

0408

BOX:

309

FOLDER:

2942

DESCRIPTION:

Acerno, Pelligrino

DATE:

06/20/88



2942

186
Counsel, *E. C. Price*
Filed 20 day of June 1888
Pleas: *Chydelly m*

THE PEOPLE
July 12th 1888
Plead Guilty
with in p
William Deane

JOHN R. FELLOWS,
District Attorney.
July 12th 1888

June 28-1888
A True Bill.
Edmund A. Perry
Foreman.

[Handwritten signatures and scribbles]

Witnesses:
officer O'Brien

No damage done
775

0410

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT 15th DISTRICT.

of No. The St. Remy Police Station Street, aged 29 years,
occupation Police Officer being duly sworn deposes and says,
that on the 2nd day of May 1888

at the City of New York, in the County of New York, Deputy arrested
Tillman Acerno (now here) did unlawfully have in his possession
and carried concealed on his person
in the hall way of premises no 3 Mulberry
Street a weapon of the kind common known
as a dirk or dangerous knife with intent to
so to use a knife another in violation of
Section 440 of the Penal Code of the
State of New York

John D. Bice

Sworn to before me, this 2nd day of May 1888

[Signature]
Police Justice,

0411

Sec. 198-200.

1st

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Pilligrino Acerno

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. Pilligrino Acerno

Question. How old are you?

Answer. 57 years

Question. Where were you born?

Answer. Italy

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

Answer. 89 Mulberry St - 2 months

Question. What is your business or profession?

Answer. Laborer

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

Answer. I am not guilty
Pilligrino Acerno
Mark

Taken before me this

day of

188

Police Justice.

0412

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District

THE PEOPLE, &c.,

OF THE COMPLAINANT OR

John D. ...
Pitkin v. ...

Offence

Dated

May 21 1888

Magistrate

Officer

Precinct

Witnesses

No.

Street

No.

Street

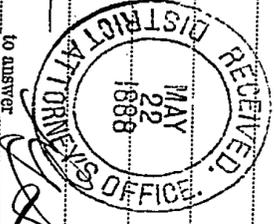
No.

Street

\$

to answer

Street



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

Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *500* 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 21 1888* *John D. ...* Police Justice.

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

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Pizzagino Averno

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

Pizzagino Averno

of a FELONY, committed as follows:

The said *Pizzagino Averno*, —
late of the City of New York, in the County of New York aforesaid, on the ~~twenty first~~
day of ~~May~~ *May* in the year of our Lord one thousand eight hundred and
eighty ~~eight~~, at the City and County aforesaid, with force and arms, feloniously did
furtively carry, concealed on his person, a certain instrument and weapon of the kind
commonly known as *dirte and dangerous knife*,
with intent then and there feloniously to use the same against some person or persons to the
Grand Jury aforesaid unknown, against the form of the statute in such case made and provided,
and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Pizzagino Averno —

of a FELONY, committed as follows:

The said *Pizzagino Averno*, 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, feloniously did possess a certain instrument
and weapon of the kind commonly known as *dirte and dangerous*
knife, by him then and there concealed, and furtively carried on his person,
with intent then and there feloniously to use the same against some person or persons 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.

JOHN R. FELLOWS,
District Attorney.

0414

BOX:

309

FOLDER:

2942

DESCRIPTION:

Adamson, Edward

DATE:

06/08/88



2942

04 15

BOX:

309

FOLDER:

2942

DESCRIPTION:

Adamson, Edward

DATE:

06/08/88



2942

0416

Court of Oyer and Terminer

Counsel, *E. J. O'Sullivan*
Filed, *June* 188*8*
Pleads, *Not Guilty (1)*

VIOLATION OF EXCISE LAW

THE PEOPLE,

vs.

Edward Adamson

JOHN R. FELLOWS,
District Attorney.

(III Rev. Stat. (7th Edition), Page 1080, Sec. 51)
(Keeping Open on Sunday.)

Transferred to the Court of Special Sessions for trial and final dis-
position.
Dated *June 11* 188*8*

John R. Fellows

Part B. Decendant / Foreman.
emphatic sent to Special Sessions

Witnesses:

Off Morris
2d Dist.

81

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward Adamson

The Grand Jury of the City and County of New York, by this indictment, accuse Edward Adamson of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said Edward Adamson late of the City of New York, in the County of New York aforesaid, on the twenty-seventh day of May in the year of our Lord one thousand eight hundred and eighty-eight, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of, and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid, unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure, and suffer and permit to be open, and to remain open, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0418

BOX:

309

FOLDER:

2942

DESCRIPTION:

Alexander, Otto

DATE:

05/28/88



2942

0419

BOX:

309

FOLDER:

2942

DESCRIPTION:

Alexander, Otto

DATE:

05/28/88



2942

280 off paid Sept term
the amount of \$12.00
of which \$10.00 is paid

Counsel, A.H. Ruydy
Filed, 28 day of June 1888
Pleads, Not Guilty (29)

THE PEOPLE,
vs.
Otto Alexander

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

JOHN R. FELLOWS,
District Attorney

July 16 1888
July 18 1888
A True Bill.

Samuel A. Murray
Foreman.
July 18 1888

Wm. D. ...
1888

Reminded - Mr
Ward to ...
Witness:
Jm. Noble

Bail fixed
at \$500
W. J. ...
J. S. ...

280 off into Oct

Counsel, A.H. Pugh
Filed, 28 day of June 1888
Pleads, Not Guilty (29)

THE PEOPLE,
vs.
Orto Alexander

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

JOHN R. FELLOWS.

District Attorney
Filed 15/17
16/18
A True Bill.

Edmund A. Murray
Foreman.

Wm. H. ...
14 Sept. 1888

Remuner - ...
Witnesses:
Wm. Noble

Bail fixed
at \$1500
W. J. ...
Jed. 6

POOR QUALITY ORIGINAL

0422

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss:

POLICE COURT, 1 DISTRICT.

William Tolle.

of No. 42 West 72nd Street, being duly sworn, deposes and says,
that on the 22nd day of June 1888

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

Otto Alexander (now here) did feloniously make, forge and utter a certain instrument or writing which purports to be a check drawn on the Seventh Street National Bank for the sum of Five thousand dollars - and which purports to have been signed by this deponent (William Tolle) that the said Alexander admitted and confessed in depositions taken that he did make, forge and utter said check with the intent to obtain the money thereon - deponent is informed by Francis F. Stone that the said Alexander did present the said check to him as paying teller of the said Bank for certification - deponent is further informed by Melanethon S. Colgate that the said Alexander presented the said check to him and attempted to obtain forcing money in exchange for the said check. deponent therefore prays that the said Alexander may be held to answer.

Given under my hand
 this 23 day of June 1888 } M. W. Wells
 Police Justice

0423

CITY AND COUNTY }
OF NEW YORK, } ss.

Melancthon S. Colgate
aged *37* years, occupation *Banker* of No. *29 Wall* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *William Wolfe*

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

Sworn to before me, this *23* day of *June* 183*8* *Melancthon S. Colgate*

H. W. Wolfe
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

Francis F. Stone
aged *24* years, occupation *Paymaster* of No. *107 Clifton Place Brooklyn* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *William Wolfe*

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

Sworn to before me, this *23* day of *June* 183*8* *Francis F. Stone*

H. W. Wolfe
Police Justice.

0424

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Otto Alexander

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. Otto Alexander.

Question. How old are you?

Answer. 32 Years.

Question. Where were you born?

