

0917

BOX:

429

FOLDER:

3961

DESCRIPTION:

Balleng, Eliza

DATE:

03/11/91



3961

09 18

Witnesses,

Off August

Counsel,

Filed

11 day of March 1891

Pleas,

Voluntary 12

THE PEOPLE

vs.

B

Eliza Balleng

VIOLATION OF EXCISE LAW.
(Selling without License.)
[III, R. S. (7th Ed.) page 1981, § 13, and
of 1883, Chap. 340, § 5.]

DE LANCEY NICOLL,

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Alfred Powers

Complaint sent to the Foreman.
of Special Sessions,

Part III, *Del* 1891.

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

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

Eliza Balleng

The Grand Jury of the City and County of New York, by this indictment, accuse
Eliza Balleng
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES
WITHOUT A LICENSE, committed as follows:

(N.Y. Revised
Statutes, 17th
edition) p. 1861
Section 13).

The said *Eliza Balleng*

late of the City of New York, in the County of New York aforesaid, on the *thirty-first*
day of *March* in the year of our Lord one thousand eight hundred and
~~eighty~~ *ninety*, at the City and County aforesaid, certain strong and spirituous
liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one
gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong
and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in
quantity less than five gallons at a time, to

one John W. Walters and to
certain *other* persons whose names are to the Grand Jury aforesaid unknown, without
having a license therefor, as required by law, contrary to the form of the Statute in such case
made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1883, chapter 340 section 5) SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Eliza Balleng
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND
BEER WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said *Eliza Balleng*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, and at the premises there situate, known as
number *six James Street,*

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

one John W. Walters and to
certain *other* persons whose names are to the Grand Jury aforesaid unknown, to be
drank upon the premises aforesaid, without having a license therefor, as required by law,
against the form of the Statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

De Lancey Powell,
District Attorney.

0920

BOX:

429

FOLDER:

3961

DESCRIPTION:

Banger, John

DATE:

03/12/91



3961

Witnesses:

G. H. Reed

Counsel,

Filed *12* day of *March* 18 *91*

Pleads, *Verdict* 13

THE PEOPLE

vs.

John Banger

Grand Larceny, and
MISAPPROPRIATION
[Sections 523, 58 / — of the Pennl Code].

DE LANCEY NICOLL

JOHN R. FELLOWS

District Attorney.

April 3, 1891 AND

A True Bill

Alfred Carson

Subscribed and sworn to before me this 2nd day of April 1891.
Foreman.
trial and acquitted

R

0922

Witnesses

G. H. Reed

Counsel,

Filed 12 day of March 1891

Pleads, Verdict 13

THE PEOPLE

vs.

John Banger

Grand Larceny, and
MISAPPROPRIATION
[Sections 528, 587 - of the Penal Code]

DE LANCEY NICOLL

JOHN R. PHILLIPS

District Attorney.

April 3, 1891

A True Bill.

Alfred H. Hester

Sworn to before me on April 3, 1891.
Foreman.
Trial and Acquitted

12

0923

Sec. 151.

Police Court 2 District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
 Justices for the City of New York, by George H. Reed
 of No. 1293 Broadway Street, that on the 6 day of January
 1889 at the City of New York, in the County of New York, the following article to wit:

one suit
of clothing
 of the value of forty dollars Dollars,
 the property of George H. Reed.
 was taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and
 believe, by John Dancer.

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said
 Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant
 and forthwith bring him before me, at the 2 DISTRICT POLICE COURT, in the said City, or in
 case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the
 said charge, and to be dealt with according to law.

Dated at the City of New York, this 6 day of March 1889
W. W. Anderson POLICE JUSTICE.

0924

1025 A.M. 30 W. Lemmy Taylor Mr Mes 338 E. 2. Street

The within named

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

Dated 188

Police Justice.

Police Court 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George H. Reed

vs.

John Ranges

Warrant-Larceny.

Dated March 6 1881

D. J. McMahon Magistrate

Connolly Officer.

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

Connolly Officer.

Dated March 7 1881

This Warrant may be executed on Sunday or at
night.

Police Justice.

0925

Police Court 2 District.

Affidavit—Larceny.

City and County } ss:
of New York,George H. Reedof No. 1293 Broadway Street, aged 40 years,
occupation Telephone Supplier Dealer being duly sworn,deposes and says, that on the 6 day of January 1896 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 suit of clothing
of the value of thirty dollars
\$ 30-

the property of

Deponentand 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 Banger, not arrestedThe defendant got said clothing for the
purpose of repairing the same, and
he did not return the same, but
feloniously appropriated said property
to his own use, and he informed Deponent
that he had repaired the same, and
Deponent has seen the said suit
of clothing in pawn shops of

Sworn to before me, this

189

day

Police Justice.

0926

Charles Long at 120 Avenue C, and
J. Keller at 79 Avenue C, to which
paw shop defendant was directed
by the defendant.

March 6, 1931 Geo. H. Reed
Attorney

For the Plaintiff

0927

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Banger 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 Banger*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *638 East 9th Street, 4th Ward*

Question. What is your business or profession?

Answer. *Tailor*

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

Answer.

*I am guilty the complainant
Left the clothes for me to repair
I saw the clothes for about three
months my family was in want
and I told my wife to pass
the clothes before my wife passed
them I saw my boy to complainant
to come and get them and he failed
to do so*

John Banger

Taken before me this

day of *March* 1897*W. H. Madison*

Police Justice

0928

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.....

Deputy
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 *March 7* 18 *91* *W. Mahon* Police Justice.

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

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

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

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

0929

BAILED.

No. 1, by Samuel Wintermeyer
Residence 50 New Bond Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court---2

W. 317
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George H. Reed
1243 Broadway
John B. Angel

2
3
4

Offence

Dated March 7 1911
Mc Mahon Magistrate.

Terrence Officer.
Terrence Precinct.

Witnesses Chat Lang
No. 120 Ave C Street.

Charles Miller
No. 79 Ave C Street.

No. _____ Street.
\$ 1000 to answer 4.80

Com
Wiles

0930

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 Banger

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

John Banger

late of the City of New York, in the County of New York aforesaid, on the *sixth* day of *January* in the year of our Lord one thousand eight hundred and *ninety one*, at the City and County aforesaid, being then and there the *bailee* and servant of *one, George W. Reed*

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

George W. Reed

the true owner thereof, to wit:

one coat of the value of fifteen dollars, one vest of the value of seven dollars, and one pair of trousers of the value eight dollars;

the said

John Banger

afterwards. to wit:

on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said *goods, chattels and personal property*

to his own use, with intent to deprive and defraud the said

George W. Reed

of the same, and of the use and benefit thereof; and the same ~~moneys~~, goods, chattels and personal property of the said

George W. Reed

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

DE LANCEY NICOLL

JOHN R. FELLOWS,

District Attorney.

0931

BOX:

429

FOLDER:

3961

DESCRIPTION:

Barondess, Joseph

DATE:

03/23/91



3961

0932

POOR QUALITY
ORIGINAL

Witnesses:

Abraham Popkin

599

H. S. K.

Counsel,

Filed

day of

1891

Pleads,

THE PEOPLE

24
139
of Court

Joseph H. Barondere

3 cases

Van Buren

JOHN R. FELLOWS

Dist. Attorney

Spind & Co.

May 7

S. P. 1 yr 9 mos

A TRUE BILL

Ordered to the Court of
for the County of New York
for trial in the
April 13

Ordered to the Court of
General Sessions of the
City and County of New York
for trial in the
April 13

Extortion

Section 552, Penal Code

April 27 1891

0933

POOR QUALITY
ORIGINAL

Witnesses:

Abraham Popkin

599

HOK

Counsel,

Filed 23 day of March 1891

Pleads, Not guilty of the crime
of which he is accused
THE PEOPLE

24
139
of Clerk
Joseph Barondese
3 cases

Extortion
Section 552, Penal Code

JOHN R. FELLOWS
District Attorney

Printed & Court-ordered
May 7

S. P. 1 yr - 9 mos

A TRUE BILL

Ordered to the Court
for trial

April 13
Ordered to the Court
for trial

Ordered to the Court
for trial

April 27, 1891

Hunger, Poverty & Distress!

A honest call to working people of Newark from the organized 8.000 members of the New York Operators and Cloakmakers Union.

Brothers and Fellow workmen if you have ever had experienced of poverty or seen people dispossessed from their rooms with a few broken Chairs and a straw mattress put out on the street, or imagine the feeling of parents when their children cry for bread and they have none to give them or how bitter it is to strike for manly Rights with empty stomachs and to be hunted by police in the most disgraceful manner, that is the true position that the New York Cloakmaker finds himself in at the present time. Brothers can you stand by and see the wrong done to us and not have any feeling or sympathy for us or our families! awake Brothers now is the time for you to give us your assistance damn the scabs and the traitors who could have got honest employment in New York but purposely came to Newark to do scab work and fight against interest of poor workmen.

The following are the names of the scabs.

We also invite you's all to our

MASS MEETING,

—TO BE HELD—

**On Thursday, March 5th, 1891, at 7 p. m.
AT 255 COURT STREET, COR. BELMONT AVE.**

The Following Speakers will Address the Meeting.

The Executive Board of the Cloakmaker Union of New York.

Hunger, Glend, Noth und Auszuehrung!

Ein ernster Aufruf an das Newarker Publikum, von den organisirten 8,000 Mitgliedern der Operator und Cloakmacher-Union No. 1 von New-York.

Gewossen und Freunde!

Wenn die Noth ihr größliches Antlitz Euch je gezeigt hat, wenn Ihr je zerbrochene Chairs und zerrissene Matratzen von den Land-Vorden auf der Straße herausgeschleudert saht, wenn Ihr nur zu fühlen im Stande seit die Verzweiflung von Eltern wenn sie von ihren Kindern vergehen um Brod gelehrt werden, wenn Ihr nur begreifen könntet wie jämmerlich es ist mit einem leeren Magen zu streifen und dazu noch von Knüppeln unerbarmlich verfolgt zu werden, werdet Ihr auch fühlen die Lage der New-Yorker Cloakmacher, und begreifen was sie auszustehen haben.

Brüder! Die New-Yorker Cloakmacher strecken Euch flehend ihre Hände entgegen um faktische und moralische Stütze bittend. Verdammt die Niederträchtigen Verräther deren Arbeit von Union Häuser angeboten wird und von denen verweigert aus dem einzigen Grunde weil sie daran Vergnügen finden Menschen schmachten zu sehen.

Verdammt die Niederträchtigen Scabs von Blumenthal und Caspary und legt ewige Schande auf ihre Namen! Baer, Brand, Finkelstein und Blaustein 202 Markt St., Krueger Bro. 19 Barclay St., Gelbard 77 Dags St., Zeido 81 Lexington St., Singer 261 Springfield Av., Appel 29 Prince St., Finkelstein 38 Charlton St., sind die niederträchtigsten menschlichen Geschöpfe die je die Erde erzeugt hat, weil sie zur Arbeit durchaus nicht gezwungen sind da ein jeder ein anderes Geschäft noch betreibt.

Zur gleicher Zeit ersuchen wir Euch an unserer

Massenversammlung, Donnerstag den 5. Maerz um 7 Uhr Abends in V. G. S. B. Hall

zu erscheinen wo englische und deutsche Redner werden die Zwietracht zwischen Arbeit und Kapital erklären werden.

Hochachtungsvoll Joseph Baron Deess.

Vol. 1

CITY and COUNTY of NEW YORK, ss:

ABRAHAM BELLER, being duly sworn, says: That he is
 of the age of twenty ~~eight~~ years and that he resides at
 No. 46 East 92nd Street in the City of New York, and is a
 member of the firm of A. Beller & Co.

Deponent further says that about six weeks ago
 J. Barondeess, called at the place of business of deponent
 at No. 65 Greene Street in the City of New York, where
 deponent's said firm are engaged in the manufacture of
 ladies' cloaks; that when said Barondeess came in he
 said to deponent in substance "I am Mr. Barondeess, the
 head of the Operators' ^{Coat-makers} Union." (That prior to the time
 of the coming of said Barondeess at the time stated,
 deponent had discharged one of his employees by the name
 of Schornstein, who had asked deponent to be paid by the
 week, instead of by piece work, as he had been paid for
 about seven months, while he was in the employ of de-
 ponent's firm; that deponent refused to pay said employee
 by the week, and told him that he would continue to pay
 him by piece work as he had previously done.) That said
 Barondeess continued in substance as follows: "Schorn-
 stein must be employed by your firm by the week." De-
 ponent replied in substance: "I can't do it; the man is

2.

4

not fit for the position you desire me to give him."

Barondeess replied in substance "You have got to employ him by the week." Deponent replied "Why? Do you think I don't know whom I want and what I want them for?"

And he answered "That don't matter; I am the head of the ^{gunmakers} Clockmakers' Union, and you must do as I say concerning this man." Thereupon deponent said "What you demand is not fair," to which Barondeess replied, "I am here to get points and all the money I can get out of you. Other clock concerns are giving us money," and among them he mentioned the firm of Popkin & Marx, and said "Meyer Jonassen gives me all I want." Said Barondeess then continued, "No matter what you want or ask of me, you must do what I say and take Schornstein back." Barondeess then left.

5

6

Deponent further says that the next day after the said conversation between Barondeess and deponent one Kirschstein, who was then in the employ of deponent's firm, came to deponent and said in substance "I am the shop delegate; if you don't take Schornstein back I have an order from the Clockmakers' Union, to commence a strike against your firm." Deponent then said in substance, "I can't do it; but give me until this evening before you order a strike." To which Kirschstein replied "We will wait until to-night." That at six o'clock on the same day deponent sent a man employed by him, by the name of Fox, to said Barondeess for the purpose of seeing whether deponent's firm could not

7 avoid the strike which was threatened without taking
 back into his employ the said Schornstein; that deponent
 saw said Fox the next day at eight o'clock A.M., when he
 reported to deponent that he had gone, under his instructions,
 to Barondeess at half past ten o'clock the evening
 before, and had remained with him until about four o'clock
 in the morning, and that he had tried to get Barondeess
 to consent that the strike which had been threatened
 would not be ordered, even though deponent's said firm
 failed to take back said Schornstein; that said Fox informed
 said deponent that every request he had made of
 said Barondeess had been refused and that said Barondeess
 had told him that unless deponent did take back
 said Schornstein immediately, the strike would be ordered;
 and that said Fox had agreed with said Barondeess at
 the said interview which he had had with said Barondeess
 that said firm of A. Beläer & Co would take Schornstein
 back, and that morning at eight o'clock said Schornstein
 returned to work.

Deponent further says that about two weeks after the
 first interview hereinbefore set forth between deponent
 and said Barondeess said Barondeess called upon deponent
 at his place of business and said in substance
 "You have discharged a man by the name of Kirschbaum."
 Deponent replied "I have not discharged a man by that
 name, as no such man has been in my employ this year."
 Whereupon said Barondeess replied, "Well, he's a good fel-

- 10 low. You must employ him". Whereupon deponent replied "Well, I suppose I must take over you tell me, whether I want them or not", to which said Barondeess answered "If you don't employ him we will order a strike". Deponent replied "I will not employ Kirschbaum." That the next day deponent saw all of his employees, stated the facts concerning Kirschbaum to them, and they all agreed with deponent as the fact was that Kirschbaum had not been employed in the firm, that season, that the
- 11 Union were wrong in their attempt to compel deponent's firm to engage him. No strike resulted so far as deponent's firm was concerned, as the result of the Kirschbaum affair.

- 12 Deponent further says that on or about the 4th day of March, 1891, said Barondeess again came to the place of business of deponent and said in substance "Your firm has discharged a man by the name of John Blau." Deponent replied in substance "I have a right to discharge a man who insults me, and Blau did insult me before I discharged him. I engaged a man by the name of Friedburger as presser, who was a Union man, and I took him up in to my pressing room and said to my employees 'Gentlemen, this is a man whom I know to be a good presser, and he belongs to the Union. I know him to be a good workman, and I want him to come here and see that the pressing is done properly. I have had too many goods ruined by being burned and spotted and improperly pressed, and when that damage is done, you are not willing that I should charge any of you who caused the damage, and I want him to remain here

13 for the purpose of seeing that the work in the pressing room is properly done.' When I made that statement to my workmen Blau said 'I am foreman' (which was not the fact) whereupon I said to Blau in substance 'I am up here for the purpose of appointing a man to look after the pressing work, who is competent to do it, so that my goods will not be damaged.' Blau said 'I have got the say as to who shall be foreman and take charge of the pressing work' To which I replied, 'It is unreasonable

14 for you to act that way', and he then replied 'You are the meanest fellow of all, and don't know anything about pressing'; deponent then replied 'I am here as the boss to see that everything is done properly, and I understand that, and I want you to go home, go downstairs and get your pay for the entire week.' He said 'I won't go home; I will make you keep me; my brothers will stand by me.' At six o'clock the same day I sent him up his wages for the entire week, although he had worked less than a day. He refused the money. The next morning I told all my employees to keep him out, and they followed my in-

15 structions." Barondeess then said in substance "You must take this man back, or the strike will be ordered at twelve o'clock to-day against your concern." Deponent replied "I can't do it." Barondeess then went away. The same day Kierschstein, the house delegate, went to all my employees in my presence and told them "We must strike; I have that order from Barondeess." Deponent then said to his workmen "I have treated you fairly, will continue to do so, and I don't want you to go on strike",

16 and that afternoon they did not go on strike. The next morning some of my employees came to my shop but did not come in, and told me that they had been ordered by Baron-deess to strike, and that they were going to follow his directions.

