

0008

BOX:

422

FOLDER:

3899

DESCRIPTION:

Allen, Walter

DATE:

01/23/91



3899

Witnesses;

257
Counsel,
Filed 23 day of Jan 1891
Pleids, *Magnity*

THE PEOPLE

vs.

Walter Allen

*Grand Jurors
Burglary in the Third degree
second degree
[Section 498, 506, 528 K 3 / 1]*

DE LANCEY NICOLL

JOHN R. FELLOWS

District Attorney.

A True Bill.

Franklin Eason
Jan 20 Jan. 24/91 Foreman.
Charles Thompson 3rd degree
S.P. 3 yrs.

0010

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK } ss.

4 District Police Court.

Walter 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.

Walter Allen

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

MS

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

Answer.

645, 11th Avenue

Question. What is your business or profession?

Answer.

Carpenter.

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

Answer.

*I am not guilty**Walter Allen*

Taken before me this *20*
day of *Sept* 19*20*
John J. Smith
Police Justice.

0011

Police Court—4 District.

City and County } ss.:
of New York,

of No. 328 East 77th St. Catharine Raynor
Street, aged 29 years,
occupation Married being duly sworn

deposes and says, that the premises No. 328 E 77th St. 19th Ward
in the City and County aforesaid the said, being a dwelling, the 4th
flat of which is
and which was occupied by deponent as a dwelling
and in which there was at the time a team on being, by means

were **BURGLARIOUSLY** entered by means of forcibly prying open
the front door leading from
the hallway into deponent's premises

on the 19th day of January 1891 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of wearing apparel
of the value of over One
hundred dollars

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

for the reasons following, to wit: that at about the hour
of 3 Pm of said date deponent
securely fastened the said
premises and departed from
them and returned at about
the hour of 4 Pm and in
them found the defendant with
another man, not arrested
who escaped, that the defendant

0012

her name was standing near
a quantity of Appointments which
had been bundled up for removal
that Appoint summoned assistant
and seemed said Allen and
Appoint then found the door
broken as described

For the reasons foregoing to wit:

Choline Rogers

Sworn before me this
20th day of January 1891

J. J. White
Police Justice

Dated 1888 Police Justice.

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

There being no sufficient cause to believe the within named

Dated 1888 Police Justice.

I have admitted the above named

Dated 1888 Police Justice.

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

Office - BURLARY

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses.

No. Street.

No. Street.

No. Street.

\$ to answer General Sessions.

Police Court, District

On the complaint of

CHEREPOLIA, Co.

Police Court, District

00 13

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

Defendant 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 Jan 20 1891 A. J. White Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

00 14

Police Court---

94
District.

THE PEOPLE, &c
ON THE COMPLAINT OF

Bartholomew Rayner
328 ps. 6 147th
Mattie Allen

1

2

3

4

Office *Perryman*

Dated

Jan 30 1891

White

Magistrate.

Garrison

Officer.

Precinct.

Witnesses

Nancy Fuchs
No. *328 B 147th* Street.

No. _____ Street.

No. _____

Street.

No. _____

Street.

\$

15000 to answer

L. S. H.
B. S. H.
9 1/2



BAILED,

No. 1, by _____

Residence _____

Street.

No. 2, by _____

Residence _____

Street.

No. 3, by _____

Residence _____

Street.

No. 4, by _____

Residence _____

Street.

00 15

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Walter Allen

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

Walter Allen

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

The said

Walter Allen

late of the *Nineteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *nineteenth* day of *January* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
day — time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *Robert*

Catherine Rayner

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

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

00 16

SECOND COUNT—

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

Walter Allen

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

The said *Walter Allen*

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

divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of one hundred dollars

of the goods, chattels and personal property of one

in the dwelling house of the said

Robert Catharine Rayner
Robert Catharine Rayner

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

Dehancu Nicoll,
District Attorney.

00 17

BOX:

422

FOLDER:

3899

DESCRIPTION:

Anderson, Henry

DATE:

01/21/91



3899

00 18

POOR QUALITY
ORIGINAL

The trial of this
case is at 10. On
the 9th of October
of the next court
to, Monday of this
week.

July 16th 1891
J.S.

On the 1st of Oct
at 10. On the 9th
at 10. On the 9th
at 10. On the 9th

July 16th 1891.

Counsel,

Filed

day of

1891

Pleas,

THE PEOPLE

vs.
49 wails
150 blocks of

Henry Anderson

GAMING HOUSE, &c.

[Sections 343, 344 and 385, Penal Code]

DE LANCEY NICOLL,

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Franklin Eason

Part 2 - Feb 26/891. Foreman.

