

0009

BOX:

520

FOLDER:

4734

DESCRIPTION:

Vallero, Petro

DATE:

04/13/93



4734

POOR QUALITY ORIGINAL

0010

155

Counsel,

Filed, 13 day of April 1893

Pleads, 17th

THE PEOPLE

vs.

B

Petro balles

April 93

DE LANCEY NICOLL,

District Attorney.

VIOLATION OF THE EXCISE LAW,
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 82.]

A TRUE BILL.

David Dwyer
Foreman.

Witnesses:

Off Jours.

POOR QUALITY
ORIGINAL

0011

Court of General Sessions of the Peace

2907

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Petro Vallaro

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

The said *Petro Vallaro*

late of the City of New York, in the County of New York aforesaid, on the *26th*
day of *March* in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and 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
Petro Vallaro
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,
WINES, ALE AND BEER, committed as follows:

The said *Petro Vallaro*

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

John Jones
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.

0012

BOX:

520

FOLDER:

4734

DESCRIPTION:

VanDyke, William B.

DATE:

04/10/93



4734

0013

POOR QUALITY ORIGINAL

Witnesses:

Winfield Starns
Off O'Brien

~~John J. Sullivan~~
Counsel.
265
Filed, day of April 3 189
Pleads, & Argued 11

~~William B. Van Dyke~~
LARCENY, of degree
(MISAPPROPRIATION.)
(Sections 528 and 580 of the Penal Code.)

THE PEOPLE
vs.
H

William B. Van Dyke

DR. LANCEY NICOLL,
District Attorney.
1903
Hester J. G. 10/10

A TRUE BILL.

Foreman.
10

Simon R. Kelly 10/10

**POOR QUALITY
ORIGINAL**

00 14

STATE OF ILLINOIS, } SS.
COOK COUNTY.

I, HENRY WULFF, Clerk of the County Court of Cook County, the same
being a Court of Record, Do HEREBY CERTIFY that *Edmund H. Quenning* Esq.,
whose name is subscribed to the annexed Jurat, was, at the time of signing the same,
a Notary Public in Cook County, duly commissioned, sworn and acting as such, and
authorized to administer oaths; that I am well acquainted with the handwriting of
said Notary, and I verily believe that the signature to the said Jurat is genuine.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of
said Court at the City of Chicago, in the said County, this 14
day of April 1893

Henry Wulff CLERK.

POOR QUALITY ORIGINAL

00 15

GENERAL AFFIDAVIT.

Form No. 1332.

Printed and for sale by the Chicago Legal News Co.

State of Illinois }
COUNTY OF Cook } ss. M. S. Montgomery
of the City of Chicago County of Cook
and State of Illinois being duly sworn, doth depose and say, that he

is the Office Manager for the firm of
Mandel Bros 171 State St Chicago Ills
that William Van Dyke was employed by
Mandel Bros as Entry Clerk and that
while so employed he was faithful
and honest and discharged his
duties in a very satisfactory manner,
and that he was in Mandel Bros employ
for about 30 days.

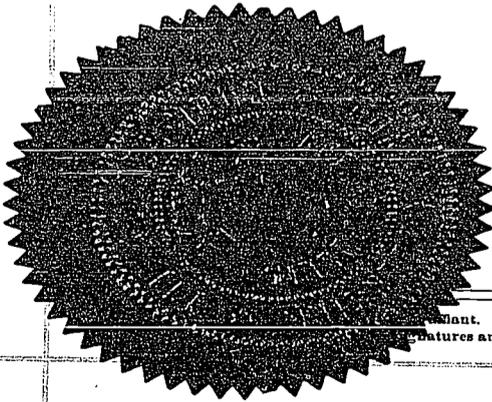
And further this deponent says not.

M. S. Montgomery

Subscribed and sworn to before me this 14th day of

April A. D. 1893

Edwin L. Dunaway
Notary Public



Signatures and title of officer administering oath.

POOR QUALITY ORIGINAL

00 16

Sec. 198-200.

1882 District Police Court.

City and County of New York, ss:

William B Vanduyke 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.

William B Vanduyke

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

MS

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

Answer.

Chicago

Question. What is your business or profession?

Answer.

Bookkeeper

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

Answer.

I am not guilty

W B Vanduyke

Taken before me

day of

1889

Police Justice.