Deponent further says that three days afterwards three of the men who had been employed by him came to his store and told him that certain goods of his which were in the shop of Patersini in the City of New York, for the purpose of being manufactured, had been burned with vitriol, whereupon deponent sent a man to find out whether such was the fact, who returned to deponent with two garments that had been burned with some sort of acid, and stated that at the time they were burned, the man who burned them made an effort to destroy the other goods belonging to deponent, that were in the shop of said Patersini. Deponent was informed that said Blau was the man who had destroyed the said two cloaks with vitriol, and deponent subsequently caused his arrest and said Blau was identified by four persons who were working in the shop where the goods were at the time of such destruction, as the man who did pour the vitriol upon the said two garments, and said Blau is now under arrest and held in bail for trial.

Deponent further says that since said date the strike has continued against deponent's firm on the part of the Union men.

Deponent further says that the conversations above

enumerated were all had in the German language.

sworn to before me this

13th

day of March, 1891. *Abraham Belles*

Reginald H. Williams

Notary Public

Westchester County

Book filed in N.Y. Co.

1. Fo.1. CITY AND COUNTY OF NEW YORK, ss:

MORITZ FOX, being duly sworn, says: That he is of the age of twenty-seven years, and that he resides at No. 8~~2~~ East 116th Street in the City of New York, and that he is at present and has been since the first of January last in the employ of the firm of A. Beller & Co, who are cloak manufacturers at No. 65 Greene Street in the City of New York. That about six weeks ago deponent was asked by Mr. Abraham Beller, a member of said firm, to go to Joseph Barondeess and endeavor, if possible, to prevent a threatened strike against the firm of A. Beller & Co, without said A. Beller & Co taking back into their employ one Schornstein, who had been discharged; that after receiving such instructions he went to said Barondeess at No. 385 Bowery, New York City, where the Central Executive Committee of the Operators and Cloakmakers Union met, arriving at about ten o'clock in the evening; that Barondeess told deponent that he was engaged for the time, and at about ten thirty deponent commenced his interview with Barondeess with reference to the subject above stated and spent from said last mentioned hour until four o'clock the next morning continuously with said Barondeess in endeavoring to prevent said threatened strike upon the ground of the discharge of said Schornstein; that deponent opened the interview by saying in substance "I am sent by A. Beller & Co in regard to Schornstein, as the

4

2

firm do not want to take him back." Barondeess replied "I was at A.Beller & Co's this forenoon and the tailor and the presser there told me that Schornstein is a good presser and I shall compel A.Beller & Co to take Schornstein back, and in case they don't I shall order a strike against that concern". Deponent said "Mr.Beller understands his business and he does not want to take Schornstein back because he is not a good workman and does not press his work properly." Barondeess said "I will believe my people before I will believe Mr.Beller." That after deponent saw it was of no use to try and secure the result which he went for, he told said Barondeess that the firm would take Schornstein back; that when deponent said that, Barondeess replied in substance "Oh, before I saw you to-night I have already told Schornstein to report at Beller & Co's in the morning and go to work." That during the time from 10:30 until 4 o'clock, as above stated, there was a great deal of talk between said Barondeess and deponent with reference to Schornstein and other matters; that about two weeks after the interview with Barondeess above set forth at No.385 Bowery, deponent was instructed by Mr.Abraham Beller to go and get a presser, and knowing that they would get into trouble if they employed anyone Barondeess did not recommend, he went to No.131 Allen Street, where there is a meeting place for the strikers against the firm of Blumenthal Brothers & Co, saw Mr.Barondeess there and said to him in substance "A.Beller & Co are in a hurry about some

5

6

7 work and I want to get a presser." Barondeess replied
in substance "You can't have one; A.Beller & Company,
when persons have come to, them seeking employment, have
told them to go to Blumenthal Brothers & Company where
they could get work, and we are on strike against Blumen-
thal Brothers & Co.; the reason why you can't have a
presser is because the firm of A.Beller & Co. have given
such instructions to people applying for work. ABraham
Beller is a son-of-a-bitch and I would take him by the
8 neck and shuffle him into hell;" that deponent did not
secure a presser from said Barondeess and the firm were
unable to get one for the next week; that one Abram, a
Union man, after the lapse of a week, saw a sign in front
of the premises of A.Beller & Company, came in and he
was engaged as a presser; that on Sunday, Washington's
Birthday, deponent met said Barondeess in Houston Street
near Liberty Hall, near Norfolk Street, with several
Union men; Barondeess said "If I don't make that son-of-
9 a-bitch, Abramham Beller, poor, I don't know who I will
make poor;" that at the time said Barondeess was under
the influence of liquor; that from the point where de-
ponent met said Barondeess, deponent joined Barondeess and
one of the party-- a man by the name of Cohen, and to-
gether they went to No.385 Bowery, where they entered a
saloon; that deponent invited said Barondeess and Cohen
to take a drink. Barondeess said he would have seltzer,
because he had drank enough already; that while they were
in said premises, Barondeess took deponent one side and
said in substance "If you can get me a check for Fifty

4.

10 Dollars from A.Beller & Company, you won't have a strike this season;" that deponent on several occasions prior to the time above mentioned has seen Barondeess under the influence of liquor and has seen him drink liquor and beer in large quantities.

11

 That deponent saw said Barondeess on or about the 4th day of March, 1891, at No. 385 Bowery, and that there was present at the time one Blau who had been discharged by the firm of A.Beller & Company; that said Barondeess and a number of members of the Union together with said Blau left the saloon and said they were going upstairs to have a meeting; when they came down Blau said "We are all right" and Barondeess told deponent "If you don't immediately take back Blau, we will order a strike at once and fine the concern \$300;" that deponent at said time after the departure of the employees of the firm of A.Beller & Co., who were there with said Blau, left the saloon and started to walk home with said Barondeess, as he, Barondeess, had informed deponent he was tired and wanted to go home; deponent went from said Number to a coffee saloon with said Barondeess, and while they were on their way Barondeess said (referring to Abraham Beller) "The best way to do is to settle that son-of-a-bitch. If I tell two of my walking delegates to order a strike before eight o'clock, the people who are working for him won't go up to his place;" deponent replied "Don't be too hasty about it; wait awhile;" Barondeess said "I am just as smart as A.Beller & Co. and I will settle him;" that when deponent and Barondeess

12

5.

13

reached the said coffee saloon, there were about fifty Union men in said place; that Barondeess went with them to another room, and told deponent to wait; that Barondeess, in about five minutes, returned to the coffee saloon; that deponent then said to Barondeess, "My firm will not take Blau back; don't order a strike at once; give me an order directing the men employed by A. Beller & Co. to work until twelve o'clock;" whereupon said Barondeess wrote in a foreign language the order hereto annexed which bears the stamp of his union, and when translated is as follows:

14

"To the Workingmen of A. Beller & Co.

I request you to work till I be up myself.

Your friend

Barondeess."

15

That the next morning Barondeess came to the place of business of A. Beller & Co., at about the hour of 10:30 and said to Abraham Beller "It is now half past eleven o'clock; you have got to take back Blau or at twelve o'clock I will have to order a strike;" that the next morning none of the men employed by A. Beller & Co. reported for work and since that time A. Beller & Co. have not had in their employ any of their former men except two who have left the Union, and they sleep in the store of Beller & Co. and have their meals sent in to them because they are afraid either to go on the street or return to their homes after their work is done for the day.

Sworn to before me this
13th day of March, 1891.

August Charles Morris
Notary Public
New York

0947

1. The first part of the document is a letter from the President of the United States to the Secretary of the Navy, dated 1890. The letter is signed by William McKinley and is addressed to the Secretary of the Navy, John D. Long. The letter discusses the appointment of a new Secretary of the Navy and the importance of the position.

Hon. Roswell P. Flower,
Governor.



The Hon. William Sultzer, representing many thousand petitioners for the pardon of Joseph Barondess convicted of extortion, has requested me to communicate to you my opinion upon the application.

I have already agreed upon a statement of facts in the case which will be duly submitted to you with the petitions.

It is my opinion that strict justice demands the pardon of Barondess. He had no criminal intent, for he did not know that he was committing a crime.

The question whether the acts committed by him amounted to a crime was passed upon by eleven judges; one at the Oyer and Terminer, three at the general Term and seven in the Court of Appeals. Of these, two at the General Term and four in the Court of Appeals decided that his acts did not constitute a crime; while one in the General Term and four in the Court of Appeals held that he did. The learned justice who tried the case granted a certificate of reasonable doubt after conviction.

With such a division of judicial opinion upon the question, I do not think the criminal intent ought to be imputed to the prisoner. The legal question has been settled, and the law declared for future cases.

Under such circumstances I am of the opinion that the interests of justice will not suffer by the exercise of Executive clemency in behalf of the prisoner.

I have the honor to remain,
Your obedient servant,

Delancey Nicoll,

NEW YORK COURT OF GENERAL SESSIONS.

-----	x	
The People &c.,	:	
vs.	:	2 Cases.
Joseph Barondess.	:	
-----	:	

Please take notice that upon all the papers and proceedings had herein I shall move before the Court of General Sessions at Part 1 thereof on Monday March 22, 1897, at 10:30 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, for an order that the indictments against the ^{above-named} ~~the~~ defendant, filed respectively March 23rd, 1891, and March 24, 1891, be dismissed and for such other and further relief as to the court may seem just.

Dated, New York, March 19, 1897.

Wours &c.,

William J. A. Caffrey,

Attorney for Defendant,

84 Elm Street,

New York City.

New York.

To

Hon. William M. K. Ocott,

District Attorney,

New York County.

Court of General Sessions

The People vs.

vs.

Joseph Barondess.

Notice of Motion.

William J. A. Caffrey,

Defendant.

24 E. 4th St.,

New York City.

New York.

At a Court of Oyer and Terminer, held
in and for the City and County of
New York, at the Court House in the
City of New York, on the day of
May 1892,

PRESENT:

The Hon. George ^R. Ingraham,
Justice.

-----X
The People of the State of New York

Against

Joseph Barondess
-----X

Whereas, heretofore, to wit, at a Term of the Court of
Oyer and Terminer held in and for the City and County of
New York, on the first Monday of April 1891, to wit: on the
7th day of May, 1891, judgment on conviction of the felony
of extortion, was duly entered against the said defendant,
whereby he was sentenced to be imprisoned in the State
~~Prison~~ at hard labor for the term of one year and nine
months;

And, whereas, thereafter and on the said 7th day of
May 1891, the defendant appealed from the said judgment of
conviction as aforesaid, to the General Term of the
Supreme Court of the State of New York;

And, whereas, at a General Term of the said Supreme
Court held in and for the First Judicial Department, to
wit: at the Court House in the City of New York, on the
7th day of December 1891, the said judgment of conviction
against the said defendant as aforesaid was, by the order
of the General Term of the said Supreme Court, in all
things reversed;

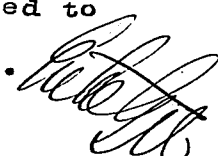
And, whereas, thereafter and on the 22nd day of December 1891, the People duly appealed from said order and judgment of the General Term of the Supreme Court reversing the said judgment of conviction against said defendant; to the Court of Appeals of the State of New York;

And, whereas, at a Term of the said Court of Appeals held at the Capitol in the City of Albany, on the 24th day of May 1892, the said order and judgment of the said General Term of the Supreme Court so appealed from as aforesaid was in all things reversed, and the judgment of the Court of Oyer and Terminer convicting the said defendant as aforesaid, was in all things affirmed, and the record herein was by the said order of the said Court of Appeals together with the judgment of the said Court of Appeals herein, remitted to this Court, there to be proceeded upon according to law, as by the Remittitur of the Court of Appeals, now on file in this Court, more fully appears.

NOW, THEREFORE, on reading and filing the said remittitur, and on motion of DeLancey Nicoll, Esq. District Attorney, it is

O R D E R E D, that the said judgment of the said Court of Appeals be and the same is hereby made the judgment of this Court; and it is further

O R D E R E D, that the said judgment of this Court so appealed from as aforesaid, and so affirmed by the said Court of Appeals, be and the same is hereby directed to be enforced and carried into execution and effect.



0953

No. 48
Court of Sessions

THE PEOPLE OF THE STATE OF
NEW YORK

against

Joseph Barondese

*Order
on
Petition*

DE LANCEY NICOLL,
DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,
NEW YORK CITY.

28

0954

Peo
v
Baroudees
Cueans & others of Law
Agreement

County of
New York

file into bag
March 191

0955

Price List for war

No	Price	
157	2.00 ✓	#217 2.00 ✓
108	1.70 ✓	228 1.25 ✓
175	2.00 ✓	227 1.75 ✓
117	2.00 ✓	104 1.65 ✓
159	2.75 ✓	138 3.75 ✓
403	2.65	199 2.50 ✓
404	2.65	123 2.50 ✓
408	2.65	131 3.00 ✓
406	2.65	174 2.50 ✓
411	2.65	144 2.35 ✓
407	2.65	136 2.75 ✓
257	1.00 ✓	198 2.35 ✓
247	2.75 ✓	188 2.40 ✓
118	2.35 ✓	140 2.35 ✓
130	1.30 ✓	122 2.50
192	1.30 ✓	143 2.25
195	1.25 ✓	125 2.25
247	1.25 ✓	139 2.25
196	1.30 ✓	135 2.35
194	2.95 ✓	176 1.50
230	1.80 ✓	171 1.50
231	.80	172 3.00
178	1.75 ✓	119 2.25
219	2.00 ✓	156 1.30
115	1.75 ✓	193 95
152	1.50 ✓	190 1.10
110	1.75 ✓	191 1.10
248	1.35 ✓	201 1.10
256	1.50 ✓	221 1.30
208	2.25 ✓	203 2.25
214	2.25 ✓	116 2.35
145	2.75 ✓	179 2.25
233	1.95 ✓	187 2.50 ✓
232	1.95 ✓	226 2.25
212	1.25 ✓	204 2.25
224	95 ✓	223 1.50
101	1.75 ✓	216 2.25 ✓
102	1.65 ✓	207 2.25
107	1.80 ✓	182 2.25 ✓
240	1.50 ✓	225 2.25 ✓

New York, January 24th 1911

For the Com. of the Tailors - Operators

J Baranthe Gen. man. of the Op.

r. Cloak. man. Union #1 of N.Y.

W. W. Giffkin

W. W. Giffkin

Gen. Baranthe

See. Benton & Pratt, 2. Mend 385.

See Bishop on Non Contract Leaw.
Rights & Facts #S371.
 S 370 + 371 (p 157)

Penal Code S 5-3-2 + 3-3-3 + 675.

Haight, Bagely 15 Barb 501

To The Public of Newark.

BROTHERS!

Who does not know the distressed condition of the workingmen of the tailor trade? They work 12-15 hours daily in busy-time, and are exposed to starvation in slack-time.

Their condition is so unbearable that it drew the attention of the press on it, and you will find in the Sunday Numbers, Febr. 21st, a true picture of their sufferings and their need.

Thus notwithstanding some of the bosses try to reduce their poor earnings to the extreme.

The firm **Blumenthal, Cloackmanufacturer, 452 Broadway, N. Y.** ordered his contractors to lock out, without any reason, all workingmen belonging to a Union. The firm **Benjamin & Caspary, 54 Greene St., N. Y.** treated his workingmen so unhumanly and base that they have been compelled to lay down their work and to strike.

Brothermen! We appeal to you and beg to assist us in our need. We beg every one, who knows, where the work of the above named firms is done, to give notice to the **Office of the Cloackmakers Union, 170 Ludlow St., New York.**

On Sunday, March 1st, at 2 p. m. a Great Mass Meeting
is called for this purpose at Chas Weiss' Phoenix Park, cor. 15th & Morris Aves., Newark
Renowned speakers will address the meeting, and explain the true condition of the tailors.

Come, Brothermen, in mass! Show that you have human feelings!

In the name of the Cloackmakers' Union No. 1 of New York,
BARON DEES.

An das Geehrte Publicum von Newark.

Brüder!

Wem von Euch ist nicht bekannt die äusserst traurige Lage der Arbeiter von Schneiderfach? Sie arbeiten in der Busy-Zeit 12-15 Stunden täglich in schmutzige, dunkle und verpestete Top-floors und Basements, um in der Slack-Zeit zu verhungern. Und dennoch gibt es Menschen, so genannte Brodherren, die dieses Elend noch nicht traurig genug finden und sich bemühen, die unglückliche Schneider noch mehr zu unterdrücken und zu berauben.

So hat es gemacht die Firma **Blumenthal, Cloackmanufacturer, 452 Broadway, N. Y.**, welche hat ihre Contractors beordert, alle Union-Arbeiter ohne Weiteres aufzustossen. So hat es gemacht die Firma **Benjamin und Caspary, 54 Greene St., N. Y.**, welche hat ihre Arbeiter so unmenschlich behandelt, daß dieselbe gezwungen waren, die Arbeit niederzulegen.

Brüder! wir wenden uns zu Euch mit der Bitte: wer es weiß, wo die Arbeit der genannten Firmen gemacht wird, es sogleich in die Office der Cloackmacher Union, 170 Ludlow St., N. Y. zu melden.

Sonntag, den 1ten März um 2 Uhr Nachmittag ist zu diesem zweck eine große Massenversammlung in Chas. Weiss' Phoenix Park, Cor. 15 und Morris Aves. berufen worden, wo gute Redner den Sachverhalt genau erklären werden. Kommt, Brüder, in Massen! Zeigt, daß Ihr Menschengefühle hat und dem Armen, dem Schwachen beistehen wollt!

