, the defendant, ran away.  
At the time of giving the blow, the defendant was stand-  
ing at the back of the complainant. Mrs. Parsons  
was holding her husband's hands and saying, "Don't do it,  
don't do it."---so he could not strike his mother. The  
complainant did not run after the defendant into the  
saloon; he caught hold of him on the street; not in the  
saloon. The defendant had thrown the knife away,  
before Price came up, and it was not taken out of his  
pocket. Price came up to the defendant's father and  
said, "If you will give me \$50.00 I will not be a witness  
against your son." When he, the defendant, struck  
Passinante with the knife, he was fearful that he was  
going to do some serious injury to his mother. And  
he would not have done it if he had not been apprehen-

**POOR QUALITY  
ORIGINAL**

0329

sive of serious danger to his mother. The defendant  
admitted that the knife in question belonged to him,  
and that he carried it because he was an expressman and  
used it for his work. In

11

C r o s s - E x a m i n a t i o n ,

the witness testified that when he stabbed Parsons, the  
latter had a knife in his hand, with which he was about  
to stab his, the defendant's, mother. At that time,  
the complainant had put his hand upon his mother's  
shoulder, and held the other hand uplifted, with the  
knife in it, about to stab his mother. After the stab-  
bing, the defendant went to 91 Mulberry Street, and re-  
mained there, waiting until it became dark, when he  
intended to go home. After leaving that place, he  
met an officer on the street and was arrested. He did  
not go into 76 Mulberry Street before he was arrested.  
He was arrested on the Street and taken to the station-  
house. He had never had any trouble with Frank Par-  
sons before. His eye was black, but at the station-  
house and police court it was only swollen. He did not  
tell the officer who arrested him that he stabbed the  
complainant because he had beaten him, but he said

**POOR QUALITY  
ORIGINAL**

0330

that in the station-house, and it was true. He told<sup>12</sup>  
the officer about the complainant's wanting to kill  
his, the defendant's, mother. The defendant repeated  
that he stabbed the complainant in order to protect  
the life of his mother. The defendant said that he  
threw the knife away, after stabbing the complainant,  
"So that no one would find him with the knife".

\*\*\*\*\*

VINCENZO FAVOLARO, testified that he lived at 69 Mulberry  
Street, on the first floor. He was in the saloon, also,  
the defendant, when the complainant, who was drunk,  
came in there. Mrs. Parsons came in, and commenced  
to beat a little boy, and the defendant touched her and  
asked her, "Why are you beating this boy?" When  
Frank Passinante saw the defendant touch his wife, he  
said, "You are not the man to touch my wife." The com-  
plainant spoke to him in a vile language, about his  
mother and sister, and gave him a blow on his face with  
his fist. The bartender put Passinante out on the  
Street. The witness saw Passinante put his hand in  
his pocket, and he said, "I am able tou the balance of

**POOR QUALITY  
ORIGINAL**

0331

13  
his remarks was in vile language, and referred to the mother and sister of the defendant. He said that they were bad women. Then the witness went out into the street, and saw the mother. She was talking with Passinante and she was saying, "Why are you doing it against my boy?" Then Passinante, who was drunk, told her "He touched my wife, and I am able to touch you or your daughter or any of your family---"with the same vile expressions that he used before. While they were talking the defendant came out. Then the witness saw the wife of Passinante taking hold of her husband, and said, "Let him alone. Let him alone." And then the son, seeing his mother in danger, took out the knife and stabbed him. The witness did not see any knife in the complainant's hand. The complainant put his hand in his pocket but did not draw a knife. Passinante was in the act of giving a blow with his fist, only, to the mother of the defendant, when Passinante's wife took hold of him and said, "Leave them alone. Leave them alone." He did not see the defendant running. In,

C r o s s - E x a m i n a t i o n,  
the witness testified that he did not see the defen-

**POOR QUALITY  
ORIGINAL**

0332

14  
dant stab the complainant. The witness testified that  
when he saw the complainant's hand raised, as described,  
it was before the defendant had come up to where the  
complainant was standing.

