

**BOX:**

**293**

**FOLDER:**

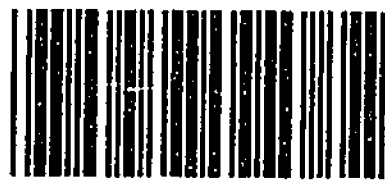
**2793**

**DESCRIPTION:**

**Rebardi, Guiseppe**

**DATE:**

**01/19/88**



2793

Witnesses:

Officer Santt  
Officer Baker  
Officer Baker

Counsel,

Filed 19 day of Jan'y 1888

Pleads *Not guilty (20)*

THE PEOPLE

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

*Guisepe Delord*

JOHN R. FELLOWS.

RANDOLPH B. MARTINE,

*Feb 28 1888* District Attorney.

A True Bill. *Feb 28 1888*

*Foreman.*  
*Feb 28 1888*  
*Wheel and cart*  
*Feb 28 1888*  
*24 deg.*  
*Feb 28 1888*  
*P.B.M.*



*Index*  
Indictment filed Feb. 19. 1888.

COURT OF GENERAL SESSIONS

Part III.

The People &c.

against

GUISEPPI REARDI.

Abstract of testimony on

trial Feb. 28th 1888.



COURT OF GENERAL SESSIONS, PART III.

The People of the State of New York : Before  
 against : Hon. R. B. Martine  
 and a Jury.  
 Guiseppi Rebaradi.

Indictment filed Feb. 19, 1888.

New York, Feb. 28, 1888.

Appearances:

For the People, Asst. Dist. Atty. Parker;

For the Deft., Mr. J. Cook.

PATRICK W. DEVITT, a witness for the People, testified:

I am a Police Officer attached to the Fourth Precinct. On the evening of the 15th of Jan. I heard some

noise of glasses knocking together in a liquor saloon. As I was on special duty, I went into the hallway of the premises, No. 72 1/2 James St., for the purpose of going into the liquor store and making an arrest. It was Sunday evening; the prisoner was standing in the hallway talking to a female and another man. He asked me where I was going and followed me in and then he pulled out a pistol and officer Baker grabbed it out of his hand.

Q Was the pistol fully loaded? A Yes, sir.

CROSS-EXAMINATION:

This happened at 11:30 o'clock at night. I was in citizen's clothes. There were two other parties in this hallway with this defendant. He asked me what I wanted in the place and I told him that it was none of his



business; that I was an officer. He then drew the pistol but before he could discharge it it was taken from him. As soon as he took it out of his pocket Officer Baker caught hold of him. He pointed the pistol at me.

GEORGE P. BAKER, a witness for the People, testified:

I was with Officer Devitt on the night of the 15th. of Jan. as he has testified. I heard the officer say to the prisoner "it is none of your business"; with that the prisoner drew out a revolver and pointed it right at Officer Devitt's breast; as he did I jumped at him and grabbed it out of his hand.

CROSS-EXAMINATION:

I did not hear the prisoner ask the officer any more than one question. There was a light across the street which reflected in this hallway.

D E F E N C E.

GIUSEPE REBARDI, the defendant, testified:

I am 20 years and a half old and have been in this country two and a half years. I recollect the night of the 15th of Jan. About two months before that I was attacked in that hallway and robbed of \$25 and a watch. When I entered that hallway on the evening in question my intention was to go to my room and go to bed. I said "Good evening" to this man and he did not give me any answer. Then I asked him what he wanted there and he did not give me any answer but looked very sharp at me. Then, in order to scare him away, I took the revolver



out. I had time to discharge the pistol if my intention was to shoot. At the time I drew this revolver out I did not know that these men were policemen.

CROSS-EXAMINATION:

I have had this pistol about a year; I bought it from a pawnbroker in the Bowery. I always carry it when I go in to the country, because I am afraid of thieves. I am foreman of a gang of Italian laborers.

The Jury found the prisoner guilty of assault in the second degree.



0644

Police Court— District.

City and County } ss.:  
of New York,

of No. *Fourth Avenue* Street, aged *39* years,  
occupation *Police Officer* being duly sworn

deposes and says, that on *15* day of *January* 188*8* at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by *Giuseppe*

*Rebardi (now here)* who

*pounded and aimed*

*a loaded revolving pistol*

*at the body of deponent*

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 dealt with according to law.

Sworn to before me, this *16* day  
of *January* 188*8*.

*Patrick W. Dever*  
*M. J. Mc* Police Justice.



0045

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

*Giuseppe Rebarini* 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this

day of

1885

Police Justice.



THIS DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF

*Patrick Devitt*  
agst.

Examination had

1888

*Giuseppe Reborelli*

Before

*James J. [Signature]*

Police Justice.

*David Seltman*

Stenographer of the 1<sup>st</sup> District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of

*George P. Baker and Giuseppe Reborelli*  
as taken by me on the above examination before said Justice.

Dated

*January 10* 1888.

*[Signature]*

Police Justice.

*[Signature]*  
Stenographer.



Patience Devitt

vs

Guillermo Reboredo

Charged with  
Homicide

Assault

Before Hon

Marcelo Ponce

Police Judge

January 16/1938

Patience Devitt the complainant being duly sworn in the deposes and says:

By the Court

State what you know of this assault?

A Officer Ponce & I were going in the morning of 14/38 I was about to make an walk for exercise. At the prison stopped me and asked me where I was going. At that time I was in one of the barracks that I am an officer. He kept his hand on his hip for a while and forced me to go around and pointed it at me.



Q. Then the revolver that is now shown & marked Exhibit one in evidence?

A. Yes Sir

Q. Are there are no cartridges in it now except what are in the envelope attached to the revolver? and marked at the time were in the revolver?

A. Yes Sir

Q. Go on?

A. Officer Baker came to my assistance and took the revolver from him.

Case Examined }  
By Mr. Roney }

Q. This was in the morning?

A. Yes Sir

Q. And was there any light in the morning?

A. Yes

Q. It was quite dark was it not? A. Yes Sir it was night when the ball was fired and I came out.



George P. Baker was  
called on the part of the  
people being duly sworn  
deposed and says

By the Court

If you are an officer attached  
to what precinct?

A 4th precinct.

If state what your name of this  
accident?

A about 11.30 last night officer  
Devitt and myself went out  
on duty and we went into  
42 James Street to this Italian  
(meaning the defendant) says  
where are you going and  
officer Devitt phoned him  
he phoned and said we are  
officers and he put his hand  
to his hip to come and fetch the  
pistol and I heard the gun  
click of the pistol and I went  
up and put my arms around  
him and took it away from him



4

When the postal pointed at him  
at that time you took it away  
Ayesa at this moment? he  
had it within short inches of  
his breast

Chas. Examed }

Byron Rasey }

If the magazine late at night was  
it not?

Ayesa

When in the hallway?

Ayesa

If neither of you were in uniform  
were you?

Ayesa

If he had no means of knowing  
that you were officers?

Ayesa

If you had not seen him before  
had you?

Ayesa

If neither of you?

Ayesa but we had trouble  
that previous



By the way

What previous trouble was there  
 A Around 9 o'clock the same night  
 we went in there to make an  
 arrest for excise. As we  
 were entering the door the  
 attorney Marshall Bailly  
 came out and he was coming  
 out of the door. He tried to get  
 in and he chased the officers  
 away.

What was said in the morning?  
 Answer:

What was said when you  
 went in again?

A 1130 around there.

What then you met the defendant  
 Answer:

Where did you meet him?

A In the hallway.

Was Bailly with him at that  
 time?

Answer: He was arrested before  
 Answer: He was arrested before



61

Justification has it any?  
I don't know it was done in  
the hallway.

By the Census  
House for the people



7

Guillermo Reboredo the  
deponent being duly  
sworn depose <sup>as follows</sup>

Direct Examination

By Mr. Roney

Q. Now, what the officer told

A. I didn't hear him before

Q. You said he said just right?

A. Yes sir

Q. Just tell me what took place

that night? Tell the whole

story from beginning to end

A. I was coming from the street

to go up stairs to go to bed

and got in the hallway I saw

three or four persons, they had no

uniform on

Q. Did you want they were policemen

A. No

Q. Just state what took place?

A. I saw three or four

persons they had no uniform

on and I saw them in the hallway



from my pocket and handed it  
to him?

Q Did you point it at the officer  
Anson? I did not.

Q Who struck you in the face?

A These two men referring to  
the officer's station and.

Q Were you in the saloon at all  
last night?

Anson.

By the Court.

Q Where were you last night?

A Walking toward a walk

Q Where were you last night  
about half past 9 o'clock?

A I was in a friend's house in  
James Street.

Q What remember?

A I don't know the number.

Q What is the name of your friend?

A Giuseppe Campaner.

Q Do he live?

Anson here here.

Q What time did you go there?



9

a half past eight  
of am. that the time that you  
left your own house?

Answer

Q Did you go directly to your friend's  
house?

Answer

Q Did you go anywhere else from  
the time you left Campanini's  
house until you went home?

A When I left Campanini's house  
I went directly home. At that  
was the time I met the officer  
in the hallway?

Q Why were you carrying this packet?  
A The only explanation I got for  
that is that Dalway's carry it  
- Case closed.

—M—



0597

Dated 1888 Police Justice.

guilty of the offence within mentioned, I order h to be discharged.

There being no sufficient cause to believe the within named

Dated 1888 Police Justice.

I have admitted the above named

Dated 1888 Police Justice.

the City Prison of the City of New York, until he give such bail.

and be committed to the Warden and Keeper of

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

George P. Petroni

Office

Dated 1888

Magistrate.

Officer.

Precinct.

Witnesses

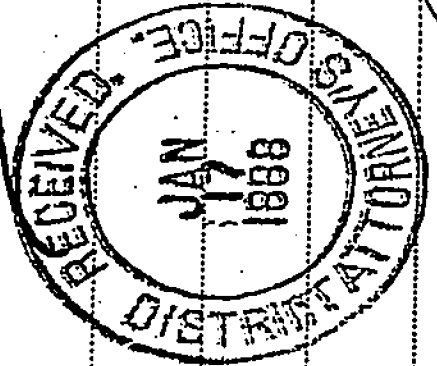
No.

No.

No.

\$ 1500 to answer

Bailed



BAILED

No. 1 by

Residence

No. 2 by

Residence

No. 3 by

Residence

No. 4 by

Residence

George P. Petroni

Street.

Street.

Street.

Street.



0051

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Figueroa Richard*

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

*Figueroa Richard*

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

The said *Figueroa*

late of the City of New York, in the County of New York aforesaid, on the  
*24th* day of *January*, in the year of our Lord  
one thousand eight hundred and eighty-eight, with force of arms, at the City and  
County aforesaid, in and upon the body of one *Patricia W. Smith*,  
in the peace of the said People then and there being, feloniously did make an assault  
and to, at and against *him* the said *Patricia*,  
a certain  *pistol* then and there loaded and charged with gunpowder and one  
lead bullet, which the said *Figueroa*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously <sup>aim and point with intent to</sup> did then and there shoot off and discharge, <sup>the same,</sup>  
<sup>with intent</sup> and *him* the said *Patricia*,  
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

*Figueroa Richard*

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

The said *Figueroa*

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 one *Patricia W. Smith*,  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make an assault, and to, at and against *him* the said  
*Patricia*,  
a certain  *pistol* then and there charged and loaded with gunpowder  
and one lead bullet, which the said *Figueroa*  
in *his* right hand then and there had and held, the same being  
an instrument likely to produce grievous bodily harm, then and there feloniously  
did wilfully and wrongfully shoot off and discharge, <sup>aim and point with intent to</sup> 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.

~~RANDOLPH B. MARTINE,~~

District Attorney.



0050

**BOX:**

**293**

**FOLDER:**

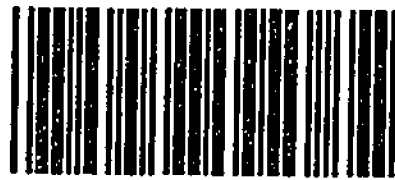
**2793**

**DESCRIPTION:**

**Reiling, John**

**DATE:**

**01/24/88**



2793



Witnesses:

*Officer Hargrave*

*I consider the testimony  
herein unimpeached &  
support the bill & can  
affirm its correctness*

*sworn*

*Feb 7/88*

*Robert M.*

*Do. do. do.*

307

Counsel,

Filed, 24 day of Jan 1888

Pleads, Not Guilty (3)

THE PEOPLE,

vs.