POOR QUALITY ORIGINAL

0017

Police Court,

District.

(1858)

City and County }
of New York, } ss.

of No. 69 Fulton

Winfield Starnes
Street, aged 34 years,

occupation Salesman

being duly sworn, deposes and says,

that on the 10 day of May

1892 at the City of New

York, in the County of New York

William B Van Dyke did with intent to cheat and defraud Radford Pipe Foundry Company feloniously forge the names W J Partridge & Co agents upon the check hereto annexed dated May 7, 1892 drawn by W A Crook & Bro S. Co for the sum of one thousand dollars payable to the order of said Company said check being drawn upon the Liberty National Bank of the City of New York

Deponent further says that he deposes his employer W B Kirk Co had an account with Market and Fulton National Bank and on the 10th day of May 1892 said firm deposited said check to their credit at said Bank

Deponent is informed Edward G Partridge that the endorsement W J Partridge & Co agents is a forgery that the same was not made by him or copartner and was not authorized by him therefore deponent charges said defendant with forging the said endorsement on said check with the felonious intent to cheat and defraud

Winfield S. Starnes

Sworn to before me

the 20 day of May 1892
Blair Johnston

POOR QUALITY
ORIGINAL

0018

District Attorney's Office.

City & County of

New York Nov 17 1892

Dear Sir:

Will you please
deliver to the bearer
Mr. Alfred, (are) upon
his giving a proper
receipt therefor, the check
upon which the Complaint
of forgery was made against
Sam Dyke and wherein a
warrant was issued but
has not been executed. The
check is dated May 25 1892
for \$1000 and made by
W. A. Crocker Bros. & Co.

Truly Yours

DeLancey N. Cole
District Attorney

POOR QUALITY
ORIGINAL

0019

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 28 years, occupation Agents of No.

128 Broadway Street, being duly sworn deposes and

says, that he has heard (read the foregoing affidavit of Winfield Starnis

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

Sworn to before me, this

20

day of

May 1888

Edwin G. Partridge

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0020

Sec. 151.

Police Court _____ District.

CITY AND COUNTY } ss. In the name of the People of the State of New York; To the Sheriff of the County
OF NEW YORK, } of New York, or to any Marshal or Policeman of the City of New York, GREETING :

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Winfield Starnes of No. 69 Fulton Street, that on the 10 day of May 1882 at the City of New York, in the County of New York, against William B Van Dyke with forging the Endorsement W J Partridge 60 agents upon a check drawn to the order of Radford Pipe Foundry Company for \$1000

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant, and bring forthwith before me, at the _____ 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 20 day of May 1882
[Signature] POLICE JUSTICE.

Police Court _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Winfield Starnes
vs

William B. Van Dyke

Warrant-General.

Dated March 20 1882.

P. G. Duffy Magistrate.

Stephen O'Brien & John McConley Officers

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

Officer.

Dated _____ 1882

This Warrant may be executed on Sunday or at night Mon. by the 1st.

Police Justice.

REMARKS.

Time of Arrest, _____
Nature of _____
Age, _____
Sex, _____
Complexion, _____
Color, _____
Profession, _____
Married, _____
Single, _____
Read, _____
Write, _____

LT:JM

0021

POOR QUALITY ORIGINAL

BAILED,
 No. 1, by _____
 Residence _____ Street _____
 No. 2, by _____
 Residence _____ Street _____
 No. 3, by _____
 Residence _____ Street _____
 No. 4, by _____
 Residence _____ Street _____

Police Court... *M*
 District...
 1891

THE PEOPLE, &c.,
 ON THE COMPLAINT OF
Richard Starnes
and Ben Hayes

Offense *Forgery*

Dated, *Sept 1 1891*

Butt
 Magistrate
 Office

Witnesses
Edmund J. Partridge
 No. *128* *Brooklyn* Street

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

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

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

POOR QUALITY
ORIGINAL

0023

District Attorneys Office,
City & County of
New York. Aug 18 1895.

The People have no further
use for the check signed by
W. A. Crooke Bros & Co. for \$1000 used
as evidence in the case of Peape v. West,
Vandyke.

Vernon M. Davis
Acting Dist Atty.