\*\*\*\*\*

SANTO STORINI, testified that he lived at 69 Mulberry Street,  
where the saloon in question is situated, and where  
the stabbing occurred. That was the first time he had  
known the complainant. He had known the defendant  
three years. He went into the saloon at 69 Mulberry  
Street on that day with the defendant. Passinante  
was in there when the witness entered and was drunk.  
He saw the woman enter the saloon and beat the boy, and  
saw the defendant touch her on the arm, and heard him  
say to her, "What are you doing to that boy?". Then  
the complainant struck the defendant, who did not fall,  
but staggered back a little. Then the woman took hold  
of the complainant and spoke to him, and then the defen-  
dant went to the back door of the saloon, and the wit-  
ness remained in the saloon, and did not see the occur-  
rence on the street.

\*\*\*\*\*

**POOR QUALITY  
ORIGINAL**

0333

15

MARIA ANTICO, (Deminiscio), testified that she was the mother of the defendant. She was married and lived with her husband, son and daughter. She lived at 69 Mulberry Street. She first saw the complainant, Passinante--- somebody came up to her house and called her, "Come down, because your son is being beaten," and that brought her down to the saloon. When she got there, Passinante was in the middle of the street,,and he was kept by some people there who wanted to have a fight with her son. Her son was inside the yard when she got in the street. Someone showed her Passinante and said that he was the one that beat her son, and she went up to him and said, "You are drunk. Why are you fighting with a young boy of 14 years. Why are you beating a boy of 14 years." Then he became ugly and put his hand into his pocket and at this instant his wife came between them and asked, "What are you going to do". He caught hold of the witness by the collar--- by the dress, and he wanted to stab her with a knife. Here the girl who was near her gave a shout for assistance, and a lot of people gathered and her son came to

**POOR QUALITY  
ORIGINAL**

0334

her assistance. He said, "Not only Passinante wanted<sup>16</sup> to kill me, but he wanted to kill my mother also," and so he took the knife and stabbed him. The complainant also said that he wanted to do vile things to herself and daughter---imputed unchastity to the whole family. In

C r o s s - E x a m i n a t i o n,  
the witness testified she did not see her son stab Frank Parsons, the complainant, but she saw a knife in Frank Parson's hand. She did not see the handle of the knife, because his wife was always between her and him. Her son was in the house, but when he heard the noise he came down. She did not hear her son say anything or see him do anything, when he came down, because she was looking out for her life, and was afraid of being killed. She did not see her son stab the complainant. Parson's wife stood between Parsons and the witness. She had a little boy in her hand, and she was trying to pull away her husband.

\*\*\*\*\*

**POOR QUALITY  
ORIGINAL**

0335

17

MARIA ANTICO, testified that she was 14 years of age, and was the sister of the defendant, and lived at home with her father and mother and brother. She attends at the fruit stand. She was at 69 Mulberry Street on the day of the trouble. Passinante and Pasquale were in the saloon before she got there. She came first and then her mother came afterwards. When the witness got into the saloon she saw the wife, who had a little boy about 7 years old, and she was hitting him. "My brother, the defendant, said, "Why do you hit him?" "And he touched her on the arm, and so the complainant got up and gave my brother a punch. In

C r o s s - E x a m i n a t i o n,  
the witness testified that she did not see any knife in Parson's hand.

\*\*\*\*\*

OFFICER JOHN F. MITCHELL, called in rebuttal, testified that he was at the station-house when Parsons came in. It is not true that defendant's right eye was bruised, or that it was swollen. There is a saloon at 69 and at



POOR QUALITY  
ORIGINAL

0336

18  
77 Mulberry Street. When the witness arrested the de-  
fendant, who spoke excellent English, and took him to  
the station-house, ~~and~~ there the defendant admitted the  
charge against him, saying, that he was guilty of it;  
that he stabbed the ~~defendant~~ <sup>complainant</sup>, and that the knife  
shown him was the knife with which he did the stabbing.

