

0408

**BOX:**

309

**FOLDER:**

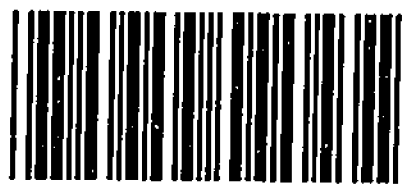
2942

**DESCRIPTION:**

Acerno, Pelligrino

**DATE:**

06/20/88



2942

186  
C. E. Price  
Counsel,  
Filed 20 day of June 1888  
Pleads Chicago (Ill.)

THE PEOPLE  
vs.  
Plead Guilty  
with in  
Pillman Acme  
CONCEALED WEAPON.  
(Section 410, Penal Code).

JOHN R. FELLOWS,  
District Attorney.  
June 12, 1888

A True Bill.  
June 28-1888

Schmiedel A. H. Perry  
Foreman.

*[Handwritten signatures and marks]*

Witnesses:

officer O'Brien

No damage  
done

*[Handwritten flourish]*

04 10

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT

15<sup>th</sup> DISTRICT.

of No. The 6th Precinct Police Station Street, aged 29 years,  
occupation Police Officer being duly sworn deposes and says,  
that on the 21<sup>st</sup> 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 commonly 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

of

188

day

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

Police Court 1546 District

THE PEOPLE, &c.,  
OF THE COUNTY OF \_\_\_\_\_

*Victim's Receipt*  
*James O'Connell*  
*James O'Connell*

Dated \_\_\_\_\_ 188

Magistrate

Officer

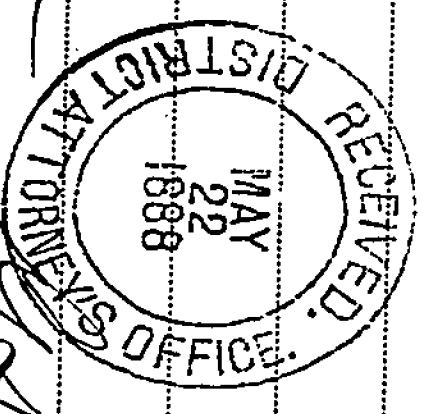
Witnesses

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

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

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

\$ \_\_\_\_\_ to answer



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

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

# 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 Areno*

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

*Pizzagino Areno*

of a FELONY, committed as follows:

The said *Pizzagino Areno*,

late of the City of New York, in the County of New York aforesaid, on the ~~Twenty First~~ 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, feloniously did furtively carry, concealed on his person, a certain instrument and weapon of the kind commonly known as *knife 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 Areno*

of a FELONY, committed as follows:

The said *Pizzagino Areno*, 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 *knife 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.

04 14

**BOX:**

309

**FOLDER:**

2942

**DESCRIPTION:**

Adamson, Edward

**DATE:**

06/08/88



2942

04 15

**BOX:**

309

**FOLDER:**

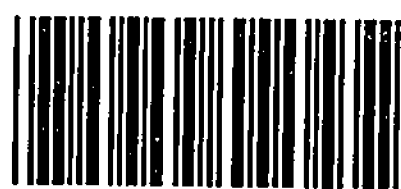
2942

**DESCRIPTION:**

Adamson, Edward

**DATE:**

06/08/88



2942



Witnesses:

Off. Morris  
2<sup>d</sup> Dist.

Court of Oyer and Terminer

Counsel, *E. J. O'Sullivan*  
Filed, *8* day of *June* 188*8*  
Pleads, *Not Guilty (11)*

THE PEOPLE,

vs.

*Edward Adamson*

VIOLATION OF EXCISE LAW

(Keeping Open on Sunday.)  
[III Rev. Stat. (7th Edition), Page 1080, Sec. 5.]

JOHN R. FELLOWS.

District Attorney.