Answer. Russia

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

Answer. 152 Madison Avenue. 3 Months

Question. What is your business or profession?

Answer. Salesman.

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

Answer. I am guilty of the charge

Otto Alexander

Taken before me this

9 30

day of June 1891

Police Justice.

0425

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

180
Police Court
1957
District

THE PEOPLE, &c.
ON THE COMPLAINT OF

William P. Helle
42 West 72nd St
New York
Offence: Forgery

1
2
3
4

Dated June 23 1888

Justice Magistrate

Wm. E. Richlin Officer

C. D. Precinct

Witnesses

No. 1
29 Wall Street

No. 2
James J. Stone

No. 3
181 West 12th Street

No. 4
7th Avenue at about

No. 5
Carter Street

No. 6
Committee Street

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

Wm. Alexander

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, ~~he is~~ discharged

Dated June 23 1888 Police Justice

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

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

0427

Office of
WILLIAM DOBLE,
Builder,
171 BROADWAY,
Room 88.

TELEPHONE CALL, JOHN 414.

'Scribble'
57 1/2 + 7 Ave

New York June 22nd 1888

Mrs. Newlage, Colgate & Co
29 Wall St City

Gentlemen.

Please send me by bearer 500 Cds.
in 20 or 50 Cd. Notes, balance of check in encl.
Sold at 4.88 1/4, as quoted to oblige

Yours truly

Wm Doble

0428

Giles Lithographic

JNO. R. GILES, Vice Pres. & Genl. Manager
GEO. W. AVERELL, Secy.



P.O. BOX 2845

New York, August 28th, 188

To the Honorable Frederick Smyth, -
Recorder of the City of New York.

In addition to signing the attached Petition, I take the liberty to appeal especially to your Honor for mercy for Otto Alexander.

For nearly four years he has been in my employ, and the judgment I have formed of his character leads me to believe that on another continent, and freed from the curse which brought him to this disgrace, he will again become a useful member of society.

I wish to plead with your Honor to be lenient with this young man, for his life is blasted forever, and he has to commence anew the battle with life. He is not a hardened criminal, the securing of whose person would benefit society, and the remorse of having disgraced his family and himself, is a terrible punishment which will last all his life, as he is not yet lost to such feelings.

Will your Honor kindly take into consideration his sorrowing family--an old father not far from the grave, with an untarnished reputation--his lonely sisters, struggling honestly for a living, in a country where the tarnished name of a family means disgrace from society forever.

I trust that this request for leniency may not be in vain, and am, with respect -

Very truly yours, -

J. Bendik
Treasurer Giles Lith. and Liberty Pr. Co.

D. ALEXANDER,
—AGENT FOR:—
New York and Key West Cigars,
318 SACRAMENTO ST., NEAR BATTERY.

San Francisco July 25 1888.

To the honorable Recorder Mr Smyth

Your honor

will kindly pardon an unfortunate father for addressing and entreating you to be as lenient as you possibly can to my son Otto Alexander, who up to his unfortunate marriage was as good and industrious honest child as all my other children. Both my boys Richard as well as Otto after leaving school have been working with me in my cigar factory, and I always had been excited by all my acquaintances on accounts of their excellent behavior and strict attention to business. I myself am proud to say that I kept my name in the best standing and never came in contact with any court or law, neither in Dublin nor in America. I came 1846 to New York where I worked hard in a factory on Broadway with Mr

0430

D. ALEXANDER,
— AGENT FOR —
New York and Key West Cigars,
818 SACRAMENTO ST., NEAR BATTERY.

2

San Francisco 188

O P Burnham Dear Sir, Since 1849, in
 San Francisco except several years in
 Germany again on account of my wife,
 where 4 of my children were born amongst
 which Otto on the 24th October 1858.
 I returned with my whole family to S. Francisco
 1870, have been here ever since. My boys
 wished to go to N. York, where their uncle
 was in business. They wished a larger field
 as mine was a very small one, and unfortunate
 circumstances forced me to give up manufacturing,
 but I always paid every dollar in full to
 keep my good name. It is unnecessary to
 describe to you my feelings, when I first got
 the horrible news, what has become of my son.
 I know very well, what he deserves, but excuse
 me, when I beg you to consider, the whole family
 is suffering under the shame, that has come upon
 us. I am sure, he will have come to his senses
 by this time and will in future be the same
 good and honest man, he was up to his marriage.

0431

3.

D. ALEXANDER,
—AGENT FOR—
New York and Key West Cigars,
818 SACRAMENTO ST., NEAR BATTERY.

San Francisco 188

I hope your Honor will have pity
with his so hard stricken father, brother
& sisters and give this seduced son of mine
the benefits of your good heart, as far as
justice will allow you and give him the
opportunity to show that his character
is not a bad one. I do not know, if you
are blessed with children, but I am sure
you will feel for me and excuse the liberty
taken by

Your Honor
most obedient
David Alexander

0432

Form 12. 12/87-2000.



PALACE CAR COMPANY,
GENERAL OFFICES, 315 MADISON AVENUE,
NEW YORK.

SUPERINTENDENT'S OFFICE,

New York, August 27th 1888.

To the Honorable Frederick Smyth,
Recorder of the City of New York.

Respected Sir:

My aged father of San Francisco, Cal. and my
uncle of this City have taken the liberty of addressing
your Honor on their own behalf and the writer of this,
as the eldest son of the stricken family, acts as
spokesman for himself and his sisters, who are
trembling in anxiety for the fate in store of their
unfortunate brother, Otto Alexander.

Our beloved Mother is dead since September last (and
through the Almighty's mercy has been spared this terrible blow),
and as she cannot join us in praying to you for Clemency
for her child, who always was a good and dutiful son
to his parents, and an honest and upright member of Society,
pray, lend us, the other children of the same Mother,
a willing ear for our petition for lenity.

We are confident, that if a chance is given to our mis-
guided brother, and if removed to another Country, he
will henceforth lead a respectable life and his present
experience will be a life-long lesson to him. Instead
of continuing a down-ward career under the influence

0433

Font 12. 12/87-2000.



PALACE CAR COMPANY,

GENERAL OFFICES, 315 MADISON AVENUE,
NEW YORK.

SUPERINTENDENT'S OFFICE,

- 2 - New York, 188

of hardened associates, he would reform and become once more useful to himself and worthy of the love of his family. — Otto and myself grew up together, (the difference in our age is but 4 years & 11 mos). Uninterrupted harmony existed between us, until an unworthy and designing woman gained the ascendancy over him and alienated him from his family. As boys we worked together in my father's factory and our earnings were only spent in making our home pleasant & attractive. Every evening saw us at home and his only pleasure consisted in practising the violin. In the fall of '79, Chinese competition in our branch of business, compelled my father to stop manufacturing and I, as the eldest son, decided to come here to earn my living. I had saved sufficient means to pay my way and something over. A week after my arrival here, I secured a situation with Messrs. J. Jacoby & Son, which I held until I received an offer from my uncle, Mr. G. Love of the then firm of Love & Alden, to enter his employ.

0434

FORM 12. 12/87-2009.

SUPERINTENDENT'S OFFICE,



PALACE CAR COMPANY, — 3 — New York,

GENERAL OFFICES, 315 MADISON AVENUE,
NEW YORK.