Im Namen der Cloackmacher Union No. 1 of New York, **Baron Dees**

0959

2

WHEREAS, on the 25th. day of May 1882, by an order of this Court duly entered herein, the said judgment of the Court of Appeals was made the judgment of this Court, and

WHEREAS, the defendant now appears before this Court,

IT IS ORDERED, that the Sheriff of the City and County of New York forthwith convey the said defendant to the State Prison in conformity to the original sentence herein.

0960

THE PEOPLE OF THE STATE OF
NEW YORK

against

Joseph B. Bander

Commitment

DE LANCEY NICOLL,
DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,
NEW YORK CITY.

0961

District Attorney's Office,
City & County of
New York

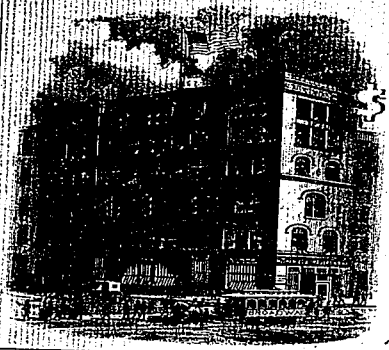
189

R
Procure Huntington recalled -
Fred K Rohr "

Pleas

Joseph Carson } N.Y.
Thomas Dean }

0962



No. 1056. New York, Feby 10th 1891
\$1000\$ Mechanics' Traders Bank
486 BROADWAY, COR. BROOME ST.
Pay to the order of J. Baron de S.
One hundred + Dollars
\$100.00
Popkins Mark

0963

Peoples &

B
Apr 20/21
JFP

20013

J. Barondess.

Popkin & Marky.

0964

Police Court,

District.

City and County } ss.
of New York,

Abraham Popkin

of No. 446 Broadway Street, aged 37 years,

occupation Manufacturer of Cloaks being duly sworn, deposes and says,

that on the 10th day of February 1891, at the City of New

York, in the County of New York, Joseph Bonardess

is guilty of the crime of Extortion in obtaining property from deponent and his co-partner with deponents consent, induced by a wrongful use of fear, to wit: by a threat to an unlawful injury to the property of deponent and his co-partner in violation of Sections of 552 and 553 of the Penal Code of the State of New York.

Deponent further alleges that that he is a member of the firm of Popkin and Marks manufacturers of cloaks carrying on business in the City of New York. That said firm employs a large number of persons in manufacturing cloaks. That previous to said day the persons employed by said firm feeling aggrieved at some alleged wrongful act or omission of said firm, left said firms employ and instituted and maintained a strike. That said employees are members of a society known as The Operators and Cloakmakers Union No. 1 of New York. That the stopping of work of said employees and the continuance of said strike resulted in great losses of money to said firm and its continuance would result in great

loss of money to deponent's firm and eventually in a total ruination of the firm's business. Deponent feeling anxious to have said strike terminated, had various conferences with persons who constituted committees of said Union which after several interviews, did on the 9th day of February inst. result in an understanding with said committee that said strike should be at an end and said former employees should return to work for deponent's firm on the following day.

That on the following day the said persons did not appear for work and deponent could not understand ^{the reasons for} their absence.

That on said ~~next~~ ^{first} inst. the defendant appeared at deponent's place of business and stated that he had learned that deponent had settled the differences between

said firm and its former employees and that said strike had been determined. Deponent replied that it had ended satisfactorily to all parties. The defendant thereupon demanded that said firm pay to him the sum of Three hundred dollars and if refused then said strike would be continued to the great injury to deponent and said firm. That the defendant is a leader among workmen of said class of trade and has great power and influence with them and deponent believing that the defendant would execute said threat and continue said strike to the great injury and damage pecuniary and otherwise to said firm, gave the defendant a check for One hundred dollars to satisfy his demand. That said money was wrongfully

obtained from deponent by means
of fear and by the threat
that he would continue to
injure deponent's business
and property.

That said check was made
payable to the defendant
personally and has been
paid.

H. J. G. M. 1891

Sworn to before me }
this 13th March, 1891 }

W. V. McMahon
Police Justice

0968

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

2 District Police Court.

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

Question. What is your name?

Answer. *Joseph Barondess*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *139 Essex St. 1 month*

Question. What is your business or profession?

Answer. *Coat maker*

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 and by advice of Counsel Maud Sammuton this Court*
*J. Barondess*Taken before me this *19th*day of *March* 189*1**John J. [Signature]*

Police Justice

0969

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 Abraham Popkin
of No. 476 Broadway Street, that on the 10th day of February
1891 at the City of New York, in the County of New York Joseph Borodens

*is guilty of the crime of Extortion in
obtaining money from said Popkin
with his consent induced by a wrongful
use of fear and violence by threats
to do an injury to property of
said Popkin and his co-partners*

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 2nd 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 13 day of March 1891

H. T. M. M. M. M. POLICE JUSTICE.

0970

The within named

WARDEN and KEEPER of the City Prison of the City of New York.

Dated188

Police Justice.

State of New York,

COUNTY OF _____

...being duly sworn, says that he resides in the Town of Jamaica, NY that the name of Justice E. J. McMahon purporting to be signed to the within Warrant, is the handwriting of Said Police Justice, Dan F. McMahon who is one of the Justices of the Peace of the Town of Jamaica in the County of Queens, by whom the within Warrant was issued.

Sworn before me this.. 14.....)

day of March 1897)

Hendrick Hendrikson

Justice of the Peace

The within Warrant may be executed in the County
of Queens.....

Dated at Jamaica.....
this 14th day of March 1891)

Hendrick Hendrickson

Justice of the Peace

I do hereby order and direct that the arrest on the within Warrant may be made on Sunday or at night.

Leopoldo Hernandez
Justice of the Peace Town of Jamaica.

0971

State of New York,

COUNTY OF Queens

...being duly sworn, says that he resides in the Town of Jamaica, that the name of Justice E. J. ... purporting to be

signed to the within Warrant, is the handwriting of Said Police Justice, Dan F. Mollen who is one of the Justices of the Peace of the Town of Clark of Vermont not in the County of Queens, by whom the within Warrant was issued.

Sworn before me this 14 day of Nov 1941

day of March 1897

Hendrick Hendrickson

Justice of the Peace
The within Warrant may be executed in the County
of Queens

Dated at Jamshedpur.....

this 14th day of March 1891

Reverend Lemuel

Inst. of the Peace

I do hereby order and direct that the arrest on the within Warrant may be made on Sunday or at night.

Leandro Henderson
Justice of the Peace Town of Jamaica.

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

Dated

188

The within named

Police Justice.

0972

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

Dated *March 17th* 1891 *[Signature]* Police Justice.

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

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

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

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

0973

W 378
Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Abraham Popkin
476 Broadway
Joseph Barondus

2
3
4

Offence
Expenses

Dated March 15 1891
Momonahon Magistrate.

Heidelberg & McCaulley Officer.
C. O. Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

3000 to a year
3000 bail 19 3 P.M.
A.H.

BAILED.

No. 1, by Popkin & Barondus
Residence 186 Stanton Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

The presiding magistrate
is authorized to hear and
determine this case in my
absence, and to accept bail.

Police Justice.

0974

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

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

Dated *March 19th 1891* *John Henry Ford* Police Justice.

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

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

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

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

0975

Police Court--- 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William T. Fisher
393 Broadway
Joseph Baroudes

Officer
C. J. Gordon

Dated March 15 188

McMahon Magistrate.

Heidelberg & M. Canley Officer.

60. Precinct.

Witnesses Max Brewer

No. 393 Broadway Street

No. Street.

No. Street.

\$ 3000 to answer

3000 b. d. 19 27m

BAILED, March 19/91

No. 1, by Raphael Brown

Residence 340 E Houston Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

The presiding magistrate is authorized to hear and determine this case in my absence, and to accept bail.

R. McMahon
Police Justice.

0976

Police Court, 2 District.City and County } ss.
of New York,

William T. Fiskel

of No. 393 Broadway Street, aged 28 years,
occupation Cloak manufacturer being duly sworn, deposes and says,
that on the 7th day of February 1891, at the City of NewYork, in the County of New York, Joseph Barondesse
is guilty of the crime of extortion
in obtaining property from deponent
and his co-partners with deponent's
consent induced by a wrong-
ful use of fear ~~and~~ ^{by a threat}
~~to do an~~ ^{to do an} unlawful injury to the property
of deponent and his co-partners,
in violation of Sections 552
and 553 of the Penal Code
of the State of New York.

Deponent further alleges that
he is a member of the firm of
Fiskel Brothers carrying on
business in the City of New York
as manufacturers of cloaks. That
said firm in the course of its
business, employs a large number
of persons. That previous to said
day the employees of said firm
feeling aggrieved at some
alleged grievances, left ~~deponent's~~
said firm's employ and instituted
and maintained what is commonly
known as a "strike". That said
employees are members of a
society or association known as
"Operators and Cloak Makers Union
No. 1 of New York". That on said
day deponent was invited to attend
a conference to be held with the
Executive Board of said Union
and did so attend and meet the
members of said Board at a
meeting held which deponent believes

^{known as}
Everett Hall, of which Board the
defendant acted as a member and
as chairman. Deponent conferred
with said Board and it resulted
in a satisfactory conclusion both
to said firm and said Union,
and said employees were to return
to their work of said firm which
meant a termination of said
strike and a great saving of
money to said firm and deponent.
That a continuance of said strike
would result in a great loss of
money to deponent and his firm.
That after the said conference
deponent was in said Hall with
one Brunner, the defendant
approached deponent and said
"If you want your people to
go back to work on Monday
you will have to pay me One
hundred dollars." Deponent refused
to comply with the demand and
the defendant then in order to
obtain said money from deponent

and said firm, with the consent of deponent did threaten deponent to injure deponent and said firm in their property by then and there stating "Well if I don't get the One hundred dollars your men will not go back to work" meaning thereby that unless said money was paid to the defendant - he would cause said strike to be continued which would result in a great loss of money to said firm and great injury to deponent in his property. Deponent fearing that the defendant had great power and influence with said Union and with deponent firm's employees and that said employees would not return to work, made out the check marked Exhibit A. and sent it to the defendant by said Bunner who informs deponent that he saw the defendant ^{and} who

objected to the paper in said check and told ~~deponent~~ said Brunner to tell deponent to either send the money or a check payable to his own order. Deponent thereupon drew a check for One hundred dollars payable to the order of the defendant and sent it to him by said Brunner, who informs deponent that the defendant accepted it. Said check is hereto annexed and marked Exhibit B. Said check is endorsed by the defendant and has been paid. Said money was paid to the defendant personally and was obtained from deponent by consent but through fear of an unlawful injury to the property of deponent.

Sworn to before me }
 before this 13th } William V. Fisher
 March 1893. }

W. T. Ingraham
 Police Justice

0980

CITY AND COUNTY }
OF NEW YORK, } ss.

May Brunner
aged *32* years, occupation *Designer* of No. *243 Broadway*
Street being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *William Fisher*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this

day of

March 189*8*

May Brunner

A. J. McMahon

Police Justice.

0981

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

2 District Police Court.

Joseph Baroudes 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.

Joseph Baroudes

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

Russia

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

Answer.

139 Essex St. 1 month

Question. What is your business or profession?

Answer.

Cloak maker

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 and by
advice of Counsel waive Examination in this Court*
J Baroudes

Taken before me this

day of March 1891

J. Munnell

Police Justice

0982

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 William V. Fishelof No. 393 Broadway Street, that on the 7 day of February1891 at the City of New York, in the County of New York, Joseph Borondersis guilty of the crime of extortion in obtaining money from said Fishel with his consent induced by a wrongful use of fear and induced by a threat to do an injury to the property of said Fishel

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 2nd 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 13 day of March 1891D. V. W. W. W. W. W. POLICE JUSTICE.

0983

POLICE COURT DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-General.

Dated 188
Steddelberg, O'Brien
McCauley & Jacob's Magistrate.

Officer.

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

Officer.

Dated 188

This Warrant may be executed on Sunday or at night.

Police Justice.

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

Dated 188

Police Justice.

The within named

0984

THIRD AVENUE AND 57th STREET.

No. 1100

New York,

Feb 7th

1891

NINETEENTH WARD BANK

PAY TO THE ORDER OF

J. Paron de la

\$ 100⁰⁰/₁₀₀

One Hundred

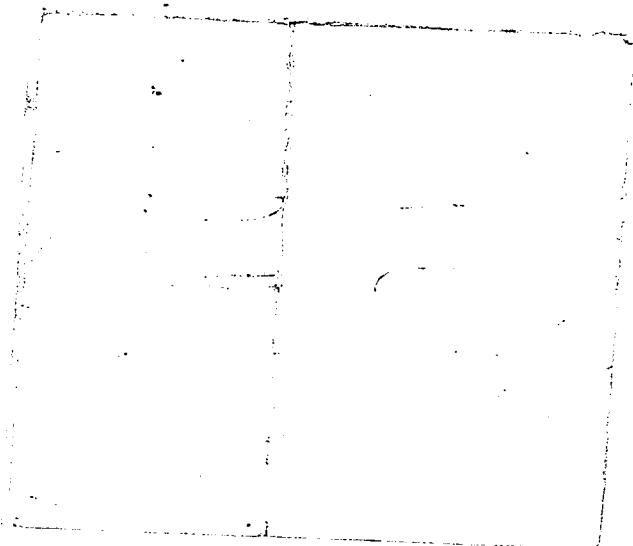
00
100 Dollars,

J. Fishel

Martin B. Brown 49 & 51 Park Place, N.Y.

0985

J. Baron dees
Simon Friedman



0986

No. 1100
2068

New York, Feb 7 1891

NINETEENTH WARD BANK

THIRD AVENUE AND FIFTY-SEVENTH STREET,

PAY TO THE ORDER OF

Ex. A
The Executive Board of the Operators
and Coat Makers Union No 1 of New York \$ 100 ⁰⁰/₁₀₀

One Hundred ⁰⁰/₁₀₀ Dollars,

Fishel Bros.

0987

This was refused
by Parvillers
& check had
to be made
payable to
J Parvillers.

POOR QUALITY
ORIGINAL

0988

WILLIAM F. HOWE,
A. H. HUMMEL,
B. STEINHARDT,
JOSEPH F. MOSS,
DAVID MAY.

Law Offices of
HOWE & HUMMEL,
87 & 89 CENTRE AND 136, 138 & 140 LEONARD STS.
New York City

April 17th, 1891

Bartow S. Weeks, Esq.,

Dear Sir:-

The people agst. Joseph Barondess.

I hereby give you notice (and I shall use this letter on Monday before the presiding Judge) that I must be informed before two o'clock to-day on which indictment you intend to proceed with the trial of Barondess. I will be ready on either of the three indictments which you may select to try; but I must know on which indictment you intend to proceed, in order that I may subpoena my witnesses accordingly. I never visit my office on Saturday, and consequently must know to-day before two o'clock.

I kindly and respectfully inform you that your failure to comply with the request in this letter will be a ground for motion on Monday for a postponement of the trial.

Yours faithfully,

William F. Howe

Memo. for Popkins & Marks trial.

Witnesses for defense.

Simon Prest. of Cutters Assn. was present at P&M when
money paid.

Bell Born in this Country,
is a cutter. Ask him
what he is doing at
present. do.

Lawless, do.

Jake Coan (see next page also) do.

Sepkin, an anarchist, do.

✓ Petty Sec'y. Insist on his
testifying in English.
(see books) Ask about alterations
in books.

Mrs. Utty Cashier. Insist on her
testifying in English. Examine her as to books.

v Last Saturday week she was asked to swear that
Barondees delivered the money to her the same
day he got it from P. & M. but she refused.
C. was present at H. & M's. office when she was
asked to do this.

There is a receipt signed by the Cashier showing
she received the money from B either the same
day he got it from P. & M. or a day or two
later. The receipt is in the possession of
Barondees.

BOOKS of Cloakmakers Union No.1 were taken to H & M's office
on April 28th, 1891 between 1/2 past 12 and 1/2 past 1.
Books are altered. Alterations were made in the office of
the Union, no doubt by Sec'y. Sec'y told C. they had
been altered.

Books show erasures of figures and writing. Books

will not be offered in evidence by defense.

It was the intention, originally, on the part of Barondees to have new books prepared. He went a week ago last Sunday to the Central meeting and said "I am on for trial to-morrow, and there are no new books made out to use."

Jake Coan and Morris Cohen about two weeks ago at the earnest request and solicitation of Barondees went to the office of Popkin and M. Prior to the time of starting B. said to Jake in M.C.'s presence that he was to go there and get P. & M. to make it as light as possible for B. They found Popkin out and Marks in. Marks said to them "What can I do for you?" Jake (who acted as spokesman throughout,) said "We would like to see Mr. Popkin." Marks said, "I can do just as well for you. Did you come in this Barondees matter? If so you can see me just as well." When he spoke in that way we told him we wanted him to go to H. & H's Office.

M.C. was in H. & H's office on Monday when Barondees came in and said he would like to see Hummel. The boy went in and told Hummel and when he got in his office Barondees said that Popkin would like to see Hummel. Hummel said "You would not catch me going there. If Popkin wants to see me he knows where my offices are; he can come here." Barondees begged Hummel to go but he said he would not. After a good deal of - - - - -

coaxing Mr. Hummel decided to send an office boy; he went over there I think to tell that Hummel would like to see him. The answer was that he could not come to Hummel's but Hummel could go over there.

