

0284

BOX:

545

FOLDER:

4956

DESCRIPTION:

Raftery, Timothy

DATE:

12/15/93



4956

0285

BOX:

545

FOLDER:

4956

DESCRIPTION:

Choinanus, Richard

DATE:

12/15/93



4956

0286

BOX:

545

FOLDER:

4956

DESCRIPTION:

Griffin, Charles

DATE:

12/15/93



4956

0287

POOR QUALITY ORIGINAL

Bank of New York and Charles
Bill fixed at
\$1000# RRE
of

Witnesses:
Oscar Bauer
7033-7000

Chas. Luffin
Cait

Dec 18/93
635
635
635
635

#1 Bailed Dec 20
by John Raftery }
Matthew Raftery } 544 W. 36th St

I have examined carefully all the facts of this case, and I find that there is not a particle of evidence tending to establish guilt on the part of the defendant Richard Choianus, and I am satisfied he is innocent of the charges laid in the indictment.
I return this verdict to the court.
Dec 20 1893
J. H. [Signature]

177 BN Dec 19/93
J.S. 1411

Counsel,
Filed, 15 days
Pleads, 3
ENTERED T.J.W.
3. THE PEOPLE
vs.
1. [Signature]
Timothy Raftery
Richard Choianus
and [Signature]
Charles Griffin

DE LANCEY NICOLL,
District Attorney
B. A. [Signature]
TREK BILL
Part 2 Dec 20/93
Part 3, Nov. 29, 1897
On motion of the D.A., indictment against Charles Griffin dismissed.

LARCENY, 2nd degree
(False licenses)
Section 528 and 530 Penal Code.
Oct 11/98
Indictment
Dismissed

0288

POOR QUALITY ORIGINAL

Handwritten notes:
Bailed for ed at \$1000
R.R.C. &

Witnesses:
Oscar Bauer

Chas. Ruffin
Cash deposit \$1000.00

Dec 18/93 Room 284 - Stewart St
635 Carver St
Brooklyn
New York

#1 Bailed Dec. 20
by John Raftery } 544 W. 36th St.
Matthew Raftery }

I have examined carefully into the facts of this case, and I find that there is not a particle of evidence tending to establish guilt on the part of the defendant Richard Choianus. I am satisfied that he is innocent of the charge laid in the indictment.
I recommend that you to the defendant the same as to the victim.

177 B W Dec 15/93
T.S. 1411

Counsel,
Filed, 15 day of Dec 1893

Pleads, 1
3. THE PEOPLE

1. Margaret
Timothy Raftery
Richard Choianus
and
Charles Griffin

DE LANCEY NICOLL,
District Attorney

A TRUE BILL.

B. J. ...
Part 2 - Dec, 28/93
Part 3, Nov. 29, 1893
on motion after D.A. indictment against Charles Griffin dismissed.

Vertical stamp:
LARCENY, 2nd degree
(False pretenses)
Section 198 and 199 Penal Code.
Indictment
no. one

0289

COUNTY OF NEW YORK, SS.

In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING :

An indictment having been found on the 15 day of December
1897, in the Court of General Sessions of the Peace of the County of New York,
charging Charles Grippen

with the crime of Grand Larceny - 2^d degree

You are therefore Commanded forthwith to arrest the above named

Charles Grippen
and bring him before that Court to answer the indictment; or if the Court have adjourned for the term,
that you deliver him into the custody of the Keeper of the City Prison of the City of New York.

City of New York, the 29 day of January 1897

By order of the Court,

John F. Carroll

Clerk of Court.

0290

1893

335

New York General Sessions of the Peace.

THE PEOPLE
OF THE STATE OF NEW YORK

against *Rafting*

Dec. 1893
Charles Griffin

BENCH WARRANT FOR FELONY.

Issued *January 29* 1897

Nov. 29th 1897

Admitted by
Judge Fitzgerald
Edw. F. Hayes

The officer executing this process will
make his return to the Court forthwith.

Oliver Basso
2033

Left
Charles Griffin
365 Kenox Ave.

Surety
Belle P. Hufford
635 Canal St.
Albany

~~*cash bond \$1000*~~

12/15/15
Left out listed in
Telephone Directory

12/15/15
3 names Charles
Griffin listed in the
City Directory

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Timothy Raftery,
Richard Chromanus
and Charles Griffin

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

Timothy Raftery, Richard Chromanus
and Charles Griffin —

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

The said Timothy Raftery, Richard Chromanus
and Charles Griffin, all —

late of the City of New York, in the County of New York aforesaid, on the ~~eighteenth~~
day of November, in the year of our Lord one thousand eight hundred and
ninety-Three, at the City and County aforesaid, with force and arms, with intent to

deprive and defraud one Oscar Bauer, who then
desired to procure a proper license
for the carrying on of a concert
parlour at and in the premises there
situate, known as number 4 Stanton Street,

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

Oscar Bauer, —

That they the said Timothy Raftery,
Richard Chromanus and Charles Griffin
had unusual and particularly
advantageous means of procuring for
the said Oscar Bauer the license which
he so desired as aforesaid, through their
acquaintance with people and officials
of prominence and influence in the
said City; that in order to procure
such license it was necessary that the

said Oscar Bauer should expect ^{under no circumstances} ~~under no circumstances~~ ^{to be required by law to make} ~~to be required by law to make~~ ^{considerable} ~~considerable~~ ^{pays of money} ~~pays of money and that there were legitimate and proper reasons requiring the expenditure of such money, and that there was no receiving the same from the said Oscar Bauer and using the same in the proper way more than able to procure such license for him.~~



By color and by aid of which said false and fraudulent pretenses and representations, the said Timothy Baffery, Richard Robinson, and Charles Griffin did then and there feloniously and fraudulently obtain from the possession of the said Oscar Bauer, the sum of three hundred dollars in money, lawful money of the United States of America, and of the value of three hundred and fifty dollars,



of the proper moneys, goods, chattels and personal property of the said Oscar Bauer, with intent to deprive and defraud the said Oscar Bauer, of the same, and of the use and benefit thereof, and to appropriate the same to their own use,

Whereas, in truth and in fact, the said Timothy Baffery, Richard Robinson and Charles Griffin did not have unusual or particularly advantageous means of procuring for the said Oscar Bauer the said license, through their acquaintance

with people and officials of prominence and influence in the said city; and it was not necessary in order to procure such license that the said Oscar Bauer should expend any money whatever aside from the fee required by law for such license, and there were no legitimate or proper reasons requiring the expenditure of such money; and that the said Timothy Raftery, Richard Cronin and Charles Griffin, ^{were not the able} long were receiving such money from the said Oscar Bauer, and using the same in the proper way to procure such license for him.

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said ~~Timothy Raftery, Richard Cronin and Charles Griffin~~ to the said ~~Oscar Bauer~~ was and were then and there in all respects utterly false and untrue, as ~~then~~ the said ~~Timothy Raftery, Richard Cronin and Charles Griffin~~, at the time of making the same then and there well knew;

And so the Grand Jury Aforesaid, do say that the said ~~Timothy Raftery, Richard Cronin and Charles Griffin~~, in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said ~~Oscar Bauer~~, then and there feloniously did STEAL, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,
District Attorney.

I have carefully gone into the facts in this case and I am satisfied that there is no case against Charles Griffin and therefore respectfully recommend that the indictment as to him be dismissed.

Nov. 29, 1897.

Ordered as above

D. Tutchell

A. D. J.

Nov 29/97

This indictment has long since been dismissed as to Defts Choinanus and Griffin. Deft Raftery seems to me less culpable than Griffin; I cannot understand why the indictment has been kept alive as to Raftery alone, and I can see no prospect of his conviction upon this charge. Moreover, the People's witnesses are inaccessible and the evidence so meagre, that I feel constrained to recommend the dismissal of this indictment as to all defts. John Schwarzopf

So ordered,

J. S. Blake
A. D. J.

0295

BOX:

545

FOLDER:

4956

DESCRIPTION:

Ragaglia, Andrew

DATE:

12/06/93



4956

35

Witnesses :

.....
.....
.....
.....

COURT OF OYER AND TERMINER.

Counsel,

Filed, 6th day of Dec 1893

Pleads, *innocent*

THE PEOPLE

vs.

B

Andrew Ragaglia

General Sessions

Dec 8th 93.

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

DE LANCEY NICOLI,

District Attorney.

A TRUE BILL.

R. J. C. W. Foreman.

Dec 23. 93

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Andrew Ragaglia

The Grand Jury of the City and County of New York, by this indictment, accuse
Andrew Ragaglia
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *Andrew Ragaglia*

late of the City of New York, in the County of New York aforesaid, on the *thirteenth* day of *August* in the year of our Lord one thousand eight hundred and ninety-~~three~~, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

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

SECOND COUNT—

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

Andrew Ragaglia

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

The said *Andrew Ragaglia*

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

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

DE LANCEY NICOLL,

District Attorney.

0298

BOX:

545

FOLDER:

4956

DESCRIPTION:

Randall, William

DATE:

12/20/93



4956

Witnesses:

John Pope

213

Counsel,

Filed, *2* day of *Dec*, 189*3*

Pleads,

45
155
155

THE PEOPLE

vs.

William Randall

INJURY TO PROPERTY.

[Section 654, Penal Code]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Boocrowd
John Pope Foreman.

Pleads as a witness

Pen one month

0300

1900

CITY AND COUNTY } ss:
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

John Pope

of No. 489 2-Avenue Street, aged 30 years,

occupation Wagon Driver being duly sworn, deposes and says,

that on the 14 day of December 1893

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

(owner) did unlawfully and maliciously

break and destroy a plate glass window

in the premises 295 3-Avenue of the

value of Forty dollars the property of

said owner by maliciously throwing a stone

through said window

John Pope

Sworn to before me this

1893

day

James J. [Signature]

Police Justice.

0301

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

William Randall

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

Question. What is your name?

Answer. *William Randall*

Question. How old are you?

Answer. *25 Years*

Question. Where were you born?

Answer. *M.S.*

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

Answer. *155 Prince Street: 7 Years*

Question. What is your business or profession?

Answer. *Carpenter & Builder*

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*
Wm Randall

Taken before me this *10* day of *June* 1889
John J. Smith
Police Justice.

0302

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, Apr 14 1893 John C. Burke 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.

0303

1344
1884

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Pops
William Randall
vs. *John Pops*
William Randall

Magnum
Maxwell

2 _____
3 _____
4 _____

Dated, *Dec 14* 189 *3*

Bunker Magistrate.

Lewis Officer.

18 Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *500* to answer *Ans.*

Exp *Dec 15. 10 AM.*

500

Ans

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.



Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

William Randall

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

William Randall
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* PERSONAL PROPERTY OF ANOTHER,
committed as follows:

The said *William Randall*

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

one pane of plate glass

of the value of *forty dollars*
of the goods, chattels and personal property of one *John Pope*
then and there being, then and there feloniously did unlawfully and wilfully *break*

and destroy:

against the form of the statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment further accuse the said
William Randall
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* REAL PROPERTY OF ANOTHER,
committed as follows:

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

one pane of plate glass

of the value of *forty dollars*,
in, and forming part and parcel of the realty of a certain building of one *John*
Pope *John Pope* there situate, of the real property of the said
then and there feloniously did unlawfully and wilfully *break and*

destroy;

against the form of the statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

0306

BOX:

545

FOLDER:

4956

DESCRIPTION:

Rapp, Charles

DATE:

12/06/93



4956

John K 88

COURT OF OYER AND TERMINER.

Witnesses:

.....
.....
.....
.....
.....

Counsel,

Filed,

6th day of Dec 1893

Pleads,

Quinty 18

THE PEOPLE

vs.

B
Charles Raff

General Sessions

Dec 8th 93.

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

DE LANCEY NICOLI,

District Attorney.

A TRUE BILL.

R. J. Cross Foreman.

Dec 21 1893

0308

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Charles Rapp

The Grand Jury of the City and County of New York, by this indictment, accuse
Charles Rapp
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *Charles Rapp*

late of the City of New York, in the County of New York aforesaid, on the 8th day of October in the year of our Lord one thousand eight hundred and ninety-three, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

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

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Charles Rapp
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Charles Rapp*

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

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

DE LANCEY NICOLL,
District Attorney.

0309

BOX:

545

FOLDER:

4956

DESCRIPTION:

Rassweiler, Peter

DATE:

12/08/93



4956

220

Witnesses:

.....
.....
.....
.....

