

0171

**BOX:**

339

**FOLDER:**

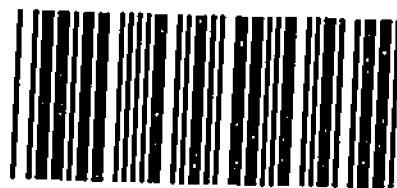
3202

**DESCRIPTION:**

Page, Charles

**DATE:**

01/28/89



3202

0172

Witnesses;

Mrs. Chumathols

291 J. H. Snow

Counsel,

Filed

Pleads,

28<sup>th</sup> day of Jan'y 1889

Chumathols

THE PEOPLE

vs.

R

Charles Page

Forgery in the Second Degree.  
[Sections 511 and 521, Penal Code.]  
(Endorsement, etc.)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Thos. B. Woodley

Jan'y 30<sup>th</sup> 1889. Foreman.

Wm. H. Hays, Deputy  
S. J. H. 1 Mr. Hays

Feb 8/89

DEPOSITED IN  
**GERMANIA BANK,**

By \_\_\_\_\_  
New York, *Febr. 20* 1888.

|               | DOLLARS. | CENTS. |
|---------------|----------|--------|
| Bills, .....  | 230      |        |
| Specie, ..... |          |        |
| Checks, ..... | 885      | 12     |
| " .....       | 253      | 10     |
| " .....       | 36       | 72     |
| " .....       | 1404     | 94     |
| " .....       |          |        |
| " .....       |          |        |

*Copy of original  
deposit slip.*

Copy of original  
deposit slip.

DEPOSITED IN  
**GERMANIA BANK,**

By Theo Schmahl  
New York, July 20 1888.

|                         | DOLLARS.        | CENTS.        |
|-------------------------|-----------------|---------------|
| Bills, .....            | 110             | -             |
| Specie, .....           |                 |               |
| Checks, ..... 2         | 885             | 12            |
| " ..... 3               | 253             | 10            |
| X " ..... 83            | 120             |               |
| " ..... 77              | 36              | 72            |
| " ..... <del>1402</del> | <del>1402</del> | <del>94</del> |
| " .....                 |                 |               |
| " .....                 |                 |               |
| " .....                 |                 |               |
| " .....                 |                 |               |

0174

|                 |  |                                    |
|-----------------|--|------------------------------------|
| 17 Union Square | No.  | New York Feb 20 <sup>th</sup> 1888 |
|                 | Bank of the Metropolis                                       |                                    |
|                 | Pay to <u>Frederick Schmalholz</u> or order                  |                                    |
|                 | one hundred & twenty <sup>00</sup> / <sub>100</sub> Dollars  |                                    |
|                 | \$120 <sup>00</sup> / <sub>100</sub>                         |                                    |
|                 | David Holland  |                                    |
|                 | <small>STEWART, WARREN &amp; CO. 29 HOWARD ST. N. Y.</small> |                                    |



0175

Theo. Schultholz

77

cut in error

Armen

Teller

0176

City and County of New York ss.

Theodore Schmalholz  
being duly sworn doth depose and say:  
I am engaged in the wholesale & retail  
meat and Poultry business, and carry  
on said business at No. 73 Third Avenue  
in the City of New York; That the  
check hereto annexed Dated New York  
February 20. 1888 upon the Bank of  
the Metropolis purporting to be made  
payable to my order for the sum of  
One Hundred and twenty (\$120.00) dollars  
was never endorsed by me, and  
said endorsement of my signature  
thereon is a forgery, and that he did  
not at any time authorize any person  
to sign or endorse said check for him.  
and that he never received the  
consideration or amount of said  
check, or any part thereof.

Sworn to before me this

13<sup>th</sup> day of December 1888  
J. M. Riblet  
Notary Public 45  
City & County of New York  
on 9<sup>th</sup> day

Theodore Schmalholz

0177

State of New York,  
County of New York.

August Talke  
of West 26<sup>th</sup> St. of the City of  
New York. being duly sworn de-  
poses and says that he is ac-  
quainted with Charles Page, for  
the past five years and during  
said time, he has always known  
him to be a man of good Char-  
acter and a man that has always  
lived up as an industrious  
and sober man.

Deponent further says  
that he has always known  
the said Chas Page to be  
a hard working young man  
always attending to his duties  
faithfully and honestly.

Sworn to before me  
this 15<sup>th</sup> day of Feb'y 1889.

Samuel J. Warren  
Commissioner of Deeds  
NY County

August Talke.  
250.7 Ave.

0178

**FURMAN & PAGE,**

—GENERAL—

PRODUCE COMMISSION MERCHANTS,

499 PARK PLACE,

New York, Feb 4 1889

I have known Mr  
Charles Page in his business  
transactions always found  
him honest and upright  
would trust him myself  
or recommend him on  
application

I would respectfully  
ask the Court to deal  
leniently with him

James Nesbitt  
Wm D. Furman

0179

New York Feb. 6<sup>th</sup> 1889

To whom it may concern.

This is to certify that I have been engaged in the restaurant business at no. 1281 Broadway New York City. and have had a personal, acquaintance and business relations with Charles Page. That for the several years of our business and personal relations, I have found him to be a man of integrity and veracity. And would have placed as much trust and confidence in him as in any business man of my acquaintance. I have entrusted to the care of Charles Page over five hundred dollars in diamonds without any receipt therefore. and at other times have given him large sums of money, and he has never been dishonest in any transaction with me.

This being duly sworn by me John F. Thrope

Sworn to before me this

7<sup>th</sup> day of Feb'y 1889.

Samuel C. Warren

Commissioner of Deeds

1281 Broadway

City



State of New York  
County of New York

A. P. Hollenbeck

224-7 Ave of the city and county of New York. Being duly sworn deposes and says that he is acquainted with Charles Page for the past six years and that during said time he has always known him to be a man of good and upright character and deponent further says that he has always heard the said Page's neighbors speak well of him, and deponent has always known him to be a young man of good disposition and also hardworking.

A. P. Hollenbeck

224-7 Ave

Sworn to before me  
This 7th day of Feb. 1889.

Daniel J. Warren  
Commissioner of Deeds  
New York County

0181

State of New York  
County of New York / SS

John Clark of 209  
West 23<sup>rd</sup> St of the City and  
County of New York, being duly  
sworn, deposes and says that  
he is acquainted with Charles Page  
for the past four years and  
that during said time he  
has always known him to be  
a man of a good and upright  
character, and deponent further says  
that he has always heard the  
said Page's neighbours speak  
well of him, and deponent has  
always known him to be a young  
man of good disposition and  
also hard working

Sworn to before me  
this 7<sup>th</sup> day of Feby 1889

Samuel J. Warren  
Commissioner of Deeds  
NY County

0182

.VI.