*Transferred to the Court of Special Sessions for trial and final disposition.*

*Dated* *Dec 11* *1888*

*Part B. Decentralized Foreman.*  
*complaint sent to Special Sessions*

04 16

# 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.*

04 18

**BOX:**

309

**FOLDER:**

2942

**DESCRIPTION:**

Alexander, Otto

**DATE:**

05/28/88



2942

04 19

**BOX:**

309

**FOLDER:**

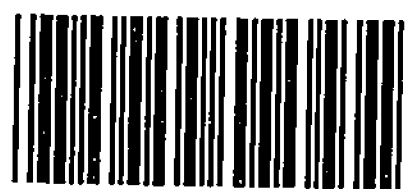
2942

**DESCRIPTION:**

Alexander, Otto

**DATE:**

05/28/88



2942



280 pff paid Oct 1888  
the amount of \$12.00

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

THE PEOPLE,  
vs.  
Orto Alexander

JOHN R. FELLOWS.

District Attorney  
Sept 15/88  
Sept 18/88  
A True Bill.

Examined and returned  
Sept 18/88  
Foreman.

James D. Thompson  
Sept 18/88  
Sept 18/88

Reminded - Mr  
Ward to Penderbury  
Sept 20/88  
Jm Noble

Bail fixed  
at \$500  
W. J. Noble  
Sept 20/88

Remuner - mi  
Ward & Pendergast  
20  
Witnesses:  
Jm Noble

280 pth with 10th  
Counsel, H. 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  
Sept 14/88  
per copy  
A True Bill.

Edmund A. Murray  
Foreman.  
Sept 17/88  
Kendall & Pendergast  
Sept 14/88

Bail fixed  
at \$1500  
W. J. Pendergast  
Sept 16

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

POLICE COURT, 1 DISTRICT.

William Noble.

of No. 42 West 72<sup>nd</sup> Street, being duly sworn, deposes and says,  
that on the 22<sup>nd</sup> 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 Savings  
and National Bank in the  
sum of Five thousand dollars -  
and which purports to have been  
signed by this deponent. (William Noble)  
That the said Alexander admitted  
and confessed in deponent's presence  
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 in Certification -  
Deponent is further informed by  
Melancthon 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. W. Noble  
Sworn to before me  
this 23 day of June 1888 } M. A. Webb  
Police Justice



0423

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Melancthon S. Colgate*  
 aged 32 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 1838 *Melancthon S. Colgate*

*H. A. Burke*

Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Francis F. Stone*  
 aged 24 years, occupation Paymaster of No. 271 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 1838 *Francis F. Stone*

*H. A. Burke*

Police Justice.



0424

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK.

*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

*9/20*

day of *September* 189*8*

*J. J. H. H. H.*

Police Justice.

0425

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

1880  
Police Court  
District

THE PEOPLE, &c.  
ON THE COMPLAINT OF

William Miller  
of West 72<sup>nd</sup> St  
City of New York.

Offence Forgery

Dated June 23 1880

Justice Magistrate.

Wm. E. Wickham Officer.

C. D. Prefect.

Witnesses

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 \_\_\_\_\_

No. 6, by \_\_\_\_\_  
Residence \_\_\_\_\_ 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 \_\_\_\_\_

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 by which he is discharged

Dated June 23 1880 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0427

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

TELEPHONE CALL, JOHN 414.

'Sunoble' me  
57 1/2 + 7 me

New York June 22<sup>nd</sup> 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 engl.  
Sold at 4.88 1/4, as quoted to oblige

Yours truly

Wm Doble

0428

*Giles Lithographic*

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



**Liberty Printing Company**

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. Bendix*  
 Treasurer Giles Lith. and Liberty Prtg 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 appearances on account 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

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

San Francisco ..... 188

2  
O R 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 24<sup>th</sup> 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 feeling, 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,  
518 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 benefit 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 cause the liberty  
taken by

Yours 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 misguided 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 8 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.



PALACE CAR COMPANY.

GENERAL OFFICES, 315 MADISON AVENUE,  
NEW YORK.

SUPERINTENDENT'S OFFICE,

— 3 — 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. & 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. 12/87-2000.



PALACE CAR COMPANY.

GENERAL OFFICES, 315 MADISON AVENUE,  
NEW YORK.