1 State of Ohio, County of Hamilton, ss.
2
3
4 Before me George A. Turrill, a notary public
5 in and for said County and State, Personally
6 appeared James M. Lamb, a resident of Cincinnati,
7 Ohio, who, being first duly sworn, on his oath
8 says that he is President of the Radford Pipe
9 and Foundry Company of Cincinnati, Ohio; that Partridge
10 and Company of New York City were the eastern
11 agents of said Radford Pipe and Foundry Company; that
12 he is personally acquainted with William B. Vandyske
13 formerly a resident of Cincinnati, Ohio, but now under
14 indictment for Fraud Larceny in the State of New York,
15 who was imprisoned in the Tombs in New York City; that
16 he is a young man of excellent family widely
17 known and highly respected in business social and
18 religious circles; that he has always held
19 good business positions in the City of Cincinnati,
20 Ohio and proved himself capable and trustworthy
21 until these his first offenses; that he voluntarily
22 surrendered himself to the firm of Partridge & Com-
23 pany whose trust he betrayed, offering to work
24 for them until their loss was made good;
25 and that the Radford Pipe and Foundry Company
26 would withdraw the complaint were they
27 the complaining witnesses; and in consideration
28 of his previous good character and well-known
29 business ability as well as in consideration
30 of his intelligence and excellent education
31 I urgently request the Court to exercise
32 the utmost possible leniency in dis-

POOR QUALITY ORIGINAL

0025

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posing of the charges brought against him
James S. Gamble

sworn to before me and subscribed to in
my presence this twentieth day of April
A.D. 1893

George A. Turrill
Notary Public
Hamilton County
Ohio

POOR QUALITY ORIGINAL

0026

State of Ohio,
County of Hamilton Ss.

Before me a Notary Public in and for said County and State, personally appeared *James H. Clark, Pastor of the Presbyterian Church Madeira, Ohio; S. W. Mooney of Madeira, Ohio; Archer Brown, Treasurer of the Radford Pipe and Foundry Company, Cincinnati, Ohio; and L. H. Blakemore, Secy of The Radford Pipe and Foundry Company* who being first duly sworn on their oaths say that they are personally acquainted with Mr. William B VanDyke formerly a resident of Cincinnati Ohio but now under indictment for Grand Larceny in the State of New York and imprisoned in the Tombs of New York City; we know him to be a young man of excellent family widely known and highly respected in business social and religious circles; that he has always held good business positions in the City of Cincinnati and proved himself capable and trustworthy until this his first and only offense, that he voluntarily surrendered himself to the firm of Partridge & Company, whose trust he betrayed, offering to work for them until their loss was made good; that we sincerely believe that if he is acquitted or given a suspended sentence pending good behavior that he will prove himself entirely worthy of the confidence placed in him; and further in consideration of his previous good character and well known business ability as well as in consideration of his ~~his~~ intelligence and excellent education, we urgently request the Court to exercise the utmost possible leniency in disposing his case.

James H. Clark
Pastor Pres. Ch. Madeira Ohio.
S. W. Mooney
Treasurer Radford Pipe & Foundry Co.
Archer Brown
Treasurer Radford Pipe & Foundry Co.
L. H. Blakemore
Secy Radford Pipe & Foundry Co.

APR 17 A D 1883.

Sworn to before me and subscribed in my presence this 18th day of

POOR QUALITY ORIGINAL

0027

Sworn to before me and subscribed in my presence this 18th day of

April A D 1893.

George A. Turrell

Notary Public

Hamilton County

The State of Ohio, ss.

Form 700-2 M-1-93.

COUNTY OF HAMILTON.

I, *John D. Dea*, Clerk of the Court of Common Pleas, a court of record within and for the County and State aforesaid, do hereby certify that it appears of record in this office that *George A. Turrell* whose name is subscribed to the annexed instrument, was at the time of taking such proof, or acknowledgment, a *Notary Public* in and for said County, duly commissioned and qualified, and duly authorized to administer oaths, to take acknowledgment of deeds, etc.

And further, that I am well acquainted with the handwriting of said *George A. Turrell* and verily believe that the signature to the said certificate, or proof of acknowledgment, is genuine.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of said Court, at Cincinnati, this 18th day of April, A. D. 1893

John D. Dea CLERK.
By *W. H. Bagley* Deputy.