\*\*\*\*\*

OFFICER PATRICK CORCORAN, testified that he assisted in arrest-  
ing the defendant. At the station-house the witness  
asked the defendant if he cut the complainant and he  
said he did, because the man had assaulted him in a  
saloon at 69 Mulberry Street. The defendant did not,  
at any time, say, in witness's hearing, that he cut the  
complainant because the complainant was assaulting his,  
the defendant's, mother. He did not say anything  
about his mother at all.

\*\*\*\*\*

OFFICER GEORGE WILLET, testified that he was an officer attach-  
ed to the 6th precinct on the 24th of August of this  
year. He assisted in arresting the defendant. Be-

**POOR QUALITY  
ORIGINAL**

0337

19

fore the Sergeant, at the desk, he was shown the knife in this case, and he identified it as his own. He said he cut the complainant because he had had trouble with him at 69 Mulberry Street. He said that he had a perfect right to do it as the man assaulted him. He said nothing about a difficulty with his mother.

\*\*\*\*\*

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\*\*\*\*\*

General Sessions of the Peace

The People vs. to

Pasquale Antico.

City and County of New York  
vs.

We, Luigi Voepe, Banker

of 73 Mulberry street, New York City, Pasquale

Pasquale

Aralone, Banker of 71 1/2 Mulberry street, said  
Copomigri, Banker 55 1/2 Mulberry street, New York City,  
and Angelod Leganti, also Banker of  
60 Mulberry street said city, being sev-

erally duly sworn each for ourselves;

That we have known Pasquale Antico

and his mother, father and sister for

four or five years last past. That they

are honest, industrious, sober people, earn-

ing their living by hard and continuous

work, and are known throughout this

vicinity, being that in which they live

and work, as orderly and peaceable persons,

law-abiding and inoffensive, and from

our personal knowledge of the character and

conduct of the boy, Pasquale Antico, we

have no hesitancy in testifying to his

peaceable disposition, or in stating that

if he have been guilty of any offense, it

General Sessions of the Peace

The People vs. vs

Pasquale Antico.

City and County of New York }  
vs. }  
Pasquale Antico.

We, Luigi Voepo, Banker  
of 73 Mulberry street, New York City, Pasquale  
Aralone, Banker of 71 1/2 Mulberry street, said  
Pasquale Copovigri, Banker 55 1/2 Mulberry street, New York City,  
and Angelod Leganti, also Banker of  
60 Mulberry street said city, being sever-  
ally duly sworn each for oneself say:  
That we have known Pasquale Antico  
and his mother, father and sister for  
four or five years last past. That they  
are honest, industrious, sober people, earn-  
ing their living by hard and continuous  
work, and are known throughout this  
vicinity, being that in which they live  
and work, as orderly and peaceable persons,  
law-abiding and inoffensive, and from  
our personal knowledge of the character and  
conduct of the boy, Pasquale Antico, we  
have no hesitancy in testifying to his  
peaceable disposition, or in stating that  
if he has been guilty of any offense, it

POOR QUALITY  
ORIGINAL

0340

must have been committed under the  
most serious provocation, or in fear of  
danger to his own life, or the safety of  
his mother, or sister.

Severally sworn to  
before me this 10<sup>th</sup>  
day September 1892

Paquale Spennig  
Paquale Gallone  
Giorgio V. Jr.  
Nicola Rivellini A.D.

Gianni Boss  
Notary Public  
N.Y. Co.  
154-

**POOR QUALITY  
ORIGINAL**

0341

*People for the*

*People for the*

*People for the*

*Affidavit*

POOR QUALITY  
ORIGINAL

0342

1690  
District Attorney's Office.

Asking that Pasquale  
Antico, deft. in a  
criminal case, be  
permitted to go before  
the Grand Jury.

Refer to Mr Lindsay.

**POOR QUALITY  
ORIGINAL**

0343

JOHN B. MAYO,  
COUNSELLOR AT LAW,

CENTRAL BANK BUILDING.