SUPERINTENDENT'S OFFICE,

New York, \_\_\_\_\_ 188

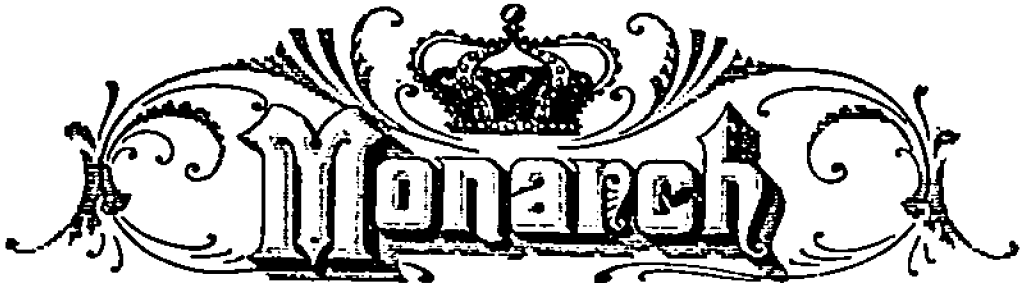
girl, born in Maine, the orphan-daughter of a Farmer, who was killed while serving in the Army during the late war. Assisted by her good management and industry, I manage to live respectably and am able to contribute to the support of my unprovided-for sisters on my salary of \$100. per month. I am sure 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.

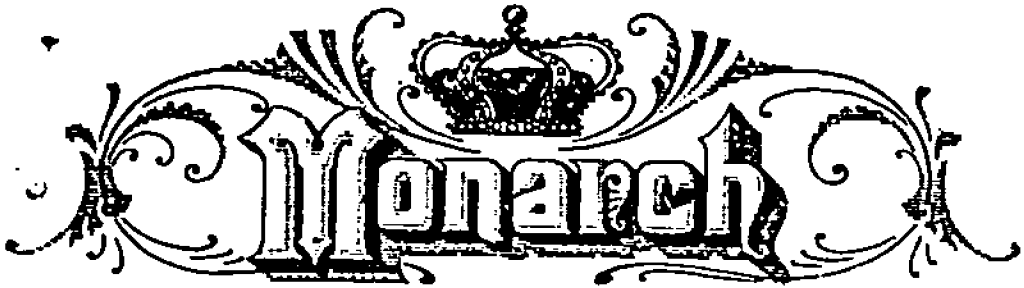
Hulda Alexander		
Emma	do	
Minna	do	
Tillie	do	

Berlin  
Germany



0437

Form 12. 12/37-2000.



**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 uprightness 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 arranged.

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 continuous 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.  
Recd.

0440

*F. S. M. Blum & Co.*  
*General Merchants*  
*Importers & Wholesale Dealers in*  
*Wool, Silk & Cravat 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 Crickling office.*



-----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, <sup>but</sup> ~~and~~ as citizens of New York deeply interested in the ~~due~~ <sup>and</sup> prosecution of offenders against our Criminal Laws, ~~but~~ <sup>and</sup> 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.  
N. Y.

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. Love to give up his business. The Printing establishment was changed into a Corporation and my son Otto became an employee 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 26<sup>th</sup> 1888.

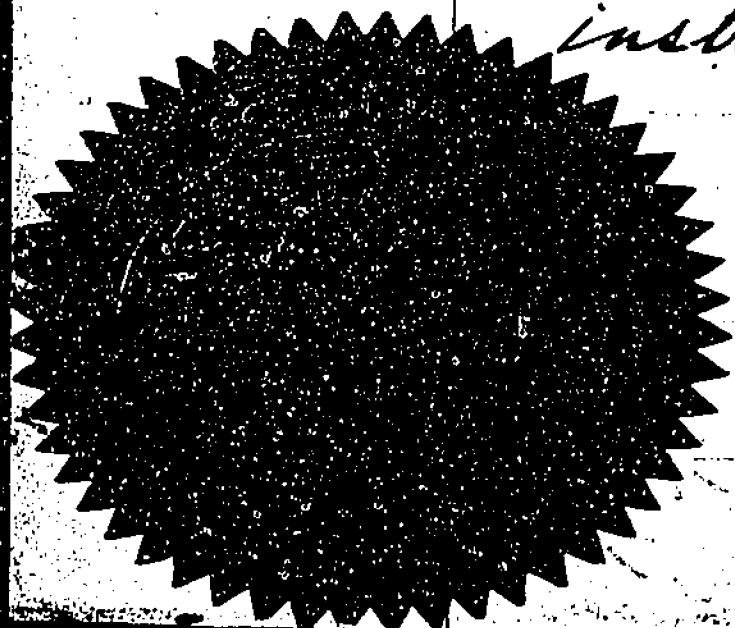
David Alexander

State of California  
City and County of San Francisco } s.s.