This occurred on the same day that Jake Coan and M.C. went to Popkin & Marks.

Jake Coan said to Mr. Marks: "Why didn't Mr. Popkin go to the office of Howe & Hummel?" Mr. Marks said "It won't do for Mr. Popkin to go down to their office because he is counsel on the other side." Mr. Marks said "I have advised Mr. Popkin not to go to the office of Howe & Hummel."

BARONDEES will take the stand probably .

Barondees told M.C. that he escaped from prison when he came to this country, and that he had been sentenced in the old country.

Barondees was discharged from Fischel Brothers for insulting a young lady by name of Johanna Marks, one of the employees.

B. has not done any work for two years. Has been in the country three years.

About the latter part of October or beginning of November he received from the Cloakmakers Union \$300, which he said he would return but has never done so. A committee was appointed to take it to his house. The committee consisted of three or five.

He has had \$20 a week as leader of the strike. This sum was fixed by the Central Committee, which consisted of 84 delegates; now reduced to 5 from each branch, making in all 60 delegates.

Who have the power to fix the price of garments made by the Cloakmakers Union?

A Walking Delegate or Manager will go to the employer, and if necessary put his seal on it (?). Each one of the officers has authority to put his seal on it.

How many officers are there of Cloakmakers Union No. 1?

Barondees, Jake Coan, Morris Cohen--5 of us--and the Secretary--has the seal of the Union.

I mean the seal with the hands clasped?

Nobody but the Central Committee itself.

What man on the Central Committee has that authority?

The Secretary or the man who presides as chairman of the meeting. We have no permanent chairman; the chairman is elected at each and every meeting.

Mendell Isaacs; 122 Madison street; brother in law of Mr. Popkin.

He is the man who was at the house on Sunday.

0994

WILLIAM F. HOWE.
A. H. HUMMEL.
B. STEINHART.
JOSEPH F. MOSS.
DAVID MAY.

Law Offices of
HOWE & HUMMEL,
87 & 89 CENTRE AND 136, 138 & 140 LEONARD STS.
New York City

April 15th, 1891

DeLancey Nicol l, Esq.,
or H. B. Stapler, Esq.
Dear Sir:-

In order that we may be prepared to proceed with the trial of Joseph Barondess on Monday before Judge Barrett in the Court of Oyer & Terminer, we wish you would notify us at once on which particular indictment you propose to try him. This information should be immediately supplied to us, as we have no desire to apply for a continuance of the case on any ground.

Yours very faithfully,

Wm. F. Howe

People
111

111
111

Bryant Monroe K. Jeweler - Chas. Percip Def.
Kelly Hugh G. Chas. by Pers.
Vail Alsop G. Butler - Chas. for Brs. Suits
Mance Chas.

3 X Smedes Levi K. Foreman (163 Bowery)

4 X Bacia Richard -

5 X Power James - (Carpenter 11 Roosevelt)

6 X Ebel Felix O. (Salesman)

Stefel Herman Ex by Consent

Jacobs Jacob (Fruit) 89 Cons. Ex by Cons

Bennor John T. Butler

Monahan Thomas - Paper Ex by Consent

7 X Seaman Jas. T. (Pat Meds)

Lefevre - Chas. by defense

8 X Higgins Luke (Signs) 321 W. 24 455-81.48 -

Roser Stephen (N. Biss) / 240 W. 130 Ex by Con -

Gary Wm. (Advtg) Bros.

Weil Philip Ex.

Trembinger Michael Jr. (843 Wash. Pk. Ave)

Eggel Louis Ex by Consent

9 X Oppenheimer Henry. Shoes 204 Bway

Ferguson Harry (Furniture)

Popper Leopold (Butters) 55 Grand

10 X Beardsley Henry P. (Clerk)

11 X Pleister Fritz W. Jeweler

Parker Eugene H. - Janitor (45th Ave) Ex by Con.

Stevenson Walter Ex by Consent

12 X Black James - Umbrella

On the 23rd of January 1891 at about 4 or 5 o'clock Barondeess came to my place alone. There was no strike 24th of Jan'y at 9³⁰ he came with three delegates

My men were at work on the 26th of Jan'y 1891 and worked until 10 o'clock

Two delegates came at 10 o'clock on the 26th and the men all left.

I sent ~~a man~~ ^{errand boy} to see Barondeess twice, the last time ~~the man~~ ^{he} went he saw Mr B arondeess and he said

I sent ~~a man~~ ^{the same boy} on the 28th, he saw Barondeess, Tell Mr Popkin I am run the union and if he wants to see me let Popkin call -

On the 28th I sent my examiner to tell them to call a meeting he did not see Barondeess but left word for them to call a meeting

I went to a meeting at 21 Suffolk St that night my workmen were there children

had charge of the meeting - I was there
agreed on the prices, they all agreed
to come, they didn't come, a committee
of four came - they said I must
employ 7 contractors and 2 pressers
by the year -

I did not see anyone for ten day
strike continues
& employed non-union men -

Monday the 9th of February three
men came - said if I would
discharge all the non-union men
and except the second contract the
men will come back -
The men will come to work on the
10th

On the 10th about 9³⁰ Barondees
accompanied by 3 or 4 men
B- said you settled with your workmen
last night -

Monte Hayman - ~~was sent~~ clerk for Popkin &
Marks - lives 328 E. 124th ^{on Jan 27} - was sent by Mr
Popkin to see Mr Barondees, went in morning
& did not see B. went again in afternoon.

4 saw Barondess at a saloon in Suffolk St. & told him "You will please come over Mr Poptkin would like to see you" He replied "I want to see who will rule the Union Mr Poptkin or I. If Mr Poptkin wants to see me he should come over"

I first saw B. at the summer ~~store~~ look out in July 1890 -

I saw Barondess at Poptkin's on Sat Jan 24 & saw him sign the agreement

Geo. ^{224 Clinton St.} ~~Petersman~~ first saw Barondess at summer look out, heard him then say that he was leader of stock operators. On Jan 24. Barondess came with others & went through our samples & fixed prices after they were through Barondess asked me to make ^{two} popples & saw him sign the one. B. said after list was signed that people would come to work. On day check was given Barondess came in with others. and had a talk. All I could hear was Mr Poptkin "What for shall I give you money?" They then went away & in abt 10 minutes Poptkin came back & said to Pop "I have fixed this & settled for ~~100~~ ¹⁰⁰". In about an hour B & ~~the~~ came in & went into Marks office & Marks asked to whom order to make check & B said to his own order" - I also made out copies of second price list

0999

about a week ago I think Apr 11. B came in & had conversation with P. & all.

Simon ~~Klein~~ Klein - Brouville the day after men stopped work I went to see the men & air suffocated & found them holding a meeting. & Zepkin the priest told me that they could not tell whether they would strike until after meeting - Mr Popson sent me next day to see Baroness & I found him in Lind Court St. & told B. that Popson wanted to see him, and he said he could not come because he was afraid for the tailors. I asked him what he meant. He said he knew his men and was afraid they would think he went to take some money & sell them out & then he said he would come -

About 2 days after I was sent again to see B & he said he would come

In 90 cutters wanted to help operators

Did Barondess visit you -

Opening

Homes of poor operators

Leaders & officers to enforce their rights -

money for families

Persecution

Matter not forevers as to indictment

Worst - was defended by Home -

Zipkin 78 Forsyth St - operator works for contractor.

made clocks Barondess is manager -

~~about~~ first hand men were disabliged

Shop meeting on Thursday night in January -

Wednesday -

25th Dec -

called down after authority fr. Executive

Secy & Treasr

Shop meeting - minutes

new price list - prices - where it is

Hoffman & Sothers -

Barondess went with me to one place to

Poplar -

Feb 9/91 - who was there - had full power

~~to~~ Barondess to ask for \$300

Durant

Feb 10. Barond Zip 3 cutters & 1 Excavator went to PTH - Barond said we are sent fr. Employees You should pay \$300 for damage they have had on your account -

Jacob - Simard - 310 E. 82nd former cutter was present at interview Feb 10. In Simard room. Come back later in afternoon & I will give you time as needed for your work.

Bell - 3143 - 3rd Ave - Cloak cutter
 ✓ Was a cloak cutter in Feb last

✓ Bell charges as to wages -

Jacob Cohen

Went to P. M. Feb 10
/ 91. Summon Bell Law
less. Schraf

Ops Baran. Thun-
gippen & Self

Thun 12 was spokesman
Reimbursed for time costs during
strike - also 13 said you
owe it for the loss of time the
men have been out.

Barandesi - 24 years old
Russia - Over 3 years

Cloak Operator

Employed by Govt. B. & B. Co.
of Del for various franchises

Workmen complained that P. & M.
are small & asked for better prices.
Decided to send me ~~to~~ or a
walking delegate - ~~to~~

Ex board sent him to make
out a price list -

Went to P. in a "gentle minded way"

And go through the list
+ they will — I will
stick to you and I will help
~~you~~

Came from Meyer + John
as — — Don't know why P.
should refuse —

Bring your Committee —
Mr. P. asked me to bring 2
men —

Went to take a
lunch + will ~~now~~
~~back~~ will come back
+ make the list

It was too late
to go back to see
Popkin

~~11~~

H

News says he was
drawn into making them

Isaac — Cloak operator — Relative
of Popkin Brother in law
P. sent him for Barondess
during strike —
Popkin said I will let
it go and Isaac met
him at his house in Essex
St. — After a visit of Barondess

Said he would like to face
Barondess to see if he was right
or wrong — Pop B & Isaac went
to his house — Went to private
house. B refused to sit down if
you think that I am guilty or
did anything in this opinion ~~if~~
~~to~~ Popkin said I don't think
you are —

P. said he would do what he
could to get B out of this trouble
Buschhoff Map — 216 E. 79. St. — Mfr of
cloaks —

Knows Barondess 1 yr or so.

Reputation — Knows nothing against him

Rashers below &.

1005

Simon Friedman — Golden Rule Hall Riv St
Knows Barndollar 12+15-
months — Reput. Best —

Overwhelmed by thanks of Howe

Howe's running up =

Old Baroud. on Feb 10. obtain fr. P. d. 100 with intent to use
it for himself or by fear obtain it that people shd not go back
to work.

Popkin contradicted by Munko — No

" " " Beel

Simon

Durkin

Barnes

waiting 28 days - Rape - Blackmail

suggestion that marriage was a crime came from Howe

Klein testimony - fear of Taylor's suspicion. Cesar's
wife -

Have called all witnesses - How about the men
who were in employ of P. & M.

Rebuttal -

Poptani as to conversation of check 13 + ~~brother in law~~
 " " brother in law -
 " " date of 2^d price list

Mark as to conv. of check 13

" " " date of 2^d price list

" " promise to pay money to Barr.

Berman " to date of 2^d price list

Just as to conv. of Apr 12 -

If there is a reasonable doubt of the deft's guilt upon ~~the~~ all the evidence the deft is entitled to an acquittal, and in the jury may consider the evidence of deft's good character in ~~an~~ determining the question of reasonable doubt. But in case you are satisfied ~~beyond~~ of the deft's guilt beyond all reasonable doubt evidence of deft's good character will not avail him.

People v Sweeney

Zipkin - Shop meeting Suffolk St.
 Thursday Jan - Wednesday
 Feb - We resolved to send
 up one of the making delegates
 to go to Popkin - We sent
 for Barnders one of the
workaday men -
 Zip Rop & another Oper
 went to Popkin's Marks.

Barnders (He) is not a Tailor

✓ Several Brokers of Tailors
 showed that they had got
25¢ more on several garments

✓ We word for them to
 quit work & come down
 to fix prices -

Then a meeting took place
 at 21. Suffolk St Monday
 morning -

Popkin did not know
 anything about -

Popkin was present 3 hours

We made prices on garments
 which he did not have

on the price list.

✓ Show that Zip & Barnders were close friends

✓ Union instructed him(B) to ask for 300--

13. said to Mr. Popken we want to have 300 to pay the damages --

✓ He If he would give 100 - he Zip would explain to workers how much they would lose if they did not go back to work. They would lose more than 200

✓ We went back to get the 100.

✓ Where was the meeting on Feb 10 - that B got up to speak abt

He accompanied B to Bank - - the first

10 10

it in his pocket.
He then went to the
Bankers room. B. under
~~the~~ the — Then to
the Cashier —

Mr. Simon 310 E. 82 —

Present with marks of B. under

Don't say anything to P. H. H.

Show you that Barnard was
arrested in Queens County —

Barnard was discharged

Saw Mr. Nicolls about it —

✓ What occurred after he had been
arrested — what conversation
took place between them when
he gave bail —

✓ How highly the merchants
speak of Barnard —

10 12

Pro Ex. A. Price list
" Ex B. Check

Popkin X

Name other mfgs
that ~~were~~ would you

July Operators had an Assn

The went to Police
Heinrichs to make
the complaint
(Heidelberg) was
sent down to inves.
night

Mr. Hassey BKK, Mr. D Bk

WILLIAM F. HOWE.
A. H. HUMMEL.
B. STEINHARDT.
JOSEPH F. MOSS.
DAVID MAY.

Law Offices of
HOWE & HUMMEL,
87 & 89 CENTRE AND 136, 138 & 140 LEONARD STS.
New York City

April 17th

1891

Bartow S. Weeks, Esq.,

My dear Sir:-

You promised me this morning to let me know this afternoon by four o'clock which of the indictments against Joseph Barondess you would select for trial next Monday. If you will kindly give me this information now, so that we can prepare for the particular trial of the indictment, which you select, you will greatly oblige

Yours very truly,

A. H. Hummel

Barondeess, accompanied by Maurice Hondurski, who is a brother-in-law of Mr. Popkin, and two other men, went to the house of Mr. Popkin at 124 East 80th St., on Sunday, the 12th of April, and said to Popkin, "Do you want to put a young man twenty-four years of age, who has a family, in Sing Sing?" Popkin said, "I don't want to see anybody in Sing Sing unless they have done something for which they ought to go there." Barondeess said "I want you to withdraw the charge you have made against me." Popkin said "I cannot do that, and have sworn to a paper and what I have stated is perfectly truthful." Barondeess said "I know it is true, but if you do not want to see me go to State Prison and leave my family, you can help me." I want you to go to Howe & Hummel's and they can tell you how the words in your complaint can be changed so that I can be acquitted and when the change is made it will not require a false statement from you." Popkin said "If Howe & Hummel want to see me, let them come to my store." Barondeess said "They will not do that, you must go and see them."

We had a considerably more conversation upon the same subject and finally Popkin promised to go and see Howe & Hummel the next day.

10 15

On Monday when Mr. Popkin went to his store, he told Mr. Marks, his partner, what he had promised to do and Mr. Marks told him that he must not go to Howe & Hummel, the attorneys on the other side, and have anything to do with them as what he had sworn to was entirely true and he could not in any way change it. Between three and five o'clock in the afternoon, Barondeess came to the store of Popkin & Marks, 470 Broadway, and said to Mr. Popkin, in presence of Mr. Marks, "Why didn't you go and see my lawyers as you promised to?" Mr. Marks replied and said, "You cannot expect Mr. Popkin to change his affidavit, which is true, and when he told me that he had promised you to go to Howe & Hummel, I told him not to go and he will not go." Mr. Marks then went to attend to a customer and Barondeess said to Popkin, "I know you cannot change your sworn statement but if you will go to Howe & Hummel and sign a paper that after your firm paid me the \$100 check you found out that I used the money to provide for the families of the men he worked for you before the strike, who were in want, you can help me out." Some further talk was had,--Mr. Popkin absolutely refused to go and Barondeess left.

Mr. Popkin promised to send Mr. Palmer the address of Maurice Mendurski, his brother-in-law.

10 16

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph Barondess.

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment, accuse Joseph Barondess

of the crime of Extortion,

committed as follows:

The said Joseph Barondess,

late of the City of New York, in the County of New York aforesaid, on the

seventh day of February, in the year of our Lord one thousand

eight hundred and ninety-one, at the City and County aforesaid,

with force and arms, did feloniously and extensively
obtain from William V. Fishel, Isaac S. Fishel, Jacob
S. Fishel, and Abraham S. Fishel, copartners in
trade then and there carrying on business in the

10 17

said City is cloth manufacturers, in and by the firm, name and style of Fishel Brothers, with their consent, a certain written instrument, being an order for the payment of money of the kind commonly called bank cheques, and being then and there wholly unsatisfied, for the payment of and of the value of one hundred dollars, and the sum of one hundred dollars in money, lawful money of the United States of America, and of the value of one hundred dollars, of the goods and personal property of the said William V. Fishel, Isaac S. Fishel, Jacob S. Fishel and Abraham S. Fishel, such consent being then and there by him the said Joseph Barondess induced by a wrongful use of fear on the part of them the said William V. Fishel, Isaac S. Fishel, Jacob S. Fishel and Abraham S. Fishel, and such fear being then and there by him the said Joseph Barondess induced by a threat then and there by him made to the said William V. Fishel, Isaac S. Fishel, Jacob S. Fishel and Abraham S. Fishel, to do an unlawful injury to their property, that is to say, to injure and destroy

10 18

the said business of them the said William V. Fishel,
Isaac S. Fishel, Jacob S. Fishel and Abraham S.
Fishel, and to prevent and hinder them from carrying
on the same; against the form of the Statute in
such case made and provided, and against the peace
of the People of the State of New York, and their
dignity.

De Lancey Nicoll,
District Attorney.