*John Darling*

*1786 10th*  
*John R. Fellows,*  
*Ralph B. Martine,*

*Feb 1/88* District Attorney.

*Bail forfeited & ordered.*

*A True Bill. New Bond*

*Edward L. M.*

Foreman.

*On, Mr. District Atty. Indict  
dis. Bail discharged P.B.M.  
Feb 9/88 J.C.P.*

VIOLATION OF EXCISE LAW  
(Keeping Open on Sunday)  
(Ill. Rev. Stat. (7th Edition), page 1889, Sec. 5)



At a Court of General Sessions of the Peace,

Holden in and for the City and County of New York,  
at the City Hall of the said City, on *Wednesday*  
the *first* day of *February* in the year of  
our Lord one thousand eight hundred and eighty *eight*

Present

The Honorable

*Rufus B. Cowing*

*City Judge*

of the City of New York.

} Justice  
of the  
Sessions.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John Keeling*

On Indictment for

*Violation of the*

*Excise Law.*

*filed Jan'y 31. 1888.*

The Defendant not appearing, and *John Mowatt*  
his surety not bringing him forth to answer to this Indictment, pursuant  
to the condition of their recognizance. On motion of the District Attorney,  
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 Recogni-  
zance, together with a certified copy of this Order, be filed in the office  
of the Clerk of the City and County of New York, and that Judg-  
ment be entered thereon, according to law, against the said

*John Keeling*

the

Defendant above named, and the said *John Mowatt*  
his surety, for the several sums set forth in  
said Recognizance.

A true Extract from the Minutes.

*John Sparks*

CLERK OF COURT.



N. Y. General Sessions of the Peace.

THE PEOPLE OF THE STATE OF  
NEW YORK,

against

*John Reilly*  
Principal in the sum of \$ 100.

and *John Moraw*

Surety in the sum of \$ 100.

Dated *Feb 1st* 188*8*.

Recognizance to answer, and copy order  
forfeiting the same.

District Attorney,  
City and County of New York.

Filed                      day of                      188



CITY AND COUNTY }  
OF NEW YORK, } ss.

*John Reiling* 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 Reiling*

Question. How old are you?

Answer.

*32 years.*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*1786. 2nd Avenue and one month*

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. If held I demand a trial by jury.*

*John Reiling*

Taken before me this

*9*

day of January

1886

Police Justice.



Excise Violation-Keeping Open on Sunday.

POLICE COURT- 5 DISTRICT.

City and County } ss.  
of New York,

Herman Wagner  
of No. 26. Prince Police Street,  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 8<sup>th</sup> day  
of January 1888, in the City of New York, in the County of New York,  
John Reiling (now here)  
being then and there in lawful charge of the premises No. 1786-10 Ave  
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be  
drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of  
the statute in such case made and provided.

WHEREFORE, deponent prays that said John Reiling  
may be ~~arrested and~~ dealt with according to law.

Sworn to before me, this 9<sup>th</sup> day  
of January 1888

Herman Wagner

John H. H. H. H. H. Police Justice.



0007

Sec. 568.

J District Police Court.

UNDERTAKING TO ANSWER General SESSIONS.

CITY AND COUNTY {  
OF NEW YORK, } ss.

An order having been made on the 9 day of January 1888 by  
John J. Branch a Police Justice of the City of New York. That  
John Reiling be held to answer upon a charge of  
Violation Basic Law State of New York

upon which he has been duly admitted to bail, in the sum of One Hundred Dollars.

We, John Reiling Defendant of No. 1786 -  
18 Street; Occupation, Salesman and  
John M. Mott No. of 85 near 104 Street;  
Occupation None Surety, hereby undertake jointly and severally  
that the above named John Reiling shall appear and answer the charge above-  
mentioned, in whatever Court it may be prosecuted: and shall at all times render him self amenable to the orders  
and process of the Court; and if convicted, shall appear for judgment, and render him self in execution thereof  
or if he fail to perform either of these conditions that we will pay to the People of the State of New York, the sum  
of one Hundred Dollars.

Taken and acknowledged before me this 9  
day of January 1888 }  
John J. Branch POLICE JUSTICE.

John Reiling  
John M. Mott



00665

CITY AND COUNTY } ss.  
OF NEW YORK, }

*John Morcott*  
Police Justice  
day of January 1888

Sworn to before me this 9

*John Morcott*  
the within named Bail and Surety being duly sworn, says, that he is a resident and *free*  
holder within the said County and State, and is worth *two* Hundred Dollars,  
exclusive of property exempt from execution and over and above the amount of all his debts and liabilities,  
and that his property consists of *One town lot of land No*  
*1840-91 on street City of New York*  
*of the full value of five thousand*  
*dollars now and legal encumbrances*

New York General Sessions.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Undertaking to Answer

*John R. Rilling*  
vs.

Taken the 9 day of January 1888

Justice.

Filed 13 day of January 1888

*John Morcott*



Bond renewed  
February 3<sup>d</sup> 1888

BAILED, by John Morawitz  
No. 1, by 85 W 104 St Street.  
Residence  
No. 3, by \_\_\_\_\_ Street,  
Residence  
No. 5, by \_\_\_\_\_ Street,  
Residence  
No. 4, by \_\_\_\_\_ Street,  
Residence

Police Court-- District, 87

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William Wagner

John Reiling

Office Justice Court

Dated Jan 9 1888  
Wagner Magistrate.

Officer.  
26 Precinct.

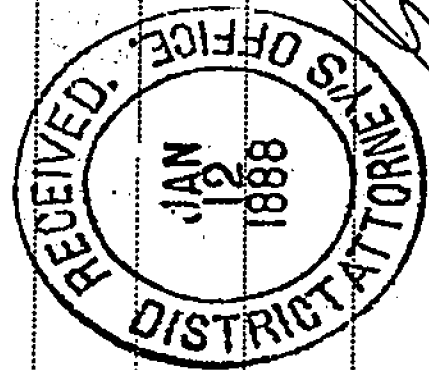
Witnesses  
No. \_\_\_\_\_ Street.

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

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

\$ 100 TO ANSWER

Reiling



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

John Reiling  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

one 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 9 1888  
John Reiling Police Justice.

I have admitted the above named Defendant

to bail to answer by the undertaking hereto annexed.

Dated Jan 9 1888  
John Reiling 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 \_\_\_\_\_ 1888

Police Justice.



11661

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

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

*John Keeling*  
*Defendant.*

The Grand Jury of the City and County of New York. by this indictment accuse the above named defendant 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 defendant late of the City of New York, in the County of New York, aforesaid, on the *eight* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight*, 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 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,*  
~~RANDOLPH B. MARTINE~~, District Attorney.



U668

**BOX:**

**293**

**FOLDER:**

**2793**

**DESCRIPTION:**

**Reilly, John**

**DATE:**

**01/06/88**



2793



Witnesses:

*W. F. Phillips*

*Geo. Jacobs*

Counsel,

Filed

Pleads,

6 day of Jan 1888

THE PEOPLE

vs.

*P*

*John Reilly*

*John R. Fellows*  
*John R. Fellows*  
*John R. Fellows*

JOHN R. FELLOWS.

RANDOLPH B. MARTINE,

District Attorney.

Grand Larceny, & Misdemeanor  
(From the Person.)  
[Sections 528, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

A True Bill.

*John R. Fellows*

Foreman.

*John R. Fellows*

*John R. Fellows*

*John R. Fellows*

*John R. Fellows*



Police Court—11th District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 88 West Washington Place Street, aged 43 years,

occupation Book-seller being duly sworn

deposes and says, that on the 24th 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 and

person of deponent, in the night time, the following property viz:

One silver watch valued  
at forty dollars

the property of

Deponent and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by John Reilly (and his)

for the reasons following, to wit:  
as about the hour of six o'clock P.M.  
on said date as deponent was  
walking on Nassau Street having  
the said watch in the left pocket  
of the vest then worn by deponent  
as a portion of his bodily clothing  
and having missed the same is  
informed by William Jacobs  
(here present) that he Jacobs saw  
the said defendant running on  
Nassau Street followed by  
deponent who was shouting  
"stop thief" said Jacobs seized

Sworn to before me this

day

Police Justice



hold of the aforesaid trans-  
action from said defendant and  
hand the same to deponent.

Deponent is further informed  
by Benjamin Friedman (Chas  
Forsman) that he Friedman saw  
the said Jacobs take the said  
watch from said defendant and  
hand the same to deponent.

Sworn to before me  
this 27<sup>th</sup> day of December ~~1881~~ 1881

San J. ~~Clifford~~  
Police Justice



CITY AND COUNTY }  
OF NEW YORK, } ss.

Benjamin Friedman  
aged 18 years, occupation Picture frame maker of No. 114 Nassau

Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Walter Pollard  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

188

27<sup>th</sup> } Bernie Friedman

Samuel J. Friedman  
Police Justice.



0013

CITY AND COUNTY }  
OF NEW YORK, } ss.

William Jacobs  
aged 21 years, occupation Salesman of No.

29 Madison Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Walter Pollard  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

188

27th }  
Dec } William Jacobs

Samuel J. Clifford  
Police Justice.



0014

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, { ss.

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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 was drinking heavily  
and remember nothing of  
the charge made against me.  
John <sup>Reilly</sup>  
mark*

Taken before me this

day of *March* 1887

*Samuel J. McQuinn* Police Justice.



CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 1<sup>st</sup> DISTRICT.

of The 4<sup>th</sup> Precinct Police Street, aged 38 years,  
occupation Police Officer being duly sworn deposes and says  
that on the 24 day of December 188

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

John Ryan (now here) on Complaint  
Walter J. Pollard of no 88 West Washington  
Place the Pollard charged said  
defendant with Larceny from the person  
in stealing a watch from the person of  
deponent.

Wherefore deponent prays that  
the said defendant may be held  
for examination in order to enable  
deponent to procure sufficient evidence

Edward McCabe

Sworn to before me, this  
of 25 day  
188

Police Justice.



Police Court, / District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Ed McCabe

vs.

John Ryan

AFFIDAVIT.

Larson, M. H. 12/25/87

The Justice presiding  
in 1<sup>st</sup> Dist Court  
in my absence  
will please hold

the examination  
in within case

J. H. Smith

Dec 25 '87 P. J.

Dated Dec 25 1887

Kilbuck

Magistrate.

M. C. C. C.

Officer.

Witness,

William Jacobs

29 Madison St

Benj. Friedman

207 Nassau St

Ex per Dec 27

Disposition, at 9.30.



Police Court-- District.

2144

THE PEOPLE, & C.,  
ON THE COMPLAINT OF

*John J. O'Reilly*  
*188 West Washington Place*  
*John J. O'Reilly*

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ 1500

Committed

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

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.



0018

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Reilly*

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

*John Reilly*  
of the CRIME OF GRAND LARCENY in the *First* degree, committed as follows:

The said *John Reilly*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *twenty-fourth* day of *December* in the year of our Lord one thousand eight hundred and eighty-*seven*, in the *night* time of the said day, at the Ward, City and County aforesaid, with force and arms,

*One watch of the value of forty dollars*

of the goods, chattels and personal property of one *Walter F. Pollard*  
on the person of the said *Walter F. Pollard*  
then and there being found, from the person of the said *Walter F. Pollard*  
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.



SECOND COUNT—

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

John Reilly

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said John Reilly

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

One silver watch of the value of forty dollars

of the goods, chattels and personal property of one Walter T. Pollard

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

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

John Reilly

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Fellows  
~~RANDOLPH B. MARTINE,~~

District Attorney.



0000

**BOX:**

**293**

**FOLDER:**

**2793**

**DESCRIPTION:**

**Reilly, John**

**DATE:**

**01/13/88**



2793



Witnesses:

Herman Shuler

Counsel,

Filed

13

day of

188

Pleads,

THE PEOPLE

vs.

*R*

John Reilly

JOHN R. FELLOWS,

RANDOLPH B. MARTINE,

District Attorney.

*Briglarly in the Third Degree.*

[Section 498, Code]

A True Bill.

*[Signature]*

Jan'y 16/88

Foreman

*[Signature]*

J. W. Myers & Co.



Police Court  
District

Police Court 5 District.