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 26<sup>th</sup> 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 26<sup>th</sup> day of July 1888.

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



My second son Otto Alexander was born at Breslau, Germany on the 24<sup>th</sup> Octob<sup>r</sup>, 1858. During my temporary residence there. I have resided at New York from 1846-1849. and at San Francisco from 1849 to the present time. <sup>with some interruptions</sup> 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.

San Francisco July 26<sup>th</sup> 1888

Melior Marchant

John Bowman Merchant

Wm. H. Bremer Insurance.

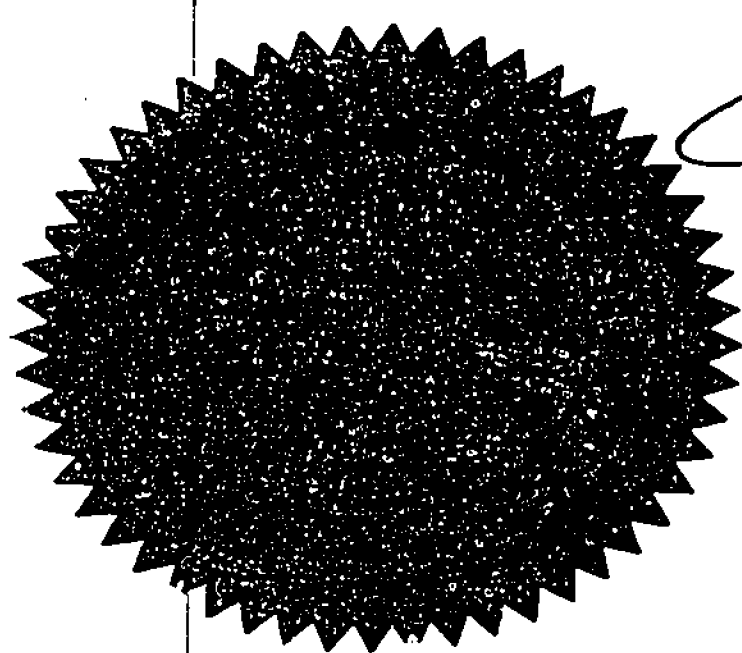
Mr Blackwood do

I have not known him for 39 years, but what I do know of him is to his credit.

St. Petersburg      August 2nd



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. Knapp*  
Commissioner for New York  
in San Francisco, California  
July 26<sup>th</sup> 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, <sup>but</sup> ~~and~~ as citizens of New York deeply interested in the due prosecution of offenders against our Criminal Laws, <sup>and</sup> ~~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.

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

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

*M. U. Blum*  
President of the A. L. & L. Co.

*Geo. M. Lincee*  
D. R. Genl. Mgrs.  
Giles Kirk & Liberty Print. Co.

*John Marshall Leay*  
Giles Kirk & Liberty Print. Co.

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

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

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

H. K. Baker  
Pres. Monarch Palace

J. H. Orbach  
Cushner of E. R. Richard & Co.  
61 Broadway

Car Co. 315 Madison Ave.

Chas. H. Orbachmann.

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

Wahy. Tramb. Company

204 Broadway N.Y.

Chapman  
Ed. Woodland & Co.

M. C. Boone

Ex Sec. & Genl. Agent in Europe & Co.

207 B'way N.Y.

C. J. Gray

Treasurer

Monarch Palace Car Co.

315 Madison Avenue  
New York

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

J. A. Hutchinson  
261 Broadway  
New York

John Moore  
261 Broadway City  
The York & Co.

L. N. Coats

V. Pres.

Monarch Palace Car Co.

315 Madison Ave  
New York

Horwitz & Newfield  
280 Broadway

Massachusetts & Southern Construction Company,

M. R. Jones

Sup. Pile, Lick, & Utility Co.  
62 College Place, N.Y.