COURT OF OYER AND TERMINER.

Counsel,

Filed, 1 day of Dec 1893

Pleads,

Trans THE PEOPLE of Special Sessions for trial and final disposition.

vs. Dec 9 1893

Peter Rasswiler

General Sessions
Dec 11 93

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

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

R. J. Cross Foreman.

0311

Court of Oyer and Terminer

632

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Peter Rassweiler

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

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

The said

Peter Rassweiler

late of the City of New York, in the County of New York aforesaid, on the 6
day of August in the year of our Lord one thousand eight hundred and
ninety-three, at the City and County aforesaid, the same being Sunday, certain strong
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

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

SECOND COUNT—

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

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

The said

Peter Rassweiler

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

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

DE LANCEY NICOLL,

District Attorney.

03 12

BOX:

545

FOLDER:

4956

DESCRIPTION:

Ray, Frederick J.

DATE:

12/22/93



4956

Witnesses:

Francis Lehman

that [unclear] has
been a [unclear]

at [unclear] for [unclear]

Supervisor [unclear]

& compl for

28th

289 at a

Counsel,

Filed 27 day of Dec 1893

Pleads, not guilty 26

THE PEOPLE

vs. [unclear]

38
Houston
clerk

Frederick J. Ray
H.D.

Grand Larceny, 1st Degree.
From the Person.
[Sections 528, 530, Penal Code.]

DE LANCEY NICOLL,

Part 2 - Dec 26, 1893
District Attorney,
Pleads by L. 2nd Degree

A TRUE BILL.

B. H. Wood

3rd 9 mo [unclear]
Dec. 28/93

0314

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT DISTRICT.

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles Newham
J.M. Charles

of the Precinct Police, being duly sworn, deposes

and says that *Francis Kaman*

(now here) is a material witness for the people against

Frederick J. Rey charged

with *Larceny from person* As deponent has

cause to fear that the said *Francis Kaman*

will not appear in court to testify when wanted, deponent prays

that the said *Francis Kaman* be

committed to the House of Detention in default of bail for his

appearance.

Charles Newham

Sworn to before me, this
day of *April* 189*3*

[Signature]

Police Justice.

0315

Police Court 2 District. Affidavit—Larceny.

City and County of New York, ss: Francis Linnan
of No. 18 Pell Street, aged 28 years,
occupation Sailor being duly sworn,
deposes and says, that on the 18 day of December 1893 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the night time, the following property, viz:

Four dollars, and forty cents
good and lawful money of
the United States
(# 1/40
100)

the property of deponent

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

(Crosby) for the following reasons: That deponent saw the defendant
feloniously grab and steal
said money from deponent's
hands, in front of the
premises, 122 South 5th
Avenue

Chambers

Subscribed before me, this 18th day of Dec 1893
Police Justice.

0316

Sec. 198-200,

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Fred Roy 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.

Fred Roy

Question. How old are you?

Answer.

34 years

Question. Where were you born?

Answer.

New York

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

Answer.

Houston Tx.

Question. What is your business or profession?

Answer.

Painter

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

Fred J Roy

day of

Taken before me this

188

Police Justice.

[Signature]

0317

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.....

Dependant

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 bond.

Dated *Nov 19 93* 18..... Police Justice.

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

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

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

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

0318

Police Court--- 2 District

1357

THE PEOPLE, &c.
ON THE COMPLAINT OF

Francis Linnick
Frederick J. Kelly

HOUSE OF DETENTION CASE

Offence
Am. Ind. Bond

2
3
4

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *Dec 19 1893* 1893

Wm. H. ... Magistrate.
Newham St Precinct.

Witnesses _____
No. _____ Street.

No. _____ Street.

No. _____ Street.
\$ *500* to answer.



Cam

J. L.
ad

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

THE PEOPLE OF THE STATE OF NEW YORK
against

Frederick J. Roy

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

Frederick J. Roy

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

Frederick J. Roy

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

*the sum of four dollars
and forty cents in money, lawful
money of the United States of
America, and of the value of
four dollars and forty cents*

of the goods, chattels and personal property of one *Francis Lamauer*
on the person of the said *Francis Lamauer*
then and there being found, from the person of the said *Francis Lamauer*
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.

Dehaucy Nicoll
District Attorney

0320

BOX:

545

FOLDER:

4956

DESCRIPTION:

Reagan, John

DATE:

12/14/93



4956

0321

BOX:

545

FOLDER:

4956

DESCRIPTION:

Cummings, Frank

DATE:

12/14/93



4956

0322

130

Crane

Witnesses:

Sophia Anderson
officer J.A. Martini
18th Precinct

Counsel,

Filed 17th day of Dec 1893

Pleads,

Not Guilty
THE PEOPLE

vs.

John Reagan
and
Frank Cummings

Grand Juror, First Degree.
(Dwelling House.)
(Sections 528, 530 Penal Code.)

DE LANCEY NICOLL,
District Attorney.

Order of Court

A TRUE BILL.

Attest
B. Lockwood

Foreman.

Filed Dec 21. 93 1893

Filed 3 January 16/94
on file of J. Henry
Dell's dist on chas
order Rec 9. P

This case is a weak one
I do not think a conviction
had. The complaint
disappeared because he
arrived and the officer says
she got him. She intended
to go to Europe. The officer says
that he knows nothing
against their character. They
should be discharged on their
own recognizance.

Jan. 16/94 Stephen J. O'Hara
D.A. dist. atty.

I concur.
Vernon M. Davis,
Asst.

Police Court 4 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 324 2nd Ave Street, aged 25 years.
occupation Housekeeper being duly sworn,
deposes and says, that on the 4 day of December 1895 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 night time, the following property, viz:

One diamond ring single stone of the
value of One hundred and fifty dollars
#150.⁰⁰

Sworn to before me, this 4 day
of December 1895

[Signature]
Police Justice

the property of Sophia Andersen

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 John Reagan and Frank Cummings
(both nothens) from the fact that on said
date deponent left the said property
in a pocket book ^{in a room} in the premises #156
east 22nd Street the said defendants
were in the room where said pocket book
was and immediately after the
departure of the said defendants
deponent missed said property
and caused said defendants
arrest by Officer James A Monaghan
of the 18th Precinct

Mrs. Sophie Andersen

0324

Sec. 198-200.

H District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss:

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

Question. What is your name?

Answer. John Reagan

Question. How old are you?

Answer. 19 yrs

Question. Where were you born?

Answer. W E

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

Answer. 327 E 31 St 2 yrs

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

John Reagan
not

Taken before me this 23rd day of Dec 1899
Amos G. Drake
Police Justice.

0325

Sec. 193-200.

17

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Frank Cummings 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. Frank Cummings

Question. How old are you?

Answer. 19 yrs

Question. Where were you born?

Answer. W.S.

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

Answer. 253 W 22nd Str 3 mos

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
Frank Cummings
sub

Taken before me this

day of

189

Amos G. Smith

Police Justice.

0326

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

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

Dated Dec 5th 189 3 Amos B. Burke 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 offence within mentioned. I order h to be discharged.

Dated _____ 189 _____ Police Justice

0327

10/27
1319
Police Court--- 24 District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Sophia Anderson
324th - 2nd St

1 John Reagan
2 Frank Cummings
3
4

Offence *Armed*
Robbery

BAILED,

No. 1, by

Residence Street

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *December 5th* 189*9*

Burke Magistrate.

Monaghan Officer.

18 Precinct.

Witnesses

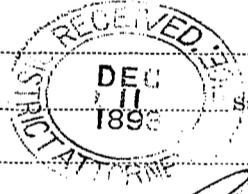
No. *18th Ward* Street.

No. Street.

No. Street.

\$ *1.000* to answer

Cox
~~.....~~



941
74

0328

SUBPENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To Sophia Anderson
of No. 324 2 Ave Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 16 day of JANUARY 1894 at half past ten o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

John Reagan et al

Dated at the City of New York, the first Monday of

in the year of our Lord 1894

JANUARY
JOHN R. FELLOWS,
DE LANCEY NICOLL, District Attorney.

PART III.

THE COURT ROOM IS IN THE FIRST STORY.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

Court of General Sessions.

THE PEOPLE

vs.

John Reagan et al

City and County of New York, ss:

James A. Monaghan being duly sworn, deposes and says: I am a Police Officer attached to the *18th* Precinct, in the City of New York. On the *16th* day of *January* 1894, I called at *324 - Second Ave.*

the alleged *residence* of *Sophia Anderson* the complainant herein, to serve her with the annexed subpoena, and was informed by

the tenants that the said Sophia Anderson had moved from that house about three weeks ago, they do not know where she is at present, or where she could be found

Sworn to before me, this *16* day of *January* 1894

Wm. S. Broderick
Clerk of the Court
N.Y. Co.

James A. Monaghan

Court of General Sessions.

THE PEOPLE, on the Complaint of

Sophia Anderson

vs.

John Reagan et al

Offense:

JOHN R. FELLOWS,

John R. Fellows District Attorney.

Affidavit of Police Officer

James A. McMahon

Precinct.

Failure to find Witness

0331

SUBPCENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To Sophia Anderson
of No. 324 - 2nd Ave Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court-House in the City Hall Park, in the City of New York, on the 16 day of JANUARY 189 at half past ten o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

John Reagan et al.
Dated at the City of New York, the first Monday of JANUARY

in the year of our Lord 189

DE LANCEY NICOL, District Attorney.

PART III.

THE COURT ROOM IS IN THE FIRST STORY.
If this Subpcena is disobeyed, an attachment will immediately issue.
Bring this Subpcena with you, and give it to the officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

0332

Court of General Sessions.

THE PEOPLE

vs.

John Reagan et al

City and County of New York, ss:

John Hanna

being duly

sworn, deposes and says: I reside at No. 213 East 21st

Street, in the City of New York. I am a Subpoena server in the office of the District Attorney

of the City and County of New York. On the 15th day of January 1894

I called at 324 - 2nd Ave

the alleged residence of Sophia Anderson

the complainant herein, to serve her with the annexed subpoena, and was informed by

the occupants of the house, that Sophia Anderson had moved, about three weeks ago, they do not know where she has moved to

Sworn to before me, this 16 day of January 1894

John Hanna Subpoena Server.

Harry A Broderick's Com of Sec'dry Co

Court of General Sessions.

THE PEOPLE, on the complaint of

Sophia Anderson

vs.

John Reagan et al

Offense

~~DE LANCEY NICOLL,~~

John A. Fellows District Attorney.

Affidavit of

John Hanna

Subpoena Server.

FAILURE TO FIND WITNESS.

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

THE PEOPLE OF THE STATE OF NEW YORK

against
John Reagan
and
Frank Cummings

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

John Reagan and Frank Cummings
of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said

John Reagan and Frank Cummings, both
late of the 18th Ward of the City of New York, in the County of New York aforesaid,
on the fourth day of December, in the year of our Lord
one thousand eight hundred and ninety-three in the night time of the same day, at the
Ward, City and County aforesaid, with force and arms,

*one finger-ring of the
value of one hundred and
fifty dollars.*

of the goods, chattels and personal property of one

Sophia Andersen

in the dwelling house of the said

Sophia Andersen

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

De Lancey Nicoll
District Attorney

0335

BOX:

545

FOLDER:

4956

DESCRIPTION:

Rehm, John

DATE:

12/08/93



4956

208

Witnesses:

.....
.....
.....
.....
.....

COURT OF OYER AND TERMINER.

Counsel,

Filed, 8 day of Dec 1893

Pleads, *Warrant 19*

THE PEOPLE

v.s.

B

John Rehn

General Sessions

Dec 11th 93

VIOLATION OF THE EXCISE LAW.

selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. Cross Foreman.

Foreman of the Court of Special Sessions

Part III. Dec 22 1893

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Rehn

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

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

The said

John Rehn

late of the City of New York, in the County of New York aforesaid, on the ²⁴ day of *September* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

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

SECOND COUNT—

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

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

The said

John Rehn

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

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

DE LANCEY NICOLL,

District Attorney.

0338

BOX:

545

FOLDER:

4956

DESCRIPTION:

Reissman, Uswald

DATE:

12/06/93



4956

105

Witnesses:

.....
.....
.....
.....
.....

COURT OF OYER AND TERMINER.