City and County of New York, ss.:

of No. 1592 3<sup>rd</sup> Avenue Street, aged 52 years, occupation Cigar Maker being duly sworn

deposes and says, that the premises No. 1592 3<sup>rd</sup> Avenue Street, in the City and County aforesaid, the said being a 2<sup>nd</sup> floor brick building The first floor and Cellar of which was occupied by deponent as a Cigar Manufacturing & Storage Room and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking a pad lock attached to the door leading to said Cellar,

on the 11 day of January 1888 in the day time, and the following property feloniously taken, stolen, and carried away, viz: with the intent to steal less Tobacco of the value of Two hundred dollars

the property of Deponent.

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

John Kelly (known as)

for the reasons following, to wit: That Deponent had a Burglar Alarm attached to said Cellar door connecting with Deponent's factory and Deponent heard the alarm and immediately ran to the Hallway when Deponent saw said Defendant running from the Cellar, Deponent arrested him when the Christ (here shown) was found



Proceeded upon his person,  
That defendant then went to the said  
Celler and found said lock broken,  
Defendant therefore charged that  
said defendant did enter said  
premises, with the intent to steal  
as aforesaid.

Subscribed before me, Hummer Elders.  
1<sup>st</sup> day of January 1888  
John H. H. H.  
Plenipotentiary

Police Court — District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Burglary

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.



00004

Sec. 198-200.

5<sup>th</sup> District Police Court.

CITY AND COUNTY  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer. *John Reilly*

Question. How old are you?

Answer. *39 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *Dutch Kills Long Island City*

Question. What is your business or profession?

Answer. *Ironman*

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 Reilly*  
*Mark*

Taken before me this *11*

day of *January* 188*8*

*John J. McManus* Police Justice.



5007

Dated 1888 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 1888 Police Justice.

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

Dated 1888 Police Justice.

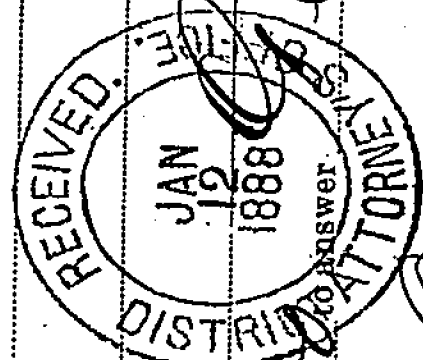
It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Police Court-- 50 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Merran Elder  
1592-3rd Ave  
John Kelly  
de  
Offence Burglary

Dated Jan 11 1888  
Magistrate.  
Lawrence H. H. H. H. Officer.  
Precinct. 27  
Witnesses de  
with testimony Street.

No. Street.  
No. Street.  
No. Street.  
No. Street.  
No. Street.  
No. Street.



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



**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 Reddy*

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

*John Reddy*

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

The said

*John Reddy*

late of the *Second* Ward of the City of New York, in the County of New York, aforesaid, on the *eleventh* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*eight*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *Building* of one

*Herman Orders.*

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

*Herman Orders.*

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

JOHN R. FELLOWS.

*District Attorney*



**BOX:**

**293**

**FOLDER:**

**2793**

**DESCRIPTION:**

**Rice, David**

**DATE:**

**01/11/88**



2793



Witnesses:

*John Alexander*

*Officer O'Connor*

Counsel,

Filed

day of

1888

Pleads

*Christy (12)*

THE PEOPLE

vs.

*David Rice*

Robbery, second degree.  
[Sections 224 and 229, Penal Code].

*John R. Fellows*  
*RANDOLPH B. MARTINE*

District Attorney.

A True Bill.

*James D. Don*

Foreman.

*James D. Don*

*James D. Don*

*S. J. Truegro*



Police Court

District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

of No. *434 East 13<sup>th</sup>* Street, aged *7* years,  
occupation *Scholar* being duly sworn

deposes and says, that on the *3<sup>rd</sup>* day of *January* 188*8* at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the *day* time, the following property viz :

*one dark over coat of the value of five dollars*

the property of *deponent and his father Markus Schenkel*

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 *William Rice, now here,*

*for the reason that on said day deponent was playing in 10<sup>th</sup> Street Park where the said defendant came up and asked deponent to take off his over coat and go on an errand for him. That deponent took off his coat and gave it to the defendant and went on the errand and when he returned the defendant had gone away with deponent's coat.*

*his*  
*John Schenkel*  
*Mark*

Sworn to before me, this

*8<sup>th</sup>*

day

of

*January*

188*8*

*John O'Donovan* Police Justice.



CITY AND COUNTY  
OF NEW YORK

*David Rice*

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.

*David Rice*

Question. How old are you?

Answer.

*40 years*

Question. Where were you born?

Answer,

*U.S.*

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

Answer.

*Bronx, N.Y.*

*1 month*

Question. What is your business or profession?

Answer,

*Cyber*

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.

*The boy gave me the coat. I did not take it off him.*

*David Rice*

Taken before me this

day of *January* 198*5*

*John J. O'Connor*

Police Justice.



1888 Jan 10 3 10 PM 34  
Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Decheyl  
434 E. 13th

David Rice

Off 1000

Off 1000

Dated Jan 10 1888

Magistrate.

Charles O'Connor

Comd Office

Witnesses

Cal the Officer

No. Joseph Bessler

434 E. 13th

No. James C. Werneth

No. 210 1st

No. 500

Off 1000

Comd

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Inditer

Charles Ruyler

442 E. 9th

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

David Rice

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

Dated Jan 10 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.



**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*David Rice*

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

*— David Rice —*

of the CRIME OF PETIT LARCENY, committed as follows:

The said *David Rice*,

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

*one parcel of the value*

*of five dollars,*

of the goods, chattels and personal property of one *Mandus Schenck*,

then and there being found, then and there unlawfully 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 A. Sellen,*  
*District Attorney*



X/12

Witnesses:

*Louis Alexander*

*Officer O'Connor*

Counsel, \_\_\_\_\_  
Filed, *11* day of *January* 188*8*  
Pleads, *Charged* (12)

THE PEOPLE

vs.

*David Rice*  
(2 cases)

**PETIT LARCENY.**

[Sections 528, 532. Penal Code.]

JOHN R. FELLOWS,

~~RANDOLPH B. MARTINE,~~

District Attorney.

**A True Bill.**

*Edmund E. Don*

Foreman.



Police Court-- 3 District.

CITY AND COUNTY } ss  
OF NEW YORK,

Louis Alexander  
of No 53 Clinton Street, Aged 9 Years  
Occupation Scholby being duly sworn, deposes and says, that on the  
25 day of December 1887, at the 7 Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

One overcoat of the value of  
five dollars

of the value of five DOLLARS,  
the property of Deponent.

and that this deponent has a probable cause to suspect, and does suspect, that the said property was  
feloniously taken, stolen, and carried away, by force and violence as aforesaid by

David Rice, now here.

The Dependant did then and there  
in button the said coat and by  
force take the said coat from  
deponent's person in a hallway  
in Clinton Street about 2 o'  
clock in the afternoon of said date.

Louis Alexander  
mark

Sworn before me, this  
day of January 1888  
J. D. O'Connor Police Justice.



Police Court-- 3 District.

CITY AND COUNTY }  
OF NEW YORK, } ss

Louis Alexander  
of No 55 Clinton Street, Aged 9 Years  
Occupation Schoolboy being duly sworn, deposes and says, that on the  
25 day of December 188 7, at the 7 Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

One overcoat of the value of  
five dollars

of the value of five DOLLARS,  
the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was  
feloniously taken, stolen, and carried away, by force and violence as aforesaid by

David Rice, now here.

The Defendant did then and there  
unbutton the said coat and by  
force take the said coat from  
deponent's person in a hallway  
in Clinton Street about 2 o  
clock in the afternoon of said date

Louis Alexander  
mark

Sworn before me, this  
day of January 188 8  
John O'Brien Police Justice



4070

Sec. 198-200

3

District Police Court.

CITY AND COUNTY OF NEW YORK. } ss.

*Dani Rice*

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.

*Dani Rice*

Question. How old are you?

Answer.

*40 years*

Question. Where were you born?

Answer,

*U.S.*

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

Answer.

*Bowery - W 30 - 1 month*

Question. What is your business or profession?

Answer,

*Cyber*

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.

*Mr. By your name then*

*I never saw the  
Defendant before*

*Dani Rice*

Taken before me this

day of *January* 188*8*

*John J. Murrison*

Police Justice



5 1 3 2 10 35-35  
Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*John Alexander*  
*55 Clinton St*  
*Dani Rice*  
*Officer*

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

Dated *Jan 8* 188\_\_\_\_  
*Patterson* Magistrate.  
*Cha O'Connor* Officer.  
Witnesses *Central Spec Precinct*  
*Joseph Borel*  
No. *434 E. 14* Street.  
*James Harnett*  
No. *214* Street.  
*Eustace*  
No. *442* Street.  
*1500* Street.  
*Cond*

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named *Defendant* guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Five* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.  
Dated *Jan 8* 188\_\_\_\_  
*John Patterson* 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.



0070

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

David Rice

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

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

The said David Rice,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the twenty-fifth day of December, in the year of our Lord one thousand eight hundred and eighty-seven, in the day time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one Louis Alexander, in the peace of the said People, then and there being, feloniously did make an assault, and

one amount of the value of

five dollars,

of the goods, chattels and personal property of the said Louis Alexander, from the person of the said Louis Alexander, against the will, and by violence to the person of the said Louis Alexander, then and there violently and feloniously did rob, 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. Tallam, Attorney



0077

**BOX:**

**293**

**FOLDER:**

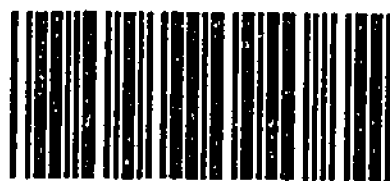
**2793**

**DESCRIPTION:**

**Rice, William G.**

**DATE:**

**01/25/88**



2793



Witnesses:

*J. M. Brown*

Counsel,

Filed *25* day of *Jan'y* 188*8*

Pleads

THE PEOPLE

vs.

*William G. Rice*

*False pretenses.*  
[Sections 528 and 587, Penal Code.]

JOHN R. FELLOWS,

RANDOLPH B. MARTINE,

*Attorneys*

A TRUE BILL.

Foreman

*Any man recommending  
himself to bring out of him  
any good standing*



Dec. 13. '87

My dear Sam:

This man Rice  
never wrote these articles and the  
names of Mr Lutz and Mr Meighan  
are forgeries.

Truly  
Yours  
J. Meighan



# SPACE BILL.

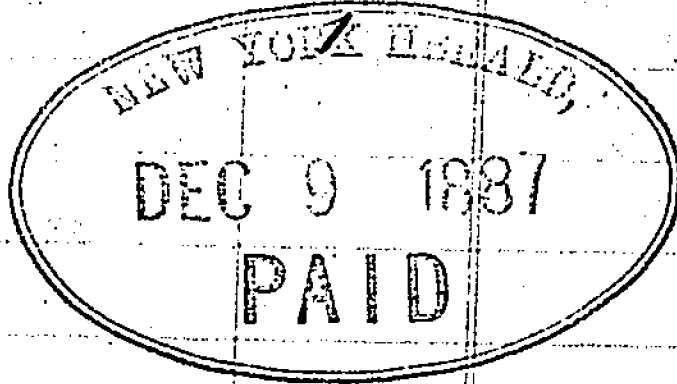
City Department—THE HERALD.

New York, *December 7 1887*

To Mr. *W. G. Rice* Dr.

DATE	TITLE OF ARTICLE	DETAILS	SPACE	AMOUNT	
				DOLLS.	CTS.
<i>Dec 2</i>	<i>"Paying Old Scores"</i>		✓		
<i>" 2</i>	<i>"Back from the West"</i>		✓		
<i>" 3</i>	<i>"Denouncing Barringer"</i>		✓		
<i>" 4</i>	<i>"Bad for Berdman"</i>		✓		
<i>" 5</i>	<i>"Too early for once"</i>		✓		
<i>" 7</i>	<i>"Out of a hole"</i>		✓		
<i>" 7</i>	<i>"Down at once"</i>		✓		
<i>" 8</i>	<i>"Sorted Old Marks"</i>		✓		
<i>" 1</i>	<i>Interview with De Castro</i>	<i>1</i>	✓	<i>2</i>	<i>00</i>
<i>" 2</i>	<i>Pauline Hall Story</i>	<i>1 day</i>	✓	<i>4</i>	<i>00</i>
<i>" 5</i>	<i>Reading Copy</i>	<i>—</i>	✓	<i>4</i>	<i>00</i>
<i>" 7</i>	<i>College Dinner</i>		✓	<i>2</i>	<i>00</i>
				<i>\$48</i>	<i>00</i>

CITY DEPARTMENT,  
City Ed. *James Dwyer*  
Man *J. H. Wigham*  
N. Y. HERALD.