Witnesses:

Mr. Fischel
 The conviction of the def-
 endant in the *Robinson*
Popkins in dictum was
 reversed by the lower court
 and affirmed by the first of
 appeals under the conditions
 set forth in the letter of
 former District Attorney *Wesley*
 sent to Governor *Thayer*, a
 copy of which is herewith
 filed. The Governor thereupon
 pardoned *Popkins* and there can
 be no doubt the action
 then taken was intended
 to cover them and the
 allowed indictment still
 nominally pending
 against defendant
 and based upon untrue
 the same state of facts
 as the *Popkins* indict-
 ment. I therefore
 recommend the dismissal
 of the and the *Popkins*
 indictment. *March 27, 97*
Wm. H. Hall
District Attorney

Counsel,

Filed *23* day of *March* 189*7*

Pleads, *Not guilty* *step with*
lead to institution of the
 THE PEOPLE

U.S.

Joseph Barondess
[2 cases]

Extortion.

[Section 552, Penal Code]

De Lancey Nicoll,
 JOHN R. FELLOWS,

District Attorney.

Indictment dismissed
on motion of D.A.

M. J. M. M.
March 22, 97

A TRUE BILL

Ordered to the COURT of
Cy and
 of the COUNTY of NEW YORK
 for trial (entered in the *Index*)
March 18, 1897

Ordered to the Court by
 General Sessions of the
 City and County of New
 York for trial *March 22, 97*
 Ordered to the Court by
 and Term of the County of
 New York for trial
April 27, 1897

1020

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph Sanders

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment, accuse Joseph Sanders —

of the crime of Extortion. —

committed as follows:

The said Joseph Sanders, —

late of the City of New York, in the County of New York aforesaid, on the

Twenty-third day of February, in the year of our Lord one thousand
eight hundred and ninety — one — , at the City and County aforesaid,

with force and arms, did feloniously and
extensively obtain from Julius Aldowick
an alleged Aldowick, co-partners in trade
store and shoe carrying on business as clerks.

manufacturers in and by the firm, name and
 title of J. Albion and Company, in the
 their consent, a certain written instrument, being
 an order for the payment of money of the
 said company called bank check, and
 being then and there wholly unpaid, for
 the payment of and of the value of fifty
 dollars, and the sum of fifty dollars in
 money, lawful money of the United States
 of America, and of the value of fifty
 dollars, of the goods and personal property
 of the said Julius Albion and Alfred
 Albion, such consent being then and there
 by him the said Joseph Barons induced
 by a wrongful use of force on the part of
 them the said Julius Albion and Alfred
 Albion, and such force being then and
 there by him the said Joseph Barons
 induced, by a threat by him then and there
 made to them the said Julius Albion
 and Alfred Albion, to do an unlawful

injuring to their property, to wit: to injure and
 destroy the said Inman & then the said
 John Alblond and Alfred Alblond, and to
 prevent and hinder them from carrying on
 the same, against the form of the Statute
 in such case made and provided, and
 against the Peace of the People of the State
 of New York, and their dignity.

De Lancey Hill,

Attorney

Witnesses:

Julius Ablowich

Bail \$1000

*Bailed under 91. 24
Squats Ellich
188 Stanton St*

Counsel

Filed

day of

189

Pleads

THE PEOPLE

vs.

Joseph Bonondess

*So as to secure on indictment
or same as to be called by
John D. Fellows*

Indictment returned

A TRUE BILL

Ordered to the COURT of

the COUNTY of NEW YORK

for trial (Entered in the index)

April 13

Ordered to the Court of

General Sessions of the

City and County of New

York for trial April 15th

Ordered to the Court of

General Sessions of the

City and County of New

York for trial April 15th

Ordered to the Court of

General Sessions of the

City and County of New

York for trial April 15th

Ordered to the Court of

General Sessions of the

City and County of New

York for trial April 15th

Extortion

Section 533 Penal Code

191

April 27, 1891

1024

Witnesses:

Julius Ablowich

Bail \$1000

Bailed Michael 91 by
Squats Chick
188 Stanton St.

Counsel,

Filed

day of

189

Pleads

THE PEOPLE

vs.

Joseph Barondess
(Defendant)

See endorsement on back
vs. same defendant
John R. Fellows

Indictment returned
on motion of

A TRUE BILL

Ordered to the Court
for trial on April 13
Ordered to the Court
and Term of the Court
New York for trial
April 27, 1891

Extortion

Section 553 Penal Code

1025

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph Barondess.

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment, accuse Joseph Barondess

of the crime of Extortion,

committed as follows:

The said Joseph Barondess,

late of the City of New York, in the County of New York aforesaid, on the

tenth day of February, in the year of our Lord one thousand

eight hundred and ninety-one, at the City and County aforesaid,

with force and arms, did feloniously and extorsively
obtain from Abraham Popkin and Abraham
Marks, copartners in trade, then and there carrying
on business in the said City as clock manufacturers,

in and by the firm name and style of Popkin and Marks, with their consent, a certain written instrument, being an order for the payment of money of the kind commonly called bank cheques, and being then and there wholly unsatisfied, for the payment of and of the value of one hundred dollars, and the sum of one hundred dollars in money ~~of~~ money of the United States of America, and of the value of one hundred dollars, of the goods and personal property of the said Abraham Popkin and Abraham Marks, such consent being then and there by him the said Joseph Barondess induced by a wrongful use of fear on the part of them the said Abraham Popkin and Abraham Marks, and such fear being then and there by him the said Joseph Barondess induced by a threat then and there made by him to the said Abraham Popkin and Abraham Marks, to do an unlawful injury to their property, that is to say, to injure and destroy the said business of them the said Abraham Popkin and Abraham Marks, and to prevent and hinder them from carrying on the same; against

1027

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

De Lancey Nicoll,

District Attorney.

1028

BOX:

429

FOLDER:

3961

DESCRIPTION:

Bartholf, George Z.

DATE:

03/09/91



3961

25

Off Lincoln

Constructing

Filed

Plead

THE PEOPLE

25.

George L. Bartholff

Thomas C. E. Ecclesine,
~~JOHN R. FELLOWS.~~

Special District Attorney.

TRUE BILL.

Alfred Parsons

Page 11

Foreman.

Part 3 - June 20/92
Index & Connected

Pen 30 days.

Violation of bottle law.
[Mar. 18, 1888]

THE PEOPLE
73 W. 10th St.
110 11th St.

[Capt. 181. Jan. of 1888]

State of New York,
City and County of
NEW YORK

ss: 2

Herman W. LINKER OF NUMBER 149 EAST 15TH, STREET in the City of New York,
being duly sworn, says: that he is the agent of

BEADLESTON & WOERZ A CORPORATION CREATED BY & EXISTING UNDER THE
LAWS OF THE STATE OF NEW YORK *which is*

engaged in manufacturing, bottling or selling ~~soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, small beer, lager beer, weiss beer, white beer and other beverages,~~ in bottles and boxes and ~~siphons and kegs~~ with *its* name or names or other marks or devices branded, stamped, engraved, etched, blown, impressed or otherwise produced upon such bottles and boxes, ~~and siphons and kegs,~~ and whose principal place of business was at the times hereinafter mentioned ever since has been and now is at the city of *New York* and County of *New York* that the name or names, or other marks or devices so as aforesaid produced upon said bottles, and boxes, and ~~siphons and kegs,~~ and a description thereof is as follows, viz:

BEADLESTON & WOERZ & A PICTORIALY SHOWN COMBINATION OF TWO HUMAN FIGURES WITH A SHIELD BETWEEN THEM AND AN EAGLE ABOVE THE SHIELD

That said description of said name or names, or other marks or devices so as aforesaid used by the said

Corporation
upon said bottles, and boxes, ~~and siphons and kegs,~~ was on the *20th* day of *February* 18*89* duly filed in the office of the Clerk of *New York* County in the State of New York, and also in the office of the Secretary of State of the State of New York on the *19th* day of *February* 18*89*; and such description was by said *Corporation*

caused to be printed and was printed ~~once~~ for three weeks successively in two daily newspapers, published in the City of *New York* County of *New York*
Deponent further says that the said *Corporation*

has in all things complied with Chapter 377 of the Laws of the State of New York for 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888.

Deponent further says that said *Corporation is the*

owner of the following described property, marked and distinguished as hereinbefore stated, viz.: Divers bottles, ~~and boxes, and siphons and kegs,~~ the number of which is unknown to deponent. That the same are so marked and distinguished as aforesaid with or by the said name or names, or other marks or devices of which a description has been, as hereinbefore stated, duly filed and published as provided in section I of Chapter 377 of the Laws of the State of New York for 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888, passed April 26, 1888. Deponent further says that

GEORGE Z. BARTHOLF IS A

junk dealer, dealer in second hand articles, vendors of bottles; that deponent has reason to believe, and does believe and avers the fact to be, that said

GEORGE Z. BARTHOLF

has in *his* possession and secreted on the premises hereinafter described the said divers bottles, ~~and boxes, and siphons and kegs,~~ so marked and distinguished as aforesaid, the property of the said

Corporation
and that the said

GEORGE Z. BARTHOLF IS

and has been unlawfully buying, selling, giving, taking and otherwise disposing of and trafficking in said divers bottles, ~~and boxes, and siphons and kegs,~~ marked and distinguished as aforesaid in and upon the following

1031

described premises used and occupied by the said

GEORGE Z. BARTHOLOMEW VIZ; THE BASEMENTS AND CELLARS UNDER THE BUILDINGS

AND PREMISES KNOWN AND DESCRIBED AS NUMBERS 1703, 1704, 1706 AND 1708

LEXINGTON AVENUE IN THE CITY, COUNTY AND STATE OF NEW YORK *and first*
All of which the said *basement* *floor of said* *1704,*

GEORGE Z. BARTHOLOMEW IS AND HAS BEEN

doing contrary to the Laws of the State of New York in such case made and provided, and without having obtained the written consent of or having purchased the said divers bottles, ~~and boxes, and syphons, and kegs,~~ from the said

Corporation

That the reason for deponent's said belief, and the further facts upon which this affidavit is based are that on the *7th* day of *April* 1890 Deponent

SAW A MAN UNKNOWN TO HIM ENTER THE ABOVE DESCRIBED PREMISE WITH BOTTLES MARKED AND DISTINGUISHED AS AFORESAID AND SHORTLY THEREAFTER CAME OUT OF SAID PREMISES WITHOUT SAID BOTTLES

To Chap 377 of the Laws of the State of New York for 1887
WHEREFORE deponent prays process pursuant to the provisions of an act of the Legislature of the State of New York, passed April 26, 1888, entitled "An act to amend Chapter 377 of the Laws of 1887," entitled "An Act to protect the owners of bottles, boxes, syphons, and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer, or other beverages," to search the aforementioned and described premises of said

GEORGE Z. BARTHOLOMEW

said described property, and that the said magistrate issuing the said search warrant may cause to be brought before him the said

GEORGE Z. BARTHOLOMEW

in whose possession said bottles, ~~and boxes, and syphons, and kegs~~ may be found and that inquiry may be made into the circumstances of such possession as to whether the said

GEORGE Z. BARTHOLOMEW

has been guilty of a violation of the last aforesaid Statute and that the said

GEORGE Z. BARTHOLOMEW

may be dealt with according to law.

Subscribed and sworn to before me,

this *8th* day of *April* 1890

Samuel C. Butler

POLICE JUSTICE

H. W. Linker

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

Reginald Hart

VS.

George Z. Bartholomew

AFFIDAVIT.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,

No. 149 East 15th Street,

NEW YORK CITY.

2

1032

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

George Z. Bartholomew 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.

George Z. Bartholomew.

Question. How old are you?

Answer.

70 years

Question. Where were you born?

Answer.

United States

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

Answer.

62, E. 124th St., about 2 weeks

Question. What is your business or profession?

Answer.

Wholesale dealer in bottles

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 & demand a trial by jury.**Geo. Z. Bartholomew*

Taken before me this

*9th*day of *April* 1890,*Ed. J. Sullivan* Police Justice.

1033

State of New York,
City and County of

NEW YORK

ss:

In the Name of the People of the State of New York,
To any Peace Officer in this State or in the County of NEW YORK

Proof by affidavit having been this day made before me, by
HERMAN NEWC. LINKER OF NUMBER 6142 EAST 41ST STREET IN SAID CITY

that the following described property, to wit:
divers bottles, and boxes, and syphons and kegs, the number of which is unknown to deponent, the property of

BEADLESTON AND WOERZ A CORPORATION CREATED BY AND EXISTING UNDER
THE LAWS OF THE STATE OF NEW YORK, HAVING BLOWN OR OTHERWISE PRO-
DUCED THEREON, BEADLESTON & WOERZ AND THE PICTORIALY SHOWN COMBI-
NATION OF TWO HUMAN FIGURES WITH A SHIELD BETWEEN THEM AND A N EA-
GLE ABOVE THE SHIELD

Was unlawfully taken, ~~stolen~~, or has been or is being unlawfully had, used, ~~filled~~, bought, sold, disposed of or trafficked in, contrary to the provisions of chapter 377, Laws of the State of New York, for the year 1887, passed May 18, 1887, as amended by chapter 181 of the Laws of the State of New York, passed April 26, 1888, that there is probable cause for believing that the said property was ~~stolen~~ or unlawfully taken or has been and is being unlawfully had, used, ~~filled~~, bought, sold, disposed of or trafficked in, contrary to the provisions of said act; and that ~~there is~~ a probable cause to suspect, and ~~do suspect~~ that the said divers bottles, and boxes, and syphons and kegs, are or part thereof is now concealed in and upon the following described premises used and occupied by

GEORGE Z. BARTHOLF VIZ THE BASEMENTS AND CELLARS UNDER THE BUILDINGS AND PREMISES KNOWN AND DESCRIBED AS NUMBERS 1702, 1704, 1706 & 1708 LEXINGTON AVENUE IN THE CITY, COUNTY AND STATE OF NEW YORK *in first floor of*
see 1704

You are, therefore, in the name of the People of the State of New York, commanded and authorized, with proper assistance, in the day-time, or at any time of the day or night to make ~~immediate search on the person of~~

enter the building and premises of the said

GEORGE Z. BARTHOLF
aforesaid, and there make immediate search for the said divers bottles, and boxes, and syphons and kegs, and if you find the same, or any part thereof, then you are likewise commanded to bring *or to* situate as

1034

the same so found, together with the said George Barthol
 or the person in whose custody the same shall be so found, forthwith, before me, at
4th District Police Court in said City to be dealt with as the law directs

Dated at New York the 8th day of April 1890

Do J. C. B. Kelly
 Police Justice

Inventory of property taken by Andrew Armstrong by whom this
 warrant was executed, from G. Barthol 1704 Lexington from whom it was taken,
 or in whose possession it was found, or from where the property was found, no person being there

39 Bottles, Empty
 Bottles,
 Syphons,
 Syphons,
 Syphons,
 Boxes,
 Kegs,

COUNTY OF

ss:

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

Sworn to before me, this 9th

day of April 1890.

Andrew Armstrong
Do J. C. B. Kelly
 Police Justice

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

Remond A. Kules

vs.

George Barthol

SEARCH WARRANT.

1035

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

Batchelor

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 April 9 1890 Do J. C. B. R. L. H. Police Justice.

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

Dated April 9 1890 Do J. C. B. R. L. H. Police Justice.

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

Dated _____ 18 _____ Police Justice.

1036

BAILED,

No. 1, by Phillip Kassin
Residence 328 East 116 Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Herman W. Lusk

vs.

1 George Z. Baithoff
2 _____
3 _____
4 _____

556
Office No. 100
Amsterdam

Dated April 1890

Chubb Magistrate.

Wm. H. H. H. H. Officer.

Con Precinct.

Witnesses Herman W. Lusk

No. 149 E. 15th Street.

No. _____ Street.

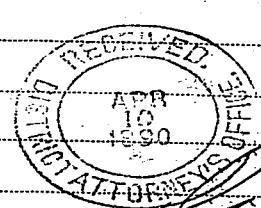
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 100 to answer

Paul



COURT OF GENERAL SESSIONS OF THE PEACE
Of the City and County of New York.

-----X
The People of the State of New York

Against

G e o r g e Z . B a r t h o l f
-----X

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK,
by this indictment accuse George Z. Bartholf of a misde-
meanor committed as follows:

Heretofore to wit: prior to the day of the commission
of the crime and misdemeanor hereinafter alleged, ~~xxx~~
Beadleston and Woerz, at all the times herein mentioned
being a corporation engaged in manufacturing, bottling
and selling lager beer in bottles, with its name and
certain marks and devices blown and impressed thereon,
and having its principal place of business in the said
City of New York, did duly file in the office of the
Clerk of the said County of New York, and also in the
office of the Secretary of State of the State of New
York, a description of the name, marks and devices so
used by it, and did duly cause such description to be
printed and published for three weeks successively in
two daily newspapers published in the said City of New
York, as provided by a certain Act of the Legislature of
this State entitled "An act to protect the owners of
bottles, boxes, syphons and kegs used in the sale of soda

(2)

water,mineral or aerated waters,porter,ale,cider,ginger ale,milk,cream,small beer,lager beer,weiss beer,beer, white beer,or other beverages," passed May 18th 1887, and known as chapter three hundred and seventy-seven of the laws of eighteen hundred and eighty-seven,as amended by a certain other act of the Legislature of this State entitled "An act to amend chapter three hundred and seventy-seven of the laws of eighteen hundred and eighty-seven,entitled 'An act to protect the owners of bottles,boxes,syphons and kegs used in the sale of soda water,mineral or aerated waters,porter,ale,cider, ginger ale,milk,cream,small beer,lager beer,weiss beer, beer,white beer,or other beverages'" passed April 26th, 1888,and known as chapter one hundred and eighty -one of the laws of eighteen hundred and eighty-eight.