PERSONALLY acquainted with him to the time of his residence at Cincinnati
and personally acquainted with him since his removal to New York City
and in the city of Cincinnati and proved himself capable and
reliable in all respects: that he has always held good business pos-
sibilities widely known and highly respected in business society and
of New York City: we know him to be a young man of excellent
personality in the State of New York and imprisoned in the County
resident of Cincinnati Ontario now under indictment for grand
personally acquainted with Mr. William B. Ashby formerly a
who being their only sworn on their oaths say that they are

state personally acquainted

before me a Notary Public in and for said County and

County of Hamilton ss.
State of Ohio

POOR QUALITY ORIGINAL

0028

Sworn to before me and subscribed in my presence this day of April A D 1893.

George A. Furrill
Notary Public
Hamilton County

The State of Ohio, ss.
COUNTY OF HAMILTON.

Form 700-2 M-1-195

I, George A. Furrill, Clerk of the Court of Common Pleas, a court of record within and for the County and State aforesaid, do hereby certify that it appears of record in this office that George A. Furrill whose name is subscribed to the annexed instrument, was at the time of taking such proof, or acknowledgment, a Notary Public in and for said County, duly commissioned and qualified, and duly authorized to administer oaths, to take acknowledgment of deeds, etc.

And further, that I am well acquainted with the handwriting of said George A. Furrill and verily believe that the signature to the said certificate, or proof of acknowledgment, is genuine.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of said Court, at Cincinnati, this 15 day of April, A. D. 1893
George A. Furrill CLERK.
By W. H. Bagwell Deputy.

Subscribed and sworn to before me this 15th day of April, 1893, at Cincinnati, Ohio, by George A. Furrill, Clerk of the Court of Common Pleas, Hamilton County, Ohio, who being duly sworn on their oaths say that they are

state personally subscribed

before me a Notary Public in and for said County and

County of Hamilton ss.
State of Ohio

POOR QUALITY
ORIGINAL

0029

State of Ohio. County of Hamilton Ss.

Before me George A Turrill a notary Public in and for
said County and State, Personally appeared *A. J. Clark*
who being resident of Cincinnati Ohio and being
first duly sworn, on ^{his} ~~their~~ oaths says that ~~they~~ ^{he} ~~are~~ ^{is} acquainted
personally with William B Vandyke formerlay a resident of Cin-
cinnat~~o~~ Ohio but now under indictment for Grand Larceny in the
State of New York and imprisoned in the Tombs of New York City
that he is a young man of excellent family widely known and
highly respected in business, social and religious circles ;
that he has always held good business positions in the City of
Cincinnati Ohio; that he voluntarily surrendered himself to
the firm of Partridge & Company whose trust he betrayed, offer-
ing to work for them until their loss was made good ; that I
~~believe~~ believe that if he is given a suspended sentence pend-
ing good behavior that he will prove himself entirely worthy
of the confidence placed in him and in consideration of his
well known business ability and excellent education I urgently
request the Court to exercise the utmost possible leniency in
disposing of the charges brought against him.

A. J. Clark

Sworn to before me and subscribed in my presence this ~~1st~~
day of April A D 1893.

George A. Turrill
Notary Public
Hamilton Co.
Ohio.

POOR QUALITY ORIGINAL

0030

State of Ohio.

County of Hamilton Ss

BEFORE ME a Notary Public in and for said County and State, personally appeared *Edwin K. Mooney of Madeira Ohio, H.B. Turrill of Cincinnati Ohio and Simon J. Smith of the firm of Heinrich Loewenstein & Levi of Cincinnati Ohio*

who being first duly sworn on their oaths, say that they are personally acquainted with Mr. William B VanDyke formerly a resident of Cincinnati Ohio, but now under indictment for grand Larceny in the State of New York and imprisoned in the Tombs

of New York City; that we know him to be a young man of excellent family, widely known and highly respected in business, social and religious circles; that he has always held good business positions in the City of Cincinnati and proved himself capable and trustworthy until this his first and only offense; that he voluntarily surrendered himself to the firm of Partridge and Company, whose trust he betrayed offering to work for them until their loss was made good; that we sincerely believe that if he is acquitted or given a suspended sentence pending good behavior that he will prove himself entirely worthy of the confidence placed in him; and further in consideration of his previous good record, well known business ability, excellent education and high intelligence, we urgently request the Court to exercise the utmost possible leniency in disposing of the charges brought against him.