A. B. Harris President

W. G. Whitely, Secy.

O. H. Taylor

Pres. Dept.

Pall River Line  
Pier 28 N.Y.

Wm. H. Roth of  
Roth & Goldschmidt  
16 Wall St.





WILLIAM OBLE.

Grenoble Apartment House  
57th Street & 7th Ave.

NEW YORK Aug 27 1888

To the Honorable Frederick M. 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.

Murder  
O. A. Alexander  
H. P. C. Johnston  
Counsel for W. Oble

This is the complainant against Alexander.



THE PEOPLE

VS.

OTTO ALEXANDER.

Petition for Clemency.

To

The Hon. Frederick Smyth,

Recorder City of New York.

*For*

*W. O. Frankenhauer*

*120 Broadway*

*Lawyer,*

*A. H. Benedict*

*for friend*

0453

045

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

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

N. Y. September 14th 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 meet

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  
Twenty-second 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 cheque,  
which said forged bank cheque  
is as follows, that is to say:

No. 998

New York, June 22nd, 1888

Seventh National Bank  
Cor. Broadway & 7th St.

Pay to the order of Westlag, Charles & Co  
Five thousand 7.00 ————— Dollars.  
\$5000 7.00 Wm. Noble

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 22<sup>nd</sup> 1888*  
*Seventh National Bank*  
*Cor Broadway & 4<sup>th</sup> St.*  
*Pay to the order of Messrs. Colgate & Co.*  
*Five thousand 00/100 Dollars.*  
*\$5000 00/100 Wm. Noble*

with intent to defraud — *he* — 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 Greeley

THE PEOPLE

vs.

George Allen  
P

Grand Larceny, Second Degree.  
(From the Person.)  
[Sections 528, 531 Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Edmund C. Murray  
June 13/88 Foreman.

Wm. J. Gray  
Pleas. G. J. 2 day  
P.C. 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, William Steeney  
Street, aged 38 years,  
occupation Pocker book frames, being duly sworn

deposes and says, that on the 27 day of May 188 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:

A pocker 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 door way in Park Row  
at about the hour of six o'clock A.M. on  
said date and deponent is informed  
by Officer James W. Lake of the 6th  
Precinct Police that he saw the said  
deponent take the said and carry away  
two pocker books containing said money  
from the left hand side of the  
pocker of deponent and upon the  
person of deponent deponent has since  
seen said pocker book here shown in  
Court and identified by deponent as the  
property taken stolen and carried as  
aforesaid  
William Steeney

Sworn to before me this

May

188

Police Justice.

0460

CITY AND COUNTY }  
OF NEW YORK, } ss.

Franklin W. Lake  
aged 41 years, occupation Police Officer of No. 60 Bremer 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 27  
day of May 1888

Franklin W. Lake

[Signature]  
Police Justice.



0461

Sec. 198-200.

152 District Police Court.

CITY AND COUNTY  
OF NEW YORK,

George Allen 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. George Allen

Question. How old are you?

Answer. 44 years

Question. Where were you born?

Answer. Ireland

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

Answer. 4 Burlington 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  
day of May 1888

J. H. Black  
Police Justice.

0462

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

Police Court

District

THE PEOPLE, & CO.,

ON THE COMPLAINT OF

William C. Kelly

2140 West 14th St

George Allen

Offence

Larceny from the person

Dated

May 27 1888

Magistrate

Leah

Officer

Leah

Precinct

Call to Office

Witnesses

Call to Office

No.

Street

No.

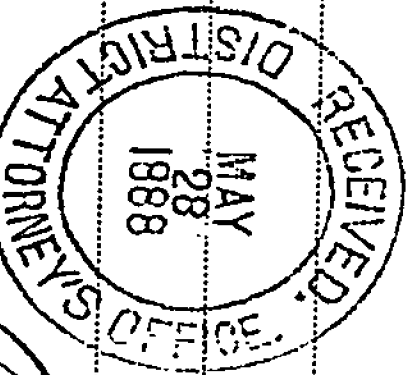
Street

No.

Street

\$

1000 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

Dependant guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 100 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 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

*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

on the person of the said

then and there being found, from the person of the said

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.