Counsel,

Filed, 6th day of Dec 1893

Pleas, *Iniquity. F.*

THE PEOPLE

vs.

B

Oswald Russman

General Sessions

Dec 8th 93.

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. C. W. Foreman.

of General Sessions.

Dec 20 1893

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Oswald Reisman

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

Oswald Reisman

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

The said

Oswald Reisman

late of the City of New York, in the County of New York aforesaid, on the ¹⁹ day of *November* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

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

SECOND COUNT—

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

Oswald Reisman

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

The said

Oswald Reisman

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

Alvyn Powell

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

DE LANCEY NICOLL,

District Attorney.

0341

BOX:

545

FOLDER:

4956

DESCRIPTION:

Reitz, Henry

DATE:

12/07/93



4956

37

Witnesses:

John Holst

Counsel.

Filed,

day of

189

Pleads,

*our term
Jan 19/94
29
4187*

THE PEOPLE

vs.

Henry Reitz

[2 cases]

*Part I
Jan 29*

*Grand LARCENY, 2nd Degree
(MISAPPROPRIATION.)
(Sections 528 and 58 of the Penal Code.)*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Pen 142 & 6 mis
R.B. My
B. Hopewood
Foreman.*

Feb 2

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

THE PEOPLE OF THE STATE OF NEW YORK
against
Henry Reitz

The Grand Jury of the City and County of New York, by this indictment, accuse
of the CRIME OF *Henry Reitz* LARCENY, in the second degree, committed
as follows:

The said *Henry Reitz*,

late of the City of New York, in the County of New York aforesaid, on the *seventh*
day of *September*, in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, being then and there the *steward*
and servant of *one John Holt*,

and as such *steward and servant* then and there having in his
possession, custody and control certain goods, chattels and personal property of the said
John Holt,

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

the said *Henry Reitz* 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 *John Holt*,
of the same, and of the use and benefit thereof; and the same goods, chattels and personal
property of the said *John Holt*,

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.

0344

37

Witnesses:
John A. Holt

Counsel,
Filed, *Dec* 1893
Pleads, *Guilty*

THE PEOPLE

vs.

B

Henry Reitz
[2 cases]

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

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

B. Lockwood

Foreman.

0345

Sec. 192.

2 District Police Court.

Undertaking to Appear during the Examination.

CITY AND COUNTY } ss.
OF NEW YORK, }

An information having been laid before Joseph Koch a Police Justice of the City of New York, charging Henry Ritz Defendant with the offense of Grand 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 Henry Ritz Defendant of No. 14 West 4th Street, by occupation a Clerk Emanuel Reutlinger and of No. 313 Bleecker Street, by occupation a Liquor dealer Surety, hereby jointly and severally undertake that the above-named Henry Ritz Defendant shall personally appear before the said Justice, at the _____ 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 Fifteen Hundred Dollars.

Taken and acknowledged before me this 5th day of November 1893

Henry Ritz
Emanuel Reutlinger
Joseph Koch Police Justice.

0346

City and County of New York, ss :

Emanuel Reutlinger

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 *three* **Hundred Dollars**, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *the house and lot of*

land known as 313 Bleeker Street, valued \$9000 above all incumbrances

Emanuel Reutlinger

Subscribed and sworn to before me this
28th day of
June
1881
at New York
City
Police Justice

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Undertaking to Appear during
the Examination.

Taken the day of 1881

Justice.

0347

Police Court 2 District.

Affidavit—Larceny.

City and County }
of New York, } ss:

John Holst

of No. 14 West Fourth Street, aged 41 years,

occupation Signor Dealer being duly sworn,

deposes and says, that on the 15th day of October 1893 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property, viz:

frod and lawful money of the
United States to the amount and
value of about seven hundred
and fifty dollars \$ 750 -

the property of Deponent.

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

(not arrested) Deponent was at the employ of deponent and on said date he had charge of the said cash as such employee, and on the night of said date deponent absconded with said money and feloniously appropriated the same to his own use and deprived deponent of the use thereof, and deponent requests a warrant for the arrest of said deponent

John Holst

Sworn to before me, this

of October

1893

[Signature]
Police Justice.

0348

Sec. 198-200.

2 District Police Court. 1882

City and County of New York, ss:

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

Question. What is your name?

Answer. Henry Reitz

Question. How old are you?

Answer. 27 years

Question. Where were you born?

Answer. Germany

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

Answer. 14 West 4th St. 5 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
Henry Reitz

Taken before me this

day of August 1882

Signature of Police Justice

Police Justice.

0349

Sec. 151.

Police Court 2 District.

CITY AND COUNTY } ss. In the name of the People of the State of New York; To the Sheriff of the
OF NEW YORK, } 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 John Holst of No. 14 West 10th Street, that on the 19 day of October 1893, 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 seven hundred and fifty Dollars,
the property of deponent
was taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by Henry Reitz

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 2 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 16 day of Oct 1893

[Signature] POLICE JUSTICE.

0350

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

Dated, *Nov 7* 189*3* *Thos. L. Kelly* Police Justice.

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

Dated, *Nov 16* 189*3* *Thos. L. Kelly* 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.

\$1500 bond

by adj. to 3 hr. at 2 P.M.

" " " 8 m at 2 P.M.

" " " 10 m at 2 P.M.

" " " 13 m at 2 P.M.

Exam. waived by Geo. F. Roman
left to cell. Nov. 13. 1893

BAILED,

No. 1, by Emmanuel Reuter
Residence 313 Plummer Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

W
Police Court--- 762 District. 1213

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Holst
2180 3rd Ave. N. W. 9644

Henry Reitz

2
3 (2 indictments)
4

Charge Grand Jurors

Dated, Nov 1 1893

Koch Magistrate.

Dunn & Jacob Officer.
60 Precinct.

Witnesses _____
No. _____ Street.

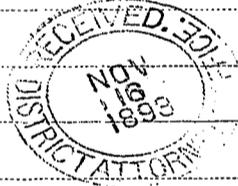
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 1.500 to answer G & S

Bailen



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry Ritzel

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

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

The said Henry Ritzel

late of the City of New York, in the County of New York aforesaid, on the 18th day of September, in the year of our Lord one thousand eight hundred and ninety-three, at the City and County aforesaid, being then and there the

and servant of one John Holst

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

John Holst

the true owner thereof, to wit: the sum of one hundred

dollars in money, lawful money of the United States of America, and of the value of one hundred dollars.

the said Henry Ritzel 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 John Holst

of the same, and of the use and benefit thereof; and the same goods, chattels and personal property of the said John Holst

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.

0353

BOX:

545

FOLDER:

4956

DESCRIPTION:

Remelius, Joseph

DATE:

12/22/93



4956

Copy furnished to Dist. Atty.

Vol 8

Witnesses:

H W Linker

Counsel,

Filed *22* day of *Dec* 189 *3*

Pleads, *not guilty (29)*

THE PEOPLE

vs.

Joseph Remelius

MISDEMEANOR.
[Chap. 877, Laws of 1887, as amended by Chap. 181,
Laws of 1888.]

DE LANCEY NICOLL,

Jan 31/99 District Attorney.
Paul discharged.

A TRUE BILL.

B Lockwood

Foreman.

0355

POLICE COURT 5th DISTRICT. 1354

City and County of New York, ss.:

THE PEOPLE
vs.
Joseph Kemelius

On Complaint of Armad W. Linden
For Violation of the Bottle Act

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

Dated December 1893

Mar. [Signature] Police Justice.

0356

Sec. 198-200.

54

1882 District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer. *Joseph Revelius*

Question. How old are you?

Answer. *37 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *125 West 100th Street N.Y. City, 3 years*

Question. What is your business or profession?

Answer. *Botcher*

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.*

Taken before me this

day of *December* 1882

Max [Signature]

Police Justice.

State of New York,
City and County of
New York

ss:

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

To any Peace Officer in this State or in the County of New York.

Proof by affidavit having been this day made before me, by Herman W. Linker of
221 East 38th, street New York city

that the following described property, to wit:
divers bottles and boxes, the number of which is unknown to deponent, the property of the
A. Liebler Bottling Company, a corporation created by and existing under the Laws of the State of
New York, having branded, blown and otherwise produced on said bottles and boxes, A. Liebler
Bottling Co. Registered, 402 & 404 W. 126th St., N. Y. and a monogram of the letters A. L. B. Co.
was unlawfully taken, and has been and is being unlawfully had, used, filled, bought, sold,
disposed of and trafficked in, contrary to the provisions of Chapter 377, Laws of the State of New
York, for the year 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the
State of New York for the year 1888, passed April 26, 1888, and that there is reasonable ground to
believe that the said property was unlawfully taken and has been and is being unlawfully had,
used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of said act by

Joseph Remelius

and that there is probable cause for believing that the said divers bottles and boxes, are now in the
possession of the said

Joseph Remelius

and are now concealed in and upon the following described premises used and occupied by said

Joseph Remelius, viz; The building and premises known and described

as number 125 West 100th, street in the city of New York in the
county and state of New York, and the yard in the rear of said build-
ing number 125 West 100th, street aforesaid, and all wagons, in
said city and county of New York and within 100 feet of said build-
ing number 125 West 100th, street aforesaid, having produced there-
on Remelius Bottling Co, said yard and wagons being said city and
county of New York.

You are, therefore, in the name of the People of the State of New York, commanded and author-
ized, with proper assistance, in the day-time, or at any time of the day
to enter the building and premises of the said

Joséph Remelius

situate as
aforesaid, and there make immediate search for the said divers bottles and boxes, and if you find
the same, or any part thereof, then you are likewise commanded to bring the same so found,
together with the said **Joseph Remelius**

forthwith, before me, at **5th, District Police Court in said New York city,**

to be dealt with as the law directs

Dated at *New York City* the *29th* day of *November* 189*3*

Chas. F. Fisher
Police Justice.

Inventory of property taken by Hiram Levy by whom this
warrant was executed, from Joseph Remelius
in whose possession it was found, ~~from within described premises~~ ^{from whom it was taken,}
~~where the property was found, no person being there.~~

4 Bottles Filled, each of said twenty two bottles and
18 Bottles Empty, said box having produced cheque
1 Boxes, A. Kiebler Bottling Co. Registered
Total, 23 402 2704 W. 126th St. N.Y. and
a monogram of the letter A. K. Co.

REP'D BOTTLED BOTTLE BODLE IN BOTT KEM KOLK GPR

JOSPH REMELIUS

COUNTY OF New York } ss:

I Hiram Levy the officer by whom this warrant was
executed, do swear that the above inventory contains a true and detailed account of all the
property taken by me on this warrant.

Sworn to before me, this 1st day of December 1893

Hiram Levy
John Justice

0359

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

HERMAN W. LINKER,

vs.

Joseph Remelius

SEARCH WARRANT
AND
WARRANT OF ARREST.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,

No. ~~128~~²²¹ East ~~15th~~^{30th} Street,

NEW YORK CITY.

100 6th Ave NY

6 a.m.

Tuesday, Dec 1/90

NY 100 6th Ave, 6th Floor, NY

HERMAN W. LINKER
100 6th Ave, NY

0360

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 *500* 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, *December 1* 189*3*

M. A. Wood Police Justice.

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

Dated, *December 2* 189*3*

M. A. Wood 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.

0361

\$100. Ex Decr 2/93 9.A.M

BAILED,

No. 1, by

Christ Andrew
829 Amsterdam Ave
Street

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

~~846~~ ~~269~~ ~~BP~~ ~~1324~~ ~~XX~~
Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel W. Linker

vs.
Joseph Reubius

1

2

3

4

offense for white neck

Dated

December 1

1893

Gymms

Magistrate.

Levy

Officer.

Coul

Precinct.

Witnesses

Samuel W. Linker

No.

221 East 38th

Street.

No.

Transferred to Court of General Sessions

No.

Street.

\$



to answer

0362

5th DISTRICT POLICE COURT.