Received payment,

*W. G. Rice*

*Rice*



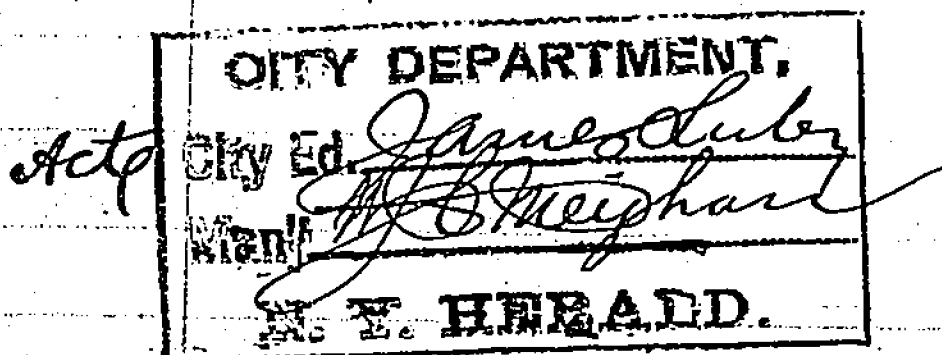
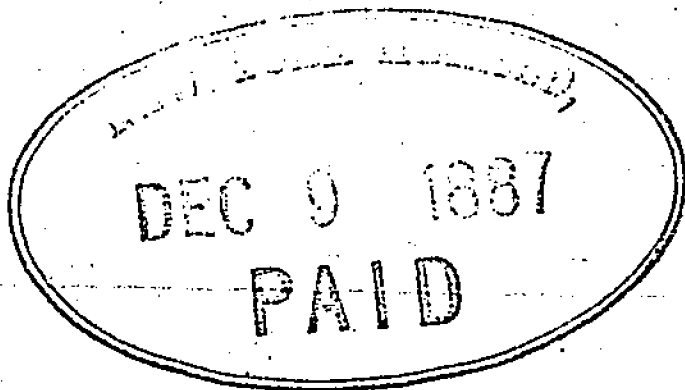
# EXPENSE BILL.

City Department—THE HERALD.

New York, December 7 1887

To Mr. W. G. Rice Dr.

DATE	EXPENSES	AMOUNT	
		DOLLS.	CTS.
Dec 4	Fare to Philadelphia & return, \$5.00— Hotel, 3.00 Carriage 3.00 Fees, 50¢ — <del>Paper 25¢</del>		
" 6	Fare to Staten Island & return 20¢, Carriage 2.00 Dinner 80¢, Supper 50¢ Pay		
			\$11.70
			3.50
			\$15.20

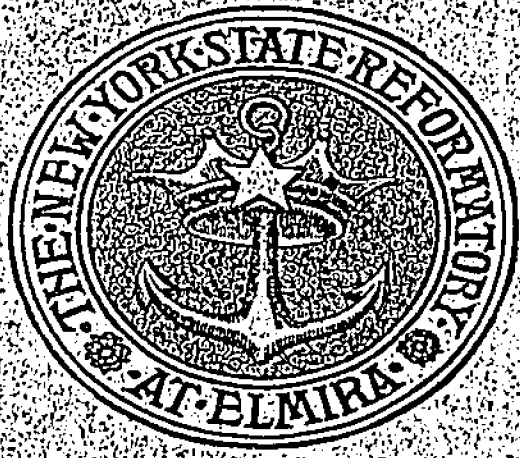


Received payment,

W. G. Rice

*[Signature]*





Elmira, N. Y., *Apr 14* 1891

Z. R. BROCKWAY  
GENERAL SUPERINTENDENT

*John Sparks, Esq.  
Clerk of New Sessions  
N. Y. City.*

Dear sir:

I beg to acknowledge the receipt of the two copies of the commitment of Wm. B. Rice sentenced to the Reformatory Jan'y 26/88 by Judge Wadsworth. It is now necessary for us to obtain two certified copies of the complete record of conviction including the indictment and other proceedings in the case of Wm. B. Rice. Will you kindly furnish them at your earliest convenience?

Yours truly

*Z. R. Brockway*  
Genl Supt

*Must remit  
fee of inform  
as to amount*



CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 31 years, occupation

James Luby  
West City Editor

of No.

21 Ann

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Judson A. Brown

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

Sworn to before me, this

day of

16  
July

188

James Luby

A. J. White

Police Justice.



Police Court—

District—

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No.

occupation

deposes and says, that on the

day of

Street, aged 51 years,

being duly sworn

at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

Good and lawful money of the United States to the amount and of the value of Sixty three dollars (\$63.00)

the property of

The New York Herald Newspaper and in deponent's care and custody as Cashier

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 William J. Rice (now here)

for the reasons following to-wit: that on the above mentioned date the said Rice who was employed by said Newspaper as a reporter presented the annexed bills purporting to be bills for work which he the said Rice had done for said Newspaper and to be certified as correct by the assistant city editor and the managing editor to deponent for payment.

Deponent believing that said bills were correct and that the signatures thereto were genuine paid him the said Rice the above mentioned sum of money. Deponent is informed by James Luby the

Sworn to before me this

188

day

Police Justice



Assistant City Editor of said Newspaper  
that the said Rice never performed the  
work charged for in said bills, and that  
he Lucy never signed said bills, and that  
the managing Editor of said Newspaper  
never signed said bills, and that said  
bills are false and fraudulent.  
Wherefore defendant charges the said defendant  
with feloniously obtaining possession of said  
sum of money with the intent to cheat and  
defraud by color and of false and  
fraudulent bills for the payment of money.

Sworn to before me  
this 16th day of June 1888

Judson W. Brown

A. J. White  
Police Justice



CITY AND COUNTY }  
OF NEW YORK. } ss.

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

Question. What is your name?

Answer.

*William J. Rice*

Question. How old are you?

Answer.

*26 years old*

Question. Where were you born?

Answer.

*New York State*

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

Answer.

*Metropolitan Hotel. 5 weeks*

Question. What is your business or profession?

Answer.

*Journalist*

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?

*I am guilty*

*W. J. Rice*

Taken before me this

*16*

day of

*188*

Police Justice.



299 2 104 District.  
Police Court--

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Judge A. B. Brown*  
*Wm. G. Rice*

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

Dated

*Jan 16* 1888

Magistrate

*W. G. Rice*  
*Hedberg & Wren*

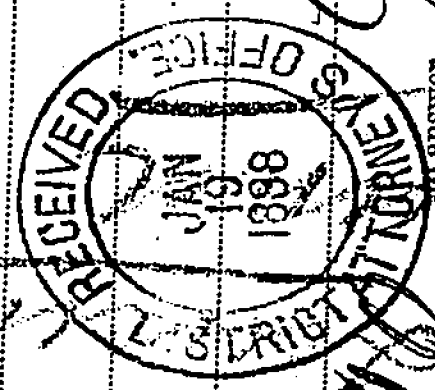
Witnesses

*James Luby*  
*W. G. Rice*

No.

Street

Precinct



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

*William G. Rice*

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

Police Justice.

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

Dated

1888

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

1888

Police Justice.



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

against

William F. Rice

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

of the CRIME OF

Grand LARCENY in the second degree,

committed as follows:

The said

William F. Rice,

late of the City of New York, in the County of New York aforesaid, on the ninth 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, with intent to deprive and defraud one James Gordon Bennett, then owner of the proprietor of a certain daily newspaper published in the said City and County and called the New York Herald, of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to one James Gordon Bennett that he was employed by the said James Gordon Bennett as a cashier having full power and authority to pay any and all his expenses for reporting news and the necessary expenses incident thereto done and performed and incurred on behalf of the said James Gordon Bennett for the purpose of the said newspaper,

That he the said William F. Rice had during the said month of December written articles and done and performed reporting and literary work on behalf of the said James Gordon Bennett and for the purpose of the said newspaper, and for which he was then paid and rightfully entitled to receive the sum of forty eight dollars, and had paid out and expended in the doing and performing of said reporting and literary work the sum of fifty dollars.

That he the said William F. Rice had presented a written statement and bill setting forth an itemized account of said literary and reporting work and of said expenses, and to James Gordon Bennett then being the acting editor of the said newspaper, and to W. F. C. Meighan then being the managing editor thereof, and that they the said James Gordon Bennett and W. F. C. Meighan had each certified to the correctness and accuracy of the same.







And Whereas, in truth and in fact, the pretenses and representations so made as  
aforesaid by the said William F. Rice  
to the said James A. Bennett, was and were  
then and there in all respects utterly false and untrue, as the the said  
William F. Rice  
at the time of making the same then and there well knew.

And so the Grand Jury aforesaid do say: That the said  
William F. Rice, on  
the day and year first aforesaid, at the City and County aforesaid, in the manner and form  
aforesaid, and by the means aforesaid, with force and arms, the said proper moneys, goods,  
chattels and personal property of the said James A. Bennett,  
then and there feloniously did STEAL, against the form of the Statute in such case made and  
provided, and against the peace and dignity of the said People.

JOHN R. FELLOWS.  
~~RANDOLPH B. MARTINE,~~  
District Attorney.



**BOX:**

**293**

**FOLDER:**

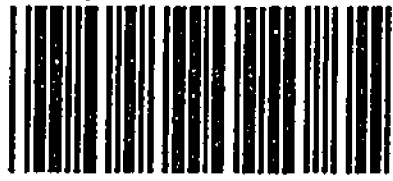
**2793**

**DESCRIPTION:**

**Richardson, Alfred**

**DATE:**

**01/17/88**



2793



*Peter Panayotes*

Counsel, .....  
 Filed, *17* day of *January* 188*8* .....  
 Pleads, .....

Grand Larceny second degree  
[Sections 528, 581 — Penal Code].

THE PEOPLE

vs.

Alfred Richardson

JOHN R. FELLOWS,  
RANDOLPH B. MARTINE,

*District Attorney.*

# A True Bill.

*H. H. H. H.*

**Foreman,**

For  
 Mott  
 Camp, N.Y.  
 O. H. Hawks Quality  
 S. H. Swager & H. C.

S. J. Lewis & Co. 11-21-22

0714



0715

Police Court—

District.

Affidavit—Larceny.

City and County } ss.  
of New York,

of No. 1073 2<sup>d</sup> Avenue. Street, aged 23 years,  
occupation Server being duly sworn

deposes and says, that on the 10<sup>th</sup> day of January 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 Bundle of Advertising Matter  
Consisting of Printed Theatrical bills  
of the Value of Thirty dollars—

the property of in the care and charge 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 Alfred Richardson (known)

from the place that deponent saw  
the said Richardson take and  
carry away said property  
from me of the American Express  
warehouses in Duane Street near Elm  
Street Peter Sumner

Sworn to before me, this 11<sup>th</sup> day of January 1888  
John R. Smith  
Police Justice.



0716

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK,

*Alfred Richardson* 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

*Alfred Richardson*

Question. How old are you?

Answer

*24 Years -*

Question. Where were you born?

Answer.

*Bermondsey*

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

Answer.

*197. Ninth Street 6 Years*

Question. What is your business or profession?

Answer.

*Laborer -*

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

Answer.

*I have nothing to say*  
*Alfred Richardson*

Taken before me this

*11*

1887

Police Justice.



7170

Dated 1888 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 1888 Police Justice.

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

Dated 1888 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.

\*190- Bill of exchange 64.

Police Court District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John J. Hammer

1073 - 2nd St.  
1073 - 2nd St.  
1073 - 2nd St.  
1073 - 2nd St.

Alfred Richardson

Offence

Dated 1888

Magistrate.