*William Feeney*  
*William Feeney*  
*William Feeney*  
*John R. Fellows,*  
*District Attorney.*

0464

**BOX:**

309

**FOLDER:**

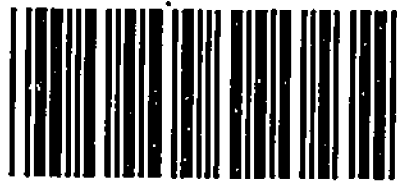
2942

**DESCRIPTION:**

Allen, James

**DATE:**

06/08/88



2942



WITNESSES:

Officer Bontochin  
129-100000

Counsel,

Filed

Pleads

day of

1888

County of Oyer and Terminer  
at New York  
vs. *James Allen*

THE PEOPLE,

vs.

*B*  
*James Allen*

*2400 2nd Ave*

VIOLATION OF EXCISE LAW

(III Rev. Stat. (7th Edition), page 1883, Sec. 21 and  
page 1889, Sec. 5.)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Mary A. M. M. M.*  
Foreman.

Transferred to the Court of Special  
Sessions for trial and final dis-  
position.

Dated Dec 3, 1888.

*Received and filed  
in the Court of Special  
Sessions  
Dec 3, 1888  
J. R. Fellows*

*Oyer 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

*eight* late of the City of New York, in the County of New York aforesaid, on the 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. Brutochia*  
 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:**

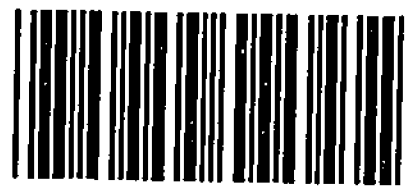
2942

**DESCRIPTION:**

Archer, James

**DATE:**

06/07/88



2942

0468

**BOX:**

309

**FOLDER:**

2942

**DESCRIPTION:**

Reid, Dennis

**DATE:**

06/07/88



2942



Witnesses:

*John M. Lane*  
*John Clements*  
*Officer Hendrich*

Counsel,

Filed

Pleads,

188

THE PEOPLE

vs.

*James Archer*

*and*

*Dennis Reid*

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*per June 25/88*

*per 1 trial + acquittal.*

*Edmund A. Murray*

*per 2/21/88 2 yrs 3 mo 13M.*

Foreman

*June 26/88*

*per 1 trial + acquittal*

*Burglary in the Third degree.*

[Section 498, and 34]

## New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUSJames 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<sup>nd</sup> District.

City and County } ss.:  
of New York,

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

occupation Cigar 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 28<sup>th</sup> 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 attempted to be committed and the aforesaid property taken, stolen, and carried away by

Demaris 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 of 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



Defendant therefore charges said James  
Archer and Dennis Reid with having attempted  
to Burglariously enter the said premises and  
asks that they may be dealt with as the law  
may direct. s/ John McLenin

Sworn to before me this  
30<sup>th</sup> day of May 1888

James C. Riddle  
Police Justice

Police Court \_\_\_\_\_ District.  
THE PEOPLE, &c.,  
ON THE COMPLAINT OF \_\_\_\_\_  
vs. \_\_\_\_\_  
Burglary \_\_\_\_\_ Degree  
Dated \_\_\_\_\_ 188 \_\_\_\_\_  
Magistrate. \_\_\_\_\_  
Officer \_\_\_\_\_  
Clerk \_\_\_\_\_  
Witnesses: \_\_\_\_\_  
Committed in default of \$ \_\_\_\_\_ Bail.  
Bailed by \_\_\_\_\_  
No. \_\_\_\_\_ Street.



0473

CITY AND COUNTY }  
OF NEW YORK, } ss.

John Kleiman  
aged 28 years, occupation Cook of No.

204 East 21<sup>st</sup> 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. Smith  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Philip Herrlich  
aged 31 years, occupation Police Officer of No.  
the 19<sup>th</sup> 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 30<sup>th</sup>  
day of May 1888 Philip Herrlich

Samuel C. Smith  
Police Justice.

0474

CITY AND COUNTY }  
OF NEW YORK, } ss.

John Kleiman  
aged 28 years, occupation Cook of No.

