

0009

BOX:

124

FOLDER:

1304

DESCRIPTION:

Babbett, Frank

DATE:

01/14/84



1304

Witnesses

R. W. Dutton

Counsel,

Filed 14 day of Jan 1884

Pleads

Forgery (1st)

THE PEOPLE

vs.

F

Frank

E. Dabbert

PETER B. OLNEY,

JOHN MCKEN

District Attorney.

A True Bill.

W. W. Dutton

Foreman.

Jan 10/84

Heads of Jury

Chas. R. Fay

#116

21

0010

0011

401 Broadway.	No. 232	New York, Dec 27 1883.
	National Citizens Bank,	
	Pay to the order of Mrs. Mary Wilton	
	\$ 50.00	
	Dollars.	
	John S. Hulst, Printer and Stationer, 411 Broadway, N. Y.	

00 12

J.R.L.

Mary Hilton

~~James M. Hilton~~

~~M. Hilton~~

776-1000

1888

DEC 31

70

0013

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

Police Court, 4 District.

Richard W. Wilton, aged
58 years - an Engineer.
of No. 34th East 18th Street, being duly sworn, deposes andsays, that on the 2nd day of December 1883

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

Frank C. Babbett, (now present)
with the felonious intent
to cheat and defraud deponent, knowingly
uttered and caused to be published as
true the annexed false, forged, and
counterfeit check, purporting to be drawn
by Frederick W. Lowe, on the National Citizens
Bank of the City of New York for the payment
to deponent of the sum of fifty dollars -

and marked Exhibit. A.

That said Babbett was indebted
to deponent to the amount of about
fifty dollars - and that in payment
of said indebtedness the said Babbett
gave to deponent the said annexed bank
check and at the same time informed
deponent that the said check was
good for the said amount, and that
the said check was drawn on said
Bank by said Frederick W. Lowe.

deponent has been informed
by said Frederick W. Lowe that said check
is a forgery, that he Lowe never signed
or uttered said check.

Subscribed before me this
9th day of January 1883

R. W. Wilton



Police District

00 14

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 48 years, occupation Lawyer of No. 618 Lexington Avenue Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Richard M. Wilton

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

Sworn to before me, this 9th

day of January

1884

Fredrick M. Loeu

[Signature]
Police Justice.

0015

Sec. 198-200

X District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Frank E. Rabbett

Question. How old are you?

Answer.

28 years

Question. Where were you born?

Answer.

New York City

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

Answer.

347 East 18th Street, 2 months

Question. What is your business or profession?

Answer.

Lumber inspector

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

Answer.

I have nothing to say at
present

Frank E. Rabbett.

Taken before me this

day of

Police Justice.

00 16

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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 June 9 1884 [Signature] Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0017

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Richard W. Wilton
347 E 18 St.
J. E. Babbitt

2 _____
3 _____
4 _____

Dated Jan 9 1884

P. G. Ruffey Magistrate.

J. B. Carey Officer.

18 Precinct.

Witnesses J. W. Lewis

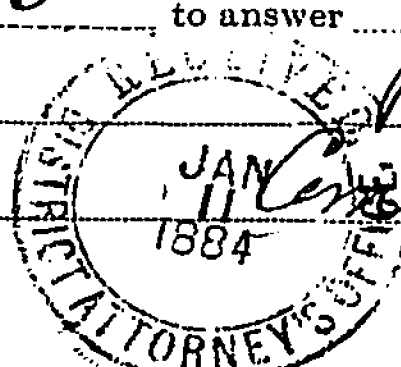
No. 618 Lexington Street.

Mary Wilton

No. 618 Lexington Street.

No. _____ Street,

\$ 1500 to answer



0018

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Frank E. Barker

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

Frank E. Barker

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

The said Frank E. Barker

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the ~~twenty seventh~~ day of ~~December~~ in the year of our Lord one thousand eight hundred and eighty ~~three~~ with force and arms, at the Ward, City and County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly act and assist in the forging a certain instrument and writing, to wit: an order for the payment of money of the kind commonly called bank checks which said forged bank checks is as follows, that is to say:

no. 233

New York, Dec 27

1883

National Citizens Bank

Pay to R. W. Wilson

Fifty #

Dollars

\$50 ⁰⁰/₁₀₀

Fred W. Dow

G. P.

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

0019

SECOND COUNT.