State of New York, City and County of NEW YORK.

ss:

HERMAN W. LINKER, being sworn says; I am 30 years of age; I reside at 221 EAST 38th STREET New York City. My business is that of *detective*. I am the agent of the A. Liebler Bottling Company, a corporation created by and at all times hereinafter mentioned, existing under the laws of the State of New York. Said Corporation is engaged in bottling and selling porter, ale, beer, lager beer, and other beverages, in bottles and boxes, with its name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced upon such bottles and boxes, and whose principal place of business was at the times hereinafter mentioned ever since name and now is at the City of New York, and County of New York, and State aforesaid. The description thereof is as follows, viz: A. Liebler Bottling Co., Registered, 402 & 404 W. 126th St., N. Y., and a monogram of the letters A. L. B. Co. Said description of said name and other marks and devices so as aforesaid used by the said Corporation upon said bottles and boxes, was on the 1st day of February, 1888, duly filed in the office of the Clerk of New York County in the State of New York, and also in the office of the Secretary of State of the State of New York, on the 2d day of February, 1888; and such description was by said Corporation thereafter caused to be printed and was printed for three weeks successively in two daily newspapers, published in the City and County of New York. The said Corporation has in all things complied with Chapter 377 of the Laws of the State of New York for 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888. That said Corporation is the owner of the following described property, marked and distinguished as hereinbefore stated, viz: divers bottles and boxes, the number of which is unknown to deponent. That the same are so marked and distinguished as aforesaid with and by the said name and other marks and devices of which a description has been, as hereinbefore stated, duly filed and published as provided in Section I. of Chapter 377 of the Laws of the State of New York for 1887, passed May 18th, 1887; that deponent has reason to believe and does believe and avers the fact to be that said property, namely, said divers bottles, and boxes, so marked and distinguished as aforesaid are being unlawfully used, filled, had, bought, sold, disposed of and or trafficked in by

Joseph Remelius

who *is* bottling and selling ~~soda, mineral and aerated waters, porter, ale, cider, ginger ale, small beer, lager beer, weiss beer, white beer and other beverages, and *is*~~; and has been unlawfully filling, using, buying, selling, giving, taking and otherwise disposing of, and trafficking in said divers bottles, and boxes, so marked and distinguished as aforesaid, in and upon the following described premises used and occupied by the said

Joseph Remelius, viz; The building and premises known and described as number 125 West 100th, street in the city of New York in the county and state of New York, and the yard in the rear of said building number 125 West 100th, street aforesaid, and all wagons in said city and county of New York and within 100 feet of said building number 125 West 100 th, street aforesaid, having produced thereon Remelius Bottling Co, said yard and wagons being in said city and county of New York.

All of which the said Joseph Remelius is, was and has been

doing contrary to the Laws of the State of New York in such case made and provided, and without having obtained the written consent of or having purchased the said divers bottles, and boxes, from the said Corporation. That the reason for deponent's said belief, and the further facts upon which this affidavit is based, are that on the 21st day of *November* 1893

Deponent saw in and upon a wagon, in use by said defendant Joseph Remelius in delivering bottled beverages to customers and while said wagon was standing in front of premises numbers 605 and 607 in the said city and county of New York, bottles marked and distinguished as aforesaid filled with some beverage, said wagon being then and there in said city and county of New York; This is charged as a second offense, the said defendant Joseph Remelius having heretofore at said city and county fo New York, to wit; on the third day of October 1892 been by a court having jurisdiction in the premises convicted of a violation of section two of chapter 377 of the laws of the state of New York for the year 1887 and a *subsequent* amendment thereof.

Subscribed and sworn to before me, }
this 29th day of *November* 1893 }

Chas. F. Fisher
POLICE JUSTICE.

H. W. Linker.

0363

B. No.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

Samuel W. Lusk

vs.

Joseph Remelius

AFFIDAVIT.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,

No. ³²¹~~149~~ East ^{38th}~~15th~~ Street,

NEW YORK CITY.

0364

Sec. 192

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before Sam'l. Remelius Police Justice of the City of New York, charging Joseph Remelius Defendant with the offence of Violation Bottle act

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, Joseph Remelius Defendant of No. 125 W. 108th

Christ. Andrew Street, by occupation a Butcher; and

of No. 829 Amsterdam Ave Street, by occupation a Saloon Keeper Surety, hereby jointly and severally undertake

that the above-named Joseph Remelius Defendant shall personally appear before the said Justice, at the District Police Court in the City

of New York, during the said examination, or that we will pay to the People of State of New York the sum of Three Hundred Dollars.

Taken and acknowledged before me this 10 day of December 1893

Joseph Remelius
Christ. Andrew

C. E. Dunne Police Justice.

0365

City and County of New York, ss.

Police Justice
James J. [Signature]
1898

Subscribed and sworn to before me this 1st day of August 1898

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 one Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of House and lot known as 829 Amsterdam Avenue in said City of the value of thirty thousand Dollars of which is mortgaged for fifteen thousand Dollars. Christ Andrews free W. Chestnut Street

District Police Court
THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.
Undertaking to Answer.

Taken the day of 1898

Justice.

THE PEOPLE

against

Joseph Revellius

This indictment is based upon Chapter 377 of the Laws of 1887 as amended and superseded by Chapter 181 of the Laws of 1888.

Chapter 376 of the Laws of 1896 contains (at page 346 of the Session Laws) a provision repealing all of Chapter 377 of the Laws of 1887 and all of Chapter 181 of the Laws of 1888-- but it contains no saving clause and the said acts of 1887 and of 1888 were not in force when Chapter 376 of the Laws of 1896 took effect. The penal statute substantially re-enacting the said Act of 1888 was subsequently passed by the same Legislature. (See Chapter 933 of the Laws of 1896.) There was an interim of some weeks between the passing of the said Acts of 1896.

Under the decision of the Court of Appeals in the case of *Hartung against the People*, 22 N.Y.95 --

"After expiration or repeal of a law, no penalty can be enforced, nor punishment inflicted for a violation of the law committed while it was in force, unless some special provision be made for that purpose by statute."

Moreover,

"The repeal of a law imposing a penalty though it takes place after conviction, arrests judgment, and when the repeal is after judgment, the judgment is to be reversed upon error."

A Fortiori, where the statute repealing an Act

0367

NEW YORK

NEW YORK

found was passed,
upon which this indictment is based, criminal process
thereon is thereby arrested.

In view of the fact that the statute upon which
this indictment is based was repealed without a saving
clause in the repealing Act, and that the re-enacting
statute, Chapter 933 of the Laws of 1896, must be regarded
prospective in its operation, I am constrained under the
well settled case of Hartung against the People to recom-
mend the discharge of the defendant upon his own undertaking
New York, January 28th 1899.

Robert J. Mansueti

Assistant District Attorney.

0368

INDICTMENT FOR MISDEMEANOR

AGAINST

Joseph Remelius

6225

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Remelius

The Grand Jury of the City and County of New York, by this indictment accuse *Joseph Remelius* of a misdemeanor, to wit: the crime of offending against the provisions of the second section of the Act of the Legislature of this State, passed May 18th, 1887, entitled: "An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," as the same was amended by a certain other Act of the Legislature of this State, passed April 26th, 1888, entitled: "An Act to amend Chapter three hundred and seventy-seven of the Laws of eighteen hundred and eighty-seven, entitled 'An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,'" committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, *a certain corporation called the A. Siedler Bottling Company,* having *its* principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling *water, ale, beer, lager beer* and other beverages in bottles, *bottles* with *its* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *29th* day of *January*, 1888, and also in the office of the Secretary of State of the State of New York, to wit: on the *second* day of *February*, 1888, a description of the name, marks and devices so used by *it* and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid so as aforesaid produced upon such bottles, *and boxes* and a description of which had been so duly filed and published as required by law as aforesaid, the said

corporation used the name *manufactured following* upon such *bottles and boxes, viz: "A. Siedler Bottling Co. Registered, 402 & 404 W. 126th St., N.Y." and a monogram of the letters "A. S. B. Co."*

And the said *Joseph Remelius*, late of the City and County aforesaid, afterwards to wit: on the *29th* day of *November*, 1893, at the City and County aforesaid, did unlawfully buy from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said *corporation*, divers to wit: *Twenty two* certain bottles, *and one box*, which and each of which were and was then

and there marked and distinguished as aforesaid, with and by the said name, *mark and device* of the said *corporation*, being the name *mark and device* of which a description had been so filed and published as aforesaid, which said bottles *and box* had not been purchased from the said *corporation*; 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 *Joseph Remelius* of the same misdemeanor, committed as follows:

Heretofore and prior to, the day of commission of the crime and misdemeanor hereinafter alleged, *a certain corporation called the A. Liebler Bottling Company* having *its* principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling *portwale, beer, lager beer*, and other beverages, in bottles *and boxes* with *its* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *first* day of *February* 18*88*, and also in the Office of the Secretary of State of the State of New York, to wit: on the *second* day of *February* 18*88*, a description of the name, marks and devices so used by him, and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, *and boxes* and a description of which had been so duly filed and published as required by law, as aforesaid, the said *corporation* used the name, *mark and device following*

upon such *bottles and boxes*, viz: "*A. Liebler Bottling Co. Registered 402 x 404 W. 156th St. N.Y.*" and *monogram of the letters, "A. L. B. Co."*

And the said *Joseph Remelius* late of the City and County aforesaid, afterwards, to wit: on the *29th* day *November* 1893, at the City and County aforesaid, did unlawfully take from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said *corporation* *divers*, to wit: *twenty two* certain bottles, *and one box* which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name, *mark and device* of the said *corporation*, being the name, *mark and device* of which a description had been so filed and published as aforesaid, and which said bottles, *and box* had not been purchased from the said *corporation* 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 *Joseph Remelius* of the same misdemeanor, committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, *a certain corporation called the A. Liebler Bottling Company* having *its* principal place of business in the said City of New York, being at all the times herein-

after mentioned engaged in bottling and selling *porter, ale, beer, Lager beer,* and other beverages in bottles, *and boxes* with *its* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *first* day of *February* 1888, and also in the office of the Secretary of State of the State of New York, to wit: on the *second* day of *February* 1888, a description of the name, marks and devices so used by *it* and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, *and box* and a description of which had been so duly filed and published as required by law, the said *corporation* used the name *mark, and device* following upon such *bottles and boxes, viz: "A. Liebler Bottling Co, Registered, 402 + 404 W. 126th St. N.Y."* and *the monogram of the letters "A. L. B. C."*

And the said *Joseph Remelius* late of the City and County aforesaid, afterwards, to wit: on the *29th* day of *November* 1893, at the City and County aforesaid, did unlawfully traffic in and dispose of in a manner and by means to the Grand Jury aforesaid, unknown, without the consent of the said *corporation* divers, to wit: *twenty two* certain bottles, *and one box* which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name *mark, and device* of the said *corporation* being the name *mark and device* of which a description had been so filed and published as aforesaid, and which said bottles *and box* had not been purchased from the said *corporation* against the form of the Statute in such case made and provided against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

769

Witnesses:
A. W. Linker

Counsel,

D. De
day of *Dec* 189*3*

Filed

Pleads, *Not Guilty* (26) *X*

THE PEOPLE

vs.

Joseph Bonelius

MISDEMEANOR.
[Chap. 377, Laws of 1887, as amended by Chap. 181,
Laws of 1888.]

DE LANCEY NICOLL,

Jan 3/99 District Attorney.
Paul Discharged

A TRUE BILL.

B. Greenwood

Foreman.

0372

Sec. 192

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before Mr. Charles Smith Police Justice of the City of New York, charging Joseph Remelius Defendant with the offence of

Violation Bottle Act

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 Joseph Remelius Defendant of No. 125 E. 100th Street, by occupation a Bottle; and Christ Andrews of No. 829 Amsterdam Ave Street, by occupation a Saloon Keeper Surety, hereby jointly and severally undertake that the above-named Joseph Remelius Defendant shall personally appear before the said Justice, at the 5 District Police Court in the City of New York, during the said examination, or that we will pay to the People of State of New York the sum of One Hundred Dollars.

Taken and acknowledged before me this 1st day of December 1893

Joseph Remelius
Christ Andrews

W. E. Sumner Police Justice.

0373

City and County of New York, ss.

Sworn to before me this
day of April
1891
James H. [Signature]
Police Justice

Christ Andrew

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 Free Hundred Dollars,

exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and

that his property consists of House and lot known

as 29 Amsterdam, one
in city of the value
of about thirteen hundred dollars mortgage
for fifteen hundred dollars
Christ Andrew

District Police Court

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Undertaking to Answer.

Taken the 1891 day of April

Justice.

0374

5th DISTRICT POLICE COURT.