320 BROADWAY.

*New York,* Sept. 7th, 1892

Hon. Delancey Nicoll,  
District Attorney,  
City.

Dear Sir:

Pasquale Antico, who is my client and now in the City Prison, stands charged with having committed a felonious assault on one Frank Parsons, also an Italian, in this city some two weeks ago.

The complainant is a man of forty years or more of age, and not of good character.

The accused is a boy of not quite sixteen years of age.

The incidents of the difficulty as I am credibly informed, are as follows: Antico, together with his father, mother and sister, keeps and attends a barber shop and fruit booth at the corner of Mulberry & Bayard Streets. There is an Englishwoman who has frequently purchased fruit at this stand, and thereby become well known to Antico. Parsons, the complainant, it appears has, unknown to Antico, been living with her for some time, although he has a wife and children in Italy.

On the day in question, Antico went into a saloon near his fruit booth, and whilst he was drinking there a glass of beer, this woman came in with one of her children to get a drink, and as she slapped the child very severely, Antico touched her on the arm and made some remark about the violence of the punishment she was inflicting; immediately, and without any premonition, Parsons whom

*Nh.*



**POOR QUALITY  
ORIGINAL**

0344

JOHN B. MAYO,  
COUNSELLOR AT LAW,

CENTRAL BANK BUILDING.

320 BROADWAY.

*New York,* ..... 189

Antico had not before seen or known, arose from a table in the saloon and struck him a staggering blow in the face, and asked him why he had touched his wife. The boy replied that he was not aware that the woman was his wife, that he meant no harm, and remonstrated with Parsons for having struck him. In the meantime the boy's mother and sister had been called to the scene, and they asked Parsons, the complainant, to desist from his attack. Thereupon, Parsons who had been drinking and was drunk, applied the most opprobrious epithets and used the most obscene language to the boy and toward his mother and sister, and threatening to kill them all, placed his right hand in his inside coat pocket with the expressed intention of drawing and using upon them a knife that he had therein. The boy, somewhat inflamed doubtless, by the insults offered to his mother and sister, as well as aroused by the danger to himself and them, took his pocket knife from his trousers pocket and as Parsons was making an attempt to execute his threat the boy cut him slightly on the shoulder. The wound was slight. The complainant is well and about his business, after having been in the House of Detention for some days. He gave bail yesterday, I think. The boy has never been arrested before, and has borne an exceptionally good reputation in the neighborhood, to which I am told many persons of good character will <sup>Cheerfully</sup> ~~wilfully~~ testify.

Under all the circumstances and not without profound sense of the duty devolving upon you, as a public officer, as well

**POOR QUALITY  
ORIGINAL**

0345

JOHN B. MAYO,  
COUNSELLOR AT LAW,

3

CENTRAL BANK BUILDING.

320 BROADWAY.

*New York,*.....189

as upon the Honorable Grand Jury, I have thought I might, without impropriety ask that you grant to this boy the privilege of going before them and presenting to it his version of this unfortunate occurrence, and that they would indulgently hear him.

I am prompted to make this request by the sincere regret of the boy for what he did, as well as by the earnest desire of his parents and sister that his reputation, heretofore so good may not be disparaged, however valid his legal defense may be, by the finding of an indictment against him.

Praying that the boy may be heard as requested,

I am, sir

With great respect,

Yours truly,

*John B. Mayo,*  
*of Counsel.*

**POOR QUALITY  
ORIGINAL**

0346

*Prognosis*  
*Chronic*  
*of*  
*Wet*

"Re. The Andersons, Citizens  
Petition The Honorable Judge Fitzgibbon  
Court of General Sessions  
in the Matter Pasquale Antonio  
to have the Sentence Suspended



Rev. John Murphy  
of most reverend blood  
Catholic pastor  
Granville 60 Spring St.

James. Murray 171 Varick St.

George. Leibacker, 57 E. Houston St.

Julius Ottmann 61 E. Houston St.

S. Kennedy M.D. - 348 W. 35 St.

Geo. W. W. W. 73 Centre

Richard. Welch 202 Prince St.