And the said George Z. Bartholf late of the City and County aforesaid,afterwards to wit: on the eighth day of April 1890,at the City and County aforesaid,did unlawfully buy from a certain person or persons to the Grand Jury aforesaid,unknown,without the consent of the said Beadleston and Woerz,such corporation as aforesaid,divers to wit: three certain bottles which and each of which were and was then and there so marked and distinguished as aforesaid,with and by the name of the said corporation,and the said marks and devices of which a description had been so filed and published as aforesaid,and upon which and each of which said bottles there was then and there the said marks and devices of the said corporation,and which said bottles had not been

(3)

purchased from the said corporation; against the form of the statute in such case made and provided and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said George Z. Bartholf of a misdemeanor, committed as follows:

Heretofore to wit: prior to the day of the commission of the crime and misdemeanor hereinafter alleged, Beadleston and Woerz at all the times herein mentioned being a corporation engaged in manufacturing, bottling and selling lager beer in bottles with its name and certain marks and devices blown and impressed thereon, and having its principal place of business in the said City of New York, did duly file in the office of the Clerk of the said County of New York, and also in the office of the Secretary of State of the State of New York, a description of the name, marks and devices so used by it, and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as provided by a certain Act of the Legislature of this State entitled "An act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages" passed May 18th, 1887, and known as

(4)

chapter three hundred and seventy-seven of the laws of eighteen hundred and eighty-seven, as amended by a certain other act of the Legislature of this State entitled "An act to amend chapter three hundred and seventy-seven of the laws of eighteen hundred and eighty-seven, entitled 'An act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages'" passed April 26th, 1888, and known as chapter one hundred and eighty-one of the laws of eighteen hundred and eighty-eight.

And the said George Z. Bartholf late of the City and County aforesaid, afterwards to wit: on the 8th day of April 1890, at the City and County aforesaid, did unlawfully take from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said Beadleston and Woerz, such corporation as aforesaid, divers to wit: three certain bottles which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the name of the said corporation, and the said marks and devices of which a description had been so filed and published as aforesaid, and upon which and each of which said bottles there was then and there the said marks and devices of the said corporation, and which said bottles had not been purchased from the said corporation; against the form of the statute in such case made and provided, and against

(5)

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

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said George Z. Bartholf of a misdemeanor committed as follows:

Heretofore to wit: prior to the day of the commission of the crime and misdemeanor hereinafter alleged, Readleston and Woerz, at all the times herein mentioned being a corporation engaged in manufacturing, bottling and selling lager beer in bottles with its name and certain marks and devices blown and impressed thereon, and having its principal place of business in the said City of New York, did duly file in the office of the Clerk of the said County of New York, and also in the office of the Secretary of State of the State of New York, a description of the name, marks and devices so used by it, and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as provided by a certain Act of the Legislature of this State entitled "An act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages" passed May 18th, 1887, and known as chapter three hundred and seventy-seven of the laws of eighteen hundred and eighty-seven, as amended

by a certain other act of the legislature of this State entitled "An act to amend chapter three hundred and seventy-seven of the laws of eighteen hundred and eighty seven, entitled 'An act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages'" passed April 26th 1888, and known as chapter one hundred and eighty-one of the laws of eighteen hundred and eighty-eight.

And the said George Z. Bartholf late of the City and County aforesaid, afterwards to wit: on the 8th day of April 1890, at the City and County aforesaid, did unlawfully traffic in and dispose of in a manner and by means to the Grand Jury aforesaid unknown, without the consent of the said Beadleston and Woerz, such corporation as aforesaid, divers to wit: three certain bottles which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the name of the said corporation, and the said marks and devices of which a description had been so filed and published as aforesaid, and upon which and each of which said bottles there was then and there the said marks and devices of the said corporation, and which said bottles had not been purchased from the said corporation; against the form of the statute in such case made and provided and against the peace of the People of the State of New York, and their dignity.

Thomas C.E. Ecclesine,

Special District Attorney.

1043

BOX:

429

FOLDER:

3961

DESCRIPTION:

Bell, Joseph

DATE:

03/03/91



3961

1044

Witnesses:

John F. Forbes (exam)
Alfred Schum

Counsel,

Filed 3

day of March 1891

Pleads,

THE PEOPLE

vs.

Joseph Bell

Buyer in the Third degree.
Degree of receiving
Stolen property
[Section 498, c. 6, § 5, 33d MSB.]

DE LANCEY NICOL

JOHN R. MILLON

District Attorney.

A True BILL

Alfred J. Cannon

Foreman.

March 4/91

George D. Soley

37 no 5th St.
St. Paul, Minn.

Police Court— District.

City and County } ss.:
of New York, }of No. 15 East 53rd Street, aged 52 years,
occupation Coachman being duly sworndeposes and says, that the premises No. 15 East 53rd Street, 19th Ward
in the City and County aforesaid the said being a Two story Stable
with dwelling apartments
and which was occupied by deponent as a dwelling apartment
and in which there was at the time a human being, by namewere BURGLARIOUSLY entered by means of forcibly breaking open
a door leading into a hallway and then
breaking open a door leading from said hallway
into apartments living apartmentson the 23 day of February 1899 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of
Clothing of the value of One hundred
dollars, One Gold Watch, Pair of Gold Shave
brushes, and Four Gold Rings. Two Bracelets
(One Silver and one Gold) One Gold Scarf Pin
One Gold Badge, said jewelry being of the value
of about One hundred dollars. And altogether
of the value of Two hundred dollars
\$ 200.00

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

Joseph Bell

for the reasons following, to wit:

That at about the hour
of 6 o'clock P.M. on said date deponent
left the said premises securely fastened
and on deponent's return at about the
hour of 10 P.M. deponent discovered the premises
broken open as aforesaid and also missed
the above property.

Deponent is informed
by Richard L. Schum of the 23 Precinct

Police that he directed the said defendant with a quantity of clothing in his possession. Dependent has since seen the said property found in the possession of said defendant and fully and positively identifies it as the property feloniously taken and carried away from dependent's possession. Said defendant also admits and confesses that he did take the said property.

Sworn to before me this } John F. Fodder
24 day of February 1891

W. W. W. W.
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.

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

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

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

1
2
3
4

Offence—BURGLARY.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

1047

CITY AND COUNTY }
OF NEW YORK, } ss.

Richard C. Schum

_____, occupation Police Officer of No. 23
Precinct Police Street, being duly sworn deposes and

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

Sworn to before me, this 24
day of February 1897 }

Richard C. Schum

W. M. M. M. M.

Police Justice.

1048

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

Joseph Bell 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. *Joseph Bell*

Question. How old are you?

Answer. *33 Years*

Question. Where were you born?

Answer. *Cuyahoga*

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

Answer. *Cor. Blacker St and South Fifth Ave. 3 Months*

Question. What is your business or profession?

Answer. *Arrested*

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

Answer. *I have nothing to say I*
did take the property.

Joseph Bell

Taken before me this

day of *May* 1891

John J. Sullivan

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 Defendants

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.

Dated 17th Dec 1891 N. H. H. H. H. Police Justice.

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

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

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

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

1050

264

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John F. Goodles
15 E 52 St
Joseph Bell

Officer Dunphy

- 1
- 2
- 3
- 4

Dated *February 24 '91* 189

McMahon Magistrate.

Schum Officer.

23 Precinct.

Witnesses *Call Officer*

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

\$ *2000* to answer

BAILED,

No. 1, by

Residence Street.

No. 2, by

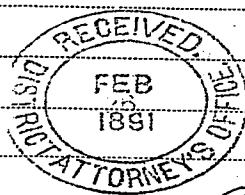
Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Joseph Bell

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

Joseph Bell

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

The said

Joseph Bell

late of the *nineteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *23rd* day of *February* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
night time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *John F. Toddles*

there situate, feloniously and burglariously did break into and enter, with intent to
commit some crime therein, to wit; with intent, the goods, chattels and personal property
of the said *John F. Toddles*

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

SECOND COUNT—

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

of the CRIME OF

The said

Joseph Bell
Grand LARCENY in the first degree, committed as follows:
Joseph Bell

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

divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of one hundred dollars, one watch of the value of forty dollars, two sleeve buttons of the value of two dollars each, four finger rings of the value of seven dollars each, two bracelets of the value of five dollars each one scarf-pin of the value of ten dollars and one badge of the value of ten dollars

of the goods, chattels and personal property of one

in the dwelling house of the said

John F. Toddler
John F. Toddler

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

THIRD COUNT—

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

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

The said *Joseph Bell*

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

the same goods, chattels and personal property described in the second count of this indictment

of the goods, chattels and personal property of *John H. Toddler*

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, from the said *John H. Toddler*

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

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

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

1054

BOX:

429

FOLDER:

3961

DESCRIPTION:

Bennett, Joseph

DATE:

03/13/91



3961

Witnesses:

Geo E Crocker

Counsel,
Filed *13* day of *March* 189*1*
Pleads,

THE PEOPLE

vs.

H

Joseph Bennett

Grand Larceny Second Degree
[Sections 528, 537, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

Profructo J. Bowden

A True Bill.

Alfred Chapman
Foreman.
Robert W. Gray
Edw. J. H.

Police Court Fourth District.City and County } ss.:
of New York,

of Grand Central Depot Street, aged 30 years,
 occupation Riches - receiver being duly sworn
 deposes and says, that the premises known as Grand Central Depot 19th Ward
in 42nd Street and 4th Avenue Rail Road Depot
 in the City and County aforesaid the said being a

and which was occupied by deponent as a Rail Road Depot
 and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly prying open
the doors of the lockers

on the 10 day of March 1889 in the night time, and the
 following property feloniously taken, stolen, and carried away, viz:

One Lantern, Two Steel Ticket Punches,
and a quantity of wearing apparel
all of the value of Fifty Dollars
\$50.00/100

the property of various employees of the N.Y. Central & Hudson River Rail Road Company
and in deponent's charge and custody
 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

Joseph Bennett (now here)

for the reasons following, to wit: that at about 4th between the hours
of 12 and 5 A.M. in the aforesaid the said lockers
were securely fastened and locked, and at about
the hour of 8.30 A.M. deponent found said
lockers open and the doors thereof pried open
as aforesaid, and deponent is informed by
Officer Keeney, McArde of the 23rd Sub. Precinct
Police, that he McArde found said property
in defendant's possession in the town of Jamaica,
Long Island.

Geo. E. Comstock

I depose to what I saw on the 10th day of March 1889
 at the Grand Central Depot
 Geo. E. Comstock

1057

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 45 years, occupation Police Officer of No. the 23rd St Precinct
Henry McBride
Street, being duly sworn, deposes and

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

Sworn to before me, this

day of

March 11th 1887
Henry McBride

Wm. J. [Signature]
Police Justice.

1058

Sec. 198-200

District Police Court.

CITY AND COUNTY OF NEW YORK.

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

Question. What is your name?

Answer.

Joseph Bennett

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

Roslyn L.I.

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

Answer.

Roslyn L.I. about all my life

Question. What is your business or profession?

Answer.

Brake man

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 took 2 Back Coats and an overcoat, a Laminum and a cap

Joseph Bennett

Taken before me this

1961

Police Justice.

1059

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 May 11 1891 [Signature] Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

1060

Police Court--- 4 District. 331

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Geo. J. Connstock
vs.
Joseph Penneck

Garfield
Offence

2
3
4

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Witness C. G. Smith
3d Centl Depot

Dated *Mar 17* 189*9*

Murray Magistrate.

McNardle Officer.

23rd St Precinct.

Witnesses *O. Merick*

No. *3d Central Depot* Street.

A. A. Evans

No. *3d Centl Depot* Street.

W. F. Ames *3d. Centl Depot*

No. *W. B. Tucker* Street.

\$ *1500* to answer



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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph Bennett

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

Joseph Bennett

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

The said

Joseph Bennett

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

*divers articles of clothing and
wearing apparel, of a number and
description to the Grand Jury
aforesaid unknown, of the value of
thirty-five dollars, one lantern of the
value of two dollars and two ticket-
punches of the value of seven
dollars each*

of the goods, chattels and personal property of one

George E. Comstock

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.

SECOND COUNT—

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

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

The said *Joseph Bennett*

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,

divers articles of clothing and wearing apparel of a number and description to the Grand Jury aforesaid unknown, of the value of thirty^{five} dollars, one lantern of the value of two dollars and two ticket punches of the value of seven dollars each

of the goods, chattels and personal property of one

George E. Comstock

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

George E. Comstock

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

Joseph Bennett
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.

DE LANCEY NICOLL,

District Attorney.

1063

BOX:

429

FOLDER:

3961

DESCRIPTION:

Bennett, Patrick

DATE:

03/20/91



3961

Witnesses:

J. Silverstein
W. L. Gillis

Counsel,

Filed

day of *March* 1891

Pleas,

Not guilty

THE PEOPLE

vs.

R

Patrick Bennett

*By Gary in the Third degree.
 and during second
 degree hearing.*
 [Section 498, 496, 492, 491, 490.]

DE LANCEY NICOLL

JOHN R. FELLOWS,

to District Attorney.

March 6th 1891
East I.

A True Bill.

Alfred J. Samsen

March 6th 1891 Foreman.

Spies & Kypertsd

1065

Police Court— / District.

City and County }
of New York, } ss.:of No. 97 Baxter Street, aged 30 years,
occupation clothing being duly sworndeposes and says, that the premises No 97 Baxter Street,
in the City and County aforesaid, the said being a three story brick
tenement— house the ground floor
and which was occupied by deponent as a clothing store
and in which there was at the time a human being, by namewere **BURGLARIOUSLY** entered by means of forcibly breaking the
door leading into the hall on the rear
part of said storeon the 8th day of March 1887 in the Night time, and the
following property feloniously taken, stolen, and carried away, viz:A quantity of coats, pants and
vests to the value of one
Hundred and twenty-five dollars
\$ 125 ⁰⁰ ₀₀the 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 byPatrick Bennett (nowhere)
for the reasons following, to wit: deponent usually locked
and bolted said premises at the hour
of 2 pm and at the hour of about
10³⁰ pm on said date deponent found
the door in the rear part of said building
leading into the hallway of said store
broken from its fastenings and said property
was missing. Officer Gillespie found
part of said property in the Basement

of number 218 Leavel Street. said officer
 arrested the defendant and found
 a Vest on the person of defendant
 which vest defendant has identified
 as part of the property stolen from
 said premises. Defendant thereupon
 charges the defendant with having
 taken carried away and Burglariously
 stolen said property and prays that
 he be held to answer

Sworn to before me } Jacob Silverstein
 this 9th day of March 1891 }
[Signature] } Police Justice

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Degree.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail

Bailed by

No.

Street.

1067

CITY AND COUNTY }
OF NEW YORK, } ss.

William Gillespie
aged _____ years, occupation *Police Officer* of No. *14th Precinct Police* Street, being duly sworn deposes and

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

Sworn to before me, this

day of

9
March 188*8*

William Gillespie

E. J. Ryan
Police Justice.

1068

Sec. 199-200.

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

Patrick Brumitt 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.

Patrick Brumitt

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

New York

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

Answer.

2 Franklin St 6 months

Question. What is your business or profession?

Answer.

Druckman

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

Patrick Brumitt
March

Taken before me this

day of *March* 1897

Police Officer.

[Signature]

1069

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

Dated *March 9th* 18 *91* *[Signature]* Police Justice.

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

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

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

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

1070

324

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jacob Silverstein
97 Baxter St
Patrick Bennett

2
3
4

Offence

Burglary

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *March 9th 1891*

Hogan Magistrate.

Gillespie Officer.

6th Precinct.

Witnesses. *John Gillespie*

No. *6th Precinct* Street.

No. Street.

No. Street.

\$ *1000* to answer *G. S.*

Chas. Bennett



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Patrick Bennett

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

Patrick Bennett

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

The said

Patrick Bennett

late of the *Sixth* Ward of the City of New York, in the County of New York
aforesaid, on the *eight* day of *March* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
night - time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *a certain building, to wit:*

the store of one Jacob Silverstein

there situate, feloniously and burglariously did break into and enter, with intent to
commit some crime therein, to wit: with intent, the goods, chattels and personal property
of the said *Jacob Silverstein in the*
said store in the said dwelling house then and there being, then and
there feloniously and burglariously to steal, take and carry away, against the form of
the Statute in such case made and provided, and against the peace of the People of the
State of New York and their dignity.

SECOND COUNT—

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

Patrick Bennett
 of the CRIME OF *Grand LARCENY in the second degree*, committed as follows:
 The said *Patrick Bennett*

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

eight coats of the value of eight dollars each, eight vests of the value of four dollars each and eight pair of trousers of the value of four dollars each pair

of the goods, chattels and personal property of one

store
 in the dwelling house of the said

Jacob Silverstein
Jacob Silverstein

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

THIRD COUNT—

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

Patrick Bennett

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

The said

Patrick Bennett

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

eight coats of the value of eight dollars each, eight vests of the value of four dollars each, and eight pair of trousers of the value of four dollars each, pair

of the goods, chattels and personal property of

Jacob Silverstein

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, from the said

Jacob Silverstein

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

Patrick Bennett

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

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

1074

BOX:

429

FOLDER:

3961

DESCRIPTION:

Bernard, Joseph

DATE:

03/10/91



3961

W.S. O'Brien

Counsel,
Filed
Pleaded

THE PEOPLE

Joseph Bernard

DE LANCEY NICOLL,
JOHN R. FELLOWS

District Attorney.