204 East 21<sup>st</sup> 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<sup>th</sup> day of May 1888 John Kleiman

Samuel C. Kelly  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

the 19<sup>th</sup> 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 30<sup>th</sup> day of May 1888 Philip Herrlich

Samuel C. Kelly  
Police Justice.

0475

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James Archer* 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. *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 31<sup>st</sup> Street + 7<sup>th</sup> 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

*March*  
188*8**James C. Kelly*  
Police Justice.

0476

Sec. 198-200.

2<sup>nd</sup> District Police Court.CITY AND COUNTY }  
OF NEW YORK, } ss.*Dennis Reid*

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. *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. *N<sup>o</sup> 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

*20*

day of

*May*

188

*8**Police Justice.*



4th-  
m/3-

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,  
No. 6, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,  
No. 7, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,  
No. 8, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,

110  
Police Court- 2  
District. 804

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John McManis  
James Archer  
James Archer  
Dennis Reid  
487 1/2 St. 6th age.  
Offence Burglary

8  
4  
Offence

Dated May 30 1888

R. G. Gault, Magistrate.  
Kenswick, Officer.

19 Precinct.

Witnesses John McManis

No. 204 East 21st Street.

Philip Kendrick

No. 19 Police Precinct

No. 15009  
RECEIVED  
JUN 1 1888  
J. H. Gault, Clerk.

Robert Gault

Cornwall & Co. 146 St.

James Archer & Co. 146 St.

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

James Archer and Dennis 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 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.

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<sup>th</sup>  
 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 29<sup>th</sup> 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 don't 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 don't  
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 28<sup>th</sup> 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. He 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 Grizzle 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 Pitz 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~~ women 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 ~~down~~ ~~corner~~ ~~men~~ ~~in~~ ~~up~~ ~~room~~

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 28<sup>th</sup> of May was attached to the 19<sup>th</sup> precinct. I know the premises 487 Sixth ave. I went on duty the night of the 28<sup>th</sup> 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 <sup>in</sup> 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. He 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 some  
 thing. 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  
Dennis Rodd  
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 *Twenty-fifth* 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.* —  
*attempt to*  
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. Hellens,*  
*Attorney*

0488

**BOX:**

309

**FOLDER:**

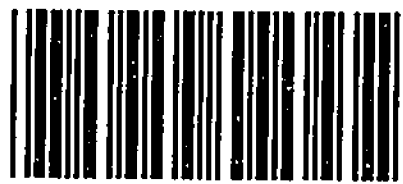
2942

**DESCRIPTION:**

August, Moses

**DATE:**

06/12/88



2942



Back reduced to  
\$500. P.B.M.  
Sept 13/88  
Witnesses,  
officer Lake

This case was  
tried - jury stood  
11 hr - acquitted  
& one pr committed  
I do not  
believe a jury would  
even convict on the  
testimony in this  
case & therefore  
am that do not  
designed in this case  
necessity

1102  
T. C. Chen  
M. J. Leven  
Counsel,  
Filed 12<sup>th</sup> day of June 188  
Pleads, C. W. Kelly 11/31

THE PEOPLE  
vs.  
Moses August  
[Section - 218 - Penal Code.]  
Juror 27<sup>th</sup> by Ch.  
July 27/88

JOHN R. FELLOWS,  
District Attorney.  
pr. Sept. 11/88.  
tried & jury disagreed  
11, a  
1, c  
Sept 11/88  
A True Bill  
Any for  
Edmund "Ho" O'Harey  
Sept 7<sup>th</sup> Foreman.  
Sept 18/88  
June 27/88  
Pr. sum 25<sup>th</sup> 8<sup>th</sup> P. Att.  
On record of Dist. Atty.  
discharged on his own  
necessity. 10/2 P.B.M.

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 Ninth & West  
Streets, one of the fore wheels 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 } ss.  
OF NEW YORK,*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**May*  
188*8**John W. May*  
Police Justice.

0492

## Report of Ambulance Call.

Date May 30<sup>th</sup> 1888Call Came in 9/5

Time \_\_\_\_\_

Arrival \_\_\_\_\_

Return \_\_\_\_\_

Name Dolara FitchellAge 9Condition SNativity Italy

State \_\_\_\_\_

Time in N. Y. City 5 months

Occupation \_\_\_\_\_

Residence 116 North StFriend's Name FatherFriend's Residence SameDiagnosis Constrictionof 2<sup>d</sup> & 3<sup>d</sup> fingers

Property \_\_\_\_\_

Driver's Name \_\_\_\_\_

Kimball

Surgeon.