D. W. W. 115 Elizabeth St.

Pasquale Lauria 246 Mott St

Vincent. Voffe 81 Broome Street

G. Lord - 98 Bayard St.

P. Sprague 55 Mulberry St.

J. Roscoe M.D. 3 Elizabeth St.

N. Rivellini M.D. 64 Mulberry St.

C. Laver 46 Mulberry St.

J. Di Tillo 55 Mulberry St.

E. Sealdy - 2-4 Centre St.

RIVELLINI'S DISPENSARY,  
-64 MULBERRY STREET,  
NEW YORK CITY.

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

The People of the State of New York  
vs against  
Pasquale Andico.

City and County of New York S.  
221. Chap. 14. John Martin of N.Y.  
being duly sworn deposes and says that  
he has known the defendant Pasquale Andico  
the defendant in this action for the period of  
five years and knows also others who  
are acquainted with him and always  
heard of him spoken of as a very honest  
industrious and peaceable young man.

Your department further alleges that  
it is the first time since the arrest on this  
charge that he ever heard of this defendant  
ever violating the laws of this State, and  
your department has been in the habit of  
meeting and coming in contact daily  
with this defendant for the last five years.

Subscribed before me  
this 22 day of Dec 1892  
John Martin  
Notary Public  
N.Y.C.

John Martin

POOR QUALITY  
ORIGINAL

0349

*The Great Sevens  
No 1000 City & Co. of N.Y.*

*The People of the  
State of New York*

*apt*

*Rasquale Andies*

*Applicant as  
to Certificate*

NY Court of General Sessions

People & Co }  
against  
Pasquale Andico }

City and County of New York

S.S.

Domenico Russo being duly sworn  
deposes and says that he has known  
the above named defendant Pasquale  
Andico the defendant in this action for  
the period of five years and also  
knows others who are acquainted with  
him and always have heard of him  
spoken of as an honest sober and industrious  
Young Man and have never heard of his  
Ever having Violated the Law in any  
manner and have been in contact daily  
with him for a number of years past  
two years

Domenico Russo

Sworn to before me  
This 12th day of December 1892

John H. Foster  
Notary Public  
NY Co

POOR QUALITY  
ORIGINAL

0351

Court of  
General Sessions  
in the City & County  
of New York  
People of C  
State of New York  
Against  
Pasynale Andies  
Hidcock  
Charcoal



POOR QUALITY  
ORIGINAL

0352

CITY AND COUNTY  
OF NEW YORK.

POLICE COURT, DISTRICT.

of No. *64* *Pratt* Street, aged *34* years,  
occupation *Detective* being duly sworn, deposes and says  
that on the *26* day of *August* 189*2*  
at the City of New York, in the County of New York.

*Francis Parsons is a material*  
*witness for the People against*  
*Pasquale Antico charged with*  
*felonious assault and defendant*  
*believing the said Parsons will not*  
*appear when needed prays the*  
*said Parsons be ordered to find*  
*surety to appear or be committed*  
*to the House of Detention.*

*John F. Mitchell*

Sworn to before me this  
of *August* 189*2*

*Attest*  
Police Justice.

POOR QUALITY  
ORIGINAL

0353

Police Court—1st District.

1931

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

of No. 143 Mulberry Street, aged 31 years,  
occupation Laborer

deposes and says, that on the 24 day of August 1892 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Pasquale  
Antico who cut and stabbed  
deponent on the right shoulder  
with the blade of a knife which  
he then 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 26 day  
of August 1892,

Antico Police Justice.

Frank Parsons  
deponent

POOR QUALITY  
ORIGINAL

0354

8-25-92  
This certifies that  
the Italian  
Pommes  
is in apparently  
good condition.  
PD 1

POOR QUALITY  
ORIGINAL

0355

8-25-92

This certifies that  
the Italian  
Parses  
is in apparently  
good condition.

S. D. Hubbard

POOR QUALITY  
ORIGINAL

0356

Sworn to before me, this  
of August 1892  
Police Justice.