A TRUE BILL.

Alfred Cameron

Part III March 26/91 Foreman
trial and convicted
Almira (Ref. 101)
April 1/91
134, 154, 164

Advertising Counterfeit Money, etc.
(Section 527, Penal Code.)

COURT OF GENERAL SESSIONS,

Part III.

THE PEOPLE OF THE STATE OF NEW YORK,

-against-

J o s e p h B e r n a r d .

: Before

: HON. RANDOLPH B.

MARTINE,

: and a jury.

Indictment filed 1890.

Indicted for advertising counterfeit money.

New York, March 23rd, 1891.

A p p e a r a n c e s :

For the People, Assistant District Attorney

W. M. Davis,

For the Defendant, Mr. Frederick B. House.

J O H N A N N H I C R O, a witness for the people,
sworn testified:

I live at No. 75 Mott Street in this city. I have known
the defendant Joseph Bernard for about a year. I first
met him at my barber shop at 75 Mott Street. I have re-
ceived letters for him at that number. He came to my
place about eight or nine months ago and got shaved a
couple of times. The fourth time he came, he asked me
if I would receive some letters there directed to him and I
told him I would; he wrote the names on a card and told me
if any letters came directed, to either of those names to
save them for him. One of the names was Romel; another
was Dobsworth & Company; another was T. Ainsworth and Son;
another was George Allison & Son. All letters that came

to my place directed to either of those names I handed over to the defendant.

CROSS EXAMINATION:

I have occupied the store 75 Mott Street very nearly a year. I testified as a witness in the case of the People against Manzocci. In that case I testified that a number of my customers received letters in my shop. Mr. Comstock never made any threat against me in case I should fail to appear here and testify. I never said to anybody that he had threatened me with arrest in case I did not testify. I did not take particular notice to whom the letters were directed which I have handed over to the defendant. I have seen the man Romel in company with this defendant; I knew that his other name was Manzocci. He came to my place many times in company with the defendant. I knew the defendant by the name of Joseph Bernard.

S I D N E Y S. H A R T S H O R N, Jr., a witness for the people, sworn, testified:

I am a Post Office Inspector and live at No. 9 Cranberry Street, Brooklyn. I know the defendant; I was present at the time of his arrest at No. 484 Pearl Street on August 8th, 1890, between 12 and half past 12 o'clock. At the time of his arrest, Charles Manzocci was in this company. I had previously seen the two letters which you now show me, and also the envelopes containing this printed matter. I returned or caused to be returned the other enclosures in a letter addressed to H. Dowling & Son, No. 75 Mott Street, New York. I send that letter through the mail. The paper

which is now shown me is a copy of the enclosure which I put in the envelope addressed to H. Dowling & Son. I wrote the address upon the envelope. I placed a stamp and mailed it in the General Post Office here in New York. I saw that envelope again on a table in the room at No. 484 Pearl Street where I arrested the defendant; it was torn in pieces, but I put it together as it is here. I positively identify it as the letter which I mailed to H. Dowling & Sons, 75 Mott Street. I also produced a number of circulars which I found laying upon an open desk in the room in which the defendant was at the time he was arrested. I now produce a letter which I received in reply to the one just spoken of. I found several letters similar to it in the premises 484 Pearl Street at the time of the arrest of the defendant. Inspector Jacobs was in my company when we went to the house. We made a thorough search of the place and all the articles which we found in connection with the green goods business I now produce in Court. When we entered the premises, the defendant was sitting in an easy chair, in his shirt sleeves, his coat hanging on the back of the chair. Manzocci was sitting beside a desk, and on that desk, there lay the circulars which I have produced here; he was also in his shirt sleeves. We informed the parties in the place that we had warrants for their arrest and we took them to the United States Court. We also took a large mass of papers which we found there, a Cyclostyle, a green bottle, in a cigar box, circulars, letters, books, papers and

envelopes. While in the room I saw the defendant take some letters from his pocket and put them under a newspaper that was lying on the mantelpiece near by. As soon as he did that I went to the mantel and took the letters. The letters contained enclosures similar to the ones which I received in reply to the letter addressed to H. Dowling & Son, No. 75 Mott street. I found a book of addresses in that room which I now produce.

The various articles enumerated as being found in premises at the time of the arrest were offered and admitted in evidence.

I also found a postal card addressed to the defendant at No. 484 Pearl Street. In company with the defendant, I walked to the United States Court building; on the way he asked me if we could not settle this matter without taking it into court; he said he had some money on deposit at the bank. I told him that it was useless to talk about that, as we did not do business in that way.

The District Attorney then read in evidence the various circulars and letters found in the room where the defendant was arrested.

One of the letters reads as follows:

Dear Sir:- Your letter received In reply would say I am glad to hear you are coming on, for I know you will make a quick and sure fortune, and you will always think with pleasure of the day when you and I first met. For if you will only carefully follow my instructions you will be able to handle

my goods with as perfect safety as the genuine,
for no one can detect the difference. x x x
No matter what your circumstances are, I will advise
you at least to take a State right \$10,000 for \$650.
on our first deal, for then you will have control
of your whole State, besides you will not get these
prices afterwards. If you have not the necessary
amount, try and obtain it, for you can readily re-
pay anything you borrow within three weeks from the
time we meet. Of course, I would greatly prefer
doing business with one man in a State, so that he
could represent me there as my agent, and as your
letters prove you to be a good man in his business
I think I can rest easy and know that my goods are
being properly introduced by you. The reason I
offer my goods at such low prices, \$10,000 for
\$650. is as an inducement for you to take the State
right, and it is, you see, to your advantage to try
and borrow it, as afterwards I shall charge 25 cents
on the dollar. Now, my friend, follow my instruc-
tions given you below as closely as you can and
everything will come out all right. But if you do
not, then everything will go wrong. Write to me
two days before leaving home, telling me the exact
time you start, and be sure you telegraph to me
from some point half way on the road, letting me
know the exact time you will arrive in New York, so
that I will know the exact hour you will be at

your hotel. Telegraph like this, "Will be in the city," then put the hour you will arrive. Do not sign your name; simply sign D. K. D. When you arrive in New York, go to the hotel named on the enclosed card (the Hotel Metropole, Broadway, 41st and 42nd Streets) Be sure and sign your name on the hotel register, then go direct to your room and then wait there until you see or hear from me. Should any one approach you at the depot, ferry or on the street, have nothing to say to them. The enclosed hotel card is cut off at one end. You have one piece and I have the other and when you get the piece that fits yours, you will know you are talking to the right party. I will never meet you or send any one to meet you except in the room of your hotel. Then I will give you your number and piece of card. No one knows anything about it but you and I, so do not talk business to any one until you get your number, last letter, and piece of card. Don't forget to get your last letter, number and piece of card, before talking business to any one."

CROSS EXAMINATION:

I have been a Post Office Inspector for four and a half years. My duties are mainly in the city of New York. A Marshal named Van Buskirk accompanied Jacobs and I to No. 484 Pearl Street. There was an examination held in this

matter before an United States Commissioner . Before it was completed we took the case down to the Police Court in this city and there made our complaint against the defendant for violating the State laws. In addition to the articles which I have stated, we found in the room at the time the arrest was made, a bed, some cooking utensils and an opium layout. The defendant used the opium pipe during the time we were in the room. Manzocci also used it. I could not tell who it was that opened the door of the room to admit Inspector Jacobs, who was the first one of the party to enter. We found in the room, the defendant, Manzocci and a person named Daly; it was a warm day, the windows were all open and I believe the three men were in their shirt sleeves. The defendant took out a cigarette and smoked it while we were searching the room. I never made any search of the defendant's clothing; there were no letters found in his pockets that I know of. I am positive in my statement that I saw him take letters from his pocket which I afterwards removed from the mantelpiece and have produced here to-day. I am not prepared to swear that the defendant caused any of these circulars to be prepared or sent out, nor do I know that he instigated any person to have them printed or circulated. I did not see the defendant receive from the mails of the United States the letter which I had addressed to H. Dowling & Son, No. 75 Mott Street. All I know is that I found the letter torn up in pieces in an alleyway on the side of No. 484 Pearl Street. I could not say where

the defendant got the four letters which I removed from the mantel piece. I was examined as a witness before the United States Commissioner and gave the same testimony there as I have given here to-day. I did not say during that examination that I made a search of the defendant. The man named Daly was discharged in the Police Court for lack of evidence. There was only one complaint made before the United States Commissioner and one before the judge presiding in the Tombs. I do not know where Mr. Comstock was at the time we were making the complaint before the United States Commissioner.

G E O R G E J A M E S, a witness for the people, being duly sworn, testified as follows:

I am a letter carrier in the Government service and have been such for ten years. During the months of July and August, 1890, No. 75 Mott Street was included in my tour of duty. During the month of August, I delivered letters at No. 75 Mott Street in a barber shop. I recollect seeing the envelope which is now shown me, but have no particular recollection of delivering it. I read the addresses on all letters that I deliver but do not remember them. After I left the letters in the barber shop my connection with them ceased.

J O S E P H E. J A C O B S, a witness for the People, sworn, testified:

I am a Post Office Inspector residing at Baltimore, Maryland. On the ninth of August, 1890, in company with

Inspector Hartshorn, I went to No. 484 Pearl Street. I knocked on the door of the first flat and the door was opened by the defendant. We then proceeded to take all the stuff we found there pertaining to the green goods matter. There was a desk in the middle of the room, but it was locked and I could not open it. On the desk, we found the circulars which Inspector Hartshorn has produced. We examined the different rooms in that flat and took everything we could find in connection with this business. I know the premises No. 75 Mott Street. I was there on the day before the arrest. As the letter carrier, James, came up from Hester Street and went into this store, I went in immediately after him. I saw a letter lying on the cigar case. The letter which is now shown me is the same letter; I had previously seen it in Room 34 in the Post Office Building in possession of Mr. Hartshorn and had seen it mailed by him. I have had no conversation with the defendant since his arrest.

CROSS EXAMINATION:

I have been an inspector since the 1st of January, 1890. I have never known the defendant before the arrest. I came on here from Washington on this special business by direction of the Chief Inspector. The defendant and Manzocci were in their shirt sleeves when we entered this room. I have no knowledge that the defendant Bernard ever received the letter which I saw upon the cigar case in this barber shop. He was not there at the time I entered the store.

Personally I have no knowledge as to who caused these circulars to be printed. I recollect the opium lay-out being found in these premises. I did not take any particular notice to any cooking utensils being in the rooms. I saw a clothes basket with a lot of soiled linen in it. I don't recollect whether the defendant smoked a cigarette during the time we were in there or not. I personally examined the rooms and can identify the articles which were produced by Mr. Hartshorn as the articles which were found in these rooms.

S A M U E L B. B O W E N, a witness for the people, sworn, testified:

I am Superintendent of Delivery in the General Post Office. I have seen the letter People's Exhibit D, now shown me, before. It was given to me by Inspector Hartshorn. I placed the stamp on it as it appears here and placed it in the carrier's box whose route covers No. 75 Mott Street.

C H A R L E S L. M O R R I S, a witness for the people, sworn, testified:

I am a Post Office Inspector. My home is in Monticello, Sullivan County. I was present at the arrest of this defendant Bernard at No. 484 Pearl Street on the 9th of August last. I can corroborate the evidence of the last two witnesses as to what took place in those rooms. I heard the defendant say that he was the proprietor of

the place, and that the other two men did not belong there. I had an interview with the defendant some time after his arrest with reference to the opium lay out. He told me he was going to quit the business and was going into some other business that there was not so much risk about.

CROSS EXAMINATION:

This conversation which I had with the defendant was between ourselves alone. Nobody else was present. He told me he did not care for the other stuff but simply wanted the opium layout. I testified before the United States Commissioner, and my testimony there was the same as it has been here.

ANTHONY COMSTOCK, a witness for the people, sworn, testified:

I am the Secretary and Chief Special Agent of the New York Society for the Suppression of Vice and also a Post Office Inspector. I have known the defendant since August of last year. On the 19th of December, 1890, I had a conversation with the defendant. I said to him, "Your uncle has sent a message to me, asking me to intercede in your behalf; he is anxious to have you go to the Elmira Reformatory." The defendant said he wanted to get out of this business and to get into some new business. I said, "Manzocci has said some pretty hard things against you;" he said that Manzocci came to him last June and wanted him to go into the business with him, that he had the books and

that is the way he came to go into it. He said that when he got out of this he had it all arranged to go into another business. In my judgment, the signatures in the book of addresses which you now produce are in the handwriting of Manzocci. I am familiar with his handwriting. The addresses upon the envelopes which are in evidence and which you have shown me, are also, in my judgment in the handwriting of Manzocci.

CROSS EXAMINATION:

I do not consider myself an expert in handwriting. At the time I had the conversation narrated with the defendant there were others in the room but I do not know whether they heard the conversation or not.

D E F E N C E.

J O S E P H B E R N A R D, the defendant, sworn in his own behalf, testified:

I am twenty-seven years of age and was born in this city. I was arrested on the 9th of August at the premises 484 Pearl Street. I was not the lessee of those premises. A party by the name of Hall was the lessee of those premises. I became acquainted with Hall at the race track. I was not aware that Hall, otherwise known as Manzocci was engaged in the green goods business. At the time of my arrest or previous thereto, I had not been engaged with Manzocci or with any other person or persons in the business known as the green goods business. I have seen these

circulars and letters in Court. I had nothing to do with the writing of the letters or in the preparation of the circulars. I did not aid or abet Manzocci or any other person or persons in carrying out a scheme to defraud people by means of the green goods business. I do not know anything of T. Ainsworth & Son, Dowling & Son, or Dodsworth & Company. I did not direct this barber at 75 Mott Street or any other person to receive letters from me under any fictitious name. I did not receive any letters directed to any fictitious name. I am a victim of the opium habit. I went to the premises No. 484 Pearl Street for the purpose of smoking opium. On the day of my arrest I was there for that purpose. I met the man Daly there for the first time on that day. The letters which Inspector Hartshorn says he found on the mantelpiece were never in my possession. I had nothing whatever to do with any of the circulars or printed slips that were found in this place. I never wrote any of them, nor did I authorize any one to write or print them or distribute them. At the time the officers came in the room I was in my shirt sleeves, reading a copy of the New York Herald. I sat there smoking and reading while the officers searched the place. The postal card which was found in the room directed to me, was on an entirely private matter and had no connection with any green goods business. I did not say to Inspector Morris that I intended to quit the business. I did go to him and ask him for the opium lay out. After I saw Inspector

Morris, I went to Galveston, Texas. I never said to Mr. Comstock at any time or in any place that I had any connection with the green goods business. I never received any letters at No. 55 Bowery directed to any fictitious name. I have no knowledge that Manzocci or any of these other men were engaged in any illegitimate business at No. 484 Pearl Street. I never took a letter from No. 75 Mott Street that was addressed to George Romel.

CROSS EXAMINATION:

I have been a victim of the opium habit for seven years. It has injured my health to some extent. I do not know that the effect of smoking opium is to dull the moral sense. I was never known as Hungry Joe. I never gave my address as No. 484 Pearl Street except on this one occasion to the man who wrote me the postal card. That postal card was in reference to a watch which I had pawned. I never received any letters at No. 363 Broome Street in this city. I did receive a letter at No. 155 Bowery, which is a restaurant. I sometimes took my meals there and the proprietor allowed me to have my letters directed there. I have been following the races for a living for the last couple of years.. I positively state that I had no such conversation with Mr. Comstock as he has testified to. I had known Romel for six months, but did not know he was engaged in this business.

M I C H A E L J. L E V I N S O N, a witness
for the defendant, sworn and testified:

I live at No. 477 Pearl Street. I am in the real
estate and insurance business I am the agent for the
premises 484 Pearl Street. Those premises are rented to
one J. H. Hall.

M O R R I S B E N J A M I N, a witness for the
people, in rebuttal, being sworn, testified:

I am a restaurant keeper at 155 Bowery. I have known
the defendant for a year. He made an arrangement with me
by which any letters that came there addressed to Dosworth
& Company and some other names which I do not remember
should be delivered to him. One day he came into the
store and handed me a package, which he asked I might keep
in the safe and take good care of it for him. I after-
wards he was a man who handled counterfeit money and I had
nothing more to do with him. I did not see the contents
of the package which was left in my safe, At the time the
defendant left it there. I afterwards saw the package
opened by detective and I found it to contain pieces of
paper cut in the same shape as greenbacks.

CROSS EXAMINATION:

I do not know Mr. Comstock or any one connected with
his Society. Mr. Oram came up to my place to-day and at
his request, I came right down here. I never told Mr.
Comstock the facts which I have just stated on the witness

stand. I have kept that restaurant for about eight years. A good many of my customers received heir letters in the restaurant. I do not rememer any letters addressed to Romel. I remember letters addressed to Thomas Ambrose & Son and Fox & Company. Some days there would be three or four letters and sometimes there would be none for two or three days. I also recollect letters addressed to Ainsworth & Company.

The defendant being recalled to the stand, denied the testimony given by the last witness.

The jury returned a verdict convicting the defendant.

Indictment filed

1880.

RECORDED IN COURT CLERK'S OFFICE

EX-1051

1880.

Indictment filed 1890.

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &C.

aginst

JOSEPH BERNARD.