State of New York, City and County of New York

ss:

HERMAN W. LINKER, being sworn says; I am 30 years of age; I reside at 221 EAST 30th STREET New York City My business is that of Detective, I am the agent of Mary Grenhart and Henry Grenhart, co-partners, doing business under the name of Grenhart & Son.

Said Mary Grenhart and Henry Grenhart, doing business as aforesaid, are engaged in bottling and selling lager beer, and other beverages, in bottles, and boxes, with their name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced upon such bottles and boxes, and whose principal place of business was at the times hereinafter mentioned ever since has been and now is at the City of New York and County of New York, and State aforesaid. The name and other marks and devices so as aforesaid produced upon said bottles, and boxes, and a description thereof is as follows, viz: on some bottles Grenhart & Son and the letters and word G. & S. in a monogram, on other bottles Grenhart & Son, on boxes Grenhart & Son.

Said description of said name and other marks and devices so as aforesaid used by the said Mary Grenhart and Henry Grenhart, doing business as aforesaid, upon said bottles, and boxes, was on the 16th day of April, 1889, duly filed in the office of the Clerk of New York County in the State of New York, and also in the office of the Secretary of State of the State of New York, on the 15th day of April, 1889; and such description was by said Mary Grenhart and Henry Grenhart, doing business as aforesaid, thereafter caused to be printed and was printed for three weeks successively in two daily newspapers, published in the City and County of New York. The said Mary Grenhart and Henry Grenhart, doing business as aforesaid, have in all things complied with Chapter 377 of the Laws of the State of New York for 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888. That said Mary Grenhart and Henry Grenhart, doing business as aforesaid, are the owners of the following described property, marked and distinguished as hereinbefore stated, viz: divers bottles, and boxes, the number of which is unknown to deponent. That the same are so marked and distinguished as aforesaid with and by the said name and other marks and devices of which a description has been, as hereinbefore stated, duly filed and published as provided in Section I. of Chapter 377 of the Laws of the State of New York for 1887, passed May 18th, 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888; passed, April 26 1888; that deponent has reason to believe and does believe and avers the fact to be that said property, namely, said divers bottles and boxes, so marked and distinguished as aforesaid are being unlawfully used, filled, had, bought, sold, disposed of and trafficked in by

Joseph Remelius

who is bottling and selling soda, mineral and aerated waters, porter, ale, cider, ginger ale, small beer, lager beer, weiss beer, white beer and other beverages, and is, and has been unlawfully filling, using, buying, selling, giving, taking and otherwise disposing of, and trafficking in said divers bottles and boxes, so marked and distinguished as aforesaid, in and upon the following described premises used and occupied by the said

Joseph Remelius, viz; The building and premises known and described as number 125 West 100th, street in the city of New York in the county and state of New York, and the yard in the rear of said building number 125 West 100th, street aforesaid, and all wagons in said city and county of New York and within 100 feet of said building number 125 West 100 th, street aforesaid, having produced thereon Remelius Bottling Co, said yard and wagons being in said city and county of New York.

All of which the said Joseph Remelius is, was and has been

doing contrary to the Laws of the State of New York in such case made and provided, and without having obtained the written consent of or having purchased the said divers bottles, and boxes, from the said Mary Grenhart and Henry Grenhart, doing business as aforesaid. That the reason for deponent's said belief, and the further facts upon which this affidavit is based, are that on the 24th day of November 1893 Deponent saw in and upon a wagon, in use by said defendant Joseph Remelius in delivering bottled beverages to customers and other said wagons was standing in front of premises numbers 605 and 607 Columbus Avenue in said City and County of New York, bottles marked and distinguished as aforesaid filled with the beverages, said wagon being then in said city and County of New York. This charge as a second offense, by said defendant Joseph Remelius, has been heard by a court having jurisdiction in and the premises in the City of New York, and a judgment was rendered in accordance with the provisions of the laws of the State of New York for the year 1887, and a judgment was rendered in accordance with the provisions of the laws of the State of New York for the year 1888.

Subscribed and sworn to before me, this 29th day of November 1893

Handwritten signature of Police Justice

POLICE JUSTICE.

Handwritten signature of H. W. Linker

0375

B. No. _____

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

Samuel W. Linder
vs.

Joseph Remelius

AFFIDAVIT.

REGINALD HART,

ATTORNEY FOR COMPLAINANT.

No. ²²¹~~149~~ East ^{37th}~~15th~~ Street,

NEW YORK CITY.

Joseph Remelius

0376

1354

POLICE COURT 5th DISTRICT.

City and County of New York, ss.:

THE PEOPLE

vs.

Joseph Remelius

On Complaint of Norman W. Linker
For Violation of the Prostitution Act

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

Dated December 1 1893

[Signature]

Police Justice.

0377

5th

City and County of New York, ss:

Joseph Reuelius 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 a charge against him, that the statement is designed to enable him, if he see fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *Joseph Reuelius*

Question. How old are you?

Answer. *37 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *176 West 108th Street, N. Y. City, 3 years*

Question. What is your business or profession?

Answer. *Broker*

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*

Taken before me this

day of

1893

Wm. J. ...

Police Justice.

0378

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

ss:

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

To any Peace Officer in this State or in the County of New York.

Proof by affidavit having been this day made before me, by Herman W. Linker of

221 East 38th, street New York city that the following described property, to wit: divers bottles and boxes, the number of which is unknown to deponent, the property of Mary Grenhart and Henry Grenhart, co-partners doing business under the name of Grenhart & Son, having branded, blown and otherwise produced on some bottles Grenhart & Son and the letters and word G. & S. in a monogram, on other bottles Grenhart & Son, on boxes Grenhart & Son, Was unlawfully taken, and has been and is being unlawfully had, used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of Chapter 377, Laws of the State of New York, for the year 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the State of New York for the year 1888, passed April 26, 1888, and that there is reasonable ground to believe that the said property was unlawfully taken and has been and is being unlawfully had, used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of said act by

Joseph Remelius

and that there is probable cause for believing that the said divers bottles and boxes are now in the possession of the said

Joseph Remelius

and are now concealed in and upon the following described premises used and occupied by said **Joseph Remelius, viz; The building and premises known and described**

as number 125 West 100th, street in the city of New York in the county and state of New York, and the yard in the rear of said building number 125 West 100th, street aforesaid, and all wagons, in said city and county of New York and within 100 feet of said building number 125 West 100th, street aforesaid, having produced thereon Remelius Bottling Co, said yard and wagons being said city and county of New York.

You are, therefore, in the name of the People of the State of New York, commanded and authorized, with proper assistance, in the day-time, or at any time of the day to enter the building and premises of the said **Joseph Remelius**

situate as aforesaid, and there make immediate search for the said divers bottles and boxes, and if you find the same, or any part thereof, then you are likewise commanded to bring the same so found, together with the said **Joseph Remelius**

forthwith, before me, at **5th, District Police Court, in said New York city,**

to be dealt with as the law directs,

Dated at *New York City* the *29th* day of *November* 1893

Police Justice.

New York.

NOTED BY THE CLERK OF THE COURT

RETURNED TO THE CLERK OF THE COURT

THE PEOPLE, ETC.

ON THE COMPLAINT OF

Samuel W. Linton

vs.

Joseph R. Melius

SEARCH WARRANT
AND
WARRANT OF ARREST.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,

No. ²²¹~~149~~ ³⁸ East 15th Street,

NEW YORK CITY.

county and state of New York, and the said in the last of said p...
on August 1891, 100th, arrest in the city of New York in the
Joseph R. Melius, the defendant in the within and described

0380

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

Dated, *December 1* 1893

[Signature] Police Justice.

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

Dated, *December 2* 1893

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.

0381

#100. Ex. Decr 2/93 of Am

#16 208 B5 1324 45
Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1. Herman W. Linka

2. Joseph Reuchlin

3. [Redacted]

4. [Redacted]

Offense. No Bottle Act

BAILED,
No. 1, by Christ Andrew
Residence 874 Amsterdam Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated Dec 1 1893
Summs Magistrate.

Leny Officer.
Court Precinct.

Witnesses N. W. Linka
No. 221 East 38th Street.

Transferred to Court
of General Sessions

No. Street.

\$ to answer DEC 11 1893
DISTRICT ATTORNEY

The Magistrate Presiding
during my absence; will
hear and determine the
within case

E. Summs
Police Justice

0382

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Hon. Charles F. Johnson Police Justice
of the City of New York, charging Joseph Remelius Defendant
with the offence of

Violation Bottle act

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, Joseph Remelius Defendant of No. 125 W. 105th
Christ Andrew Street, by occupation a Bottle; and

of No. 829 Amsterdam St. Street,
by occupation a Saloon Keeper Surety, hereby jointly and severally undertake
that the above-named Joseph Remelius Defendant
shall personally appear before the said Justice, at the 5 District Police Court in the City
of New York, during the said examination, or that we will pay to the People of State of New York the
sum of One Hundred Dollars.

Taken and acknowledged before me this 1st
day of December 1893

Joseph Remelius
Christ Andrew

C. E. Seaming Police Justice.

0383

City and County of New York, ss.

Sworn to before me this
18th day of
January 1891
Police Justice.

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 exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of

Christ. Anderson
free

House No. 107 known
as 29 Amsterdam Avenue
in East City of the value
of thirty thousand dollars mortgaged
for fifteen thousand dollars.
16 West 42nd St

District Police Court

Undertaking to Answer.
THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.

Taken the day of 1891
Justice.

0384

5 DISTRICT POLICE COURT.

State of New York, City and County of New York

ss:

HERMAN W. LINKER, being sworn says: I am 30 years of age; I reside at 221 EAST 38th STREET New York City My business is that of *Steelier*, I am the agent of Ferdinand Neumer.

Said Ferdinand Neumer is engaged in bottling and selling lager beer, and other beverages, in bottles and boxes, with his name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced upon such bottles and boxes, and whose principal place of business was at the times hereinafter mentioned, ever since has been, and now is at the City of New York, and County of New York, and State aforesaid. The name and other marks and devices so as aforesaid produced upon said bottles, and boxes, and a description thereof is as follows, viz: Ferdinand Neumer.

Said description of said name and other marks and devices so as aforesaid used by the said Ferdinand Neumer upon said bottles and boxes, was on the 14th day of February, 1889, duly filed in the office of the Clerk of New York County in the State of New York, and also in the office of the Secretary of State of New York, on the 12th day of February, 1889; and such description was by said Ferdinand Neumer thereafter caused to be printed and was printed for three weeks successively in two daily newspapers, published in the City and County of New York. The said Ferdinand Neumer has in all things complied with Chapter 377 of the Laws of the State of New York for 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888. That said Ferdinand Neumer is the owner of the following described property, marked and distinguished as hereinbefore stated, viz: divers bottles and boxes, the number of which is unknown to deponent. That the same are so marked and distinguished as aforesaid with and by the said name and other marks and devices of which a description has been, as hereinbefore stated, duly filed and published as provided in Section I, of Chapter 377 of the Laws of the State of New York for 1887, passed May 18th, 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888, passed April 26th, 1888; that deponent has reason to believe and does believe and avers the fact to be that said property, namely, said divers bottles, and boxes, so marked and distinguished as aforesaid are being unlawfully used, filled, had, bought, sold, disposed of and trafficked in by

Joseph Remelius

who is bottling and selling ~~soda, mineral and aerated waters, porter, ale, cider, ginger ale, small beer, lager beer, weiss beer, white beer~~ and other beverages, and *is*, and has been unlawfully filling, using, buying, selling, giving, taking and otherwise disposing of, and trafficking in said divers bottles, and boxes, so marked and distinguished as aforesaid, in and upon the following described premises used and occupied by the said

Joseph Remelius, viz; The building and premises known and described as number 125 West 100th, street in the city of New York in the county and state of New York, and the yard in the rear of said building number 125 West 100th, street aforesaid, and all wagons in said city and county of New York and within 100 feet of said building number 125 West 100 th, street aforesaid, having produced thereon Remelius Bottling Co, said yard and wagons being in said city and county of New York.

All of which the said *Joseph Remelius is, was and has been*

doing contrary to the Laws of the State of New York in such case made and provided, and without having obtained the written consent of or having purchased the said divers bottles, and boxes, from the said Ferdinand Neumer. That the reason for deponent's said belief, and the further facts upon which this affidavit is based, are that on the *29th* day of *November* 189*3* Deponent

and upon a wagon, in use by said defendant Joseph Remelius in delivering bottles and boxes to customers, and while said wagon was standing in front of premises numbers 605 and 607 Columbus Avenue in said City and County of New York, bottles marked and distinguished as aforesaid filled with beer, were seen and taken from said wagon and taken on said City and County of New York, then charged as a second offense the said defendant Joseph Remelius having heretofore been by a Court having jurisdiction in the premises convicted of a violation of section 377 of Chapter 377 of the laws of the State of New York for the year 1892 and a conviction thereof.