188

Shortly before this, my Mother and sisters went back to Germany, (for economy's sake as my father was temporarily out of business), and Otto accompanied them to see them safely settled. The balance of our joint savings defrayed, in part the expense of this removal. He remained in Germany for over a year, acting as travelling salesman in the hair business, until my uncle and self asked him to come here and join us. The business had increased largely and had induced the firm to start a Printing Office in connection therewith. Otto was installed as book-keeper and Cashier of same and in this capacity handled large sums of money in an honest and creditable manner. He has been steadily employed in the same establishment up to the time of his arrest, all through the changes of ownership to which it passed to its present owners, the "Giles Lith. and Liberty Printing Co."

When my uncle became identified with the "Monarch Palace Car Co.," I followed him and am still connected with that concern. In 1885 I married an American

0435

FORM 12. 12/27-2000.



PALACE CAR COMPANY.

GENERAL OFFICES, 315 MADISON AVENUE,
NEW YORK.

SUPERINTENDENT'S OFFICE,

New York,

188

girl, born in Maine, the orphan-daughter of a Farmer, who was killed while serving in the Army during the late war. Assisted by her good management and industry, I manage to live respectably and am able to contribute to the support of my unprovided-for sisters on my salary of \$100. per month. I am sure that, if my brother had had the fortune of securing a good wife, he would never have been in his present disgraceful position, for he earned much more money than I do, — and as he has no expensive habits and was brought up to consider a plain and happy home-life as the greatest boon allotted to human beings, — all inducements were missing for attempting to obtain means by dishonorable methods, if it had not been forced upon him by the stronger will of his extravagant wife, who has first robbed us of the confidence of our brother and finally of the heretofore unblemished honor of our name.

I hope once to see my sisters respectably married to good & true men. How can we hope to accomplish this, if such a disgrace, as threatens our family now, is not warded off by your Honor's mercy and clemency?

0436

Form 12. 12/27-2000.



PALACE CAR COMPANY,

GENERAL OFFICES, 315 MADISON AVENUE,
NEW YORK.

SUPERINTENDENT'S OFFICE,

5 New York, 188

For the sake of the innocents, who would
suffer and for the reformation of the guilty,
we pray to your Honor for mercy, and
may God reward you.

Your humble servant
Richard Alexander.
730 - Third Ave.

Hulda Alexander }
Emma do }
Minna do } Berlin
Tillie do } Germany

0437

FORM 12. 12/87-2000.



PALACE CAR COMPANY,

GENERAL OFFICES, 315 MADISON AVENUE,
NEW YORK.

SUPERINTENDENT'S OFFICE,

New York, 188

judicial duties, to give him the opportunity of proving by his future honesty and
uprighteous that he has profited by the lesson, gained in his recent experience.
I will see that he leaves this Country as soon as his personal affairs can be ar-
ranged.

In conclusion, I beg your Honor, to allow his past good record and the heretofore
unsullied names of the other members of his family to influence your decision in
this case.

With this appeal, I most respectfully subscribe myself

Your humble servant

G. Love

Supt.

Monarch Palace Car Co.

315 Madison Ave

Form 12. 12/87-2000.



PALACE CAR COMPANY,

GENERAL OFFICES, 315 MADISON AVENUE,
NEW YORK.

SUPERINTENDENT'S OFFICE,

New York, August 30th. '88. 188

To The Honorable Frederick Smyth,
Recorder of the City of New York.

Respected Sir:-

While your Honor will be made acquainted with the details of my strayed nephew's past life through the letters addressed to you by his unhappy father and elder brother, I as the brother of his departed Mother, take the liberty to approach your Honor firstly in the capacity of his former employer, and as such can testify that Otto Alexander, while in my employ, fulfilled all his duties in a conscientious and reliable manner.

While he had charge of the office-work in our printing establishment he accounted for every cent of the firm's money, which passed through his hands, and while his salary was then only twenty five dollars per week, it covered his personal expenses more than fully, and I am personally aware of the fact that he never had extravagant habits or inclination.

After the business was sold to Mr. Bendit, Otto retained the same position until he gradually worked up a line of his own customers and in a short time he turned out to be an excellent salesman and was as such highly valued by his employers. Through untiring industry his income increased until it nearly amounted to \$4000 annually, a sum which would have been more than sufficient to enable him to live comfortably and save up a competency for old age. But unfortunately, he contracted a marriage with a person of such extravagant habits and loose morals, that all his earnings were squandered by her and he was under continous pressure to obtain more money to cover her demands upon him. All this, combined with her terrible temper, which he dreaded and yet was too weak to combat, drove him to commit the crime, which he now sincerely repents. -

As his uncle, I desire to state that should your Honor find it consistent with your

0439

Am. Frederick Luyth.
Recorder of City
of New York.
New York

0440

J. S. M. Blinn & Co.
General Merchants
Importers & Wholesale Dealers in
Keeps, Shirts & Corset Materials,
18 Walker Street,

Cablegram address,
"Wödan", New York.

New York, July 21st, 1888.

Dear Dick:-

Don't be astonished to receive a letter from me, for I have a favor to ask of you. Knowing that both you and your uncle are intimately acquainted with Recorder Smythe I would ask you to be kind enough to send me a letter of introduction to him, introducing Mr. G. Leve.

The reason of this is, that Mr. Leve's nephew, Mr. Otto Alexander, in a moment of stupidity or insanity, or whatever you may call it, attempted a forgery, which you no doubt read about in the papers. He pleaded guilty to the attempt, and sentence has been suspended. As far as Mr. Leve is concerned I will vouch for his honesty and probity, so that you can safely give him a letter of introduction, as all he wants is to get a letter from some friends of the Recorders to plead for mercy.

The young man is of excellent family--lost his mother only a short while ago; an old father in San Francisco who has been a partner of Mr. Bods, of the old firm of Richard & Bods in fact an old pioneer of '49 of California, and who has stood in the community there without a breath against his name; some sisters of the young man in Europe, who are compelled to earn their living by their work, and who will be heartbroken to hear of the disgrace of their brother, and besides, it will be a great drawback to them in their future lives to have such a terrible history in their family.

I simply state these facts to you to induce you to give me that letter of introduction for Mr. Leve; the young man having pleaded guilty of the attempt, of course will have to bear the sad consequences of his act. Some of the friends are trying to do what they can to mitigate the harshness of the law, and Mr. Leve, for one, will try the hard task of softening the Recorder's heart.

I do not need to say more to appeal to your charity in this instance, and I trust that you will provide me with that letter on receipt of this. I thank you in advance for your kindness, and you may reply upon my reciprocating such favor at any time.

With kindest regards to your dear wife and yourself, I am, -

Yours sincerely, -

Wm. B. Bods

*P.S. The young man was in our employ
at the circulating office.*

He is a young man of good education and of excellent personal habits, and we are satisfied that any clemency that you may extend to him, will be appreciated, and that his subsequent career will be a justification for any such act on your part.

All his former employers, besides signing this petition will address to you personal letters attesting to his good character in the past, and praying for clemency. We do not make this petition in any pro forma sense, or without due consideration, ^{but} ~~and~~ as citizens of New York deeply interested in the ~~and~~ prosecution of offenders against our Criminal Laws, ^{and} ~~but~~ also interested in reformation, wherever reformation seems probable or even possible, we make to you this, our petition for which we respectfully and will ever pray.

Frank H. Taylor.
Artist — Giles Lith & Engraving Co.
New York.

Geo. S. Starling
Excursion Agent
Starling & Co
N.Y.

Ed Rackerman
Editor "Our Country Journal"
Potter Building,
N.Y. City

Wm. J. Ladd of Sargent & Co.
37 Chambers St. New York.