Walter S. Gamble

Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

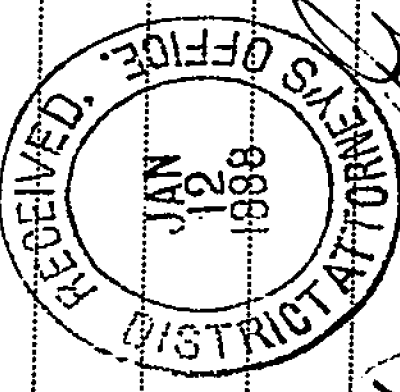
No. Street.

No. Street.

No. Street.

No. Street.

No. Street.



to answer

\$ 500

Com

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.



0718

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

Alfred Richardson

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

Alfred Richardson

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

The said Alfred Richardson,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the  
Tenth day of January, in the year of our Lord  
one thousand eight hundred and eighty-eight, at the City and County aforesaid,  
with force and arms,

a quantity of printed  
advertising matter consisting of  
paper posters and bills, (a more  
particular description whereof is  
to the Grand Jury aforesaid  
unknown, and cannot now be  
given) of the value of thirty  
dollars,

of the goods, chattels and personal property of one Peter Cammer.

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 A. X. X. X.  
District Attorney



0719

**BOX:**

**293**

**FOLDER:**

**2793**

**DESCRIPTION:**

**Richardson, William T.**

**DATE:**

**01/04/88**



2793



0721

**BOX:**

**293**

**FOLDER:**

**2793**

**DESCRIPTION:**

**Richardson, William T.**

**DATE:**

**01/04/88**



2793



0722

\* 11- Small brief in case

W.S.L.

Witnesses:

H. O. Sales

Counsel,

Filed 11 day of Jan'y 1888

Pleads *Guilty* V. 57

THE PEOPLE

vs.

Wm. J. Richardson

JOHN H. FELLOWS,

~~RICHARD B. MARINE,~~

Jan 13/88 D. M. P. District Attorney.

[Sections 628 and 681, Penal Code].  
(False pretenses).  
LARCENY, 2nd degree

A True Bill.

Jan'y 13/88

Discharged by Court

Edward C. G. Jr.

Foreman



0723

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William J. Richardson* 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. *William J. Richardson*

Question. How old are you?

Answer. *25 years of age*

Question. Where were you born?

Answer. *West Indies*

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

Answer. *147 West 27 St. 5 years*

Question. What is your business or profession?

Answer. *Cooper*

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

Answer. *I am not guilty. That is all I have to say at present.*

*W. J. Richardson.*

Taken before me this

*20*

day of *December* 188*7*

*John D. ...*

Police Justice.



0724

Walter Shamble  
of Wytheville  
My father  
is away

Police Court-- 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
James C. Garner  
146 West 25th  
Wm. S. Richardson

Offence

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated Dec. 29 1887

Magistrate.

Officer.

Whipple O. Sanford

160 Broadway

Witnesses J. McCann

No. 58 E. 1st St.

J. W. Hagedorn

No. 11 E. 1st St.

No. 11 E. 1st St.

No. 11 E. 1st St.

No. 11 E. 1st St.

No. 11 E. 1st St.

No. 11 E. 1st St.

No. 11 E. 1st St.

No. 11 E. 1st St.

No. 11 E. 1st St.

No. 11 E. 1st St.

No. 11 E. 1st St.

No. 11 E. 1st St.

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.

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

Dated 1887

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 1887

Police Justice.



against

Plaintiff

Affidavit of Service.

Defendant

STATE OF NEW YORK,

COUNTY OF

ss:

Whipple O. Sayles

being duly sworn says that he is <sup>over twenty one</sup> years of age and upwards,

That on the 5<sup>th</sup> day of December 1887 between the hours of 11 A.M. and 12 M. at the Clerk's Office City Court of New York in the City of New York he served the said ~~William J. Boyham~~ <sup>Richardson</sup> with the within affidavit by showing the same upon the said ~~William J. Boyham~~ <sup>Richardson</sup> personally, a true copy thereof

Deponent further says, that he knew the person served as aforesaid to be the person mentioned and described in said and to be in this action.

Sworn to before me this

5<sup>th</sup> day

of December 1887

Whipple O. Sayles,  
 William J. Boyham - Com. of Deeds N.Y. City & Co.

Exhibits A & B  
 City Court of New York

William T. Richardson

against

James E. Garner

Affidavit of Consent  
 and Order Vacating  
 Judgment

WHIPPLE O. SAYLES,

Attorney for

160 BROADWAY,

NEW YORK CITY.

To

Esq.

Attorney for

Due and timely service of a copy of the within

is hereby admitted.

Dated New York,

1887

Attorney for

C. B. Mewin, Printer, 218 Fulton St., N. Y.



At a Special Term of the City  
Court of New York held at the  
Chambers of said Court City Hall  
City Hall Park New York City  
on the 6<sup>th</sup> Day of December 1887

Present

Hon. David Macadam

William T Richardson

Plffs  
James E. Garner.

Def.

On the annexed affidavit of above  
Plaintiff William T Richardson  
and the consent hereto annexed  
signed by William T Richardson  
as the Plaintiff and by W. E. Garner  
Esq. defendant's Atty.

It is Ordered. The Judgment  
- herein entered the transcript  
of which is hereto annexed  
on December 5<sup>th</sup> 1887 by  
and the same hereby is Ordered  
to be and is cancelled of  
record and vacated.

The Clerk of this Court And



of the City and County of  
New York are hereby ordered to  
make all entries necessary  
to the carrying out of this  
Order.

Attest  
[Signature]

*[Faint, mostly illegible handwritten text follows, appearing to be a list or series of entries.]*



[illegible]

Garner James E. William T. Richardson

Damages and Costs.	Time of Filing.	Attorney's Name.
\$ 270. <sup>00</sup>	December 5 1847	T. M. Cants Stewart

Office of the Clerk of the CITY COURT of New York

Office of the Clerk of the City Court of New York, *J. C. Carter* 5 1887.  
I CERTIFY, that the foregoing is a correct transcript from the Docket of Judgments kept in my office.

John Reid  
CLERK.



0729

Exh. E

William T. Richardson

vs

James E. Garner

I William T. Richardson having received One Hundred Dollars in full settlement of verdict costs and all and everything that can be in a judgment do hereby consent & direct the entering of an order vacating and setting aside any and all judgments and orders that may have been or hereafter may be entered in above entitled action.

I have had in the City Court of New York but one ~~judgment~~ case against James E. Garner without further notice.

Dated December 3rd 1887

Signed & delivered in  
the presence of

Nathan H. Hinkle

J. D. Hodges

William T. Richardson

The defendant consents hereby to cancelling of record of judgment entered against him in above case.

W. O. Sayles

Deft's Atty.



0730

Eph. D.City Court  
of New York

William T Richardson

vs

James E. Garner.

City & County  
of New York }  
in

William T. Richardson being first duly sworn says he is the plaintiff in the above entitled action That one T. McCants Stewart is his Attorney That I said Richardson by my agreements arrangements and settlement with my said attorney T. McCants Stewart I William T. Richardson own the taxed costs in said action and hereby agree to and will save said defendant Garner harmless from all claims and demands of said Stewart upon said defendant Garner for and because of the costs in said action

This affidavit is made as an inducement & consideration to said defendant Garner to close and settle above case with me said Richardson.

Sworn to before me this } William T. Richardson  
3rd day of December 1887.

Walter F. Feltz

Notary Public for New York City



New York Jan 3<sup>rd</sup> 1888  
Hon. Geo. P. Fellows  
Dear Sir

I am lying  
in the Tombs City prison,  
charged with perjury. And  
may not be guilty of the  
charge, but I kindly  
ask you to allow me to state  
the truth. I entered a suit  
against James E. Garner for  
false imprisonment, and  
J. McCreath Stewart was my  
counsel at the time I paid  
and got a receipt for \$750.00  
paying all costs of court my-  
self. I received a verdict of  
\$750.00 and costs to be paid in



30 dys after date. 5 dys after  
date I told my Lawyer  
that owing to a disagree-  
ment between myself and  
wife I intended in going  
away. He told me to give  
him a power of Attorney  
which he said would pre-  
vent my wife from claiming  
any part of the money.  
And where ever I went he  
would send me the money.  
I did so. He then said he  
wanted \$7500 of the money.  
I refused. He told me that  
he did not mean to hold that  
Amount only if any other client  
should come in, he could  
refer to me as a good pay.  
He made both papers out  
and I signed the power



of Attorney, but did not  
agree to give him any part  
of the money. Days after he  
told me if I could not  
wait I could get <sup>it</sup> where I  
could. Then I went to Mr.  
Garner's lawyer and he  
told me I could make the  
same <sup>up</sup> for what I could. And  
then Garner had me arres-  
ted for perjury claiming  
that the money belonged to my  
lawyer, and not to me. You  
will confer a great favor  
upon me by looking into  
my case. Wishing you prosp-  
erity through your term of  
office and long life O



Remain your obedient  
servant

William Richardson  
Jones City Prison  
" "



Sec. 151.

Police Court 2 District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*In the name of the People of the State of New York; To the Sheriff of the County  
of New York, or 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 James C. Garner  
of No. 146 West 25<sup>th</sup> Street, that on the 3<sup>rd</sup> day of December  
1887 at the City of New York, in the County of New York,

*William J. Richardson did commit  
false and corrupt perjury in swearing  
false and material matters in and  
about then pending in the City Court  
in New York before Chief Justice McAdam  
in which he was Plaintiff and James  
C. Garner defendant*

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 2 DISTRICT POLICE COURT, in the said City, or in case of my absence  
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to  
be dealt with according to law.

Dated at the City of New York, this 19<sup>th</sup> day of December 1887

J. M. Plutonium

POLICE JUSTICE.



Police Court ..... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James E. Garner*

vs.

*William J. Richardson*

Warrant-General.

Dated *December 19* 188*7*

*Jacob M. Patterson* Magistrate

*Thomas Bowes* Officer.

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

*Thomas Bowes* Officer.

Dated *December 20* 188*7*

This Warrant may be executed on Sunday or at  
night.

Police Justice.

Dated

188

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.

The within named

*2:30 P.M. 25, B. M. J. Hobson M. M. 142 M. 27. Just*

Police Justice.



District Attorney's Office.

PEOPLE

vs.

*T. J. Williams*

*July 27, 1905*

*Let this case be  
permanently closed as soon  
as possible. I  
will submit.*

*Dist. Atty.*

*Ind*

District Attorney's Office,

PEOPLE

vs.

Richardson

Will you please

do what you

can for me.

Sayles, lobbyist

Wm. D. Lindsay

To

Mr. McCabe

Chief Clerk

Ed



Subpoenas.

J Mc Cants Stewart

Whipple O. Payler  
160 Broadway, N.Y.

Charles H. Crosswell  
3 Broad Street, N.Y.

Walter Trimble  
160 Broadway,

Cherridike L. Hodges  
160 Broadway,

James F. Garner  
146 West 25 St.

Clerk of the City Court, to produce  
Judgment Roll in Wm. F. Richard-  
son v. James F. Garner, filed on

December, the 5th, 1887, and  
Order entered in the same action  
on or about the 10th of December,  
1887, directing Garner to pay  
over of action to Bernarts.



\_\_\_\_\_  
against                      Plaintiff  
\_\_\_\_\_  
Defendant

Affidavit of Service.

STATE OF NEW YORK,                      }  
COUNTY OF                      } ss:  
being duly sworn says that he is                      years of age and upwards,  
That on the                      day of                      188                      between the hours of                      M. and  
in the                      of                      he served  
upon                      by showing                      the same  
in this action by delivering to and leaving with  
personally, a true copy thereof

Deponent further says, that he knew the person                      served as aforesaid to be the person  
mentioned and described in said                      and to be                      in this action.  
Sworn to before me this                      day  
of                      188                      }

<i>James E. Garner</i>	against	<i>William T. Richards</i>
<i>Perjury.</i>		
WHIPPLE O. SAYLES,		
Attorney for		
160 BROADWAY,		
NEW YORK CITY.		
To		Esg.
Attorney for		
Due and timely service of a copy of the within		
is hereby admitted.		
Dated New York, 188		
Attorney for		
C. B. Merwin, Printer, 218 Fulton St., N. Y.		