Subscribed and sworn to before me, this 9th day of *November* 189*3*
H. W. Linker
POLICE JUSTICE.

H. W. Linker

0385

B. No. _____

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

HERMAN W. LINKER,

vs.

Joseph Penitentes

AFFIDAVIT.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,

721 38th
No. 149 East 15th Street,

NEW YORK CITY.

0386

City and County of New York, ss:

Joseph Remelius 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 a charge against him; that the statement is designed to enable him, if he see fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *Joseph Remelius*

Question. How old are you?

Answer. *37 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *175 West 100th Street N.Y. City, 3 years*

Question. What is your business or profession?

Answer. *Boatman*

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*

Taken before me this

day of *December* 189*9*

Max Field

Police Justice.

0387

1854

POLICE COURT 5th DISTRICT.

City and County of New York, ss.:

THE PEOPLE

vs.

Joseph Remelius

On Complaint of Herman W. Linker
For Violation of the Bottle Act

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

Dated December 1 1893

H. W. Linker

Police Justice.

0300

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

ss.

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

To any Peace Officer in this State or in the County of New York.

Proof by affidavit having been this day made before me, by Herman W. Linker of

221 East 38th, street New York city that the following described property, to wit: divers bottles and boxes, the number of which is unknown to deponent, the property of Ferdinand Neumer, having branded, blown and otherwise produced on said bottles and boxes Ferdinand Neumer,

Was unlawfully taken, and has been and is being unlawfully had, used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of Chapter 377, Laws of the State of New York, for the year 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the State of New York for the year 1888, passed April 26, 1888, and that there is reasonable ground to believe that the said property was unlawfully taken and has been and is being unlawfully had, used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of said act by

Joseph Remelius

and that there is probable cause for believing that the said divers bottles and boxes, are now in the possession of the said

Joseph Remelius

and are now concealed in and upon the following described premises used and occupied by said Joseph Remelius, viz; The building and premises known and described

as number 125 West 100th, street in the city of New York in the county and state of New York, and the yard in the rear of said building number 125 West 100th, street aforesaid, and all wagons, in said city and county of New York and within 100 feet of said building number 125 West 100th, street aforesaid, having produced thereon Remelius Bottling Co, said yard and wagons being said city and county of New York.

You are, therefore, in the name of the People of the State of New York, commanded and authorized, with proper assistance, in the day-time, or at any time of the day to enter the building and premises of the said **Joseph Remelius**

situate as aforesaid, and there make immediate search for the said divers bottles and boxes, and if you find the same, or any part thereof, then you are likewise commanded to bring the same so found, together with the said **Joseph Remelius**

forthwith, before me, at 5th, District Police Court in said New York city

to be dealt with as the law directs.

Dated at New York city the 29th day of November 1893

Thos. J. Fisher
Police Justice.

Inventory of property taken by Hiram Levy by whom this warrant was executed, from Joseph Renucias from whom it was taken, in whose possession it was found, from within described premises where the property was found, no person being there.

3 Bottles Filled, each of said six bottles having
3 Bottles Empty, produced thereon, Ferdinand
Boxes, Heumen
Total, 6

211 DISTRICT POLICE COURT IN SAID NEW YORK CITY

JOSEPH RENUCIAS

COUNTY OF New York } ss:

I Hiram Levy } the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all the property taken by me on this warrant.

Sworn to before me, this 10th day of December 1893

Cladumms } Hiram Levy
Police Justice

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

HERMAN W. LINKER,

vs.

Joseph Renucias

SEARCH WARRANT
AND
WARRANT OF ARREST.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,

221 36th
No. 149 East 15th Street,

NEW YORK CITY.

211 DISTRICT POLICE COURT IN SAID NEW YORK CITY

HERMAN W. LINKER OF
NEW YORK

NEW YORK

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

Defendant

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *100* Hundred Dollars,.....and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, *December 1* 1893

W. A. [Signature] Police Justice.

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

Dated, *December 2* 1893

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.

039

#100-Ex. Dec 2, 193 9.A.M

046 270 B.O. 1324 H6
5th

Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Norma Whicker

vs.
Joseph Remelius

offense to which ack

BAILED,
No. 1, by Christ - Jensen
Residence 829 Amsterdam Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated, December 1 193

Simms Magistrate.

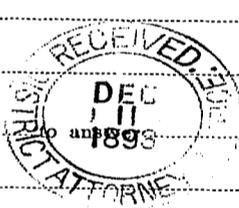
Lery Officer.
Cook Precinct.

Witnesses Norma Whicker
No. 221 East 38th Street.

Referred to Court
of General Asses Street.

No. _____ Street.

\$ _____



THE PEOPLE

against

Joseph Remelin

This indictment is based upon Chapter 377 of the Laws of 1887 as amended and superseded by Chapter 181 of the Laws of 1888.

Chapter 376 of the Laws of 1896 contains (at page 346 of the Session Laws) a provision repealing all of Chapter 377 of the Laws of 1887 and all of Chapter 181 of the Laws of 1888-- but it contains no saving clause and the said acts of 1887 and of 1888 were not in force when Chapter 376 of the Laws of 1896 took effect. The penal statute substantially re-enacting the said Act of 1888 was subsequently passed by the same Legislature. (See Chapter 953 of the Laws of 1896.) There was an interim of some weeks between the passing of the said Acts of 1896.

Under the decision of the Court of Appeals in the case of Hartung against the People, 22 N.Y.95 --

"After expiration or repeal of a law, no penalty can be enforced, nor punishment inflicted for a violation of the law committed while it was in force, unless some special provision be made for that purpose by statute."

Moreover,

"The repeal of a law imposing a penalty though it takes place after conviction, arrests judgment, and when the repeal is after judgment, the judgment is to be reversed upon error."

A Fortiori, where the statute repealing ^{the} an Act

founded was passed,
upon which this indictment is found, criminal process
thereon is thereby arrested.

In view of the fact that the statute upon which
this indictment is based was repealed without a saving
clause in the repealing Act, and that the re-enacting
statute, Chapter 933 of the Laws of 1896, must be regarded
prospective in its operation, I am constrained under the
well settled case of Hartung against the People to recom-
mend the discharge of the defendant upon his own undertaking

New York, January 28th 1899.

Alfred J. Sweeney

Assistant District Attorney.

0394

IN SENATE
JANUARY 12 1893
RECEIVED

6225

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Remedius

The Grand Jury of the City and County of New York, by this indictment accuse *Joseph Remedius* of a misdemeanor, to wit: the crime of offending against the provisions of the second section of the Act of the Legislature of this State, passed May 18th, 1887, entitled: "An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," as the same was amended by a certain other Act of the Legislature of this State, passed April 26th, 1888, entitled: "An Act to amend Chapter three hundred and seventy-seven of the Laws of eighteen hundred and eighty-seven, entitled 'An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,'" committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, *one Ferdinand Neuner* having *his* principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling *Lager Beer* and other beverages in bottles, with *his* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *14th* day of *January* 1889, and also in the office of the Secretary of State of the State of New York, to wit: on the *12th* day of *February* 1889, a description of the name, marks and devices so used by *him* and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid so as aforesaid produced upon such bottles, and a description of which had been so duly filed and published as required by law as aforesaid, the said *Ferdinand Neuner* used the name "*Ferdinand Neuner*" upon such bottles.

And the said *Joseph Remedius* late of the City and County aforesaid, afterwards to wit: on the *fourth* day of *November*, 1893, at the City and County aforesaid, did unlawfully buy from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said *Ferdinand Neuner* divers to wit: *six* certain bottles, which and each of which were and was then

and there marked and distinguished as aforesaid, with and by the said name _____ of the said Derdinand Neuman, being the name _____ of which a description had been so filed and published as aforesaid, which said bottles _____ had not been purchased from the said Derdinand Neuman; 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 Joseph Reselius of the same misdemeanor, committed as follows:

Heretofore and prior to the day of commission of the crime and misdemeanor hereinafter alleged, one Ferdinand Neuman having his principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling Lager Beer and other beverages, in bottles _____ with his name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the 14th day of February 1887, and also in the Office of the Secretary of State of the State of New York, to wit: on the 12th day of February 1887, a description of the name, marks and devices so used by him, and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, _____ and a description of which had been so duly filed and published as required by law, as aforesaid, the said Ferdinand Neuman used the name "Ferdinand Neuman" upon such bottles.

And the said Joseph Reselius late of the City and County aforesaid, afterwards, to wit: on the thirtieth day of November 1893, at the City and County aforesaid, did unlawfully take from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said Ferdinand Neuman _____ divers, to wit: six certain bottles, _____ which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name "Ferdinand Neuman" of the said Ferdinand Neuman being the name _____ of which a description had been so filed and published as aforesaid, and which said bottles, _____ had not been purchased from the said Ferdinand Neuman 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 Joseph Reselius of the same misdemeanor, committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, one Ferdinand Neuman having his principal place of business in the said City of New York, being at all the times herein-

after mentioned engaged in bottling and selling in bottles, with *the name* and other beverages engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *14th* day of *November*, 18*95*, and also in the office of the Secretary of State of the State of New York, to wit: on the *14th* day of *November*, 18*95*; a description of the name, marks and devices so used by *him* and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, and a description of which had been so duly filed and published as required by law, the said *Borden and Hemenway* used the name "*Borden and Hemenway*" upon such *bottles*.

And the said *Joseph Cornelius* of the City and County aforesaid, afterwards, to wit: on the *14th* day of *November*, 189*5*, at the City and County aforesaid, did unlawfully traffic in and dispose of in a manner and by means to the Grand Jury aforesaid, unknown, without the consent of the said *Borden and Hemenway* drivers, to wit: *certain* bottles, which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name "*Borden and Hemenway*" of the said *Borden and Hemenway* being the name of which a description had been so filed and published as aforesaid, and which said bottles had not been purchased from the said *Borden and Hemenway* against the form of the Statute in such case made and provided against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

0397

Copy furnished to District Attorney

Witnesses:
A. W. Lankin

Counsel,

22 Dec
day of
189

Pleads,

not guilty (20)

THE PEOPLE

vs.

Joseph Bendis

MISDEMEANOR.
[Chap. 877, Laws of 1887, as amended by Chap. 183, Laws of 1888.]

DE LANCEY NICOLL,

District Attorney.

Jan 21/99
Paul Discharged

A TRUE BILL.

A. Lockwood

Foreman.

THE PEOPLE

against

Joseph Remelios

This indictment is based upon Chapter 377 of the Laws of 1887 as amended and superseded by Chapter 181 of the Laws of 1888.

Chapter 376 of the Laws of 1896 contains (at page 346 of the Session Laws) a provision repealing all of Chapter 377 of the Laws of 1887 and all of Chapter 181 of the Laws of 1888-- but it contains no saving clause and the said acts of 1887 and of 1888 were not in force when Chapter ~~377~~ 376 of the Laws of 1896 took effect. The penal statute substantially re-enacting the said Act of 1888 was subsequently passed by the same Legislature. (See Chapter 933 of the Laws of 1896.) There was an interim of some weeks between the passing of the said Acts of 1896.

Under the decision of the Court of Appeals in the case of Hartung against the People, 22 N.Y.95 --

"After expiration or repeal of a law, no penalty can be enforced, nor punishment inflicted for a violation of the law committed while it was in force, unless some special provision be made for that purpose by statute."

Moreover,

"The repeal of a law imposing a penalty though it takes place after conviction, arrests judgment, and when the repeal is after judgment, the judgment is to be reversed upon error."

A Fortiori, where the statute repealing *the* Act

DEPT. OF JUSTICE

IN SENATE JANUARY 28 1899

founded, was passed,
upon which this indictment is found, criminal process
thereon is thereby arrested.

In view of the fact that the statute upon which
this indictment is based was repealed without a saving
clause in the repealing Act, and that the re-enacting
statute, Chapter 933 of the Laws of 1896, must be regarded
prospective in its operation, I am constrained under the
well settled case of Hartung against the People to recom-
mend the discharge of the defendant upon his own undertaking

New York, January 28th 1899.