0443

C. H. Foster, Secy

THE UNEXCELLED FIREWORKS Co
9+11 Park Place N.Y.
1891

0444

THE PEOPLE

---VS---

OTTO ALEXANDER

Petition for Clemency.

To

The Hon. Frederick Smyth,

Recorder of City of New York.

He offered my sons positions in his business. My son Otto has had charge of the Printing establishment until a commercial crisis forced

Mr. Lee to give up his business. The Printing establishment was changed into a Corporation and my son Otto became an employe in this Corporation and gave in every respect the fullest satisfaction to his employers.

Two years ago I received from him the entirely unexpected news of his marriage to a Swedish lady. This marriage has turned out to be a terrible misfortune for him and for me as I have since been reliably informed, that she is an unworthy woman, who has used her great influence over him for evil purposes and has finally driven him to commit deeds, the very thought of which has heretofore been utterly strange to him.

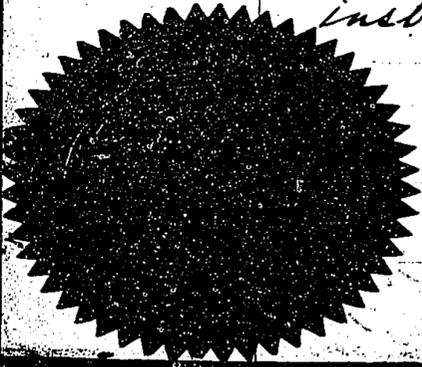
San Francisco July 26th 1888.

David Alexander

State of California
City and County of San Francisco &c. &c.

I, James L. King, a Commissioner for the State of New York, residing in the City and County of San Francisco, State of California, do certify that on the 26th day of July 1888, personally appeared before me in the City and County of San Francisco, aforesaid, David Alexander who is to me personally known, and known to me to be the individual described in and who has executed the foregoing instrument, and he then and there acknowledged to me that he executed the said instrument for the purposes therein mentioned.

In Witness Whereof I have hereunto set my hand and official Seal at said City and County of San Francisco, this 26th day of July 1888.


James L. King
Commissioner for New York
in San Francisco California

My second son Otto Alexander was born at Neubeck,
Germany on the 24th Octob, 1858. During my tempo-
rary residence there. I have resided at New York
from 1846-1849. and at San Francisco from 1849 to
the present time. ^{with some interruptions} I married in the year 1853. My
wife died 1887. I had seven children, two sons and
five daughters. My eldest daughter died 1886. My
wife and daughters had lived at Breslau in my
wife's nativity ever since 1880. and I have
lived in this city alone ever since. With the
help of my sons I have always supported my
family here and at Breslau. My sons attended
school partly in Germany and partly in this city.
After a course in a Business College here I employed
my sons in my Cigar factory in this city from 1872
to 1880. Their conduct towards their parents
and in business has always been excellent. They
were both very much liked by all our acquaintances
and by my customers on account of their reliability
and truthfulness.

In 1880 my wife and daughters wished to return
to Germany and live there and as my business
was not a very profitable one, my sons being then
of age, wished to strike out for themselves. Their
uncle Gustav Leve had at that time a good business
in New York as agent for the sale of Railroads and
Steamship tickets and having also a Printing
establishment.

He.

We, the undersigned citizens -
and merchants of the City of San
Francisco, State of California,
take great pleasure in certifying
that we have personally known
Mr David Alexander in this City
and County during thirty nine
years last past and that during
the whole of said period we have
known him as a man of most
excellent character and irreproachable
integrity and worthy of unlimited
trust.

San Francisco July 26th 1888

Wm Loewy Attorney at Law
Edron (ohn. merchant

Melvin Merchant

~~Ed. S. Rogers~~, Godwin D. D. J.

John Bowman Merchant

Joseph Bremer Merchant

Wm J. C. Bremer Commissioner

Edward Bruce Merchant

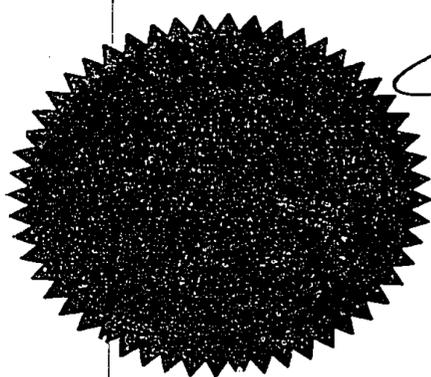
W. Blackwood do

Ad. Wigner Real Estate

I have not known him for 34 years, but what
I do know of him is to his credit

M. M. M. & Anglo Am.

This is to certify, to whom it may concern, that the persons whose signatures are upon the within certificate are all known to me personally, and that they are all respectable citizens of this City of San Francisco, whose testimony should be entitled to due credit



Amos R. Kuyf
Commissioner for New York
in San Francisco, California
July 26th 1888

-----0
 THE PEOPLE,
 --vs.--
 OTTO ALEXANDER
 -----0

To The Honorable Frederick Smyth,

Recorder of the City of New York.

We the undersigned citizens, respectfully request from your Honor all the clemency with regard to the above named defendant that can be shown him by your Honor consistent with your duties as a Judge.

We have known this young man for many years last past, and know him to have borne up to the time of the unfortunate occurrence which resulted in his arrest, a most excellent character. We also know his family, and know them to be people of the very highest respectability. The conviction for crime of one of their members, is a very severe blow to the family, and they and we are most anxious to save this young man from the disgrace of becoming a felon.

This being his first offence, and he having been for quite a considerable time, confined in prison, we are satisfied that he has learned a lesson, such as will prevent him from ever again engaging in crime. We are assured that if your Honor could be induced to suspend judgment on this young man, that his family will at once send him out of the United States, where in a new country, where the fact of his crime is not known, he may become yet, a useful member of the community.

He is a young man of good education and of excellent personal habits, and we are satisfied that any clemency that you may extend to him, will be appreciated, and that his subsequent career will be a justification for any such act on your part.

All his former employers, besides signing this petition will address to you personal letters attesting to his good character in the past, and praying for clemency. We do not make this petition in any pro forma sense, or without due consideration, ^{but} ~~and~~ as citizens of New York deeply interested in the due prosecution of offenders against our Criminal Laws, ^{and} ~~but~~ also interested in reformation, wherever reformation seems probable or even possible, we make to you this, our petition for which we respectfully and will ever pray.

formerly Gustave Leve
Supt. Monarch Palace Car Co
315 Madison Ave N.Y.
of Leve & Alden Publication Dept. of Liberty Co.

Samuel Bendit
Treasurer of Giles Kirk and Liberty Printing Co
62 College Place
formerly owner of Liberty Printing Co 107 Liberty St.

M. U. Shuman
President of the A. L. & L. Paper

Geo. M. Lincee
D. R. Gen. Supt.
Giles Kirk & Liberty Printg. Co.

Howarth Lee
Giles Kirk & Liberty Printg. Co.

W. A. Richard, member of the firm of
W. A. Richard & Co., Bankers
61 Broadway

J. Edwards
Formerly of Taiter & Co.
11 Wall St.

E. R. Doas member of the firm
E. R. Richard & Co.
61 Broadway, N.Y.

H. K. Baker
Presdt. Monarch Palace
Car Co. 315 Madison Ave.
Chas. H. O. M. Moanann.
Wahy. Transp. Company
206 Broadway N.Y.