STATE OF NEW YORK,  
*Executive Chamber,*  
ALBANY.

November 19, 1889.

Sir:

Application for Executive clemency having been made on behalf of Charles Page,----- who was convicted of Forgery----  
----- in the county of New York,-----and sentenced February 8, 1889 to imprisonment in the Sing Sing Prison-----for the term of five years and one month,----- I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

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

I am,

very respectfully yours,

Hon. Frederick Smyth,  
New York City.

*J. S. Williams.*  
Private Secretary.



0183

New York Jan'y 31<sup>st</sup> 89  
To the Hon. Frederick Smyth  
Recorder

Dear Sir

I write this  
asking for your clemency  
for the young man Charles  
Page, who is to be sentenced  
to morrow. I have known  
him for the last three  
years, as Salesman and  
Collector and in all  
his transactions with me  
I have found him honest  
and trustworthy.

Yours Respectfully  
David Long  
Restaurant  
423. 6<sup>th</sup> Ave

0184

Fire Department

Quarters Engine Co. No. 1

New York, Feb 2<sup>nd</sup> 1859

Dear Sir,

Very Dear Mr. Charles,  
Pardon me. I have known you a  
number of years, and with my  
drawings with you. I have always  
found him to be a honest and  
industrious man.

E. F. de la  
Horme

0185

N. Y. Jan 31<sup>st</sup> '89

I have known  
Mr. Chas. Page of  
228 7<sup>th</sup> ave  
several years. In  
my dealings with  
him, he has been  
upright and honest

Truly Yours  
D. M. Priest,  
23 St & 7<sup>th</sup> Ave

0186

June 30, 1889  
Recorder Smyth  
Honored Sir

Knowing that  
Charles Page will come before  
you Friday for sentence.  
I ask you in behalf of his  
family (Wife & child) and also  
for his youth and previous ex-  
cellent character for clemency.  
I have known said Page for  
six years and have always found  
him upright and honest.

Hoping for your indulgence

Yours Respectfully  
Geo. Nelson. 228. 7. ave

0187

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 36 years, occupation Samuel H. Leozynsky  
Vice President of No. 60 East 81<sup>st</sup> Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

day of

188

Police Justice.

0188

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, ss:POLICE COURT, 2 DISTRICT.Herndon Schmuckholzof No 73 Third Avenue, being duly sworn, deposes and says,that on ~~the~~ about the 18<sup>th</sup> day of April, 1888

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

Charles Page, now here, did feloniously write and forge the name of deponent to and upon the back of the annexed check on the Bank of the Metropolis for the sum of one hundred and forty-six <sup>50</sup>/<sub>100</sub> dollars, with the intent to cheat and defraud.

That said Page was then a Collector in the employment of deponent, and received said check from the drawer thereof, David Holland, who was indebted to deponent in said sum for meat furnished him by deponent.

That said Page took said check to the Lenox Hill Bank, on or about said day, and after forging the signature of this deponent to said check as enclosed did deposit the same to his own credit, as deponent is now here informed.

0189

by Samuel H. Leszynsky,  
Vice President of said Lenox  
Hair Bank.

That the signature  
"Theo. Schmaltz" written  
on the back of said check  
is a forgery and was written  
therein without the knowledge  
or consent of deponent.

Sworn to before me this 19<sup>th</sup> day of January 1889

J. M. Glutton

Police Justice

POLICE COURT—

DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated

188

Magistrate.

Officer.

Witness,

Disposition

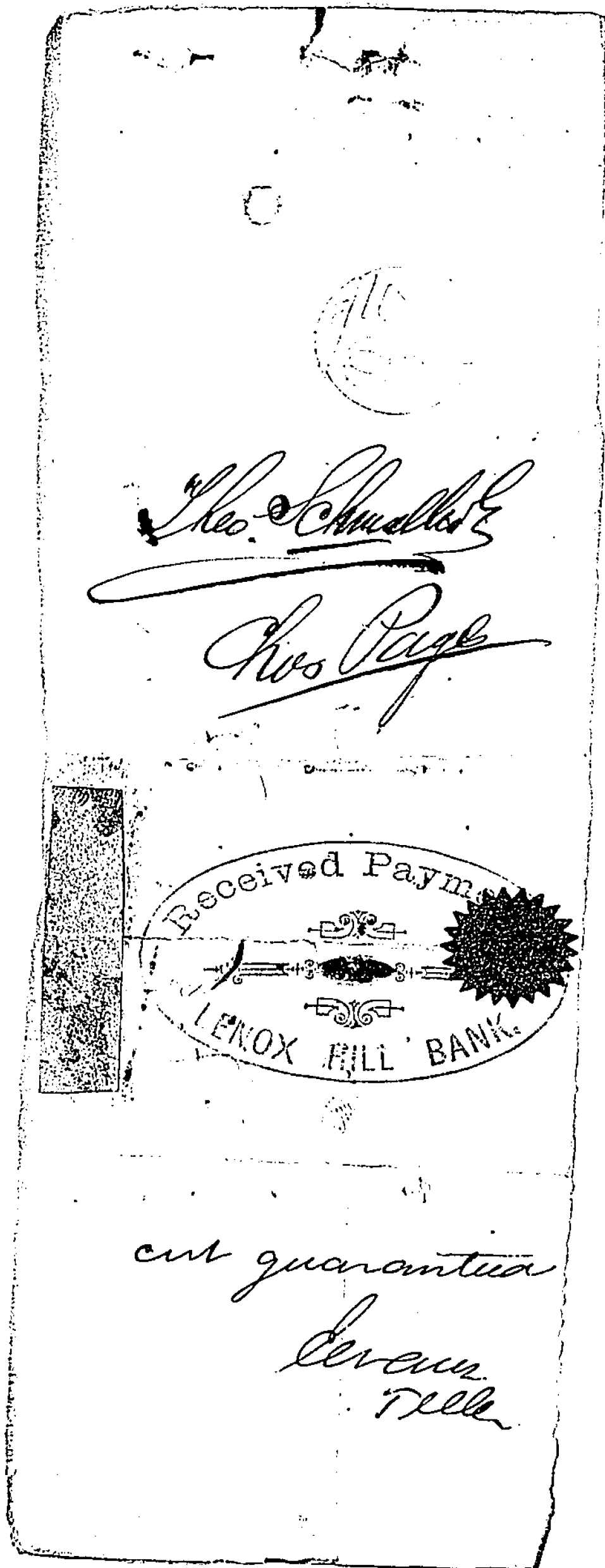
0190

|                 |  |                                      |
|-----------------|--|--------------------------------------|
| 17 Union Square | No   | New York April 18 <sup>th</sup> 1888 |
|                 | Bank of the Metropolis                                 |                                      |
|                 | Pay to J. Schmalholz                                   | or order                             |
|                 | one hundred & forty six <sup>50</sup> / <sub>100</sub> | Dollars                              |
|                 | \$146 <sup>50</sup> / <sub>100</sub>                   | David Holland                        |

STEWART, WARREN & CO. 23 HOWARD ST. N.Y.