Wm. J. ...

Assistant District Attorney.

0400

IN AID OF THE LEGAL AND THE SERVICE JOHN MPTON

PERSON TO SPEAK SILENTLY

JOHN MPTON THE INDICEMENT TO JOHN MPTON AGAINST BLOODES
Commissioners

6225

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Bendin

The Grand Jury of the City and County of New York, by this indictment accuse *Joseph Bendin* of a misdemeanor, to wit: the crime of offending against the provisions of the second section of the Act of the Legislature of this State, passed May 18th, 1887, entitled: "An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," as the same was amended by a certain other Act of the Legislature of this State, passed April 26th, 1888, entitled: "An Act to amend Chapter three hundred and seventy-seven of the Laws of eighteen hundred and eighty-seven, entitled 'An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,'" committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, *Manufacturers and Henry Bendin Corporation* having *their* principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling *lager beer* and other beverages in bottles, _____ with *their* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the _____ day of *April* 18 *89*, and also in the office of the Secretary of State of the State of New York, to wit: on the _____ day of *April* 18 *89*, a description of the name, marks and devices so used by *them* and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid so as aforesaid produced upon such bottles, _____ and a description of which had been so duly filed and published as required by law as aforesaid, the said *corporation* used the name "*Bendin & Son*" upon such *and the letters and word "B.S." in a narrow form upon such bottles*

And the said *Joseph Bendin*, late of the City and County aforesaid, afterwards to wit: on the _____ day of *November*, 1893, at the City and County aforesaid, did unlawfully buy from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said *corporation* divers to wit: *three* certain bottles, _____ which and each of which were and was then

and there marked and distinguished as aforesaid, with and by the said name *mark and device* of the said *copartners*, being the name *mark and device* of which a description had been so filed and published as aforesaid, which said bottles _____ had not been purchased from the said *copartners* _____; 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 *Joseph Remelius* of the same misdemeanor, committed as follows:

Heretofore and prior to the day of commission of the crime and misdemeanor hereinafter alleged, *Mary Grenhart and Henry Grenhart copartners* doing business by the name of *Grenhart and Son* having *their* principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling *lager beer* and other beverages, in bottles _____ with *their* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *16th* day of *April* 18*89*, and also in the Office of the Secretary of State of the State of New York, to wit: on the *15th* day of *April* 18*89*, a description of the name, marks and devices so used by them, and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, _____ and a description of which had been so duly filed and published as required by law, as aforesaid, the said *copartners* used the name *"Grenhart and Son"* and the letters and word *"G. & S."* in a monogram upon such *bottles*.

And the said *Joseph Remelius* late of the City and County aforesaid, afterwards, to wit: on the *29th* day of *November* 189*3*, at the City and County aforesaid, did unlawfully take from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said *copartners* _____ divers, to wit: *three* certain bottles, _____ which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name, *mark and device* of the said *copartners* being the name, *mark and device* of which a description had been so filed and published as aforesaid, and which said bottles, _____ had not been purchased from the said *copartners* _____ 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 *Joseph Remelius* of the same misdemeanor, committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, *Mary Grenhart and Henry Grenhart copartners* doing business by the name of *Grenhart and Son* having *their* principal place of business in the said City of New York, being at all the times herein-

after mentioned engaged in bottling and selling *lager beer* and other beverages in bottles, _____ with *their* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *16th* day of *April* 18*97*, and also in the office of the Secretary of State of the State of New York, to wit: on the *15th* day of *April* 18*97*, a description of the name, marks and devices so used by _____ and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, _____ and a description of which had been so duly filed and published as required by law, the said *copartners* used the name "*Greenhart & Son*" and the letters, and word "*G.P.S.*" in a monogram upon such *bottles*

And the said *Joseph Remelin* date of the City and County aforesaid, afterwards, to wit: on the *29th* day of *November* 189*7*, at the City and County aforesaid, did unlawfully traffic in and dispose of in a manner and by means to the Grand Jury aforesaid, unknown, without the consent of the said *copartners* divers, to wit: *three* certain bottles, _____ which and each of which were and there so marked and distinguished as aforesaid, with and by the said name, *mark and device* of the said *copartners* being the name *mark and device* of which a description had been so filed and published as aforesaid, and which said bottles _____ had not been purchased from the said *copartners* against the form of the Statute in such case made and provided against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

0403

BOX:

545

FOLDER:

4956

DESCRIPTION:

Rensing, Theodore

DATE:

12/13/93



4956

0404

BOX:

545

FOLDER:

4956

DESCRIPTION:

Gilbert, Daniel

DATE:

12/13/93



4956

Witnesses:

official *Mrs Hoar*
20th Precinct

Not. First Concl...

111

Counsel, *Maurice [unclear] No 1*

Filed *3* day of *Dec* 189*3*

Pleas *Guilty*

THE PEOPLE

22 vs *83*
419 medicinal vs.

Theodore Rensing

and

Daniel Gilbert

By *[unclear]* in the Third Degree.
[Section 485, 486, 487, 488]

DE LANCEY NICOLL,

District Attorney.

Part 3, January 8, 1894

Not. O. Mrs Rev

A TRUE BILL.

B. Lockwood

Dec 13/93 Foreman.

Henry Mendel Bay 3 day

S.P. 3 year Dec 1894

Court of General Sessions

-----X
 The People &C. :
 against :
 Theodore Rensing :
 -----X

City and County of New York S.S.

Harry Miller being duly sworn says that he is engaged in the business of Hatter and gents furnishings for himself at number 362 Tenth Ave this City and that he has been engaged in business for about four years. That he is personally acquainted with the defendant above named for about five years last past and that he is acquainted with a great many other persons that know him and that during said five years he has seen the defendant most frequently and has always found him an honest and industrious young man, never before having heard of him being charged with the commission of any offense and that his character for honesty has been most excellent.

Sworn to before me this
 3th day of January 1894

Harry Miller

Court of General Sessions

The People

vs

Theodore Remondy

Applicant

Married by

Council for Sept

Wed 1884

Wm J

.....
.....
.....

.....

Court of General Sessions

-----X
 The People &C. :
 against :
 Theodore Rensing :
 -----X

City and County of New York S. S.

Oscar M. Hubner being
 duly sworn says that he resides at Number 16 Parry Street
 New York City and that he is at present employed as Sales-
 man for the New York Belting and packing Company and Number
 15 Park Row New York City. That he was employed by Samuel
 Hall's Sons of number 329 West Tenth Street manufacturers
 of bolts&C. for about ten years. That he was foreman of
 the Machine Department for about four years during which
 time the defendant was employed under him and always
 found him an honest and capable and industrious workman.

Deponent further says that he has known the defend-
 ant for about fifteen years and that he is acquainted
 with a great many others that know him and that up to the
 present time he never heard of said defendant being
 charged with the commission of any crime and that his
 character for honesty has been most excellent.

Sworn to before me this
 8th day of Januar 1894

Oscar M. Hubner.

Police Court 2nd District.

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

of No. 335 West 39th Street, aged 27 years,
occupation Brewer

Charles Meyer

deposes and says, that the premises No 335 West 39th Street,
in the City and County aforesaid, the said being a four story brick

building
and which was occupied by deponent as a furnished room -
~~and in which there was at the time a person being by name~~

were **BURGLARIOUSLY** entered by means of forcibly opening a
door, leading from the hall, into a front hall
bed room, on the second floor of the above
mentioned premises by means of false keys.

on the 27 day of November 1883 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

a large pocket book, of the amount and
value of about fifty-cents - and a silver
watch, and chain, of the amount and
value of twenty dollars -

the property of deponent

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

Theodore Rensing & Daniel Gilbert (both unknown)

for the reasons following, to wit: that about the hour of four
o'clock A.M., of said date, deponent securely closed,
locked and fastened said door, and at that
time the said watch and chain, was in the
pocket of the vest, then hanging on the wall
of said room, and said pocketbook was lying
on the mantle, in said room, and after seeing
said door securely closed and fastened deponent
went away, and that deponent is informed by

04 11

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

Jacob Peters

aged _____ years, occupation *Liquor Saloon* of No. _____

235 West 39

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Charles Meyer*

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

Sworn to before me, this

day of *March* 189 *3*

Jacob Peters

[Signature]

Police Justice.

04 12

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

William Howe

aged _____ years, occupation _____ of No. _____

Det. Francis Price

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of

Charles Meyer

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

Sworn to before me, this _____ day of _____ 1893

Wm. Howe

[Signature]
Police Justice.

0413

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Theodore Pensing 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 *Theodore Pensing*

Question. How old are you?

Answer *22 years*

Question. Where were you born?

Answer *New York*

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

Answer *419 West 53 Street - 2 months*

Question. What is your business or profession?

Answer *Blacksmith*

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 -*

Theodore Pensing

Taken before me this *23* day of *March* 188*8*
[Signature]
Police Justice.

0414

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Daniel Gilbert 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.

Daniel Gilbert

Question. How old are you?

Answer.

24 years -

Question. Where were you born?

Answer.

New York

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

Answer.

424 West 44th Street - 3 mos.

Question. What is your business or profession?

Answer.

Seaman

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 -

Daniel Gilbert

Taken before me this
day of March 1888

Police Justice.

[Signature]

0415

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

guilty thereof, I order that 17 he be held to answer the same and 17 he be admitted to bail in the sum of Twenty Hundred Dollars, each and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.
Dated March 24 1893 [Signature] Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0416

(20th ward)

1269

Police Court--- District.

THE PEOPLE &c.
ON THE COMPLAINT OF

Charles Meyer
335 West 39th
Herbert Benson
Daniel Seltzer

Offence
My pay

3
4

Dated

Nov 27th 1893

Magistrate.

Officer

20 Precinct.

Witnesses

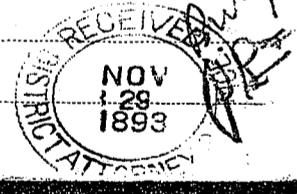
No.

No.

No.

\$

Can



BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

No. 335 West 39 Street.

Samuel Dessert

No. 335 West 39 Street.

\$ 2000 to answer

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

THE PEOPLE OF THE STATE OF NEW YORK

against
Theodore Rensing
and
Daniel Gilbert

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

Theodore Rensing and Daniel Gilbert

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

The said

Theodore Rensing and
Daniel Gilbert, both

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

Charles Meyer

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

SECOND COUNT—

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

Theodore Rensing and Daniel Gilbert

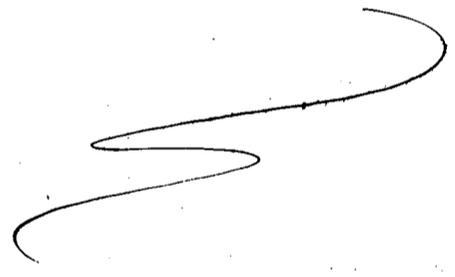
of the CRIME OF *Petit* LARCENY committed as follows:

The said

Theodore Rensing and Daniel Gilbert, 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,

one watch of the value of fourteen dollars, one chain of the value of six dollars, and one pocket-book of the value of fifty cents



of the goods, chattels and personal property of one

Charles Meyer
Charles Meyer

in the dwelling house of the said

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

Dechancey McCall
District Attorney

04 19

BOX:

545

FOLDER:

4956

DESCRIPTION:

Roberts, Charles E.

DATE:

12/13/93



4956

0420

POOR QUALITY ORIGINAL

Handwritten notes at top left of page.

Witnesses:

.....
.....
.....
.....

251
Court of Justice and Temperance

Counsel.

Filed, *19* day of *Dec* 189*9*

Pleads, *Not guilty*

THE PEOPLE

vs.
[Signature]

Charles E. Roberts

*General Services
District of Columbia*

and
DE LANCEY NICOLL,
District Attorney.

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

See enclosure

A TRUE BILL.

*One witness of Dist. Atty in Richmond
division [Signature] Sept 17/97
R. S. Cross Foreman.*

*Jan 19 1894
[Signature]*

0421

POOR QUALITY ORIGINAL

Handwritten notes at top left

Witnesses:

.....
.....
.....
.....

251
Court of Vices and Traction
W. B. K.

Counsel.