J. H. Orsbach
Cashes of E. R. Richard & Co.
61 Broadway

E. R. Richard
with E. R. Richard & Co.
61 Broadway

M. C. Boone Ex Secy & Mgr. Am. Exp. Co.
207 B'way N.Y.

C. J. Gray
Treasurer
Monarch Palace Car Co.
315 Madison Avenue
New York

Chas. H. O. M. Moanann
Ed. Frank Paul Giffette

W. Clark & Co. Leffers & Co. of Virginia & the Carolinas
229 Broadway N.Y.

J. O. Hutchinson
261 Broadway
New York

John Moore
261 Broadway City
The York & Co.

L. N. Coats
V. Presdt.
Monarch Palace Car Co.
315 Madison Ave
New York

Nowitz & Newfield
280 Broadway

Massachusetts & Southern Construction Company,

M. W. Taylor
Supt. Hills, Mich. Utility Ry. Co.
62 College Place, N.Y.

A. B. Harris President
W. G. Whitely, Secy.

M. Taylor
Presdt. Dept.
Fall River, Mass.
Pier 28 N.Y.

Wm. H. Cook of
Goldschmidt
16 Wall St.

0452



WILLIAM OBLE.

Greenble Apartment House
57th Street & 7th Ave.

New York Aug 27 1888

To the Honorable Frederick Smith
Recorder of the City of New York

Having read the foregoing petition, and with a feeling of pity for the wrong man, O. Alexander, who, as I have ascertained, has born an excellent character in the past, I feel that in this instance leniency on the part of your Honor, would lead to reformation, which after all is the main object to be attained by human Society. And under these circumstances I pray your Honor, for such leniency, as your duties as Judge allow you to exercise in the premises.

Wm Oble
Clerk
H.P.C. Johnston
Clerk for W Oble

This is the complainant against Alexander.

0453

THE PEOPLE

vs.

OTTO ALEXANDER.

Petition for Clemency.

To

The Hon. Frederick Smyth,

Recorder City of New York.

For
W. Frankenburg
120 Broadway
Lawyer,
A. F. Bunker
for friend

045

DR. R. G. WIENER,
806 LEXINGTON AVENUE,

OFFICE HOURS:
8 TO 10 A. M.
2 TO 3 P. M.

N. Y., September 14, 1888

Hon Frederick Luyth
Recorder of City of New York.

Dear Sir!

The accompanying
papers are those which you
intimated would be de-
sirable in the case of
Otto Alexander who is to
come up for sentence he
wishes you this will be

Very respectfully
Richard Wiener

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Otto Alexander

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

Otto Alexander

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

The said Otto Alexander

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

No. 998 New York, June 22nd 1888
Seventh National Bank
No. Broadway & 7th St.
Pay to the order of Mrs. J. J. ...
Five thousand 700 Dollars.
\$5000 700 Wm. ...

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

SECOND COUNT:—

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

Otto Alexander

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

The said Otto Alexander,

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, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, *to wit:*

an order for the payment of money of the kind called bank check, which said forged bank check,

is as follows, that is to say:

*No. 998 New York, June 22nd 1928
Seventh National Bank
100 Broadway & 4th St.
Pay to the order of Messrs. Colgate & Co.
Five thousand 00/100 Dollars.
\$5000 00/100 Wm. Noble*

with intent to defraud the the said Otto Alexander then and there well knowing the same to be forged, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0457

BOX:

309

FOLDER:

2942

DESCRIPTION:

Allen, George

DATE:

06/12/88



2942

96

Counsel,

Filed 12 day of June 1888

Pleads,

Witnesses:

William Feeley

THE PEOPLE

vs.

George Allen
vs.
John R. Fellows

Grand Larceny, *Second Degree*
(From the Person.)

[Sections 529, 581 Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Edmund C. Murray
June 13 1888

Foreman.

Wm. L. Feeley

P.P. 3 yrs 9 mo R/BM

0459

Police Court—1st District. Affidavit—Larceny.

City and County } ss.:
of New York,

of No. 140 Park Row Street, aged 37 years,
occupation Pocket book frames being duly sworn

deposes and says, that on the 27 day of May 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession and known of deponent, in the day time, the following property viz:

A pocket book containing thirteen cents gold and lawful money of the United States

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by George Allen (now here) from the fact that deponent was sitting down in a doorway in Park Row at about the hour of five o'clock A.M. on said date, and deponent is informed by Officer Samuel W. Lake of the 6th Precinct Police that he saw the said deponent take steal and carry away two apocryphal pocket containing said money from the left hand side of deponent's pocket of deponent and upon the person of deponent deponent has since seen said pocket book here shown in Court and identified by deponent as the property taken stolen and carried as aforesaid.

Sworn to before me this 27 day of May 1888
of 140 Park Row
Police Justice.

William Steiner

0460

CITY AND COUNTY }
OF NEW YORK, } ss.

Frank W. Lake

aged 41 years, occupation Police Officer of No.

6th Avenue

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of William Kelly

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

Sworn to before me, this

day of May 1888

Frank W. Lake

J. H. [Signature]
Police Justice.

0461

Sec. 108-200.

15th District Police Court.

CITY AND COUNTY OF NEW YORK,

George Allen 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 Allen

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. Ireland

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

Answer. 4 Bowington St 8 months

Question. What is your business or profession?

Answer. Sell papers

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

Answer. I am guilty

George Allen

Taken before me this 14th day of May 1888
J. H. [Signature]
Police Justice.

0462

BAILED,

No. 1, by _____
 Residence _____ Street _____

No. 2, by _____
 Residence _____ Street _____

No. 3, by _____
 Residence _____ Street _____

No. 4, by _____
 Residence _____ Street _____

96
 Police Court
 1
 District 499

THE PEOPLE, & C.,
 ON THE COMPLAINT OF

William Stebbins
 2140 Park Road
 George Allen

Offence Larceny
 from the person

Dated May 27 1888

Magistrate

Officer

Precinct

Witnesses

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

\$ 1000 to answer



George Allen
 Attorney

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 10 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 27 1888 Police Justice.

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

Dated _____ 1888 Police Justice.

There being no sufficient cause to believe the within named _____

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

Dated _____ 1888 Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

George Allen

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

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

The said George Allen

late of the City of New York, in the County of New York aforesaid, on the twenty-seventh
day of May in the year of our Lord one thousand eight hundred and
eighty-eight, in the day time of the said day, at the City and County
aforesaid, with force and arms,

divers coins, of a number,
kind and denomination to the Grand
Jury aforesaid unknown, of the value
of thirteen cents, and one pocketbook
of the value of twenty-five
cents

of the goods, chattels and personal property of one William Feeney
on the person of the said William Feeney
then and there being found, from the person of the said William Feeney
then and there feloniously did steal, take and carry away, against the form of the statute in such
case made and provided, and against the peace of the People of the State of New York and their
dignity.

John R. Fellows,
District Attorney.

0464

BOX:

309

FOLDER:

2942

DESCRIPTION:

Allen, James

DATE:

06/08/88



2942

Over and Terminer
Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Allen

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

James Allen
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

James Allen

late of the City of New York, in the County of New York aforesaid, on the *eight* day of *April* in the year of our Lord one thousand eight hundred and eighty *eight*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

Frank L. Brutsch

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

James Allen

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

The said

James Allen

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

JOHN R. FELLOWS,

District Attorney.

0467

BOX:

309

FOLDER:

2942

DESCRIPTION:

Archer, James

DATE:

06/07/88



2942

0468

BOX:

309

FOLDER:

2942

DESCRIPTION:

Reid, Dennis

DATE:

06/07/88



2942

AO
Counsel,
Filed
Pleads,
188
day of June
1888

THE PEOPLE
vs.
James Archer
vs.
Dennis Reid x

JOHN R. FELLOWS,
District Attorney.