And the Grand Jury aforesaid by this indictment further accuse the said Frank E.

Barrett

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

The said Frank E. Barrett

late of the Ward, City and County aforesaid, afterwards, to wit, on the said twenty-seventh
day of December in the year of our Lord one thousand eight hundred and
eightythree with force and arms, at the Ward, City and County aforesaid, with intent to defraud,
having in his possession,
a certain forged instrument and writing, to wit: an order for
the payment of money of the kind
commonly called bank checks
which said last-mentioned forged bank check
is as follows, that is to say:

no. 233

New York, Dec 27 1883

National Citizens Bank,

Pay to R. W. Wilton

Fifty # Dollars

\$50 ⁰⁰/₁₀₀

Fred W. Low

G. P.

with force and arms the said forged bank check
then and there deliberately did utter, dispose of and put off
as true, the said Frank E. Barrett
then and there well knowing the same to be forged, against the form
of the Statute in such case made and provided, and against the peace of the People of the State of
New York and their dignity.

PETER B. OLNEY,

JOHN M. KEENE, District Attorney.

0020

BOX:

124

FOLDER:

1304

DESCRIPTION:

Baker, Charles

DATE:

01/21/84



1304

0021

-214-

Witnesses:

Thomas J. Mangini

John J. McMahon

Officer Joseph Park

30 Dec

Counsel,

Filed 21 day of Jan 1884

Pleads

Wm. J. Kelly, Jr.

THE PEOPLE

vs.

Charles

Spencer

Grand Larceny 2nd degree
[Sections 528, 529, 530 — Penal Code.]

PETER B. OLNEY,

District Attorney.

A True Bill.

Wm. J. Kelly, Jr.
Foreman.

John J. McMahon

Officer Joseph Park

Filed & acknowledged
S.P. 2 year. 25

0022

5th

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss.

John J. Heston

of No. 2135 Third Avenue Street,

being duly sworn, deposes and says, that on the 16th day of January 1884

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 :

Fifty four yards of cashmere of the
value of Twenty seven dollars

Subscribed and sworn to before me this _____

day of _____

Police Justice

188

the property of Edward Gallin in the care ^{and}
charge of deponent who is 14 years
old and is employed to watch the
goods outside of store and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken,
stolen, and carried away by Charles Baker (now here)
and another person whose name is
unknown that deponent saw said
Baker and said unknown man
walking up Third Avenue and
both stood in front of store No
2217 Third Avenue in said City
and said unknown ^{man} took said
piece of cashmere that was in
front of said store when he

0023

said unknown persons that fell off
~~and~~ said Baker picked it up
and he said Baker and said
unknown person ran away together
with said property

Sworn to before me
this 17th day of January 1884
Sanity C. [Signature] Police Justice

[Signature]

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0024

Sec. 198-200

CITY AND COUNTY
OF NEW YORK, } ss.

5th

District Police Court.

Charles Baker

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

Question. What is your name?

Answer. *Charles Baker*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *185 73rd St. one year*

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

Charles Baker

Taken before me this

day of

Jan

188

Police Justice.

0025

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 Charles Bakewell

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

Dated Jan 17 188 4 Samuel C. Peck Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0026

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court-- 5th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John J. Heslin
2135 9th St.

1 Charles Baker

2 _____

3 _____

4 _____

Dated Jan 17 1884

D. O'Reilly Magistrate.

Joseph Back Officer.

30 Precinct.

Witnesses Thos J. Mangin

No. 731 E. 145th Street.

No. _____ Street.

No. _____ Street.