Filed, 13 day of Dec 1897

Pleads, *W. B. K.*

THE PEOPLE

vs.
[Signature]

Charles E. Roberts

General De. 11/17/94

Di. 13th 93

See enclosure

DE LANCEY NICOLI,

District Attorney.

*LARCENY, 2nd degree
(MISAPPROPRIATION.)
(Sections 528 and 55 of the Penal Code.)*

A TRUE BILL.

*One witness of Dist. Atty. in Richmond
deposition 10/17/97*

R. S. Cross Foreman.

Jan 19 1894

Dist. Atty.

0422

Sec. 192.

District Police Court.

Undertaking to Appear during the Examination.

CITY AND COUNTY OF NEW YORK, ss.

An information having been laid before Edward Hogan a Police Justice of the City of New York, charging Charles E. Robert Defendant with the offense of Larceny a felony

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, Charles E. Robert Defendant of No. 322 West 54th Street, by occupation a Armed man and Charles B. Hedden and of No. 219 West Fourth Street, by occupation a Portly Seaman Surety, hereby jointly and severally undertake that the above-named Charles E. Robert Defendant shall personally appear before the said Justice, at the 2 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 Five Hundred Dollars.

Taken and acknowledged before me this 26 day of October 1893

Charles E. Robert
Charles B. Hedden
E. Hogan
Police Justice.

0424

L.M. DARLING, PRESIDENT.

R.S. DARLING, GEN. MANAGER.

H.C. DARLING, TREASURER.

METROPOLITAN
HOTEL SUPPLY CO.
 HOTEL, STEAMSHIP & RESTAURANT SUPPLIES.

BEEF, MUTTON,
 POULTRY, GAME,
 TONGUES, HAMS,
 BACON, LARD, ETC.
 ETC. ETC.

TELEPHONE 1106 "SPRING."

5 Bloomfield St.
 WEST WASHINGTON MARKET.

New York, Aug. 3, 1893

Sold to John M. Cook.

17 1/2
 Bill Rend

18

3	15
29	41
32	56

Paid to Hotel Supply Co.
 B

0425

Police Court

^m
V District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Ruel S. Darling

of No. 5 Bloomfield Street, aged 37 years,
occupation General manager being duly sworn,
deposes and says, that on the 3rd day of August 1893 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the daytime, the following property, viz:

Thirty-two dollars and forty five
cents good and lawful money of
the United States

32⁴⁵/₁₀₀

the property of the Metropolitan Hotel Supply Company
of which Company deponent is the general
manager

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 Charles E. Roberts

from the fact that defendant was in
the employ of deponent as salesman
and collector that deponent sent said
defendant to collect said amount
for deponent that deponent is
informed by John Mook that he
paid defendant said money and that
the bill has been amended and receipted
in full payment, was given to said
witness by said defendant.

Deponent says further that defendant
has failed to deliver said money to
deponent and that he has unlawfully
appropriated said money to his own use.

Deponent says that defendant is arrested and
held to answer Ruel S. Darling.

Sworn to before me this
3rd day of
August
1893
Police Justice.

0426

1877.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Mook

aged 63 years, occupation Butcher of No. 107

West 36th Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Paul Darling

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

Sworn to before me, this 24th }
day of October 1893 } John Mook

[Signature]
Police Justice.

0427

Sec. 198-200.

1882

District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer. *Charles E Roberts*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *NY*

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

Answer. *372 Mon St - NY 1 year*

Question. What is your business or profession?

Answer. *Printer*

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

Answer.

*I am very guilty
Charles E Roberts*

Taken before me this *26* day of *March* 189*3*

Police Justice

[Signature]

0428

1847

Sec. 151.

Police Court 2 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 Paul A. Darling of No. 5 Bloomsfield Street, that on the 3rd day of August 1893, 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 thirty two Dollars, the property of the Metropolitan Hotel Supply Company w. as taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by Charles E. Roberts

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 2 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 2nd day of August 1893
A. Hogan POLICE JUSTICE.

0429

of 30 A M 22 W. N. Y. Poultry Dealer N. No 322. W. 30. Street

Police Court 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Paul J. Darling
vs.
Charles E. Roberts

Warrant-Larceny.

Dated October 24 1893

Hogan Magistrate.

Connel Officer.
Charles E. Roberts

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

John D. Connel Officer.

Dated October 26 1893

This Warrant may be executed on Sunday or at night.

..... Police Justice.

0430

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

Dupman
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, New York, until he give such bail

Dated Nov 17 1893 [Signature] Police Justice.

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

Dated Nov 17 1893 [Signature] Police Justice.

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

Dated _____ 18 _____ Police Justice.

0431

Ex Oct 31st 1893
10³⁰ A.M.
\$500.00 bail

BAILED

No. 1, by *[Signature]*
Residence *[Signature]* Street.

10³⁰ P.M.
Residence *[Signature]* Street.

No. 3, by *Myrtle Reister*
Residence *St. E. 109* Street.

No. 4, by *St. Greenwich*
Residence _____ Street.

Police Court--- *W 125th 1230* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Quel S. Darling
5 Bloomfield St.
1 *Chas Robert*

2 _____
3 _____
4 _____

Offence *Larceny*

Dated *Oct 26* 188

H. H. Hagan Magistrate.

Harrell Officer.

Court Precinct.

Witnesses *John Mork*

No. 10 *W 36th* Street.

Sam B. Brown Street.

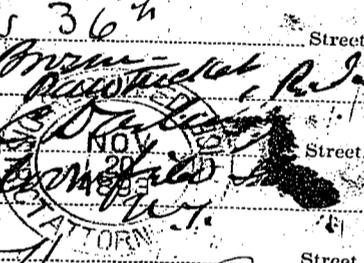
No. *5 Bloomfield St.* Street.

No. _____ Street.

No. _____ Street.

to answer *[Signature]*

[Signature]



0432

C OF J-121



William Hensley
Commissioner

Office of
Commissioner of Jurors,
Stewart Building,
ROOM 127.

New York

189

State of New York
County of New York

Before the undersigned Robert O'Dyne Notary Public personally appeared George D. Lloyd residing at 313 Alexander Ave N.Y. City and employed as Exempt Clerk in the office of the Commissioner of Jurors N.Y. City, who states as follows: I am personally acquainted with Charles E. Roberts of Brooklyn who formerly resided in New York City. I have known him for several years. I know him to be an honest man and one who would not do a dishonest act. I am acquainted with the main facts in the case of his service with Mr. Darling, his voluntary retirement from said service, his arrest for theft because he had simply retained in his possession funds sufficient to compensate

him for service due, to wit: one week's
 salary. But he notified Mr Darling
 of same before any attempt was made
 to coerce him into remaining in his,
 Mr Darling's, service: that the charge
 lodged against him - Mr Roberts was
 made only to frighten and compel said
 Roberts to return to Darling's employ.
 Roberts had been collector for
 Darling for a year and had been honest
 and faithful in his accountings else
 the said Darling could never have
 entrusted him with such a responsible
 position. The whole transaction shows
 persecution, a well defined case

George P. Rouse

Sworn to and subscribed before me
 this 31st day of August A.D. 1897

Robert O. Byrnes
 Notary Public
 City of New York

State of New York }
 County of New York } Before the undersigned Notary Public

Personally appeared Charles E. Perts a resident of
 Brooklyn N.Y. who makes the following statement

I was employed by the Metropolitan Milk Supply Co
 125 5th Avenue New York City, as salesman
 and collector, at a salary of twenty five dollars
 per week and served them faithfully for
 about one year, at the end of that period
 feeling that they had not treated me right
 I decided to go into business for myself.
 I did not consider it necessary to give
 them any previous notice of my intentions
 to quit and I did not. When they learned
 "on the day I was to leave" of my
 determination, they failed for the first time
 to pay me my week's salary. It was
 undoubtedly intentional on their part for
 they thought it might compel me to remain.
 As I had been their collector for the
 time I was in their employ and having
 funds in my hands belonging to them
 including a check for 26.27 I withheld
 the said check and on Monday following
 I asked for my salary. Mr Darling said
 in reply "there is time enough."
 I then upon told him I had the check
 for 26.27 and offered him the difference
 1.27 between the amount due me and the
 amount of the check. He refused to
 accept ~~it~~ refused to pay me and
 I left and went about my business.
 The following day he had me arrested
 I think all this happened in the month
 of October, 1893. I furnished Bail Bond at once and
 held the check in my possession for
 some months after when I had it
 cashed and deducted the amount due
 me holding the balance to pay the
 same \$1.27. The check given me was
 not made payable to them but to
 another party who endorsed the check
 and gave to me so there was no forgery
 on my part. I simply had to endorse
 my own name, and procure the funds I
 certainly do not think I was committing any wrong,
 only stating what belonged to me and what
 was withheld from me. I have never been
 guilty of any dishonest act. The foregoing is a

0435

True and correct statement of facts
Charles E. Roberts.

Sworn to and subscribed before me this 31st
day of August A.D. 1897.

Robert L. Spruce
Notary Public
New York Co.
Cert. filed in N.Y. Co.

City of County of New York. } ss.

John Mook.

107 West 36th St -

I dealt with ^{Metropolitan} Hotel Supply Co. On August 3rd 1893 I purchased from them ~~on August~~ 17th chickens at 18 cents. Total \$3.15. A previous bill of \$2.9 and 41 cents was rendered.

The defendant called on me on the 4th & I paid him the full amount of the bill. I do not know whether I paid in bills, by check or fast check and bills. I am sure I paid the amount for which bill of Aug 3rd 1893 is receipted. I keep no regular set of books and am not positive about the date the money was paid. I have known the defendant Roberts about two years. It was through him I began dealing with the Metropolitan supply Company.

I used to see him two or three times a week. I never heard any thing against him till this came up. The last dealings I had with defendant was on Oct 10th 1893. He then told me that he was going

into the business for himself
and asked me if I would help
him. This is all I know
about the case

Sworn to before me this } John Mark
20th day of June 1893 }
John H. DeChant
Notary Public No 158.

People
vs
Roberts.

Att. Gen. John Mark.

G. M. Brown
July 16th 95.

The United States

City and County of New York } ss.

John D. Farrell.

5th Dist Police Ct.

I arrested the Dept Chas E. Roberts on Oct 26th 1893. On the 24th Oct 1893. The Comp. said to me that "I want you to arrest him (dept) as soon as feasible, as he is going in the same business I am in."

When I arrested the Dept. (at New Washington Market). Dept said this is a case of persecution on part of Darling Bros. I am about to establish a business for myself, and they owe me a weeks salary, and I took it out of the check.

Sworn to before me this }
8th day of June 1894. }

John D. Farrell

Patrick H. Dehauly

Notary Public 108.
N.Y. Co.

0439

The People

vs.

Chas. S. Robert.

Affidavit of
Officer John D. Farrell
5th Dist Police Ct.

0440

L.M. DARLING, PRESIDENT.

R.S. DARLING, GEN. MANAGER.

H.C. DARLING, TREASURER.

METROPOLITAN HOTEL SUPPLY CO.
HOTEL STEAMSHIP & RESTAURANT SUPPLIES.

BEEF, MUTTON,
POULTRY, GAME,
TONGUES, HAMS,
BACON, LARD, Etc.
Etc. Etc.

TELEPHONE 1106 "SPRING"

5 Bloomfield St.
WEST WASHINGTON MARKET.

New York, June 16th 1895.

Mr. Robt. Townsend

Dear Sir

I was talking with you about the Roberts case and we considered the matter of sending for our old bookkeeper Edward Lips to inquire who is to pay the expense. If he comes here it will cost about 12 or 15 dollars. The address is Harry B. Brown Pauncket, N.J. Should think under the circumstances it would be better for you to correspond with him as he would be more apt to come here.

Write Brown July 17th asking if he would come to the city as a witness. J.

Yours Respectfully
H.C. Darling.

0441

Over and Termier
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

Charles E. Roberts

The Grand Jury of the City and County of New York, by this indictment, accuse
Charles E. Roberts
of the CRIME OF *Grand* LARCENY, *in the second degree*, committed
as follows:

The said *Charles E. Roberts*,

late of the City of New York, in the County of New York aforesaid, on the *third*
day of *August*, in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, being then and there the *clerk*
and servant of a *certain* corporation
called *the Metroplitan Hotel*
Supply 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 twenty*
two dollars and forty five
cents in money, lawful
money of the United States
of America, and of the value
of twenty two dollars and
forty five cents,

the said *Charles E. Roberts*, 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.