A True Bill
per June 25/88
no 1 tried + acquitted.

Edmund A. Murray
Foreman
June 25/88

Witnesses:
John M. Lane
John Clemens
Officer Hentich

Burglary in the Third degree.
Section 498.

0470

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

James Archer

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. The defendant bears an excellent character with all who know him in the neighborhood.

John McLain

487 6th Ave

Police Court - 2 District.

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

John McLain
of No. 487 Sixth Avenue Street, aged 44 years,

occupation ~~Cigars~~ ^{ground floor} being duly sworn

deposes and says, that the premises No. 487 Sixth Avenue Street,

in the City and County aforesaid, the said being a four stories and

basement brick building

and which was occupied by deponent as a Store

and in which there was at the time no human being, by name

^{attempted to be}
were BURGLARIOUSLY entered by means of forcibly cutting a hole
in the panel of a door leading from the hall
into the said Store

on the 28th day of May 1888 in the night time, and the
^{was attempted to be}
following property feloniously taken, stolen, and carried away, viz:

Good and lawful money of the
United States of the amount and of
the value of Seven Hundred Dollars
and a quantity of Cigars and Tobacco
of the value of Four Hundred Dollars
all of the value of Nine Hundred Dollars
(7900.00)

the property of deponent

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

Dennis Reid and James Archer (both now here)
while acting in concert with each other

for the reasons following, to wit: That at about the hour of 1 o'clock

A.M. of the aforesaid night deponent securely
fastened and locked the said door and

deponent is in said door was in good condition
and intact and deponent is informed by

John Kleiman that at about the hour of

3.30 A.M. of the aforesaid night he, Kleiman,

saw said defendants stumbling in front of said
premises trying to conceal themselves behind a

0473

CITY AND COUNTY }
OF NEW YORK, } ss.

John Kleiman
Cook
aged 28 years, occupation _____ of No.

204 East 21st Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of John McLain

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

Sworn to before me, this 30
day of May 1888 John Kleiman

Samuel C. Kelly
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

Philip Herrlich
Police Officer
aged 31 years, occupation _____ of No. the 19th Police Precinct

Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of John McLain

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

Sworn to before me, this 30th
day of May 1888 Philip Herrlich

Samuel C. Kelly
Police Justice.

0474

CITY AND COUNTY }
OF NEW YORK, } ss.

John Kleinan
aged 28 years, occupation Cook of No.

204 East 21st Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of John McLain

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

Sworn to before me, this 30th day of May 1888 of John Kleinan

Samuel Cassidy
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

Philip Herrlich
aged 31 years, occupation Police Officer of No.

the 19th Police Precinct Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of John McLain

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

Sworn to before me, this 30th day of May 1888 of Philip Herrlich

Samuel Cassidy
Police Justice.

0475

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James Archer

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

Question. What is your name?

Answer. James Archer

Question. How old are you?

Answer. 74 years

Question. Where were you born?

Answer. New York City

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

Answer. No. 7. corner 31st Street + 7th Avenue, about 1 month

Question. What is your business or profession?

Answer. Brakeman

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

Answer. I am not guilty

James Archer

Taken before me this

day of

May 1888

Police Justice.

0476

Sec. 198-200.

2^d District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Dennis Reid

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. Dennis Reid

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. Ireland

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

Answer. No 2099 Third Avenue, about 8 months

Question. What is your business or profession?

Answer. Clerk

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

Answer. I am not guilty

Dennis Reid

Taken before me this

day of May 1888

Paul J. Sullivan Police Justice.

POOR QUALITY ORIGINAL

0477

N. York

BAILED,

No. 1, by _____
Residence _____ Street _____

No. 2, by _____
Residence _____ Street _____

No. 3, by _____
Residence _____ Street _____

No. 4, by _____
Residence _____ Street _____

No. 5, by _____
Residence _____ Street _____

110
Police Court - *2* *804*
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John McRavin
487 St. 6th Ave.
James Archer
Dominic Reid

Offence *Burglary*

Dated *May 30* 188*8*

R. G. Davis Magistrate.
Kenswick Officer.

Witnesses *John Robinson*
Presnot. *19*

No. *204* Court *21*
Street. *Phillips Kensington*

No. *19* Police Precinct.

No. *15009*
Street. *Albert Street*

Comm. W. C. 196
6th Ave

Received by...



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

James Archer and Dominic Reid

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

Dated *May 30* 188*8* *Samuel...* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

21

The People vs Dennis Reid
 Court of General Sessions. Part I
 Before Judge Martine. June 13. 1888.
 Jointly indicted with James Archer for attempt
 at burglary in the third degree
 John McLain, sworn and examined,
 testified. I am in the cigar business at 487
 Sixth Avenue; my store is on the ground floor.
 There is two rooms and an extension; there
 is one door leading to the hall and one to
 the extension and a door leading to the street,
 and there is a door leading to the water closet
 in the rear; there is a small space in
 between to our yard. There are no windows
 in the store, only on the front entrance of
 Sixth Avenue. I remember the night of the 28
 th of May, I closed my store a little after one
 o'clock, it was raining that night. At the
 time of closing up I locked the door leading
 into the hallway; there is two iron bars on
 it and the front door was locked. The doors
 and windows were securely locked and fas-
 tened before I left. I had in the store about
 two hundred dollars worth of cigars and
 tobacco and seven hundred dollars in money
 in the safe. I returned to the store on the
 morning of the 29th between ten and eleven
 o'clock and a young man called my
 attention to the side door in the hall. I
 looked at it and found the panel

partly cut across as if it was cut with a
flint instrument, that was forced out and
split. When I went away that panel was
in a perfect condition. I have known Dennis
Reid about three years; he was in the habit
of going into my store, he worked for me
about five weeks, he done odd jobs around
the place. Cross Examined. I decline to
answer what the third room in my premises
~~is~~ occupied for; a policy shop is not kept by
me. I decline to answer whether there is a
policy shop there or not on the ground that
it might tend to criminate or degrade me.
I dont know what is kept up stairs, I know
colored people live up stairs. I have seen colored
women going in and out there. I decline to
answer what kind of odd jobs the defendant
did around that place. The hallway terminates
at the yard; there is a restaurant there, it is
a double building. There is no way of getting
the garbage out except through the hallway. The
panel looked as if it had been forced out.
A heavy metal ash can pushed violently
against the panel would not break it the
way that it was broken. The two hundred
dollars worth of stock in the premises does
not include gambling instruments. I dont
know anything about the burglary except

from information.

John Keenan sworn I am employed as cook at 487 Sixth Avenue, the same house in which Mr. M. claim lives, it is a double house. I know the defendant Reid by sight two years but do not know Archer. On the night of the 28th of May, I saw Reid standing in front of 487 Sixth Avenue at half past three in the morning, he was with Archer. My attention was attracted to Reid standing behind a shoe maker's sign to try to hide his face so that I should not recognize him. Archer stood in front of him to screen his face. I went out a little way to see how it was they hid themselves. Reid put his head down further behind the sign so that I could not see him. Archer stood in front of him and looked close at me and then he turned his face; after that I seen them walk away. I did not see them again until I heard a racket in the hall about half an hour afterward, about four o'clock. I was inside in the kitchen. I heard a noise in the hallway and went out with the boss to see what was going on; my boss's name is Fairchild. We opened the hall door of 487 Sixth Ave., the main hall of these premises and the first thing I saw was a big hole in the panel of the door

leading into the cigar store kept by M. McLaughlin. I heard somebody rush up stairs, I went out and called Officer Herlich. I stood outside while he went up stairs on the roof. I saw the defendant Reid about five minutes after that in front just coming out of the fire patrol house on thirtieth st. he was not arrested there. I went around to the station house and identified Archer. I told the officer Reid that I saw him standing in front of the store, and then the officer arrested him. Cross Examined. Reid worked at the restaurant as a waiter one time; we put him out of the place once for being disorderly and licking a customer. I had no personal animosity to him. I simply do not speak to him on account of his character. I do not want to be associated with anybody who has such a character as he has. I did not see Reid in the house the night of the burglary, nor in the hallway nor up stairs.