0191



0192

City and County of New York Is.

Theodore Schmaltz.

being duly sworn doth depose and say:  
I am engaged in the Wholesale and retail  
Meat and Poultry business, and carry on  
said business at No 73 Third Avenue in  
the City of New York - that the check hereto  
annexed Dated New York April 18. 1888  
upon the Bank of the Metropolis, purporting  
to be made payable to my order for the  
sum of One Hundred and forty six & 146.<sup>00</sup>  
dollars was never endorsed by me,  
and that said endorsement of my name  
thereon is a forgery. And that he did  
not at any time authorize any person  
to sign or endorse said check for  
him, and that he never received  
the consideration or amount of  
said check or any part thereof.  
I swear to before me this  
13<sup>th</sup> day of December 1888 } Theodore Schmaltz

Wm H. Riblet  
Notary Public for  
City & County of New York  
J. A. Long Jr.

0193

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Charles Page* 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.

*Charles Page*

Question. How old are you?

Answer.

*30 years of age*

Question. Where were you born?

Answer.

*England*

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

Answer.

*228 - 7<sup>th</sup> Avenue, 3 years.*

Question. What is your business or profession?

Answer.

*Salesman*

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.  
I want all examination  
here.*

*Charles Page*

Taken before me this

day of

1889

Police Justice.

0194

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

(30)

*Thirty*

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 19* 188

*J. M. Bennett*

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.

0195

291 102  
Police Court---2--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*H. Schmalholz*  
*73 W. 3rd*  
*Charles Payer*

*J. J. J. J. J.*  
Offence

2  
3  
4

BAILED,

No. 1, by  
Residence Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

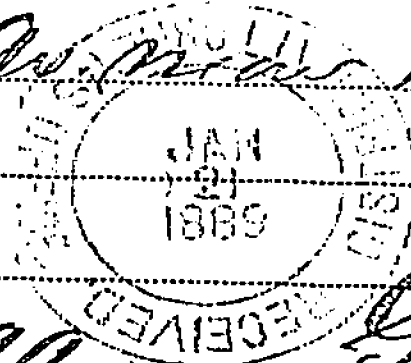
Dated *Jan 19* 1889  
*Patterson* Magistrate.  
*Mulvey & Mulvey* Officer.  
*C. C.* Precinct.

Witness *Samuel H. Leszynski*  
No. *60 East 8th* Street.

*David Holland*  
No. *4th Avenue* Street.

No. *3rd* Street.

\$ *1000* to answer  
*Leonard*



0196

State of New York  
County of New York. J.S.

Richard Graham  
of 230-7th Ave being duly sworn  
deposes and says that he is  
acquainted with Charles Page  
for the past three or four years  
and that during said time de-  
ponent has always heard his  
neighbors speak well of him both  
as to his honesty and integrity  
Deponent further says that  
he never heard of the said Char's  
page committing a wrong act in  
his life, and deponent further  
further believes the said page  
to be a hard working and  
reliable young man.

Sworn to before me this Richard Graham  
9th day of February 1889 230-7 Ave

Samuel J. Warren  
Commissioner of Deeds  
NY County



0197

State of New York.  
County of New York. 12

Mr Kaufman being  
duly sworn deposes and says  
that he has been acquainted  
with Charles Page for the past -  
two years and during said time  
deponent has always known  
him to be a man of good character  
and always attending to his  
duties faithfully

Deponent further says  
that during the time he has  
known the said Page he has  
never known him to do any thing  
wrong, but has always heard  
his Neighbors speak well of him

Sworn to before me

this 6th day of Feb'y 1869

Samuel J. Warren, Ernest Kaufmann.  
Commissioners of Deeds 246 - 7 Ave  
McCounty

State of New York  
County of New York ss.

Louis H. Kledoff of 234  
7th ave of the City of New York,  
being duly sworn, deposes and  
says that he has been acquainted  
with Charles Page for the past -  
three years, and during said  
time, deponent has always known  
the said Page to be a man of  
good character and furthermore  
deponent has never heard any  
thing wrong said of the said Page.  
Deponent further says  
that he has always known him  
to be a man of a good and faithful  
disposition and has always known  
him to be a ~~man~~ of hard working  
man.

Sworn to before me  
this 6<sup>th</sup> day of Feb'y 1884.

Samuel J. Warren

Samuel J. Warren  
Commissioner of Deeds

234. 7<sup>th</sup> Av

Restaurant

My County



0199

VI.

STATE OF NEW YORK.  
*Executive Chamber,*  
ALBANY.

November 19, 1889:

Sir:

Application for Executive clemency having been made on behalf of Charles Page,----- who was convicted of Forgery,----- in the county of New York,-----and sentenced February 8, 1889 to imprisonment in the Sing Sing Prison----- for the term of five years and one month,----- I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

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

I am,

very respectfully yours,

*J. S. Williams.*

Private Secretary.

Hon. John R. Fellows,  
District Attorney,  
New York City.

0200

Answered  
July 19<sup>th</sup> 1889  
J. R. R.  
M. S. July 20/89  
F. R.