Edwin K. Mooney
H.B. Turrill
Heinrich Loewenstein & Levi

Sworn to before me and subscribed to in my presence this ^{10th}
day of April A D 1893

George A. Turrill
Notary Public Hamilton County
Ohio.

POOR QUALITY ORIGINAL

0031

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William B. Van Dyke

The Grand Jury of the City and County of New York, by this indictment, accuse William B. Van Dyke of the CRIME OF Grand LARCENY, in the first degree committed as follows:

The said William B. Van Dyke

late of the City of New York, in the County of New York aforesaid, on the tenth day of May in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, being then and there the clerk and servant of William J. Partridge and Edwin J. Partridge, copartners

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

the true owner thereof, to wit:

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

the said William B. Van Dyke 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 William J. Partridge and Edwin J. Partridge of the same, and of the use and benefit thereof; and the same goods, chattels and personal property of the said William J. Partridge and Edwin J. Partridge 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.

0032

BOX:

520

FOLDER:

4734

DESCRIPTION:

Van Ness

DATE:

04/12/93



4734

POOR QUALITY ORIGINAL

0033

Warrant
John W. Van Ness
26 Church
Baltimore

Counsel,
Filed July 10, 1895
1893

THE PEOPLE
vs.
John W. Van Ness

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

April 29, 1895
vs.
John W. Van Ness

John W. Van Ness
Ar. + com. 3 cases
Aug 16/95

JAMES DE LANZEY NICOLI,
District Attorney.

Carroll DeLoach
A TRUE BILL.

James DeLoach
Foreman.

James DeLoach
Foreman.

July 8, 1895

Bail Cash deposit \$1000
Sept 10, 1895
Witnesses:
John W. Van Ness

In view of the ver-
dict of the jury
in the trial held
involving the same
case held in
view of the opinion
of the Appellate
Division affirm-
ing the judgment
which was per the
appellant's account
and defendant's
charge, and the
recognition of
John W. Van Ness

May 19, 1895
John W. Van Ness

POOR QUALITY
ORIGINAL

0034

1st
District Police Court.

Held in and for the City and County of New York, on
Saturday the *15th* day of *March* in the year
of our Lord, one thousand eight hundred and *Eighty Three*

Present,

The Honorable

John J. Ryan
Police Justice.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

Nathan Madson

against

John R. Van Ness

Charged with

Forgery

The Defendant not appearing, and *Mary Jones*
his surety, not bringing him forth to answer to this charge pursuant
to the condition of their Recognizance:

It is Ordered by the Court, that the said Recognizance be and
the same is hereby forfeited;

And it is further Ordered, that the said Recognizance, together
with this certificate of forfeiture, be filed in the office of the Clerk of
the City and County of New York, and that Judgment be entered
thereon, according to law, against the said *John R. Van Ness*
Van Ness the Defendant above named,
and the said *Mary Jones*
his surety, for the several sums set forth in said Recognizance.

John J. Ryan
Police Justice.

POOR QUALITY ORIGINAL

0035

District Police Court.

THE PEOPLE OF THE STATE OF NEW YORK

John R. Van Ness
against

Principal, in the sum of \$ 3000

and *Wm J. Jones*

Surety, in the sum of \$ 2000

Dated *March 3* 189

Recognition to Answer, and Certificate Forfeiting Same.

District Attorney,
City and County of New York.

Filed..... day of..... 189

POOR QUALITY
ORIGINAL

0036

Plainfield N.J. Feb. 21 1892

This is to certify that I have examined
J. K. Van Ness and find that he is
suffering from a sprain of the left
ankle which has confined him to
his room since the 16th Inst.
and that he will be unable to use
his foot for at least 10 days.

J. A. Allis M.D.
34 West 5th St
Plainfield N.J.

State of New Jersey
Union County }
}

J. A. Allis M.D. of full age
and being duly sworn according
to law deposes and says that he
has attended the above named
J. K. Van Ness and that the above
certificate is just and true.

Sworn & subscribed
before me this 21st
day of Feb'y 1893.

A. W. Winkler
Notary Public
N.J.

J. A. Allis M.D.

POOR QUALITY ORIGINAL

0037

Offdavit
J. P. Allen
M.D.