Albert Gerickle sworn. I could not tell that I ever saw Reid before, I live at 491 Sixth Ave. and remember the early morning of the 29th of May, I live on the first floor of that house, one flight up. I was awakened about four o'clock in the morning.

by a horrible noise, I thought somebody was breaking into the window and I jumped out of the bed. I saw a man standing on the museum building, he was on the roof looking down into the hole for his hat. I asked him what he was doing up there. He said he came from the "nigger house." I said, "you will break your neck if you jump down there to get your hat," and he went across the roof to the other side. I could not recognize the prisoner as the man I saw.

Andrew Pritz sworn. I am a member of the Fire Patrol and our house is in 30th St. second house from Sixth ave. I know the premises 487 Sixth ave.; they are on the west side of the avenue. I remember the morning of the 29th of May, I was on house watch. I saw Reid on that morning a quarter to four o'clock enter through our building. I heard some noise on the roof and went out. I asked him what he was doing there. He told me he was around the corner in Palm's restaurant, the second house from thirtieth St. He said he got in a growl with two ~~men~~ men and they were going to cut him. He asked me for the loan of a hat or cap and I told him we had none to spare. He looked up the Avenue and ran down thirtieth street

towards Seventh ave. That is the last I saw of him. About a quarter of an hour after the policeman brought him back and asked me if he was the man that went through there and I identified him. Cross Examined. The station house is in the same block with the patrol house. I saw the defendant pass around the Avenue several times before this night, but I never spoke to him.

Phillips Berlich sworn. I am a police officer and on the 28th of May was attached to the 29th precinct. I know the premises 487 Sixth ave. I went on duty the night of the 28th of May at twelve o'clock; these premises were not on my post but on the adjoining post. My attention was called to 487 Sixth ave. that morning. I saw two men walk away from the door about 3 1/2 o'clock, I could not tell who they were, for their backs were turned. I walked to the corner and had a conversation with the last witness. I went into the building about 15 minutes after; the men did not come back while I was there. I saw that a panel had been broke and I heard somebody go up stairs. I went up to the roof and saw that the scuttle was open. I went out on the roof and saw nobody and came down again. The cook told me that one had gone

to the adjoining building. I ran down Thirtieth St. and I found Archer opposite our station house, he was walking fast. I followed him three or four minutes and arrested him. I came back and got information about Reid and found him down in Seventh Ave. near Twenty Eighth St. I asked him his name and he said Hayes. I asked him if the hat he was wearing was his, and he said it was too large for him, that he lost his hat, and I knew sure he was the man. I found these Keys (producing them) on him. I had no conversation with him. I took him before the fireman and the cook and they identified him.

Dennis S. Reid, sworn and examined in his own behalf testified. My name is Dennis Hayes Reid. I am a clerk in the electrical business. I was arrested once for being drunk and once for committing an assault, but I was acquitted on the assault case, the Judge stating that I was right ⁱⁿ what I did. I remembered the night I was arrested. I met a friend, James Brown, who lives in Newark; he formerly worked in the same place with me. We played several games of pool in several saloons and we got drinking. We came to this place in Sixth Avenue; then I went up near

Thirtieth St. there is a restaurant there and two or three colored men came out of there and my friend made an insulting remark to them and they resented it. I tried to save my friend and got hit myself. I saw we were getting overpowered. I went in a place and through the fire house. I lost my hat and found a hat which was not my own. I told the fireman I had a fight with colored men. I asked him for a hat and he said he had none. I picked up a hat in Sixth ave. I saw my friend again on the corner of Seventh Ave. and 29th St. he told me he got out; we were walking down, intending to go home when the officer came up and asked me my name. I told him Hayes. He said he wanted me for something. The man who was with me said he would go up to the station house and explain I had been with him. I don't know Archer and was not in his company that night. I was not on the roof of any building that night. ~~I did~~ I did not break or assist in breaking any panel that night. This place was a policy shop; my duties were to get some checks and make believe I was playing when there would be no players in the house. The keys found in my possession were mine. The jury rendered a verdict of guilty of an attempt at burglary in the third degree.

0486

1

Testimony in the
case of
James Reed
Filed June
1888.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Dennis Reid and James Archer

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

Dennis Reid and James Archer attempting to commit of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said Dennis Reid and James Archer, both —

late of the Twentieth Ward of the City of New York, in the County of New York, aforesaid, on the 28th day of May, in the year of our Lord one thousand eight hundred and eighty-eight, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the Store of one

John Mc Sain.

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 Mc Sain.

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

John P. Kelly, District Attorney

0488

BOX:

309

FOLDER:

2942

DESCRIPTION:

August, Moses

DATE:

06/12/88



2942

Back reduced to \$500. R.B.M.
Sept 13/88
Witnesses,
Office Labe

This case was tried - jury stood 11 per-empted & one per commit. I do not believe a jury would ever commit on the testimony in this case & therefore am that depph discharged in this circumstance

1102
T. J. Chen
M. J. Leven
Counsel,
Filed 12th day of June 1888
Pleads, C. J. Kelly 11/31

THE PEOPLE
vs.
Moses August
[Section - 218 - Penal Code.]
Criminal records degree
Juror Foreman by Ch.
July 27/88

JOHN R. FELLOWS,
District Attorney.
Pr. Sep. 11/88. Juror
discharged
11/11/88
1/1/88
A TRUE BILL
Any other
Edmund "Ho" O'Harey
Sept 7th 1888 Foreman.
L. J. Kelly 11/31
Pr. Sep. 27/88
Pr. rec'd. of Dist. Atty.
Discharged on his own
Necess. 10/23/88

0490

Police Court— District.

CITY AND COUNTY OF NEW YORK, } ss.

Franklin W. Lake
of No. Sixth Avenue Police Street,

being duly sworn, deposes and says, that
on Monday the 30th day of May

in the year 1888 at the City of New York, in the County of New York, he saw Theodore

Forcella he was violently and feloniously ASSAULTED and BEATEN by Moses August

(now here) who while in charge
of a horse attached to a wagon
did drive said horse at a
rapid rate of speed around
the corner of Mott & Beatie
Streets, one of the ^{fore} wheels ^{of said wagon} striking
the said Theodore Forcella
causing her to be knocked
down, and one of the hind wheels
passing over the said Theodore's
hand, inflicting severe injuries
as per annexed certificate
and said assault was
committed

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

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

Sworn to before me, this 30th day of May 1888. Franklin W. Lake

Sam Murray POLICE JUSTICE.

0491

Sec. 198-200.

First District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Moses August 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. *Moses August*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *Russia Poland*

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

Answer. *66 Willet Street 7 months*

Question. What is your business or profession?

Answer. *Work in Mineral water factory*

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

Answer. *I am not guilty*

Moses August

Taken before me this *30*

Henry May
1888

Police Justice.