0201

DEPOSITED IN  
**GERMANIA BANK,**  
 By *Theo Schmalholz*  
 New York, *Feb. 6<sup>th</sup>* 1888.

|                     | DOLLARS. | CENTS. |
|---------------------|----------|--------|
| Bills, .....        | 145      | 00     |
| Specie, .....       | —        | 17     |
| Checks, <i>X</i> 83 | 54       | 83     |
| " ..... <i>61</i>   | 51       | 84     |
| " ..... <i>21</i>   | 1        | 40     |
| " ..... <i>21</i>   | 8        | 37     |
| " ..... <i>63</i>   | 7        | 32     |
| " ..... <i>268</i>  | 268      | 93     |
| " .....             |          |        |
| " .....             |          |        |

DEPOSITED IN  
**GERMANIA BANK,**  
 By .....  
 New York, *Feb. 6<sup>th</sup>* 1888.

|                                 | DOLLARS. | CENTS. |
|---------------------------------|----------|--------|
| Bills .....                     | 200      |        |
| Specie, .....                   |          |        |
| Checks, .....                   | 51       | 84     |
| " .....                         | 1        | 40     |
| " .....                         | 8        | 37     |
| " .....                         | 7        | 32     |
| " ..... <i>268.93</i>           |          |        |
| " ..... <i>copy of original</i> |          |        |
| " ..... <i>deposit slip,</i>    |          |        |

0202

17 Union Square

No

New York Jan 31<sup>st</sup> 1882

Bank of the Metropolis

Pay to Thea. Schmalholz

or order  
Dollars

fifty four <sup>83</sup>/<sub>100</sub>  
\$54 <sup>83</sup>/<sub>100</sub>

David Holland

STEWART, WARREN & CO. 29 NASSAU ST. N.Y.

0203

Geo Schuchholz

Cut guaranteed  
Cream  
Teller

0204

City and County of New York SS.

Theodore Schmaltz  
being duly sworn doth depose and say:  
I am engaged in the wholesale and retail  
meat and Poultry business, and carry on said  
Business at No. 73 Third Avenue in the City  
of New York - That the check hereto annexed  
Dated New York January 31<sup>st</sup> 1888 upon the  
Bank of the Metropolis purporting to be  
made payable to my order for the sum  
of Fifty four &  $\frac{83}{100}$  (\$54.  $\frac{83}{100}$ ) dollars -  
was never endorsed by me, and that  
said endorsement of my name therein is a  
forgery, and that he did not at any  
time authorize any person to sign, or  
endorse said check for him, and that he  
never received the consideration or  
amount of said check or any part thereof.  
Sworn to before me this  
13<sup>th</sup> day of December 1888. } Theo. Schmaltz

D. M. Riblet

Notary Public 45  
City & County of New York  
J. A. Long Jr.

0205

1281 Broadway  
New York July 31 1884

It is to certify that I  
here known Charles Day  
for the last two years and  
have found him honest  
and trustworthy in all  
my dealings with him

John B. Thorpe

0206

Charles A. Troup  
President.

Edward J. Cornell  
Cashier.

Lenox Hill Bank

S. W. Corner 72<sup>nd</sup> St & Third Ave.

New York Jan 31<sup>st</sup> 1889 -

Hon Frederick Smyth.  
Recorder.

Sir. I beseech your Clemency for  
Chas Page, who is to be sentenced  
for Forgery before your town,  
on account of his wife and young  
Child, he is also extremely young  
and this is his first offence and  
your Clemency will be appreciated  
by.

Yours Very Respectfully  
Chas. A. Troup.  
President



0207

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Rhodes Case

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

Rhodes Case

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

The said Rhodes Case,

late of the City of New York, in the County of New York aforesaid, on the fourteenth day of April, in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, having in his custody a certain instrument and writing, to wit: an order for the payment of money of the bank called Bank of America, which said Bank of America is as follows, that is to say:

No.

New York April 18<sup>th</sup> 1888

Bank of the Metropolis

Pay to T. Schmaltz or order

one hundred & forty six  $\frac{50}{100}$  Dollars

\$146  $\frac{50}{100}$

David Holland

the said Rhodes Case

afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the City and County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly act and assist in forging on the back of the said Bank of America a certain instrument and writing commonly called an endorsement which said forged instrument and writing commonly called an endorsement is as follows, that is to say:

"Thos. Schmaltz"

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.

0208

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
Rhodes Page  
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said Rhodes Page,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the City and County aforesaid having in his possession a certain instrument  
and writing, to wit: an order for the  
payment of money of the kind  
called Wanda Cheague,

which said Wanda Cheague is as follows, that is to say:

No. — New York April 18<sup>th</sup> 1888  
Wanda Cheague  
Pay to T. Schmullhof or order  
one hundred & forty six  $\frac{50}{100}$  Dollars  
\$ 146  $\frac{50}{100}$  David Holland

on the Wanda of which said Wanda Cheague there was then and  
there written a certain forged instrument and writing commonly called an endorsement  
of the said last-mentioned Wanda Cheague which said forged  
instrument and writing, commonly called an endorsement is as follows,  
that is to say:

"T. Schmullhof"

with force and arms, the said forged endorsement then and there feloniously did  
utter, dispose of and put off as true, with intent to defraud, the said  
Rhodes Page then and there well knowing the premises,  
and that the said endorsement was 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.

JOHN R. FELLOWS,

District Attorney.

0209

**BOX:**

339

**FOLDER:**

3202

**DESCRIPTION:**

Palmer, Joseph

**DATE:**

01/10/89



3202

02 10

Witnesses:

Mr. Casey

Counsel,

Filed

day of Dec 188

Pleads,

THE PEOPLE

vs.  
P

Joseph Palmer

Grand Larceny Second Degree.  
[Sections 528, 53 / -, Penal Code].

JOHN R. FELLOWS,

District Attorney.

Pr. Aug 11/84  
Per. to Mr. J. R. F.

A True Bill.

Geo T. Woolley

Foreman.

02 11

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 Palmer*

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

*Joseph Palmer*

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

The said

*Joseph Palmer*

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

*two hundred and forty cans condensed milk of the value of eleven cents each can*

*1740  
x 40*

of the goods, chattels and personal property of one

*Henry Eggers*

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.

*John R. Fellows,  
District Attorney.*

02 12

**BOX:**

339

**FOLDER:**

3202

**DESCRIPTION:**

Peet, Annie

**DATE:**

01/10/89



3202



02 13

Witnesses:

Charles Harts  
J. B. Wolf (Co)

Counsel,

Filed

Pleads,

day of Dec. 1889

THE PEOPLE

vs.

14. 11/14/89  
15. 11/14/89

Annie Peet

Grand Larceny  
[Sections 528, 530 - Penal Code]

JOHN R. FELLOWS,

District Attorney.

per J. B. Wolf 11/14/89  
V. ad. 11/14/89

15.  
A TRUE BILL. Sentence suspended  
11/14/89 RBH

W. J. Woodley

Foreman.

0214

Police Court—

District.

Affidavit—Larceny.