POOR QUALITY
ORIGINAL

0038

First District
Police Court

Nykuan Maddon }
agent }
John H Van Ness }
Feb 14/1893
Charged
with Forgery
Deposition
John J Ryan
Police Justice

Fred J Fay being duly sworn
deposes and says,

Direct Examination

Where do you reside?

At 224 1/2 Madison Street Brooklyn

What is your occupation?

A Paying letter Union Trust
Company New York

How long in their employ as the
15th of December 1890?

Answer

In what capacity?

A Paying letter

I was the person who at that time

To enter checks that had been certified?

Ayes Sir

Q (Check offered in evidence marked Ex a.) Look at that check do you certify that check?

Ayes Sir

Q Should you make an entry of it?

Ayes Sir

Q In what book?

A Certification book

Q How you that book with you?

Ayes Sir it is here (witness producing it) I had reading Dec 15th James

a Waldron one thousand,

Entry in book offered in evidence

Q At the time you certified that check were those words contained "a J. K. Van Ness attorney"?

A I should think not

Q What is your custom?

A The custom has been to enter the date and name in full and the amount

3.

I find to the best of your recollection
those words were not contained
in the body of the check at the
time?

A No Sir they were not.

I find according to your custom
if they had been so contained
they would appear upon that
book?

A Undoubtedly.

I look at the check and give me
the date of its payment.

A It was certified December 12th
and it is paid through the
Exchange Bank Bank January 3rd
1891.

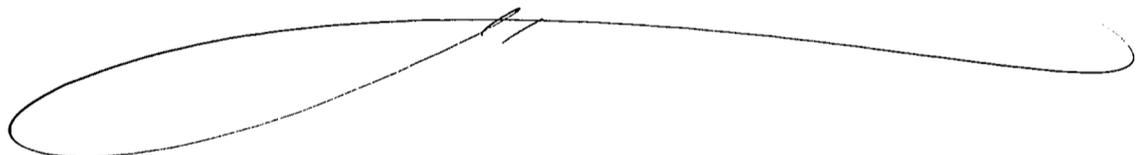
Cap Examination

I will you swear positively that
J. K. Warless or attorney was
not on the check at the time it
was certified?

A It was my custom to enter the
name of the Joyce since 1877.

I will you swear positively that

the name J. K. Van Ness or attorney
was not on the check at the
time it was certified?
I showed them it was not.
I will guarantee it was not?
I am perfectly willing to swear
it was not there at the time
to the best of my knowledge
The further hearing was
then adjourned.



**POOR QUALITY
ORIGINAL**

0043

2.
Broadway in said City, for the sum of One thousand Dollars payable to the order of James A. Waldron, one of the plaintiffs named in said order and a brother of deponent, who resides at Rutherford in the State of New Jersey; that said Union Trust Company by the terms of said order was directed and required to pay from the money deposited with it to the credit of the estate of Dornelia Waldron, deceased, upon the presentation of said check, said amount of one thousand dollars.

That on or about December 12th, 1890, in pursuance of said order of court, deponent drew his check as such Executor upon The Union Trust Company of New York for said sum of One thousand dollars payable to the order of James A. Waldron and gave the same to said John K. Van Ness, who upon said day went to the office of said Trust Company and had said check certified by said Company and returned it to deponent. That at said time deponent was under an injunction order in supplementary proceedings, restraining him from paying any money to James A. Waldron and in consequence thereof and relying upon the good faith and confidence he had in said John K. Van Ness, gave to said Van Ness said check for safe keeping for deponent's said brother, James A. Waldron.

and
That said Van Ness thereafter, in abuse of the confidence reposed in him, and without the consent or authority of deponent, and after the certification of said check by said Trust Company, added to the body of said check, after

**POOR QUALITY
ORIGINAL**

0044

3.

the name James A. Waldron, the words "or J. K. Van Ness, Attorney", and endorsed said check and obtained the money thereon through another Bank, and unlawfully applied and converted the money to his own use, and has failed and refused to account therefor to said James A. Waldron or deponent for the same.

That deponent never knew until September last when he went to the office of said Union Trust Company, accompanied by his present attorney, Frank H. Smiley, Esq., of No. 280 Broadway in this City, and there learned that said Van Ness had used said check in the manner aforesaid.

Deponent further says that said check is now in the possession of the said, The Union Trust Company of New York, who claims the ownership thereof, as a voucher.