\$ 1.00 to answer



0027

46
 The People } Court of General Sessions. Part I.
 vs. Charles Baker } Before Judge Leving. Jan. 24. 1884.
 Indictment for grand larceny in the second degree.
 John J. Meshin, sworn and examined. I work
 in E. Callan's 2215 and 2217 Third ave.; on the
 16th of this month I saw the prisoner; it was
 in the early evening, a quarter to six; it was
 getting dark, and the lamps were lighted
 on the street and in the stores. I am employ-
 ed at Mr. Callan's as bundle boy and watch-
 er outside; goods are piled up on the outside
 of this prisoner and an unknown man came
 along and they stood a little while in front
 of the store. I saw them come together and
 they stood there about two minutes. The un-
 known man picked up a piece of cashmere
 in front of the store, and as he did his
 hat dropped off and this prisoner picked up
 his hat and they both ran together through
 124th st. I was in the store just as he
 picked up the goods and called some of the
 boys; we came out and we could not
 see a sight of them. Margin asked me to
 give a description of them; he went after them
 and only this prisoner was arrested. I am
 sure he is the party that was there that
 night; there is no mistake about it. There
 was 54 yards in the piece of cloth and it

0028

was worth twenty seven dollars. I did not see the prisoner and the unknown man talk together, but they were looking in the store, but they came up the avenue, stopped and ran away together. Cross Examined I was standing out in the gutter. I kept my eye on them all the time they were there. I did not see them exchange a word during the two minutes they were there. The cloth that was taken was not recovered. I only heard there was 54 yards in the piece. I did not measure it. The tape was on it to keep it together.

Thomas J. Margin, sworn and examined I am employed by E. Callan Nos. 2215 and 2217 Third Ave. On the night of the 16th of this month a piece of cashmere was stolen measuring 54 yards and the wholesale price of it was 50 cents a yard. The reason I am so positive of it was the night before we took stock in the store and these goods that were outside on this pile where the piece of cashmere was stolen was brought in a separate lot. When we were taking the entry we took that first lot after the store closed and that piece of cashmere when we came to examine the list was the piece was missing the day after. I know there was 54 yards in it. I found the invoice of it

0029

and the wholesale price was 50 cents a yard. I was sitting in the store taking stock and somebody came in and told me two men had stolen a piece of cashmere and ran down 121st. I asked a description of the men and went after them. This prisoner was described to me as having a brown pea jacket and a round Derby hat and dark pants. I walked up to the corner of 121st and Second Avenue where I met the other man about 120th st. and Second ave. and stood on the corner two or three minutes. The prisoner was running down Second ave. I turned and ran after him; he ran very fast. I ran as far as 117th st. after him. I did not arrest him, but Officer Bache of the 30th precinct who was near the Elevated station did arrest him. Previous to this the prisoner went to 117th st. and looked up at the lamp post and walked to 116th st. and kept looking behind him. I followed him; he went to the corner of Third Avenue and commenced whistling a call whistle and walked down as far as the pawn shop and kept that call up. I followed him up on the station I told the gate man, "you watch that man till I bring an officer to have him arrested. I went down and got officer

0030

Bache; he was off duty going to tea; he ran up and took him off the station. I saw the prisoner searched; the officer took from him \$9.25, a five cent Elevated Railroad ticket, a red handkerchief, some matches, a tooth pick, and also out of the inside of the coat in the lining under the right arm he took out a "jimmy" in the presence of Capt. Davis. It was a long iron instrument, I should say about a foot long; on one end it was tapering from the centre, quite round in the centre; on one end was the shape of a screw driver very sharp as a razor and on the end it tapered out like a needle; the other end was a regular screw driver. Cross Examined. I have been employed by Mr. Callan five years. I saw this piece of cloth in the evening of the 15th. It was not measured; we took it by the ticket number, because it had never been opened. The wholesale price of this cloth was 30 cents per yard; we sold it at 65 cents. John F. Brennan, an attache of the District Attorney's office, testified that he saw the iron instrument spoken of by the last witness with officer Bache and that it is what is called a "jimmy." The jury rendered a verdict of guilty of grand larceny in the second degree. The prisoner was remanded for sentence.

0031

Testimony in the
case of
Charles Barker

filed

Jan.
1884.

0032

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Charles Baker

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

Charles Baker

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

The said Charles Baker

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
~~Sixteenth~~ day of ~~January~~ in the year of our Lord one thousand
eight hundred and eighty-~~two~~, at the Ward, City and County aforesaid, with force and arms,
fifty four yards of cloth of
the value of fifty cents each
yard

of the goods, chattels and personal property of one

Edward Carrin

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

Peter B. Olney
District Attorney