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

Abe H. Hertz  
 of No. 177 W. 73<sup>rd</sup> Street, aged 37 years,  
 occupation Merchant being duly sworn  
 deposes and says, that on the 21<sup>st</sup> day of December 1888 at the City of New  
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
 of deponent, in the Night time, the following property viz:

one box containing a pair of Diamond  
 Ear knobs of the value of twenty five  
 dollars. and one leather pocket book of the  
 value of one dollar. Containing gold and  
 lawful money of the United States  
 to the amount of seventy five dollars.  
 together of the value of one hundred  
 and one dollars.

(101.00)  
 the property of Deponent

and that this deponent  
 has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
 and carried away by Annie Peet. (Now here)

from the fact that the said defendant  
 was in deponent's employ until Wednesday  
 the 19<sup>th</sup> of December 1888 when she was  
 discharged. and on Friday December 21<sup>st</sup>  
 at about the hour of 7 O'clock P.M. she  
 came to deponent's home for the purpose  
 of removing her effects. and on the following  
 day the above described property was  
 missing. deponent informed the police  
 of said larceny.

Deponent is informed by Police Officer  
 Benjamin Wolf of the Central Office that  
 the said defendant admitted and confessed  
 to him that she did take said property and

Sworn to before me this 1888 day

Police Justice

0215

returned the property to him the said officer.

Wherefore defendant charges the said defendant with feloniously taking, stealing and carrying away said property and prays she may be dealt with as the law directs.

Sown to before me *[Signature]*  
this 23<sup>rd</sup> day of Dec 1888

*[Signature]*  
Police Justice

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

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—LARCENY.

1  
2  
3  
4

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer

Sessions.

02 16

CITY AND COUNTY  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation Benjamin Wep  
Police Officer of No. 1  
200 Mulberry Street, being duly sworn deposes and

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

Sworn to before me, this

day of

188

Dec  
23<sup>d</sup>  
J. Mumpford

Benjamin Wep  
Police Justice.

0217

Sec. 198—200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

2 District Police Court.

*Annie Peet* 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. *Annie Peet*

Question. How old are you?

Answer. *19 years old*

Question. Where were you born?

Answer. *Scotland*

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

Answer. *405 W. 42d St. New York*

Question. What is your business or profession?

Answer. *Domestic*

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

Answer.

*I am guilty,  
Miss Annie Peet*

Taken before me this

day of

188

Police Justice.



02 18

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.....

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

Dated Dec 23 188 J. J. Murphy 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.



02 19

Police Court---

2 1968 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Abe H. Hertz  
177 W. 73rd  
Aunie Peet

Larceny  
Offence  
Felony

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 23 188

Magistrate.

Heidelberg & Woefer  
C.C.

Officer.

Precinct.

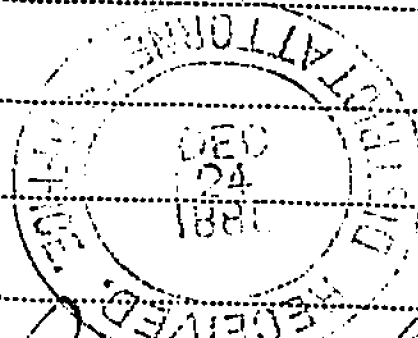
Witnesses Benjamin Woefer

No. 200 Mulberry Street.

No. Street.

No. Street.

\$ 500 to answer



Com

0220

331 W. 38 St

Hon Judge Martine

Dear Sir.

Having heard of  
the misfortune that has  
befallen Annie Peet who was  
in my employ. for three years  
and a half. and I always  
found her honest truthful  
and trust worthy. I have  
a great sympathy for her  
and Parents. who are honest  
industrious people. and set  
a good example to their chi-  
ldren. and who are greatly  
grieved over their child's situation  
I do heartily appeal to you

0221

for your sympathy for all  
concerned in the case. as Anne  
is very delicate in health & young  
in years. to have her future career  
in life, blighted. I do hope that  
you who has it in your power  
will release her. as her confinement  
no doubt. been punishment  
enough. trusting that you will  
dismiss the case I remain very

Respectfully yours

Mrs A Backer

Jan 14<sup>th</sup> 1889

0222

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

THE PEOPLE OF THE STATE OF NEW YORK,  
*against*

*Amie East*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by  
this indictment, accuse *Amie East*

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

The said *Amie East*, \_\_\_\_\_

late of the City of New York, in the County of New York aforesaid, on the *21<sup>st</sup>*  
day of *December*, in the year of our Lord one thousand eight hundred and  
eighty-*eight*, at the City and County aforesaid, with force and arms, in the  
*night* time of the same day, divers promissory notes for the payment of money, being  
then and there due and unsatisfied (and of the kind known as United States Treasury  
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the  
payment of and of the value of *seventy five* \_\_\_\_\_

dollars ; divers other promissory notes for the payment of money, being then and there due  
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination  
to the Grand Jury aforesaid unknown, for the payment of and of the value of  
*seventy five* \_\_\_\_\_  
dollars; divers United States Silver Certificates of a number and denomination to the Grand  
Jury aforesaid unknown, of the value of *seventy five* \_\_\_\_\_

dollars ; divers United States Gold Certificates of a number and denomination to the  
Grand Jury aforesaid unknown, of the value of *seventy five* \_\_\_\_\_

dollars ; divers coins of a number, kind and denomination to the Grand Jury aforesaid  
unknown, of the value of *five dollars, one pocket  
watch of the value of one dollar,  
and one pair of ear-rings of  
the value of twenty five dollars.*

of the goods, chattels and personal property of one *Mr. H. H. H. H.*, in the dwelling  
house of the said *Mr. H. H. H. H.*, 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.

JOHN R. FELLOWS, *District Attorney.*

0223

**BOX:**

339

**FOLDER:**

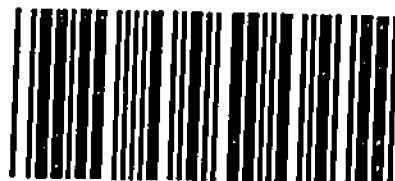
3202

**DESCRIPTION:**

Pendergast, John

**DATE:**

01/31/89



3202

Witnesses:

*Ray. A. Spruce*

*1889*  
Counsel, *31* day of *May* 188*9*  
Filed  
Pleads, *Maguire*

THE PEOPLE

vs.

*B*  
*John Pendergast*

VIOLATION OF EXCISE LAW.  
(SELLING TO MINOR).  
[III Rev. Stat. (7th Ed.) p. 1982, § 16.]