Abstract for testimony on

trial New York March 23rd

1891.

of you and box of complaint. Some days there might be three boxes. I remember letters addressed to Thomas Wilson's restaurant. I do not remember any letters addressed to a good many of my customers received their letters in the stand. I have kept that restaurant for about eight years.

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph Bernard

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment, accuse *Joseph Bernard,*

of the crime of printing and writing letter, writing, circular paper purporting to advertise and offer for sale and distribution counterfeit paper money, and purporting to give information, directly, where, how, of whom and by what means, counterfeit paper money could be procured and had, committed as follows:

The said *Joseph Bernard,*

late of the City of New York, in the County of New York, aforesaid, on the ninth day of August, in the year of our Lord one thousand eight hundred and ninety—, at the City and County aforesaid, did feloniously print and write a certain letter, writing, circular paper purporting to advertise and offer for sale and distribution counterfeit paper money, and purporting to give information, directly, where, how, of whom and by what means, counterfeit paper money could be procured and had, — which said letter, writing, circular paper is as follows, that is to say:

Dear Sir

I in reply to yours will say I shall be pleased to open a trade with you and I guarantee that there is plenty of money to be made in the business I propose to you; it is not exactly the legitimate deal then we are not injuring any one but a rich government that can easily stand it and if you will be guided by my advice and experience you will make a sure and quick fortune. The goods I manufacture are

struck from the original plates as the enclosed newspaper clipping will prove and are as fine as human skill can make them. The sizes are 1st, 2nd, 5th and 10th. My terms are \$300.00 cost \$500.00 \$400.00 cost \$400.00 \$500.00 cost \$400.00 \$1000.00 cost \$650.00 \$2000.00 cost \$1000.00, and so on at an increasing rate so that the more you buy the cheaper you get them. \$300.00 costing \$300.00 is the smallest amount I will sell under any circumstances and if you invest from \$150.00 and upwards I will give you the right of your state dealing with no one else, hence the advantage of buying the state right on your first deal. Furthermore I do not give you these Books at this figure after the first deal. I only give them now as an extra inducement and also to give you a good start, afterwards I charge at the rate of 25th of the dollar. Now my friend if you wish to enter this speculation it will be absolutely necessary for you to come here and see me personally in order to get the Books and I will only deal face to face with my customers, which is the most satisfactory and safest way for both as do not ask me to meet you anywhere else as I have to be in New York at all times to supply my old customers who are continually coming here for a new stock of Books and by your coming here you see who you are dealing with and what you are buying and we both will feel better satisfied. I know it is a long journey for you to come here but look at the advantages and again think of the large profits to be made and no risks as far as expense is concerned I always make a liberal allowance to cover that. Make up your mind to come on and you will find me a square white sword in all my dealings and you will never have cause to regret so long as you live. I will meet you in New York at any time you may appoint which I trust will be soon and I will show you my entire stock from which you can make them if my goods are not all what I claim for them and are as fine as newspaper clipping speaks of. I will make you a present of \$100.00 in gold. Now what fairer can you ask, I, Sw. God's name do not betray me or mention to a soul what I possess for I have never done you any harm and never shall but will prove a true and lasting friend to you. If you will take a \$1000.00 and up I will deal with no one else in your state. Make up your mind to come on and in my next letter I will name a hotel for you to stop at, how to know me, also full instructions to as a mark of confidence return all my letters and I will always return yours, hereafter when you write do not sign your name simply sign D. S. D. and I will understand be sure to sign that and nothing else. Should you receive any letters with different address return them to me for I will sometimes write to you under a different name. It is as if you would write to any one else in regard to this business. So be careful and return all letters you may receive and I will have confidence in you. Trusting you will answer at once and return all my letters, I remain yours in

know and confidence
H. Downing and Son

In future address

Your sign. at D. S. D.

75 North St. New York City

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

SECOND COUNT.

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

Joseph Bernard
of the crime of uttering, publishing, circulating and distributing a letter, writing, circular² paper purporting to advertise and offer for sale and distribution counterfeit paper money, and purporting to give information, directly, where, how, of whom and by what means, counterfeit paper money could be procured and had, committed as follows:

The said Joseph Bernard,

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, did feloniously utter, publish, circulate and distribute, by then and there sending, and causing and procuring to be sent, to

divers — persons whose names are to the Grand Jury aforesaid unknown, a certain letter, writing, circular² paper purporting to advertise and offer for sale and distribution counterfeit paper money, and purporting to give information, directly, where, how, of whom and by what means, counterfeit paper money could be procured and had, which said letter, writing, circular² paper is as follows, that is say:

Dear Sir

In reply to your will say, I shall be pleased to open a trade with you and I guarantee that there is plenty of money to be made in the business I propose to you; it is not exactly the legitimate but then we are not injuring anyone but a rich government that can easily stand it and if you will be guided by my advice and experience you will make a sure and quick fortune. The goods I manufacture are struck from the original plates and the enclosed newspaper clipping will prove and are as fine as human skill can make them. The sizes are 1", 2", 5" and 10". My terms are — \$3000⁰⁰ cost \$300⁰⁰ \$4000⁰⁰ cost \$4000⁰⁰ \$5000⁰⁰ cost \$5000⁰⁰ \$10000⁰⁰ cost \$6500⁰⁰ \$20000⁰⁰ cost \$10000⁰⁰ and so on at an increasing rate so that the more you buy the cheaper you get them \$3000⁰⁰ cost \$300⁰⁰ is the smallest amount I will sell under any circumstances and if you invest from \$6500 and upwards I will give you the right of your state dealing with no one else, hence the advantage of buying the state right on your first deal. Furthermore I do not give you these goods at this figure after the first deal I only give them now as an extra inducement and also to give you a good start, afterwards I charge at the rate of 25¢ on the dollar. Now my friend if you wish to enter this speculation it will be absolutely necessary for you to come here and see me personally in order to get the goods as I will only deal face to face with my customers which is the most satisfactory and safest way for both and do not ask me to meet you anywhere else as I have to be in New York at all times to supply my old customers who are continually coming here for a new stock of goods and by

your coming here you see what you are dealing with and what you are buying and what will feel better satisfied. I know it is a long journey for you to come here but look at the advantages and again think of the large profits to be made and no risks and as far as expense is concerned I always make a liberal allowance to cover that. Make up your mind to come as you will find me a square white man in all my dealings and you will never have cause to regret it as long as you live. I will meet you in New York city any time you may appoint which I trust will be soon and I will show you my entire stock from which you can make your own selection then if my goods are not all I claim for them and are not as fine as newspaper clipping speaks of I will make you a present of \$1000 in gold. Now what fairer can you ask. In Bell's name do not betray me or mention to a soul what passes us for I have never done you any harm and never shall but will prove a true and lasting friend to you. If you will take \$100,000 and up in the Bonds I will deal with no one else in your state. Make up your mind to come and in my next letter I will name a hotel for you to stop at, how to know me, also instructions etc, as a mark of confidence return all my letters and I will always return yours, thereafter when you write do not sign your name simply sign D.S.D. and I will understand be sure to sign that and nothing else. Should you receive any letter with different name and address return them to me I will sometimes write to you under a different name to see if you would write to any one else in regard to this business. Be careful and return all letters you may receive and I will have confidence in you. Trusting you will answer at once and return all my letters, I remain yours in
 In future address Union and Confidence
 Your sign is D.S.D. H. Douling and Son
 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. 75 Mott St, New York City

THIRD COUNT.

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

Joseph Bernard
 of the crime of aiding, assisting and abetting in a scheme and device purporting to offer for sale and distribution counterfeit paper money, committed as follows:

The said Joseph Bernard,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did feloniously aid, assist and abet in a certain scheme and device, purporting to offer for sale and distribution counterfeit paper money (a more particular description of which said scheme and device is to the Grand Jury aforesaid

unknown), by then and there sending and causing to be sent, and aiding and abetting in the sending, to
 persons whose names are to the Grand Jury aforesaid unknown, divers letters, writings, circulars, papers, ———— pamphlets, hand-bills, and other written and printed matter purporting to advertise and offer for sale and to furnish, procure and distribute counterfeit paper money, and purporting to give information, directly and indirectly, where, how, of whom and by what means, counterfeit paper money could be procured and had,

and in, and by divers other ways and means, and in divers other manners to the Grand Jury aforesaid unknown; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

FOURTH COUNT.

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

Joseph Bernard
 of the crime of using a fictitious, false and assumed names and addresses, and names and addresses other than *his* own right, proper and lawful name, in violation of section five hundred and twenty-seven of the Penal Code of the State of New York, committed as follows :

The said *Joseph Bernard*,

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, in and for executing, operating, promoting, carrying on, and in the aiding, assisting and abetting in the promoting, operating, carrying on and executing of a certain scheme and device to defraud, by use and means of papers, writings, letters, circulars, and written and printed matters concerning the offering for sale and distribution of counterfeit paper money (a more particular description of which said scheme and device to defraud is to the Grand Jury aforesaid unknown and cannot be given), did feloniously use a certain fictitious, false and assumed names and addresses, and names and

address other than his own right, proper and lawful name, to wit: the names and addresses following, that is to say:

"H. Dowling & Son, 75 Mott Street, New York City"; also "H. Dodsworth & Son, 155 Bowery, New York City"; also "Dodsworth and Company, 75 Mott Street, New York City"; also "T. Ammerth & Son, 75 Mott Street, New York City"; and also "George Allerson & Son, 75 Mott Street, New York City."

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.

FIFTH COUNT.

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

Joseph Bernard
of the crime of knowingly receiving and taking from the mails of the United States, letters addressed to a fictitious, false and assumed names and addresses and names other than his own right, proper and lawful name, in violation of section five hundred and twenty-seven of the Penal Code of the State of New York, committed as follows:

The said Joseph Bernard,

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, in the executing, operating, promoting, carrying on, aiding, assisting and abetting in the execution, promotion and carrying on of a certain scheme and device purporting to offer for sale and distribution counterfeit paper money, and purporting to give information, directly and indirectly, where, how, of whom and by what means, counterfeit paper money could be obtained and had, feloniously did knowingly receive and take from the mails of the United States — certain letters — addressed to a fictitious, false and assumed names and addresses and names other than his own right, proper and lawful name, to wit: a certain letter — addressed as follows, that is to say:

"H. Dowling & Son, 75 Mott St. New York City"; also a certain other letter addressed as follows, that is to say: "H. Dodsworth & Son, 155 Bowery, New York City"; also a certain other letter addressed as follows, that is to say: "Dodsworth & Co, 75 Mott St, New York City"; also a certain other letter addressed as follows, that is to say: "T. Ammerth & Son, 75 Mott St. New York City"; and also a certain other letter addressed as follows, that is to say: "Messrs George Allerson & Son, 75 Mott St, New York City, N.Y."

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

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

1099

BOX:

429

FOLDER:

3962

DESCRIPTION:

Berryman, Robert

DATE:

03/12/91



3962

Witnesses:

Margaret Will
Andrew Will

Counsel,

Filed 12 day of March 1891
Pleads Negligence

THE PEOPLE

vs.

Robert Berryman

Assault in the Second Degree.
(Section 218, Penal Code).

DE LANCEY NICOLL

JOHN R. FELLOWS

District Attorney.

A True Bill.

Alfred J. Williams

Foreman.

Part III April 21/91
Initialed and Registered

1100

1101

Sec. 198-200.

14 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Robert Berryman 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.

Robert Berryman

Question. How old are you?

Answer.

28 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

452 W 47th St.

Question. What is your business or profession?

Answer.

Police Officer

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
Robert Berryman

Taken before me this

July 11, 1911
Charles J. Starnitz
Police Justice

1102

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 *July 28* 18*91* *W. T. M. M. M.* Police Justice.

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

Dated *July 28* 18*91* *W. T. M. M. M.* Police Justice.

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

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

1103

Committed without bail
to await inquiries

8x Feb-17-1891-10 AM

App. to Feb. 25-1891

19 AM: CUS 18

Paroled in custody of

Capt. McCarry - CUS

8x Feb 26: 2 P.M.

BAILED

do 28: 10 am

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Margie Will

641 W 42 St

Robert Perryman

2

3

4

Dated

Feb 16

1891

Capt. McCarry

2-9

Witnesses

No. 22 - Precinct

Margaret Will

No. 641 W 42 St

Kate Harpe

No. 641 W 42 St

\$ 5.00 to answer

Feb 17

7:30 - Home

7:30 - Home

Magistrate.

Officer.

Precinct.

Street.

Street.

Street.

Street.

Street.

Street.

Street.

Street.

Street.

Street.

Street.

Street.

1104

H. KOLB, M. D.,
356 West 42nd Street.

NEW YORK,

1891

March 21st
Dear Sir,
I have to acknowledge the
receipt of your letter of the
19th inst. and in reply to
advise you that the same
has been forwarded to the
proper authorities for their
consideration.

1105

H. KOLB, M. D.,
356 West 42nd Street.

NEW YORK,

February 12, 1891

1891

My dear Sir,
I have the honor to acknowledge
the receipt of your letter of
the 10th inst. in relation to
the case of the *St. Louis*
and to inform you that the
same has been forwarded to
the proper authorities for
their consideration.

1106

ROBERT DEELEY & CO.,
IRON WORKS,
Foot of West 32d Street.

SPECIALTY:
*Machinery for Sugar Plantations
and Refineries.*

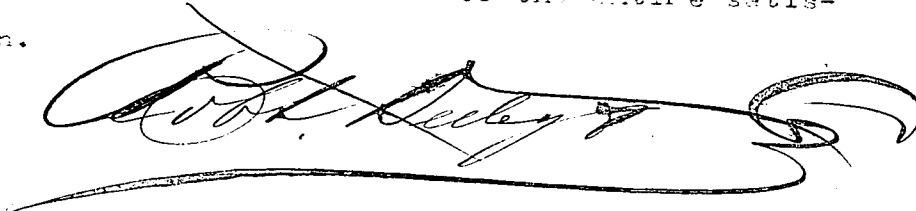
CABLE ADDRESS:
"IDOLPLAY," NEW YORK.

T.

New York,

Feb. 21, 1891

This is to certify that Andrew Will has been employed in our foundry for the past ten years, and during that time he has always been steady, sober and attentive to his work to the entire satisfaction of his foreman.

A handwritten signature in dark ink, appearing to read "Robert Deeley", with a long, sweeping horizontal line underneath it.

1107

District Attorneys Office.
City & County of
New York.

Feb 27 1891

Thomas W Mc Knight Esq. is authorized
to appear on behalf of the Com-
plainant in the matter of the
charge now pending against

Robert Berryman
in the Fourth District Police Court
Schuency Mead

District Attorney

1108

Police Department of the City of New York.

Precinct No.

New York, Feb-16 th 1881

This is to certify
that I have examined
Andrew Weil of 641 West
43rd St and find that
he is suffering from
scalp-wound about two
inches in length - He is
unable to appear at court
at present, but will
probably be sufficiently
well enough to appear
in two or three days -

Respectfully

Jos. V. Nestor, M.D.
Surgeon of Police

1109

H. KOLB, M. D.,
356 West 42nd Street.

NEW YORK,

189/

Dear Sir,

I have been thinking of you
the reason of the trouble
from a great deal about the
lead and bones about the
body. On account of his
father in the condition of
the body and the bones
found.

1110

Police Court—4 District.CITY AND COUNTY } ss,
OF NEW YORK,

Maggie Will
 of No. Box 1, West 42nd Street, aged 18 years,
 occupation Single being duly sworn, deposes and says, that
 on the 16th day of February 1887 at the City of New York,
 in the County of New York,

~~he~~ was violently ASSAULTED and BEATEN by Robert Berryman

who while in above premises did violently
strike said Andrew Will with a heavy
club then and there held in the hands
of said Berryman on the head and
body of said Andrew Will causing injuries
as to prevent him appearing in Court
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 the above assault, &c., and be dealt with according to law.

Sworn to before me, this 16day of February 1887Maggie WillCharles J. Ferriter

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

Robert Berryman

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

Robert Berryman

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

The said

Robert Berryman

late of the City and County of New York, on the sixteenth day of February, in the year of our Lord one thousand eight hundred and ~~eighty-ninety-one~~, with force and arms, at the City and County aforesaid, in and upon one

Andrew Will

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said

Robert Berryman

with a certain

club

which

he

the said

Robert Berryman

in his right hand then and there had and held, the same being then and there

a weapon and an instrument ~~and weapon~~ likely to produce grievous bodily harm,

him, the said Andrew Will, then

and there feloniously did wilfully and wrongfully strike, beat,

bruise 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.

SECOND COUNT—

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

The said *Robert Perryman*
 late of the City and County aforesaid, afterwards, to wit: on the day and in the year
 aforesaid, at the City and County aforesaid, with force and arms, in and upon the
 said *Andrew Will*

in the peace of the said People then and there being, feloniously did wilfully and
 wrongfully make another assault; and the said *Robert Perryman*
 the said *Andrew Will*
 with a certain *club*
 which *he* the said *Robert Perryman*
 in *his* right hand then and there had held, in and upon the
head and body of *him* the said *Andrew Will*

then and there feloniously did wilfully and wrongfully strike, beat
 bruise and wound, and did then and there and by the means aforesaid, feloniously,
 wilfully and wrongfully inflict grievous bodily harm upon the said *Andrew*
Will to the great damage of the said *Andrew Will*
 against the form of the statute in such case made and provided, and against the peace of
 the People of the State of New York and their dignity.

De Lancey Nicoll,
JOHN R. FELLOWS,
 District Attorney.