CITY AND COUNTY } ss.  
OF NEW YORK, }

POLICE COURT, / DISTRICT,

Patrick Corcoran

of No. 6<sup>th</sup> Precinct Street, aged 30 years,  
occupation Policeman being duly sworn deposes and says  
that on the 24 day of August 1892  
at the City of New York, in the County of New York he arrested

Pasquale Antico charged with felonious assault  
upon Frank Parson. As said Parson is  
now in Bellevue Hospital - and unable to appear  
in Court to testify - as a result of the injuries he  
sustained - deponent prays that the said  
Antico be held to await the result of the  
said Parson's injuries

Patrick Corcoran

POOR QUALITY  
ORIGINAL

0357

Police Court-- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Patrick Cincuran

vs.

Pragalle Antico

AFFIDAVIT.

Held to Court.

Dated Aug 25 1892

J. M. M. Magistrate.

Officer.

Witness,

Disposition, Committed without  
bond to await result of  
inquiries.  
56 Aug 26 9 am  
5000 bond 4 Aug 31 2 p.m.

POOR QUALITY  
ORIGINAL

0358

(1335)

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Paquale Antico* 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.

*Paquale Antico*

Question. How old are you?

Answer.

*16 years*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*71 Mulberry St. 7 years*

Question. What is your business or profession?

Answer.

*Bowling*

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 -  
Paquale Antico*

Taken before me this

day of *May* 189*2*

Police Justice.

POOR QUALITY  
ORIGINAL

0359

Police Court--

District

57  
1882

THE PEOPLE, vs.,  
ON THE COMPLAINT OF

*Joseph B. Baker*  
*by Samuel L. Benson*  
*Att. Gen. vs.*  
*Samuel Benson*  
*58 Mulberry*

BAILED,

No. 1, by *Samuel Benson*

Residence *58 Mulberry* Street

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street

*Samuel Benson*

Dated, *Aug 26* 189 *2*

*Samuel Benson* Magistrate

*Samuel Benson* Officer

Precinct

Witness

No. *Samuel Benson* Street

*Samuel Benson*

No. *Samuel Benson* Street

*Samuel Benson*

No. *Samuel Benson* Street

*Samuel Benson*

*Samuel Benson*

*Samuel Benson*



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 *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, *Aug 26* 189 *2* *Samuel Benson* 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.



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

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Pasquale Antico*

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

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

The said

*Pasquale Antico*  
late of the City of New York, in the County of New York aforesaid, on the *twenty fourth*  
day of *August* in the year of our Lord one thousand eight hundred and  
ninety-*two*, with force and arms, at the City and County aforesaid, in and upon  
the body of one *Frank Parsons* in the peace of the said People  
then and there being, feloniously did make an assault and *kill* the said  
*Frank Parsons* with a certain *knife*

which the said

*Pasquale Antico*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent *kill* the said *Frank Parsons*  
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

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

The said

*Pasquale Antico*  
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  
*Frank Parsons* in the peace of the said  
People then and there being, feloniously did wilfully and wrongfully make another assault,  
and *kill* the said *Frank Parsons*  
with a certain *knife*,

which the said

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

THIRD COUNT—

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

*Pasquale Anilio*

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

The said

*Pasquale Anilio*

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 said *Frank Parsons* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and *him* the said with a certain *knife* *Frank Parsons*

which *he* the said

*Pasquale Anilio*  
in *his* right hand then and there had and held, in and upon the *body* of *him* the said

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *Frank Parsons*

*Frank Parsons*  
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.*

0362

**BOX:**

493

**FOLDER:**

4499

**DESCRIPTION:**

Astora, Teresa

**DATE:**

09/16/92



4499

Witnesses:

Just examined  
this case with  
Cass and have  
come to the con-  
clusion that a  
conviction can  
not be obtained  
therein and  
refuse to accept  
or become involved  
in this case  
W. C. Thompson  
or his

Counsel,

Filed,

day of

1892

Pleads,

THE PEOPLE

vs.