JOHN R. FELLOWS,

*District Attorney.*

**A True Bill.**

*Her. B. B. B. B. B.*

*Foreman.*

*Complaint sent to the Court  
of Special Sessions,*

*Part III, 7th Ed., 1889.*

0225

**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 Pendergast*

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

*John Pendergast*

of a MISDEMEANOR, committed as follows:

The said

*John Pendergast*

late of the City of New York, in the County of New York aforesaid, on the  
*ninth* day of *January* in the year of our Lord  
one thousand eight hundred and eighty-*nine*, at the City and County aforesaid,

certain strong and spirituous liquors, and certain wine, ale and beer, to wit: One gill of  
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of  
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of  
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury  
aforesaid unknown, unlawfully did sell to one *Harry Graham*

who was then and there a minor under the age of fourteen years, to wit: of the age of  
*twelve* years, as *he* the said *John Pendergast*  
then and there well knew and had reason to believe; 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.

JOHN R. FELLOWS,

District Attorney.



0226

**BOX:**

339

**FOLDER:**

3202

**DESCRIPTION:**

Penttmann, Albert

**DATE:**

01/30/89



3202

WITNESSES:

*William J. Moore*

Counsel,

Filed

1889

Pleads

*Chazouly*

THE PEOPLE,

vs.

**VIOLATION OF EXCISE LAW**  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1883, Sec. 21 and  
page 1880, Sec. 5.]

*B*

*Alfred Centinanni*

*July 4/89*

*50*

JOHN R. FELLOWS,

*District Attorney.*

**A True Bill.**

*Wm B Woodley*  
*Foreman.*

0227

0228

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Albert Penttman*

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

*Albert Penttman*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

*Albert Penttman*

late of the City of New York, in the County of New York aforesaid, on the *thirtieth* day of *December* in the year of our Lord one thousand eight hundred and eighty-*eight*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, 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 intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

*William J. Mooney*

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.

SECOND COUNT—

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

*Albert Penttman*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Albert Penttman*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, 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.

**JOHN R. FELLOWS,**

District Attorney.

0229

**BOX:**

339

**FOLDER:**

3202

**DESCRIPTION:**

Plump, Louis

**DATE:**

01/28/89



3202

0230

Witnesses:

Condence McCarthy

304

312-94-1000

Counsel, *24 of June* 1889  
Filed  
Pleads, *Chitquelly*

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

THE PEOPLE

vs.

*B*  
Louis Blum

JOHN R. FELLOWS,

~~and~~ *Attorney*

*Perk 2 May 20 at 9:15 request*  
A True BILL  
*W.J.*

*W.J. Worley*  
Foreman

Part 1  
April 24 1890  
*Part 2 - June 20 1890*  
*Find and acquitted*

0231

2  
Police Court— District.

City and County { ss.:  
of New York,

of No. 305 Spring Street, aged 42 years,

occupation Longshoreman being duly sworn

deposes and says, that on the 4<sup>th</sup> day of January 1889 at the City of New

York, in the County of New York, in front of no 307 Spring St

he was violently and feloniously ASSAULTED and BEATEN by Louis

Plunk (nm her) who willfully and maliciously pointed and aimed a revolving pistol loaded with powder and ball at deponent and discharged one shot from said pistol at deponent which struck deponent in the stomach causing a flesh wound

Deponent further says that such assault was committed

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without any justification on the part of the said assailant :

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

Sworn to before me, this 4 day  
of June 1889

of June 1889 } Lawrence McCarthy  
Police Justice.

0232

Sec. 108-200.

CITY AND COUNTY  
OF NEW YORK, ss.

District Police Court.

*Louis Pump* 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.

*Louis Pump*

Question. How old are you?

Answer.

*31 years old*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*20 Remick St. I live*

Question. What is your business or profession?

Answer.

*Saloon keeper.*

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*

*Louis Pump*

Taken before me this

day of

Police Justice.



0233

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

Dated *July 4* 188 *9* *W. D. Duffy* Police Justice.

I have admitted the above-named.....

*Defendant*  
to bail to answer by the undertaking hereto annexed.

Dated *July 4* 188 *9* *W. D. Duffy* 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.

0234

312 2 42  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Lawrence McCarthy  
305 Spring  
Luis Plunk

offense account felony

BAILED,

No. 1, by Henry Hellmuth  
Residence 20 Remond Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

Dated Larry H Duffy 1889  
Magistrate.

Mrs. J. J. O'Brien Officer. S  
Precinct.

Witnesses Mrs. McCarthy  
No. 305 Spring Street.

~~Mrs. J. J. O'Brien~~  
No. 305 Spring Street.

Mrs. J. J. O'Brien  
No. 301 Spring Street.

\$ 100 to answer

Police Court  
312 2 42  
Dr. J. J. O'Brien  
Cor. Houston & Sullivan

0235

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Louis Plump*

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

*Louis Plump*

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

The said

*Louis Plump*

late of the City of New York, in the County of New York aforesaid, on the fourth day of January, in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, at the City and County aforesaid, in and upon the body of one *Lawrence Mc Carthy* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *Lawrence Mc Carthy* a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *Louis Plump* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, with intent *him* the said *Lawrence Mc Carthy* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said *Louis Plump* of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*Louis Plump*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Lawrence Mc Carthy* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against *him* the said *Lawrence Mc Carthy* a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said *Louis Plump*

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

JOHN R. FELLOWS,

District Attorney.

0236

**BOX:**

339

**FOLDER:**

3202

**DESCRIPTION:**

Powell, James V.

**DATE:**

01/18/89



3202

0237

Witnesses:

Adam L. Mott

Officer Charles Conover 28p

Mr. J. J. Shields  
Walter Decece

78

174 Church Street

Counsel,  
Filed  
Pleads, *Not guilty.* 1889

THE PEOPLE  
vs. *James V. Cowell*  
*Not guilty.*  
*Charles*

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

JOHN R. FELLOWS,  
District Attorney.

*per 208 of 1889*  
*per 208 of 1889*

A TRUE BILL.

*Wm. B. Wood*  
Foreman.

*Wm. B. Wood*  
*June 20 1889*

T-

0238

**PART II.**

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

*To See the Recorder*  
SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE. *23*

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

To *Off. Conaway*

of No. \_\_\_\_\_ 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 *23<sup>rd</sup>* day of

*April.* ~~1890~~ at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

*James V. Powell*

Dated at the City of New York, the first Monday of *April.* 1890  
in the year of our Lord, ~~1890~~

JOHN R. FELLOWS, District Attorney.