0743

POLICE COURT, 2nd DISTRICT.

and sworn to before a Notary Public as to what said Richardson  
State of New York, County of : : Mc Cants Stewart, Esq. that

ss:

City and County of New York, ss: said statements sworn to by the

said deponent when he made them by the affidavit of J. E. Garner

JAMES E. GARNER, being duly sworn doth depose and  
say: That he resides at No. 146 West 25th Street, New York  
City.

said affidavit in due form of law and by the affidavit of

THAT on or about December 3rd, 1887, one William T.  
Richardson in the County of New York, willfully and knowingly  
appeared before a Notary Public, and aloud in due form of  
law, swore falsely and willfully to a material matter as true,

well knowing that said material matter was false to wit: In  
an affidavit in an action in the City Court in New York where-

in said William T. Richardson, was plaintiff and I James E.  
Garner was defendant (a true copy of said affidavit is hereun-

to annexed and hereby made a part and portion of this affida-

vit and information) among other things that by settlements  
with his attorney T. Mc Cants Stewart, he Richardson owned

the taxed costs in said action of Richardson against Garner,

when said Richardson well knew at the time that he swore to

said statement that said statement was wholly false and untrue

That thereafter said Richardson completed said perjurious act

and crime by delivering to said affidavit so sworn to, to de-

ponent and receiving therefor and other papers One hundred

dollars of deponents money by delivering the same to and re-

ceiving said money from Wipple O. Sayles, Esq. Attorney of

deponent. T

That deponent is informed of the above as follows:

By the affidavit of William T. Richardson hereunto annexed



0744

POLICE COURT, 2nd DISTRICT.

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

JAMES E. GARNER, being duly sworn doth depose and say: That he resides at No. 146 West 25th Street, New York City.

THAT on or about December 3rd, 1887, one William T. Richardson in the County of New York, willfully and knowingly appeared before a Notary Public, and aloud in due form of law, swore falsely and willfully to a material matter as true, well knowing that said material matter was false to wit: In an affidavit in an action in the City Court in New York wherein said William T. Richardson, was plaintiff and I James E. Garner was defendant (a true copy of said affidavit is hereunto annexed and hereby made a part and portion of this affidavit and information) among other things that by settlements that with his attorney T. McCants Stewart, he Richardson owned the taxed costs in said action of Richardson against Garner, when said Richardson well knew at the time that he swore to said statement that said statement was wholly false and untrue That thereafter said Richardson completed said perjurious act and crime by delivering to said affidavit so sworn to, to deponent and receiving therefor and other papers One hundred dollars of deponents money by delivering the same to and receiving said money from Wipple O. Sayles, Esq. Attorney of deponent. T

That deponent is informed of the above as follows:  
By the affidavit of William T. Richardson hereunto annexed



and sworn to before a Notary Public as to what said Richardson  
*on a copy of said Richardson's agreement with the Court of Albany  
 to a copy of said Richardson's agreement with the Court of Albany*  
 swore to by the affidavit of T. Mc Gants Stewart, Esq. that

said Richardson knew that the said statements sworn to by him  
 were false when he made them by the affidavit of T. D. Hodges  
 Esq. hereunto annexed that he willfully and knowingly made  
 said false statements and that he said Richardson swore to  
 said affidavit in due form of law and by the affidavit of  
 Whipple O. Sayles, Esq. that said perjury was consummated  
 by delivering of said affidavit so sworn to and the receipt  
 by said Richardson of One hundred dollars of deponents money

All of the aforesaid affidavits are hereby made a  
 part and portion of this affidavit and information.

By reason of all the above deponent charges that  
 the crime of perjury was committed by said Richardson and Sec.  
 96 and the following sections of the Penal Code were violated.

Sworn to before me, this :

16 day of December, 1887.

*James C. Jones*

*J. M. Patterson*  
*Police Justice*



0748

CITY COURT OF NEW YORK.

\*\*\*\*\*

William T. Richardson,

against

James E. Garner.

\*\*\*\*\*

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

WILLIAM T. RICHARDSON, being first duly sworn says:  
he is the plaintiff in the above entitled action. THAT one  
T. Mc Cants Stewart is his attorney. THAT I said Richardson  
by my arguments, arrangements and settlements with my said  
attorney, T. Mc Cants Stewart, I, William T. Richardson own to  
the taxed costs in said action and hereby agree to and will  
save said defendant Garner harmless from all claims and de-  
mands of said Stewart upon said defendant Garner for and be-  
cause of the costs in said action. This affidavit is made  
as an inducement and consideration to said defendant Garner to  
close and settle above case with me, said Richardson ~~without~~

Sworn to before me, this :

William T. Richardson.

3rd day of December, 1887. :

Walter Trimble,

Notary Public,

New York City and Co.

*a true copy  
John Reid  
Clerk of Court  
City of N.Y.*

*Original filed in City Court  
Dec 6 with consent to vacate judgment  
and order of Chief Justice Davis McAdam*



0747

THIS AGREEMENT made this 21st. day of October, 1887,  
between William T. Richardson, of New York City, party of the first  
part, and T. McCants Stewart, of the City of Brooklyn, Attorney  
at <sup>law</sup> ~~hand~~, party of the second part, WITNESSETH:

That the said William T. Richardson, in consideration of  
the legal services rendered him by the said T. McCants Stewart,  
agrees to give, allow and pay the said T. McCants Stewart Fifty per  
cent of the entire sum of money which may be recovered by Judgment  
or otherwise in the action now pending in the City Court of the City  
of New York, in which the said Wm. T. Richardson is plaintiff and  
one James E. Garner defendant.

And the said T. McCants Stewart, in consideration thereof  
and for the further sum of Fifty Dollars, [\$50] to him in hand paid  
the receipt of which is hereby acknowledged, agrees to prosecute  
the aforesaid case with all diligence until the Judgment is  
satisfied.

Witness our hands and seals the day and year first above  
written.

W. T. Richardson. [Seal]

T. McCants Stewart. [Seal]

Signed Sealed and Delivered

in the presence of

S. H. Martin.

October 25th. 1887.

The verdict being for One Hundred and Fifty Dollars,  
[ \$150. ] the entire amount coming to me will be Seventy Five Dollars  
[ \$75. ]

W. T. Richardson.

*a true copy  
John Reid  
clerk  
city court of  
N. Y.*



0748

KNOW ALL MEN BY THESE PRESENTS, that I, William T. Richardson, of the City, County and State of New York, do hereby make, constitute and appoint T. McCants Stewart, of No. 58 Cedar Street, City of New York, my true, sufficient and lawful attorney, for me and in my name and stead to collect, receive and receipt for the judgment to which I am entitled by the verdict rendered by a jury in the N. Y. City Court on the 24th. day of October, 1887, in an action in which I, William T. Richardson, was plaintiff and James E. Garner, defendant, and to hold the amount of Seventy Five Dollars which will be due and coming to me from said verdict and judgment subject to my order; and to do and perform all necessary acts in the execution and prosecution of the aforesaid business in as full and ample a manner as I might do if I were personally present.

Witness my hand and seal this 15th. day of November, 1887.

W. T. Richardson. Seal.

Witness:-

On this 15th. day of November, 1887, personally appeared before me, William T. Richardson, known to me to be the individual described in and who executed the foregoing instrument, and he acknowledged that he executed the same for the purpose therein mentioned.



Notary Public, Kings Co.,

Certificate filed in N. Y. Co.

a copy  
John Reid - Clerk City Court of N.Y.



POLICE COURT, 2ND DISTRICT.

State of New York

:  
: ss:

City and County of New York:

T. Mc CANTS STEWART, of No. 58 Cedar Street in the City of New York, being duly sworn, says:-

THAT he is an attorney and Counselor-at-Law: THAT he brought and prosecuted for one, William T. Richardson, an action in the City Court of New York against one James E. Garner and performed divers other professional services for the said William T. Richardson.

THAT on the 25th day of October, 1887, this deponent had a final settlement with the said Richardson for the professional services rendered him: THAT in that settlement it was agreed that this deponent should take in payment of his said services the taxable costs in the aforesaid action and fifty per cent of the verdict, and the said Richardson on the 15th day of November executed and gave to this deponent a power of attorney authorizing him (this deponent) to collect, receive and receipt for the judgment to which I am entitled by the verdict rendered by a jury in the N. Y. City Court on the 24th day of October, 1887, in an action in which I, William T. Richardson, was Plaintiff and James E. Garner, defendant and to hold the amount of Seventy-five dollars, which will be due and coming to me from said verdict and judgment subject to my order."

AND deponent further alleges that at no time subsequent to the said 15th day of November 1887, has he had any different, or further settlement with the said Richardson.



and that the said Richardson, on or about the third day of December, 1887, fully understood and knew that the taxable costs and disbursements in the action aforesaid belonged and were to be paid th this deponent; and when upon the 3rd. day of December he, said Richardson swore in an affidavit in the aforesaid action in the City Court of said William T. Richardson vs said James E. Garner that by his settlements with me T. McCants Stewart, Esq. that he Richardson owned the taxed costs in said action; he said Richardson, then willfully and knowingly swore to what was false and what he Richardson then well knew to be false when he swore to it.

Sworn to before me, this

16 day of December, 1887.

*T. McCants Stewart*

*J. M. Patterson  
Police Justice*



December, 1887, LITTA HUGELSTOOD and KNE  
and first and last and in between on of bonds

0751

POLICE COURT, 2ND. DISTRICT.

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

THORNDIKE D. HODGES, being duly sworn deposes and says: I am a Counselor-at-Law at 160 Broadway, New York City. On the 3rd day of December, 1887, William T. Richardson was in my said office with Whipple O. Sayles and Walter Trimble, Notary Public, at about twelve o'clock. Three papers, viz: A general release, a consent to cancel and vacate judgment, and an affidavit had been prepared for said Richardson's signature. He read them all over aloud twice, and executed them, (all the papers) then in my presence, and before me the Notary Public, aloud in due form of law, swore said Richardson and in my presence aloud before me and in the presence of the Notary Public, said Richardson aloud swore to said affidavit a copy of which is hereunto annexed. The sum of One hundred dollars was thereupon counted out by said Sayles and by said Notary and then paid over to said Richardson who received the same in presence of deponent.

Sworn to before me  
this 16 day of December 1887 } J. D. Hodges  
Wm. T. Richardson  
Police Justice



POLICE COURT, 2ND DISTRICT.

State of New York                    §  
  § ss:  
City and County of New York    §

WHIPPLE O. SAYLES, being duly sworn deposes and says  
That he is an Attorney -at-law, having his office at 160 broad  
way, in the City of New York. THAT he was the attorney for  
of James E. Garner, Esq., in an action in the City Court of  
New York, wherein William T. Richardson was plaintiff, and  
James E. Garner, defendant.

THAT on October 24th, 1887, the verdict was given  
in said action in favor of palintiff and against defendant for  
One hundred and fifty dollars.

THAT thereafter without solicitation direct or in-  
direct from deponent on the 2nd of December, 1887, said Rich-  
ardson called at the office of deponent and hinted that he  
was willing to settle the action.

~~THAT on the 10th of December~~

Deponent enquired particularly and specially of said  
Richardson if he had settled with his attorney and especially  
if he Richardson owned the taxed costs in said action; said  
Richardson told deponent that he Richardson did own the taxed  
costs, and had settled with his attorney. Deponent then ask-  
ed Richardson if he would make an affidavit to that effect  
and said Richardson said he would. Deponent told Richardson  
that he could do nothing until he had seen his client Mr. Gar-  
ner.

THAT on December 3rd 1887, said Richardson and gar-  
ner met at deponent's office and left the whole Mr Garner left



the whole matter to deponent; gave deponent some money and went away. THAT deponent submitted to said Richardson the affidavit that he had drawn out again asking particularly about the taxed costs and read over the affidavit to said Richardson and asked him if he would swear to it and then said Richardson said he would; that it, the affidavit, was true.

Said Richardson objected doing any thing until a Notary Public was present. A Notary Public, Mr. Walter Trimble came in to the room, also T. D. Hodges, Esq., was present. At the suggestion of the deponent, said Richardson then read over said affidavit again, and to deponents best recollection said Richardson read out loud to the Notary Public, or the Notary Public read it out loud to Richardson. Deponent is positive that three times said Richardson heard that affidavit read over, out loud, before he signed and swore to it; and that said Richardson at least one himself read it over out loud before he signed it and swore to it, and had his attention called to the statement in the affidavit that he in that affidavit declared that he Richardson owned the taxed costs in said action; and after all that in deponents presence, in the presence of the Notary Public, in due form of law said Richardson out loud swore to said affidavit.