Jersey Astoria

Assault in the Second Degree.  
(Section 218, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

James H. Lacey  
Foreman.

W. C. Thompson

Paul D. Schuyler

Rosina Alfonsa.

I heard that the daughter of  
Jeresa Astora called my daughter  
a whore. I went to her rooms  
and spoke to her, and tried to  
take her daughter to the my  
daughter. She was in her room.  
I had a hold of her and defendant  
hit me on the head with a hatchet.  
I went to the Station House  
and from there to the  
Hospital.

No nor what Station House  
or Hospital

POOR QUALITY  
ORIGINAL

0365

Police Court—Hurd District.

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

of No. 305 Monroe

occupation Housewife

Rosina Alfento

Street, aged 45 years,

being duly sworn

deposes and says, that on the 6th day of September 1892 at the City of New

York, in the County of New York, she was violently and feloniously ASSAULTED and BEATEN by Teresa

Astora (transferred) who wilfully  
maliciously struck deponent on  
the head with a hatchet  
cutting and injuring her severely

with the felonious intent ~~to take the life of deponent, or~~ to do ~~her~~ serious 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 7 day  
of Sept 1892

Rosina Alfento  
marked

Mykassy  
Police Justice

POOR QUALITY  
ORIGINAL

0366

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

*Teresa Astara* 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 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.

*Teresa Astara*

Question. How old are you?

Answer.

*41 years*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*305 Munroe St- 5 mos*

Question. What is your business or profession?

Answer.

*House work*

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*  
*Teresa X Astara*  
*make*

Taken before me this

day of

*Sept*

*1909*

*at*

*City of New York*

*Police Justice*

Police Justice.

POOR QUALITY  
ORIGINAL

0367

BAILED,  
No. 1, by Charles Buckley  
Residence 467 West 2nd Street  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court, 3 District, 1126

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Roomer Atlanta  
305 Monroe St  
Jenna Altman

Offense, Assault

Dated, Sept-7 1892

Magistrate.

Duffy  
Officer.

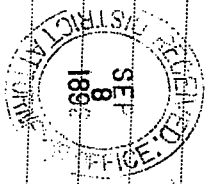
Heaney  
Precinct.

Witnesses

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_



No. \_\_\_\_\_ Street \_\_\_\_\_

\$ 500 to answer

Bailed by  
Wm. H. ...

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, Sept-7 1892 P. Q. Duffy Police Justice.

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

Dated, Sept-7 1892 P. Q. Duffy 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.



POOR QUALITY  
ORIGINAL

0368

430

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Terresa Astora

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

Terresa Astora

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

The said

Terresa Astora

late of the City and County of New York, on the sixth day of  
September in the year of our Lord one thousand eight hundred and  
ninety-two, at the City and County aforesaid, in and upon one

Rosina Alfonsi

in the peace of the said People then and there being, feloniously did wilfully and wrongfully  
did make an assault; and the said

Terresa Astora

with a certain

hatchet

which is the said

Terresa Astora

in her right hand in then and there had and held, the same being then and there  
a weapon and an instrument likely to produce grievous bodily harm, her, the said  
Rosina Alfonsi then and there feloniously did wilfully and  
wrongfully strike, beat, cut, 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.

POOR QUALITY  
ORIGINAL

0369

SECOND COUNT—

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

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

The said

*Feresa Astora*  
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

*Rosina Alfons*  
in the peace of the said People then and there being, feloniously  
did wilfully and wrongfully make another assault; and the said *Feresa Astora*  
the said *Rosina Alfons*  
with a certain *hatchet*

which *she* the said

*Feresa Astora*  
in *her* right hand then and there had and held, in and upon the  
*head* of *her* the said *Rosina Alfons*  
then and there feloniously did wilfully and wrongfully strike, beat, *cut*  
bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully  
and wrongfully inflict grievous bodily harm upon the said *Rosina Alfons*  
to the great damage of the said *Rosina Alfons*  
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.