Sworn to before me this

day of February 1873:

By *John Ryan*
Police Justice

POOR QUALITY ORIGINAL

0046

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:
John K Van Ness 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. *John K Van Ness*

Question. How old are you?
Answer. *44 years*

Question. Where were you born?
Answer. *New Jersey*

Question. Where do you live, and how long have you resided there?
Answer. *Manfield N.J.*

Question. What is your business or profession?
Answer. *Lawyer & Real Estate*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.
Answer. *I am not guilty*
J. K. Van Ness

Taken before me this _____ day of _____ 189____
[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0047

sec. 151.



Police Court _____ 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 to any Marshal or Policeman of the City of New York. GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Oyckman Waldron of No. 241 - W - 115 Street, that on the 12 day of December 1890 at the City of New York, in the County of New York,

John K. Van Ness - did unlawfully forge and make and utter and alter and add the name of J. K. Van Ness to a certain check drawn by Complainant on the Union Trust Company for the amount of One thousand dollars - with the intent of defrauding Complainant.

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

These are, therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the _____ 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 12 day of December 1890

1893

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0048

Police Court..... District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.
.....
.....
.....

Warrant-General.

Dated..... 189

..... Magistrate.
John J. ... Officer-S.

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

..... Officer.
Dated..... 189

This Warrant may be executed on Sunday or at
night.

..... Police Justice.

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

Dated..... 189

The within named

Police Justice.

POOR QUALITY ORIGINAL

0049

Ex Muran

Sept 10/95 by Cook deposited by David M. 192 Howard, Ala

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Depositing Police case heard before Judge...
Arresting the within case within 24 hours

Police Court...

District...

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Richard Walcott
241 St. 55th
John R. New Here

Offense Forgery

Dated,

1895

Magistrate

Officer

Precinct

Witnesses

No.

Street

No.

Street

No.

Street

No.

Street

No.

Street

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

Richard Walcott

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, *July 15* 1895 _____ Police Justice.

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

Dated, _____ 1895 _____ 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, _____ 1895 _____ Police Justice.

POOR QUALITY ORIGINAL

0051

C. R. 3076.

**COURT OF GENERAL SESSIONS
CLERK'S OFFICE.**

PEOPLE

John K. Van Ness
vs.
filed

- 1) *April 93*
- 2) *July 94*
- 3) *Oct 95*

POOR QUALITY
ORIGINAL

0052

C. N. IRONSIDE,
COUNSELLOR AT LAW,
220 BROADWAY,
NEW YORK.

May 17th, 1898.

James W. Osborn Esq.,
Assistant District Attorney,
New York City.

Dear Sir:

I was notified this afternoon that a motion will be made tomorrow for a dismissal of the indictment against J. K. Van Ness. I beg that you will not permit the indictment to be dismissed for the reason that I have given you heretofore. The case which was tried before Judge MacLean was not tried upon the merits ~~and~~ the Appellate Division ~~and~~ has not given us (in my opinion) the consideration we are entitled to. When that case is tried, in the general sessions ^{if} in the middle of June, I will have Mr. Waldron here to testify and also other evidence in behalf of the State which did not go before Judge MacLean.

I beg that instead of dismissing the indictment you will have the case set down for trial during the second week in June. If you will do that I will telegraph Mr. Waldron to be here without fail, *and will have the other evidence ready*
Very truly yours,

C. N. Ironside

*Shuron to & ready by the court
Mr Osborn
A.D.A.
april 19 1898*

POOR QUALITY ORIGINAL

0053

Court of General Sessions of the Peace

1721

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
John H. Van Ness

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

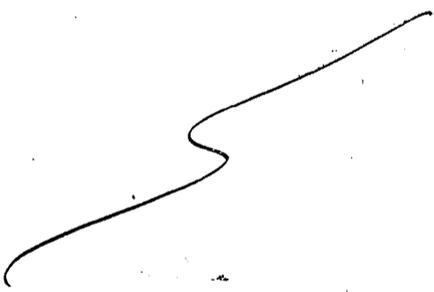
John H. Van Ness

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

The said *John H. Van Ness*,

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

new York, Dec. 12, 1890
Union Trust Company of New York
Pays to the Order of James A. Waldron or
J. H. Van Ness attorney
One thousand Dollars
\$1,000
Augustus Waldron
President



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.

Francis Nicoll,
District Attorney