THAT thereafter said Richardson completed the making of said affidavit by delivering the same with other papers to deponent and receiving therefore from deponent One hundred dollars of Mr. Garner's money.

Deponent further avers that unless said Richardson had made and sworn to said statement that he had settled with



WENT SWAY • JHVL deponent submitted to said H  
the whole matter to deponent; Rave deponent so

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his attorney and owned the taxed costs; he would not have  
received from Mr. Garner with deponents consent one cent of  
money. That said statement was a material matter and the swear-  
ing to that statement before a Notary Public in due form of  
law was one of the moving causes that led to the payment of  
said one hundred dollars. Further deponent saith nought.

Sworn to before me, this

16 day of December, 1887.

Whipple O. Sayles.

J. M. Peterson  
Police Justice

Book A

This Agreement made this 21<sup>st</sup> day of October, 1887, between Wm. T. Richardson, of New York City, party of the first part, and J. M. Cant's Stewart, of the City of Brooklyn, Attorney at Law, party of the second part, Witnesseth:

That the said Wm. T. Richardson, in consideration of the legal services rendered him by the said J. M. Cant's Stewart, agrees to give, allow and pay the said J. M. Cant's Stewart fifty per cent of the entire sum of money which may be recovered by judgment or otherwise in the action now pending in the City Court of the City of New York in which the said Wm. T. Richardson is plaintiff and one James E. Garner defendant.

And the said J. M. Cant's Stewart, in consideration thereof and for the further sum of fifty dollars (\$50) to him in hand paid the receipt of which is hereby acknowledged, agrees to prosecute the aforesaid case with all diligence until judgment is satisfied.

Witness our hands and seals the



Exh A

This Agreement made this 21<sup>st</sup> day of October, 1887, between Wm. T. Richardson, of New York City, party of the first part, and J. M. Cant's Stewart, of the City of Brooklyn, Attorney at Law, party of the second part, Witnesseth:

That the said Wm. T. Richardson, in consideration of the legal services rendered him by the said J. M. Cant's Stewart, agrees to give, allow and pay the said J. M. Cant's Stewart fifty per cent of the entire sum of money which may be recovered by judgment or otherwise in the action now pending in the City Court of the City of New York in which the said Wm. T. Richardson is plaintiff and one James E. Garner defendant.

And the said J. M. Cant's Stewart, in consideration thereof and for the further sum of fifty dollars (\$50) to him in hand paid the receipt of which is hereby acknowledged, agrees to prosecute the aforesaid case with all diligence until judgment is satisfied.

Witness our hands and seals the

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day and year first above writ-  
ten.

W. J. Richardson

J. W. C. Stewart

Signed, Sealed and  
delivered in the pre-  
sence of —

J. H. Martin

October 25<sup>th</sup> 1887.

Exh B

The verdict being for one hundred  
and fifty dollars (\$150), the entire  
amount coming to me will  
be seventy five dollars (\$75).

W. J. Richardson

N. B. Bigelow  
Wm. J. Richardson  
James E. Moore

Agreement in the

fee.

Oct. 21<sup>st</sup> 87.



Exh. C

Know all Men by these Presents  
 that I, William T. Richardson, of  
 the City, County and State of New York  
 do hereby make, constitute and  
 appoint J. M. Cants Steward, of No.  
 58 Cedar St., City of New York, my true  
 sufficient and lawful attorney,  
 for me and in my name and  
 stead to collect <sup>receive and receipt for</sup> the judgment to  
which I am entitled by the ver-  
dict rendered by a jury in the  
N.Y. City Court on the 24<sup>th</sup> day  
of October, 1887, in an action in  
which I, William T. Richardson,  
was plaintiff, and James E.  
Garner, defendant, and to hold  
the amount of seventy five dollars  
which will be due and owing to me  
from said verdict, subject to my  
order; and to do and perform  
all necessary acts in the ex-  
ecution and prosecution of the  
aforsaid business in as full  
and ample a manner as I might  
do if I were personally present.

Witness my hand and seal  
 this 15<sup>th</sup> day of November, 1887.  
 witness

*W. T. Richardson*  
 On this 15<sup>th</sup> day  
 of November, 1887,  
 personally appeared

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before me William J.  
Richardson known  
to me to be the in-  
dividual described  
in and who executed  
the foregoing instrument  
and he acknowl-  
edges that he ex-  
ecuted the same for  
the purposes therein  
mentioned.

*W. J. Richardson*  
Notary Public  
Kings & Queens Counties  
in N.Y. Co. -

Power of Attorney

Wm. J. Richardson

— to —

J. M. Carr-Stewart

Nov. 15<sup>th</sup> 87.



Exhibits H. B. & C.  
City Bank of New York

William T. Richardson

—of—

James E. Gann

Assignment of Judgment

To J. M. Cantor Stewart,  
Atty. for Plaintiff -  
58 Cedar St.,  
New York City,

Fla. Dec. 6/18

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COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs.

Wm. J. Richardson

BRIEF OF FACTS.

For the District Attorney.

Dated

1888.

Edward Gray

Deputy Assistant



Order of Proof.Fols. 1, 2 & 3

1) J. McLane Hewart  
Exhibits A, B and C and Order  
of Chief Judge McAdams

2) Clerk of City Court to identify  
Judgment in Richardson against  
Garnett and Order of Chief Judge  
McAdams

3, 4, 5 & 6

3) Whipple O. Payles,  
Exhibits D, E & F

9 4) Charles W. Russell

8 5) Walter Trimble

7 6) Thorsdike L. Hodges

6 7) James E. Garner

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against  
William J. Richardson



## Court of General Sessions

The People etc.  
 against  
 Wm. T. Richardson

Statement of Facts.

J. McCarty Stewart states that until the 6th of December, 1887, he had been the defendant Richardson's attorney for several years and had rendered him divers kinds of services as such. That he was his attorney in an action brought by him in the City Court of New York against James T. Garner, the complainant herein, to recover damages for an alleged false imprisonment. That on the 25th of October, 1887, he entered with Richardson into the written agreement marked Exh. A. That thereafter a discussion arose between them as to the costs of the action, and they came to the understanding that the said agreement meant to give the costs of the action to defendant exclusively. That in consequence thereof Richardson executed on the 25th of October, 1887, the

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stipulation marked Exh. P. That  
 the compensation secured to him by  
 said agreement was for all the services  
 rendered to Richardson and not  
 yet paid for. That he actually re-  
 ceived the \$50 mentioned in  
Exh. H. That on the 15th day  
 of November, 1887, Richardson  
 executed the Power of Attorney  
 marked Exh. C. That he is positive  
 that the words interpolated bet-  
 ween lines 8 and 9, and between  
 18 and 19 were written before  
 Richardson executed the instrument  
 but he does not remember whether  
 they were written before or after  
 the underscoring with the red  
 ink was done. That in De-  
 cember, 1887, deponent obtained  
 from Chief Justice McAdams, of  
 the City Court an order directing  
 Garner to pay deponent the costs  
 in said action and \$10 mo-  
 tion costs, making together the  
 sum of \$130.09. That upon the  
 service of said order he received  
 the full amount of \$130.09



from Whipple D. Payles, Esq., the attorney of the complainant herein.

Whipple D. Payles, states, he is an attorney at law, having his office at 160 Broadway, N. Y. That he was Garner's attorney in the said action in the City Court. That on December 2, 1887, Richardson came to his office and talked about a settlement of the said action, as the judgment debtor, Garner, intended to appeal from the judgment. That defendant said to him, his client might be willing to pay in settlement what the appeal would cost him. That he expressly and distinctly asked him, whether the cost in said action belonged to him or to his attorney, Stewart. That Richardson replied he had made a settlement with Stewart and that the costs in <sup>said action</sup> belonged to him, the defendant herein. That he was willing

(4)

and ready to make an affidavit to that effect. On December 3, 1887, deponent showed the affidavit drawn by himself to Richardson (marked Exh. 10.) who read it aloud and then declared that its contents were true and that he would swear to them. That he refused to sign it without the presence of a Notary Public and that thereupon Mr. Walter Simble was called in, in whose presence Richardson read aloud the said affidavit (Exh. 10.), the consent, marked Exh. 9. and the General Release, marked Exh. 8. and after signing them and swearing to the affidavit, received the sum of <sup>20</sup> hundred Dollars <sup>of the dollar</sup> in bills, money of the United States, That the execution of said papers and the payment of the money were done in the room of Mr. Thorndike D. Hodges' room, which belongs to a suite of rooms occupied by Messrs.



Payles & Hedges, at No. 160  
 Broadway, Mr. Payles' room  
 being at the time occupied  
 by other parties. That the  
 settlement with and the  
 payment of the money to  
 Richardson would not have  
 been made by deponent, if  
 Richardson had not made  
 the affidavit that the said  
 costs belonged to him and  
 not to Mr. Permant. The affi-  
 davit was read twice aloud  
 by Richardson. That the mo-  
 ney was paid to Richard-  
 son was in his presence first  
 counted by deponent and  
 then again by Mr. Trimble.  
 That the conversations between  
 deponent and Richardson  
 prior to the execution of  
 said papers were carried on  
 without the presence of any-  
 body else. On the 30th of December  
 1887, a copy of the bill of costs in said  
 action was served upon Mr. Payles  
 and Richardson made a copy thereof  
 for himself before he swore to the af-

(6)

fiduciat (Exh. A). At the time of the settlement made by the execution of the General Release (Exh. F), a suit was pending in the Supreme Court, County of New York, to recover damages for defamation of character, in which said Richardson was plaintiff, and said Garner was defendant. This cause of action was covered by said release, but the action itself is still pending, Mr. Payles, Garner's attorney believing considering it unnecessary to take the trouble of entering an order for its discontinuance. Mr. Payles is still the attorney of Mr. Garner. That his client, the complainant herein, was by an order of Chief Justice McAdams compelled to pay to Mr. Stewart \$1200.00 the costs in said action, and \$200.00 motion costs.

James F. Garner, states, he was the defendant in said suit in the City Court. Upon the advice of Mr. Payles, his attorney, he paid through him to Richardson the sum of one hundred Dollars in settlement of the judgment obtained against him.



in the City Court. The money consisted of twenty \$5 bills. He had no conversation with Richardson in Mr. Pyles office, except that he said to him, he had left the whole matter to his lawyer. Then he went away, but soon returned to the office, where he heard Richardson <sup>something</sup> readings aloud, but did not understand what he read. He also saw the notary count the money over to Richardson.

Herndike M. Hedges states, he is a counselor at law and occupies with Mr. Pyles a suite of rooms in No. 160 Broadway, N.Y. He has no interest whatever in this matter. He was present, when the papers marked John D. G. and J. were executed by Richardson. This was done in defendant's room. Richardson read all three papers aloud, so that everybody in the room could hear their contents, but he remembers only the statement that Richardson would the costs in said action. Mr. Pyles tried to get Richardson to accept less than \$100 in settlement. He has had

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little or no conversation with Mr. Payles about the matter, after the execution and delivery of said Exh's D. & E. and F. He saw Messrs. Payles and Trimble count and Richardson receive the said money.

Walter Trimble states, he is a Notary Public and has his office at No. 160 Broadway. He can identify Exh's D. & E. and F. as having been signed by Richardson. He was present at their execution. Richardson read them aloud to deponent, who asked him whether their contents were true and whether he understood them. The oath in the affidavit (Exh. D.) was administered in the form prescribed by law. Deponent's office is one floor below Mr. Hodges', by whom he was called upon. Mr. Payles requested Richardson to read the said instruments aloud, before he signed them. Richardson read the papers with apparent intelligence and made the impression that he understood every-



thing he read, and as if he were already familiar with the same. Depovent counted the 20 \$5 bills and handed them to Richardson who thereupon delivered to depovent Exh. D, E & F.

Charles H. Cornwall states, he is a Notary Public and has his office at No. 3 Broad Street, N.Y. He remembers having seen Exh. C. on account of the many read lines with which the greater part of it is underscored, and on account of this and Richardson's signature. Mr. Stewart brought Mr. Richardson to depovent's office and asked him whether he would not take R's acknowledgment of said instrument. Depovent asked R whether he had read the paper and knew the contents thereof. R said yes and that he signed it of his own free will and accord. Depovent did not examine the instrument and cannot remember having seen the words interpolated between the lines.