0492

Report of Ambulance Call.

Date May 30th 1888

Call Came in 9/5

Time _____

Arrival _____

Return _____

Name Dolara Fitchella

Age 9

Condition S

Nativity Italy

State _____

Time in N. Y. City 5 months

Occupation _____

Residence 116 North St

Friend's Name Father

Friend's Residence Same

Diagnosis Constriction

of 2^d & 3^d fingers

of fingers

Property _____

Driver's Name _____

Kimball

Surgeon.

0493

BAILED

No. 1, by *Joseph L. Mollen*

Residence *91 Delaney Street*

No. 2, by _____

Residence _____ Street

No. 3, by _____

Residence _____ Street

No. 4, by _____

Residence _____ Street

102
Police Court
District 822

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Shantlin H. Lane

Morris August

Offence *Assault on
Theodora Forcella*

Dated *May 30* 188*8*

Murray Lake Magistrate

Officer

6 Precinct

Witnesses *Antonia Fittabara*

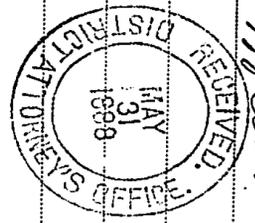
No. *40* Street

No. _____ Street

No. _____ Street

\$ *1000* to answer

Paula



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 30* 188*8* *Henry Brown* Police Justice.

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

Dated *May 30* 188*8* *Wm. J. ...* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Moses August

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

Indictment accuse Moses August

of the crime of Assault in the second degree,

committed as follows:

The said Moses August,

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

thirtieth day of May, in the year of our Lord one thousand
eight hundred and eighty-eight, at the City and County aforesaid,

with force and arms, in and upon
one Theodora Forcella, in the presence
of the said People, then and there
feloniously did unlawfully and
wrongfully make an assault, and
a certain weapon drawn by a certain
horse then and there being driven
by him the said Moses August, to
at, against and upon the said
Theodora Forcella, then and there
feloniously did unlawfully and
wrongfully force and drive, and

The said Moses August, with the
 horse and the wagon aforesaid, so
 forced and driven as aforesaid,
 the said Theadora Bonella, then
 and there feloniously and unlawfully
 and unlawfully struck, ran over
 down and run over; and the said
 Moses August in manner and
 form and by the means aforesaid
 then and there feloniously and
 unlawfully and unlawfully inflicted
 grievous bodily harm upon the
 said Theadora Bonella; against
 the form of the Statute in such
 case made and provided, and
 against the peace of the People of
 the State of New York, and
 their dignity

John R. Fellows,
 District Attorney.

0496

BOX:

309

FOLDER:

2942

DESCRIPTION:

Augustus, John F.

DATE:

06/21/88



2942

1714

*Samuel
Bennett Building*

Counsel,

Filed *21* day of *June* 188*8*

Pleas *Indigently (25)*

Grand Larceny, 1st Degree
(MISAPPROPRIATION)
(Sections 528 and 530 of the Penal Code).

THE PEOPLE

vs.

John S. Augustus

JOHN R. FELLOWS,

District Attorney.

~~At~~ *Aug 7/88*
Arrest & dequitted.

A True BILL

Edmund A. Murray
Foreman.

July 11-1888
11/13 PMT

Aug 7/88
11/5/88

Witnesses:

H. D. Smith

Officer McManus

Police Court— 2^d District.

Affidavit—Larceny.

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

of International Hotel, No 17 + 19 Park Row Henry D. Merritt aged 59 years,
occupation Civil Engineer being duly sworn
deposes and says, that on the 7th day of June 1888 at the City of New

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

Thirteen First Mortgage Bonds of the South Western Mining and Milling Company of the value Twenty-six Hundred Dollars (\$2600 ⁰⁰/₁₀₀)

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,

and carried away by John F. Augustus, now here, with the intent to deprive the true owner of said property, from the following facts, to wit: that on the aforesaid day deponent gave and handed to said defendant the said Bonds on the condition and upon the promise of said defendant that he, said defendant, would negotiate said Bonds for a loan of one hundred Dollars and deponent promised and agreed to return said Bonds and said sum of money, if he defendant had effected a loan, to deponent upon demand, which he said defendant has failed to do.

Subscribed and sworn to before me this 7th day of June 1888 at New York City
Police Justice.

and deponent has repeatedly asked said defendant to return said Bonds or their equivalent in money and defendant has in every instance refused to return to deponent either the said Bonds or their equivalent in money, but has appropriated the same to his defendant's own use and profit.

Deponent therefore charges said John F. Augustus with having committed the said larceny and asks that he may be dealt with as the law may direct.

Sworn to before me this 15th day of June 1888

A. White *Henry A. Merritt*

Police Justice

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

Hundred Dollars and be committed to the Warden and Keeper of the City Prison guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

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

Police Court, District,

THE PEOPLE, &c.,
on the complaint of
vs.
1
2
3
4

Offence—LARCENY

Dated 1888

Magistrate

Officer

Clerk

Witnesses

No. street

No. Street

No. Street

No. Street

to answer Sessions

0500

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

John F. Augustus 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 F. Augustus*

Question. How old are you?

Answer. *67 years*

Question. Where were you born?

Answer. *Massachusetts*

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

Answer. *No. 7, Park Row, ~~Fulton Street~~ & Progress Hotel, about 3 months*

Question. What is your business or profession?

Answer. *Broker*

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

Answer. *I am willing to return the Bonds and I have always been willing, except once when ~~the~~ the complainant owed me some money and I held the bonds until I was paid*

John F. Augustus

Taken before me this *11* day of *August* 188*8*
[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0501

~~Blind~~

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

174
Police Court
2
901
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William D. North
17th St. Cor. Rivington
William D. North
17th St. Cor. Rivington
Larceny
Felony

Offence _____

Dated June 15 1888
Magistrate

Magistrate
Precinct



Bill ordered
to answer
June 11 11:30
to answer

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

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 June 15 1888 A. J. White Police Justice.

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

Dated _____ 1888 _____ Police Justice.

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

Dated _____ 1888 _____ Police Justice.

POOR QUALITY
ORIGINAL

0502

692
J. VAN BRIMMER & CO.

INTERNATIONAL HOTEL,

ON THE EUROPEAN PLAN,

17 AND 19 PARK ROW.

New York, June 2nd 1884
Received of H. D. Merrill
Thirteen (13) South Western Mining
& Milling Co Bonds of \$1000 each - for
the purpose of negotiating a loan
for said Merrill of \$1000 - for the
term of ninety days from date if
loan can not be readily made
3- am to return said Bonds when
called for

Posture my hand this the
day & year above written

J. F. Augustus

POOR QUALITY ORIGINAL

0503

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 F. Augustus

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

John F. Augustus of the CRIME OF Grand LARCENY, in the first degree, committed as follows:

The said John F. Augustus,

late of the City of New York, in the County of New York aforesaid, on the second day of June, in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, being then and there the clerk and servant of

one Henry D. Merritt, and as such clerk and servant

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

Henry D. Merritt,

the true owner thereof, to wit: thirteen written instruments

and evidences of debt and valuable securities, being thirteen certain bonds and written obligations called "First Mortgage Bonds" issued by a certain corporation called the South Western Mining and Milling Company, of the denomination of one thousand dollars each, the same being due and due wholly unpaid and of the value of two hundred dollars each. the said John F. Augustus 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

Henry D. Merritt of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said Henry D. Merritt,

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.

JOHN R. FELLOWS, District Attorney.