**PART II.**

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

*To See Recorder*  
SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE. *46+47*

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

To *Adam L. Metz.*

of No. *840.* *1st 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 *24<sup>th</sup>* day of

*April.* ~~1890~~ at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

*James V. Powell*

Dated at the City of New York, the first Monday of *April.* 1890  
in the year of our Lord, ~~1890~~

JOHN R. FELLOWS, District Attorney.



0239

Court of General Sessions

The People vs  
vs.  
James V. Powell  
City and County of New York ss.

Jacob Deubert, being duly sworn, deposes and says:

I am a subpoena server in the District Attorney's Office. On the 22nd day of April, 1890, I served a subpoena of which the annexed is a copy on Officer Conavan, of the 23rd Precinct Police, by leaving the same with the sergeant in charge at the station house, in the absence of said Conavan therefrom, at the same time calling the sergeant's attention to the fact that said subpoena was for Officer Conavan, and called for his appearance before Recorder Smyth on this the 23rd day of April.

Sworn to before me  
this 23rd day of April, 1890  
Notary Public  
Jacob Deubert

Off. Commissioner



0240

11  
The

People

vs.

James M. Powell

0241

COURT OF GENERAL SESSIONS OF THE PEACE,  
In and for the City and County of New York.

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

against

James V. Powell.  
----- x

Please take notice that on the annexed affidavits,  
and the proceedings heretofore had herein, I will move for  
a remission of the fine of \$100 -- imposed as a part of the  
sentence herein, before Hon. Frederick Smyth, Recorder, in  
Part II, of the Court of General Sessions on Tuesday April  
22d, 1890, at 11 o'clock in the forenoon of that day or as  
soon thereafter as Counsel can be heard.

Yours, &c.,

Thos. F. Grady,

Attorney for Defendant.

To

Hon. John R. Fellows,  
District Attorney.

0242

COURT OF GENERAL SESSIONS OF THE PEACE,  
In and for the City and County of New York.

----- x  
The People of the State of :  
New York :  
against :  
James V. Powell. :  
----- x

The Petition of James V. Powell respectfully shows  
to this Honorable Court:

That he now is and since the 22d day of June, 1889,  
has been an inmate of the County Penitentiary on Blackwell's  
Island in the City of New York, under sentence of one year's  
imprisonment and a fine of One hundred Dollars upon convic-  
tion of Assault in the third degree upon his plea of guilty.

That the Indictment upon which your Petitioner was  
arraigned was filed on January 18th, 1889, and your Peti-  
tioner was continuously in the custody of the Warden of the  
City Prison at the Tombs from the 2nd day of January, 1889,  
up to and including the 22nd day of June, 1889, a period of  
five months and twenty days. That the reason for such de-  
lay was that your Petitioner's Counsel Thomas F. Grady was,  
during the first five months of said term engaged at Albany  
with his duties as a member of the State Senate and could  
not give the time required for the preparation of your Pe-  
titioner's defense and the trial of the case. That your  
Petitioner was entirely without funds or the means of pro-  
curing them and could not therefore engage other Counsel.

0243

2

That said Thomas F. Grady was acting in your Petitioner's behalf without any compensation whatever and out of friendship for your Petitioner's family.

That in the absence of said Thomas F. Grady on the day when your Petitioner was arraigned for trial, Counsel was assigned your Petitioner, and upon the advice of said Counsel your Petitioner pleaded guilty of assault in the third degree although he had been previously advised by said Thomas F. Grady that he had a good defense.

That your Petitioner has not any money whatever nor the means of procuring any. That his only relative living is a sister, married and unable to help your Petitioner to pay the fine imposed upon him.

That previous to your Petitioner's arrest he was employed as a Nurse at the Charity Hospital on Blackwell's Island and received a salary of 12 dollars per month.

That your Petitioner asks for the reasons above set forth that the fine imposed as a part of his sentence herein be remitted.

And your Petitioner will ever pray.

*James V. Towell*

0244

City and County of New York, ss:

James V. Powell, the petitioner herein, being duly sworn, deposes and says, that he has read the foregoing petition and knows the contents thereof and that the same is true of his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters he believes it to be true.

Sworn to before me this )  
15 day of March, 1890. )

*James V. Powell*

*Samuel M. Crane*  
*Commissioner of Beeds*  
*N. Y. City*

0245

Fol.1 COURT OF GENERAL SESSIONS OF THE PEACE,  
In and for the City and County of New York.

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

against

James V. Powell.  
----- x

City and County of New York, ss:

Thomas F. Grady, being duly sworn, deposes and says:

I am the Attorney for the defendant herein. I was not

present on the 19th day of June, 1889, when defendant was

called for trial in the Court of General Sessions. I was

2 on that day in Albany in attendance upon the Governor of the

State urging the signing of certain bills then before the

Governor which had been introduced by deponent in the Legis-

lature in his capacity as State Senator. That the time in

which said Bills were required to be signed by the Governor

in order that they should become laws was about expiring

and deponent was therefore necessarily absent from the city.

Deponent further avers that previous to going to Albany for

the purpose aforesaid he gave notice of his intention so to

do to the Chief Clerk in the office of the District Attorney

3 and requested that the case of defendant should not be put

down for trial until his return.

That deponent knows defendant and is acquainted with

his circumstances. Defendant is utterly without means

and was so at the time of his arrest. That deponent never

0246

2

received any fee for his services in defendant's behalf and  
acted entirely through friendship for defendant's family.

Sworn to before me, this )  
21st day of April, 1890. )

*Joseph H. Grady*

*Joseph H. Grady*  
*County of New York*  
*New York City*



Said petition  
 was presented &  
 taken up by the  
 Comptroller & the  
 Police Officer  
 and sent on to  
 that I was with  
 in making the  
 arrangements  
 which were then  
 the instructions  
 which were  
 April 24/90.

|  |
|--|
| General Sessions Court.  |
| The People of the<br>State of New York<br>against<br>James V. Lowell   |
| Notice, Petition<br>and<br>Affidavit   |
| THOMAS F. GRADY,<br>Attorney for <i>def.</i><br>No. 5 Beekman Street,<br>N. Y. City.   |
| I have served a copy of the<br>within <i>within 10 days</i> admitted this<br>21 <sup>st</sup> day of <i>April</i> 1890<br><i>James V. Lowell</i><br>Atty for <i>def.</i><br>To <i>John H. Thompson Esq</i><br>Atty for <i>Dist. Atty</i><br>Filed <i>April 24 1890</i> |

0247

0248

Police Court— District.