## Points.

I. The costs in an action do not primarily belong to the attorney, but he has a lien upon them for his compensation, and to that extent he is regarded as the equitable assignee of the judgment. This lien arises upon a contract implied by law and is as effectually, as if it resulted from an express agreement. It is secured by statute and attaches from the commencement of the action. It cannot be affected or displaced by any settlement made between the parties without the consent of the attorney.

§66 C. Civ. Proc.

*in parte* Buck, - 7 Viners Abr. 44.

Cornell v. Simpson, 16 Ves. 279.

Gallup v. Spruce, 10 Ann 525.

Prosty v. Swift, 16. 232.

Lewis v. Gray et al., 22 Ib. 584.

Wells our Attorney, § 379.

Carlton v. Goldmann, Super. Ct. P.D.  
Nov. 1883.

Linderman v. Fote, City Ct. of N.Y.

Sp. C. December, 1883.



Mackey v. Mackey, 43 Barb. 60.  
 Myers v. Davis, 22 N.Y., 489, 490.  
 Mc Gregory v. Currstock, 28 Ib. 287.  
 Marshall v. Meach, 57 Ib. 143.  
 Perry v. Chester, 53 Ib. 242.  
 Jorgensen v. Parker, 55 Ib. 120,  
 66 Ib. 34.  
 Coughlin v. N.Y.C. & H.R.R.Co. 70 Ib. 443.  
 For the matter of Knapp etc. 85 Ib. 287.  
 Sherrick v. Cooley, 3 P.C. Proc. R. 1491.  
 Naylor v. Lane, 5 Ib. 149.  
 Rapp v. Rapp, 7 Ib. 385, 316.  
 Rice v. Hayward, 8 Ib. 332.  
 Cahill v. Cahill, 9 Ib. 241.  
 Whittaker v. N.Y. & Harlem R.R.Co.  
 11 Ib. 189.  
 Smith v. Chenoweth 11 Ib. 138.  
 Same case 12 Ib. 89.

a) The statute fee bill is evidence  
 as to the quantum of an attorney's  
 compensation, but it does not de-  
 termine the question  
 Gallup v. Torrey 10 Min 525.

b) Where the agreement between  
 attorney and client as to the at-  
 torney's compensation extends be-

your the taxable costs, notice thereof must be given to the adverse party, in order to protect the attorney's lien.

Jenkins v. Adams, 22 Hun 600  
 Berhardt v. Schuster, 10 Abb. N.C. 371.

c) An attorney has no lien upon an uncollected judgment beyond his compensation in the particular cause or subject matter of the action.

In the matter of Wilson v. Greig,  
 2 C. Proc. Rep. 323.  
 Atty Gen'l v. N. Am. L. Ins. Co. 9 N.Y.  
 387.

II. It seems that Stewart is not prohibited from testifying as to any conversation he had with Richardson about the agreement made with him in regard to his compensation. It was not a transaction made for the purpose of professional advice or assistance. Stewart, the attorney,



was himself interested in the facts communicated to him, the attorney.

Thurman v. Pott, 2 Civ Proc R 966  
(§ 835 C. Civ Proc.)

Rochester City Bank v. Pugham,  
5 Nov. R. 254.

Foster v. Wilkins, 37 Harv 242.

Rosenberg v. Rosenberg, 40 Harv 91.

March v. Horne, 36 Barb. 649.

## Conclusions.

The indictment can be abundantly sustained.

In the agreement marked Exh. H. Richardson agreed to Hervert, his attorney "fifty percent of the entire sum of money, which may be recovered by judgment or otherwise" This includes half of the costs in the action. The judgment amounted to \$270.09. Hervert was, therefore, entitled to \$135.04, of which \$60.04 were his portion of the taxable costs.

Hervert contends that this agreement did not include the costs of action and refers to Exh. B, which was the result of a conversation between him and Richardson, after the execution of Exh. H, and in consequence of which the understanding was arrived at between them, that the costs should belong to Hervert exclusively. Exh. B can not be used in corroboration of this statement, as it clearly shows that the parties had only the verdict and not the judgment including



the costs is in mind. Conversations being merged in the written instrument resulting therefrom, it will likely be claimed by the defense that Exh. P is controlling, being made subrogant to Exh. A, and that, therefore, the whole compensation secured or promised to Pervert was one half of the verdict. But the law giving the attorney a lien upon the costs in an action, <sup>and</sup> this can be taken away only by an agreement with his client to that effect. It, therefore, follows, that but for Exh. A, the entire costs in the action would belong to Pervert. Exh. P. does not vary the terms of Exh. A, as it is not under seal and, therefore, not an instrument, executed with the like solemnity as Exh. A.

The affidavit marked Exh. E is in direct conflict with Exh. A. Pervert asserts that it is false, as he had no other agreements with Richardson as to his compensation than those expressed in Exhibit A. and B.

As it might involve a risk to examine Perant in regard to his conversations with Richardson, and as the Exhibits are conclusive proof as to the agreement in regard to Perant's compensation, it would seem to recommend itself that this branch of the case should be left for rebuttal.

Dayles believed the representations made by Richardson in his affidavit, (Exh. E) to be true and was therefore induced to advise his client to make the settlement with Richardson by paying to him the sum of \$100. This payment would not have been made but for said representations.

Upon the order of Chief Justice McAdam the complainant herein had thereafter to pay to Perant the sum of \$120.09, the cost in said action.

Garnor intended to appeal from the judgment in said action and for aught we know, might have reversed it and on a new trial might have obtained a



judgment of dismissal against Richardson.

The \$100 obtained by Richardson from Garner, the complainant, through his counsel, Mr. Payles, were obtained by false representations as to our existing facts, the agreement between Stewart and Richardson and upon which representations Garner and Payles relied as true and by which he was induced to part with his property.

Edward Gross  
Dep. Sec.

Exhibit C ought to be disregarded as it is not necessary to prove the modicum of crime, and, if introduced in evidence, might complicate the case on account of the interpolations not certified to by the Notary Public as having been made before its execution.  
E. G.

0781

Gunn

Richardson

Brief

Edward Brown



0782

# 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 S. Richardson*

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

*William S. Richardson*

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

The said *William S. Richardson*,

late of the City of New York, in the County of New York aforesaid, on the *third*  
day of *December*, in the year of our Lord one thousand eight hundred and  
eighty-~~seven~~, at the City and County aforesaid, with force and arms, with intent to  
deprive and defraud *one James E. Farmer, then being*  
*adversely* ~~the plaintiff~~ in a certain action pending in  
*the City Court of the City of New York wherein the*  
*said William S. Richardson was the plaintiff.*  
of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the  
use and benefit thereof, and to appropriate the same to *his* own use, did then and  
there feloniously, fraudulently and falsely pretend and represent to *one Whipple*  
*O. Sawyer, then being the attorney of the*  
*said James E. Farmer in the said action,*

That *he* the said *William S. Richardson*  
by his agreements, arrangements and  
settlements with his attorney *one T.*  
*McCarte Stewart*, then aimed to have  
costs in the said action, ~~and expenses~~  
in said said action had been ~~therefor~~  
judicially rendered in favor of the said  
*William S. Richardson* such plaintiff  
therein as aforesaid, and was ~~not~~  
lawfully entitled to collect and receive  
the amount of said taxed costs to  
his own use and benefit.

0783

By color and by aid of which said false and fraudulent pretenses and representations, the said William S. Richardson did then and there feloniously obtain from the possession of the said Whipple O. Sawyer, the sum of one hundred dollars in money, lawful money of the United States, and of the value of one hundred dollars.

of the proper moneys, goods, chattels and personal property of the said James R. Sawyer — , with intent to deprive and defraud the said James R. Sawyer — of the same, and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said William S. Richardson <sup>did</sup> ~~did not~~ by his agreements, arrangements and settlements with his attorney the said S. McCarty Stewart then own the taxed costs in the said action, and was not then lawfully entitled to collect and receive the amount of said taxed costs to his own use and benefit.



0784

And Whereas, in truth and in fact, the pretenses and representations so made as  
aforesaid by the said William S. Richardson  
to the said Wm. O. Sawyer, was and were  
then and there in all respects utterly false and untrue, as he the said  
William S. Richardson  
at the time of making the same then and there well knew.

And so the Grand Jury aforesaid do say: That the said  
William S. Richardson  
the day and year first aforesaid, at the City and County aforesaid, in the manner and form  
aforesaid, and by the means aforesaid, with force and arms, the said proper moneys, goods,  
chattels and personal property of the said James E. Sawyer,

then and there feloniously did STEAL, against the form of the Statute in such case made and  
provided, and against the peace and dignity of the said People.

JOHN R. FELLOWS.  
~~RANDOLPH B. MARTINE,~~  
District Attorney.

0786

**BOX:**

293

**FOLDER:**

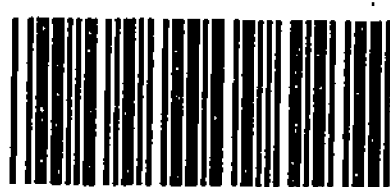
2794

**DESCRIPTION:**

Roberts, Edward L.

**DATE:**

01/04/88



2794



0787

22-

Witnesses:

*Edw. H. Roberts*

Counsel,

Filed 4 day of *July* 188*8*

Pleads

THE PEOPLE

vs.

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

*H*

*Edward E. Roberts*

*Defendant*

JOHN R. FELLOWS.

RANDOLPH MARINE,

District Attorney.

A True Bill, *with recommendation that*  
*if found guilty defendant be sent to*  
*House of Reformatory*

*Edward E. Roberts* Foreman.

*July 5/88*

*Edward E. Roberts* Jury  
*State Reformatory & Prison.*

0788

Police Court— District—

City and County } ss.:  
of New York,

of No. 435 Pleasant Ave Street, aged 48 years,

occupation Merchant being duly sworn

deposes and says, that on the 26 day of December 1887 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Edward L. Roberts (now here) who struck deponent on the face with a large stick of wood and attempted to throw a large piece of marble at deponent and said he would brain deponent and that said assault was committed

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

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

Sworn to before me, this 26 day

of December 1887

A. White Police Justice.

Wm. L. Roberts



0789

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer. *Edward L. Roberts*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *W.I.*

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

Answer. *424 Charatan Ave. 1 year*

Question. What is your business or profession?

Answer. *clerk*

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

Answer. *I am not guilty*

*Ed L Roberts*

Taken before me this

day of

*[Signature]*

Police Justice

0790

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.

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

Dated 188 Police Justice.

the City Prison of the City of New York, until he give such bail.

Hundred Dollars, and be committed to the Warden and Keeper of

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

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

Police Court-- District 220

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Maurice F. Roberts  
674 25th Street  
Caldwell and L. Roberts

2  
3  
4

Dated 188 Magistrate.  
Officer.  
Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

to answer

674 25th Street

Bailed,

No. 1, by  
Residence  
Street.

No. 2, by  
Residence  
Street.

No. 3, by  
Residence  
Street.

No. 4, by  
Residence  
Street.



0791

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

THE PEOPLE OF STATE OF NEW YORK,

against

*Edward S. Roberts*

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

*Edward S. Roberts*

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

The said *Edward*,

late of the City of New York, in the County of New York aforesaid, on the  
*Twenty-fifth* day of *December*, in the year of our Lord  
one thousand eight hundred and eighty-~~seven~~, with force and arms, at the City and  
County aforesaid, in and upon the body of one *William M. Roberts*,  
in the peace of the said People then and there being, feloniously did make an assault,  
and *in* the said *William* -  
with a certain *knife* -  
which the said *Edward* -  
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 cut, stab and wound,~~  
~~the same being such means and~~  
~~ways as were likely to produce the~~  
~~death of the said *William*.~~  
with intent *in* the said *William* -  
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  
*Edward S. Roberts*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows :

The said *Edward*,

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 *William M. Roberts* -  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault, and *in* the said  
*William M. Roberts* -  
with a certain *knife* -  
which the said *Edward* -  
in *his* right hand then and there had and held, the same being  
an instrument and weapon likely to produce grievous bodily harm, then and there  
feloniously did wilfully and wrongfully ~~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.

*John A. Bellows*  
*District Attorney*