0493

BAILED

No. 1, by Joseph L. Mollen

Residence 91 Deane Street

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_

Police Court District 82

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Shirley W. Lee

Mass August

Offence Assault on  
Theodora Forcella

Dated May 30 1888

Magistrate Murray

Officer Leake

Precedent 6

Witnesses Samuel Pittman

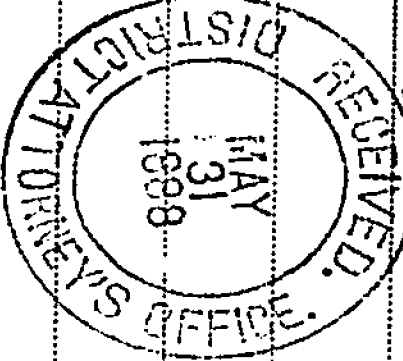
No. 40 Street

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

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

\$ 1000 to answer

Baile



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 1888 Henry Brown Police Justice.

defendant

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

Dated May 30 1888 Wm. J. J. J. Police Justice.

There being no sufficient cause to believe the within named.....

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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 Theodore Forcella, in the presence  
of the said People, then and there  
feloniously did unlawfully and  
menacefully 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  
Theodore Forcella, then and there  
feloniously did unlawfully and  
menacefully 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 did unlawfully  
and wrongfully strike, knock  
down and run over; and the said  
Moses August in manner and  
form and by the means aforesaid,  
then and there feloniously did  
unlawfully and wrongfully inflict  
aggravated 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



Witnesses:

H. D. Smith

Officer McManus

Counsel,

Filed 21 day of June 1888

Pleaded

Indigently (25)

THE PEOPLE

vs.

John S. Augustus

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

JOHN R. FELLOWS,

District Attorney.

~~Filed~~ Aug 7/88  
Arrest & acquitted.

A True BILL

Edmund A. Murray

Foreman

July 11-1888  
11/13 PM

Aug 7<sup>th</sup> /88  
H. S. J.

Police Court—2<sup>d</sup> 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 7<sup>th</sup> 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 day time, the following property viz :

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

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  
7<sup>th</sup> day of June 1888  
at New York City  
Police Justice.

0499

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  
15<sup>th</sup> day of May 1888

Police Justice

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

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

vs.

1  
2  
3  
4

Offence—LARCENY

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

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 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.

*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, Fulton Street, & Progress Hotel,  
Park Row, & 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 have always  
been willing, except once when  
the complainant owed me  
some money and I held the  
bonds until I was paid*

*John F. Augustus*

Taken before me this

day of

188

Police Justice.



0501

**Blood,**

174  
Police Court-- 2901 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Jessie B. McArthur  
vs.  
John J. McArthur  
and  
Larson Felton

1  
2  
3  
4

Offence

Dated June 15 1889

A. White Magistrate.

James T. Hyman, Officer.

C. G. Precinct.

With case John H. Buckley Street.

No. 4112 Street.

Bills ordered.

No. 4112 Street.

to answer Ed

June 16 11.30

Ed

RECEIVED JUN 18 1889 DISTRICT ATTORNEY'S OFFICE

*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 13 1888 J. J. White Police Justice.

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

*Dated*.....188.....*Police Justice.*

*There being no sufficient cause to believe the within named.....*

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

*Dated* ..... 188 ..... *Police Justice.*

682 *Wes*  
7/84

J. VAN BRIMMER & CO.

INTERNATIONAL HOTEL,

ON THE EUROPEAN PLAN,

17 AND 19 PARK ROW.

New York, June 2<sup>nd</sup> 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

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

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~~ *agent and trader of one Henry D. Merrill, and as such agent and trader*

~~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. Merrill*,

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 then and there wholly unsatisfied 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. Merrill*  
of the same, and of the use and benefit thereof; and the same ~~moneys~~, goods, chattels and personal property of the said *Henry D. Merrill*,

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.