City and County } ss.:  
of New York,

of No. 840 1<sup>st</sup> Avenue Street, aged 26 years,  
occupation Mailman being duly sworn  
deposes and says, that on the 1 day of January 1889 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

James V. Powell (murderer)

who cut deep wounds on the head  
with a Razor he held in his  
hand

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without  
any justification on the part of the said assailant

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

Sworn to before me, this 2 day  
of January 1889.

Adam E. Metz

Henry H. May Police Justice.

0249

Sec. 198-200.

24

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James J. Powell* 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. *James J. Powell*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *New York*

Question. What is your business or profession?

Answer. *Druggist*

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 did not put any one*

*I refuse to sign.*

Taken before me this

day of *January* 188*9*

*John J. Macdonald* Police Justice.

0250

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.....

*Refused*  
.....  
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 *Jan 2* 188 *9* *John Herman* 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.

0251

\$2000 bail for Ex  
2 P.M. January 3/89

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

174 51  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Adam C. Metz  
840 1st Ave  
James V. Purcell

1  
2  
3  
4

Officer  
Salvatore

Dated January 2 1889  
Magistrate.  
Officer.  
Precinct.

Witnesses  
No. 1000 Street.

Transferred to Court of  
General Sessions, having been  
sent to the 10th Street.  
through

No. 1500 to answer 9/1

Call

9/1

0252

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*James V. Powell*

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

*James V. Powell*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

*James V. Powell*

late of the City of New York, in the County of New York aforesaid, on the  
*first* day of *January* in the year of our Lord  
one thousand eight hundred and eighty-nine, with force and arms, at the City and  
County aforesaid, in and upon the body of one *Adam L. Metz*  
in the peace of the said People then and there being, feloniously did make an assault,  
and *him* the said *Adam L. Metz*  
with a certain *razor*—

which the said *James V. Powell*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent *him* the said *Adam L. Metz*  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

**SECOND COUNT—**

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

*James V. Powell*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*James V. Powell*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said *Adam L. Metz*—  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault, and *him* the said  
*Adam L. Metz*  
with a certain *razor*—

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



0253

THIRD COUNT—

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

*James V. Powell*  
of the ~~CRIME~~ of ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*James V. Powell*

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

*Adam L. Metz* in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and

him the said *Adam L. Metz*  
with a certain *razor*—

which

the said

*He* *James V. Powell*  
in *his* right hand then and there had and held, in and upon the *head*  
of *him* the said *Adam L. Metz*

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said *Adam L. Metz*

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.

JOHN R. FELLOWS,

District Attorney.



0254

**BOX:**

339

**FOLDER:**

3202

**DESCRIPTION:**

Price, John

**DATE:**

01/23/89



3202

0255

Witnesses:

Pat' McElhannon  
Officer A. W. Pittman (94)

Counsel, *Candy*  
Filed *23* day of *Jan* 188*9*  
Pleads, *Not guilty*

THE PEOPLE

vs.

*39* Bedford  
*57* *river* P  
*John Price*

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

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*Wm. B. Bortley*  
Foreman.

Part III January 30<sup>th</sup> 89.  
Pleads - Assault 3<sup>rd</sup> deg.  
*Gen. Dix m.m.*

0256

Police Court—2 District.

City and County { ss.:  
of New York,

of No. 422 West 17 Street, aged 35 years,

occupation Welder being duly sworn

deposes and says, that on the 2 day of January 1889 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John

Price now here who pointed a loaded pistol at deponent the said pistol being then in the hand of the defendant, and threatened to shoot deponent, and laid in wait for deponent on the stairs at No 5 Greenwich Street

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without any justification on the part of the said assailant :

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

Sworn to before me, this 10 day of January 1889 John Price

Police Justice.

0257

Sec. 198-200.

CITY AND COUNTY OF NEW YORK,

2 District Police Court.

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

Question. What is your name?

Answer.

*John Price*

Question. How old are you?

Answer.

*38 years*

Question. Where were you born?

Answer.

*N.Y.*

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

Answer.

*17 French Avenue 3 years*

Question. What is your business or profession?

Answer.

*Writer*

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 Price*

Taken before me this

10

day of

*March*

1889

Police Justice.

0258

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 Appendant

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 10 1889 Ph. Buff 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.

0259

*4m*  
Police Court--- *2* *76* District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Patrick H. Mahon*  
*431 West 17*  
*John Priel*

*Arrest*  
*John Priel*  
Offence

BAILED,

No. 1, by .....  
Residence ..... Street.

No. 2, by .....  
Residence ..... Street.

No. 3, by .....  
Residence ..... Street.

No. 4, by .....  
Residence ..... Street.

Dated *Jan 10* 188*9*

*Duffy* Magistrate.

*Putnam* Officer.

*9* Precinct.

Witnesses *James C. ...*

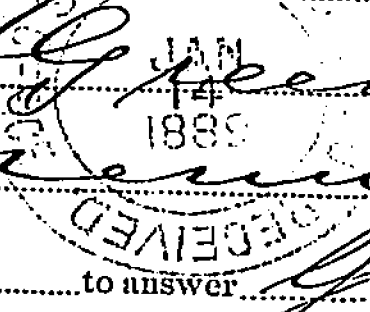
No. *311 East 84* Street.

*Arnold Kolp*  
No. .... Street.

*5*  
No. *5* Street.

\$ *1000* to answer

*Om*  
*Asst. ...*



0260

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 Price

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

John Price  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

John Price  
late of, the City of New York, in the County of New York aforesaid, on the  
month day of January, in the year of our Lord

one thousand eight hundred and eighty-nine, with force and arms, at the City and County  
aforesaid, in and upon the body of one Patrick Mc Mahon

in the peace of the said People then and there being, feloniously did make an assault and  
to, at and against him the said Patrick Mc Mahon

a certain pistol then and there loaded and charged with gunpowder and one leaden  
bullet, which the said

John Price  
in his right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, the same,

with intent to kill the said Patrick Mc Mahon  
thereby then and there feloniously and wilfully to kill, against the form of the statute in

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

SECOND COUNT—

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

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

The said

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

the said Patrick Mc Mahon in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make

another assault, and to, at and against him the said  
Patrick Mc Mahon

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,  
which the said

John Price  
in his right hand then and there had and held, the same being a weapon and

an instrument, likely to produce grievous bodily harm, then and there feloniously did  
aim, point and present with intent to shoot off and discharge the same,  
wilfully and wrongfully shoot off and discharge, against the form of the statute in such case

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

JOHN R. FELLOWS,

District Attorney.