Arrested and committed as charged
in first count of indictment

Mar 13

0019

Sec. 198-200.

District Police Court

CITY AND COUNTY } ss.
OF NEW YORK, }

Henry Anderson 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. *Henry Anderson*

Question. How old are you?

Answer. *49 years*

Question. Where were you born?

Answer. *MS*

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

Answer. *150 Blucher St*

Question. What is your business or profession?

Answer. *Saloon*

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

Answer. *I am not guilty*
Henry Anderson
-mark

Taken before me this

day of *November* 1889*John J. [Signature]*
Police Justice.

0020

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

District Police Court

Harry Anderson 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. Harry Anderson

Question. How old are you?

Answer. 49 years

Question. Where were you born?

Answer. MS

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

Answer. 150 Bleeker St

Question. What is your business or profession?

Answer. Saloon

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

Answer. I am not guilty
Ans
Harry Anderson
mark

Taken by of City Clerk
day of March 1920

[Signature]
District Police Justice.

0021

City and County of New York, ss:

In the name of the People of the State of New York:

To any Peace Officer In the City and County of New York:

Proof by affidavit having been this day made before me, by Anthony Forrester of 43 Park Row
Samuel Beale of 51 Wall Street, New York

City, that there is probable cause for believing that John Doe and Hank Anderson
whose real names are unknown, but each of
whom can be identified by Samuel Beale

has in their possession, at, in and upon certain premises occupied by them and situated and known number
150 Bleeker Street in said City of New York certain and divers
device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings,
papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and
other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, black-
boards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day or night
time to make immediate search on the person of the said John Doe and Hank Anderson

and in the building situate and known as number 150 Bleeker Street aforesaid,
for the following property, to wit: all Faro layouts, all Roulette Wheels and layouts, all
Rouge et Noir, or Red and Black layouts, all gaming tables, all chips, all packs
of cards, all dice, all deal boxes, all lottery policies, all
lottery tickets, all circulars, all writings, all papers, all
documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, all books
all documents for the purpose of enabling others to gamble or sell lottery policies, all black-
boards, all slips or drawn numbers of a lottery, all money to gamble with, and all device,
establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the First District
Police Court at City of New York in the City of New York.

Dated at the City of New York, the
29th day of December 1890.

A. J. White

POLICE JUSTICE.



0022

Inventory of property taken by Sgt William O Toole the Peace Officer by whom this warrant was executed :

~~Faro layouts,~~ ~~Roulette Wheels,~~ ~~Roulette layouts,~~ ~~Rouge et Noir lay-~~
~~outs,~~ ~~gaming tables,~~ ~~chips,~~ 30 packs of cards, 6 dice, ~~deal~~
~~boxes,~~ ~~deal trays for holding chips,~~ ~~cue boxes,~~ ~~markers, or tally cards,~~
ivory balls, ~~lottery policies,~~ ~~lottery tickets,~~ ~~circulars,~~ ~~writings,~~
papers, ~~blackboards,~~ ~~slips, or drawn numbers in policy,~~ ~~money,~~
~~manifold books,~~ ~~skates,~~

City of _____ and County of _____ ss :

I, William O Toole the Officer by whom this warrant was executed,

do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this _____ }
day of _____ 188

William O Toole
Sgt. C. O. Lyman

Police Justice.

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anthony Bonin et al.

John Bonin
Frank Anderson

Search Warrant.

Dated Dec 29th 1880

Justice.

Officer.

0023

CITY OF New York COUNTY OF New York } ss.
AND STATE OF NEW YORK.

43 Beek Row
of ~~450 Nassau Street~~, New York City, being duly sworn deposes and says, he is more than 21 years of age, and is employed as Chief agent of the New York Society for the Suppression of Vice, that he has just cause to believe, is informed and verily does believe, that John Doe and Hank Anderson

whose real names are unknown, but who can be identified by Samuel J. Beale did, at the City of _____ County of _____ and State of New York, on or about the 25th day of December 1890, unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage as a dealer or game-keeper in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided.

Deponent further says, he has just ~~come~~^{came} to believe, is informed and verily does believe from personal observation and from statements made by Samuel J. Beale

_____ to deponent that the said John Doe and Hank Anderson aforesaid, now have in their possession, at in and upon certain premises occupied by them and situate and known as number 150 Bleeker street in the City of New York and within the County and State aforesaid, for the purpose of using the same as a means to commit a

0024

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, chips, deal boxes, cards, ~~lottery tickets, lottery policies~~, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this
29th day of December 1890.

Anthony Bountock

A. J. White

Police Justice.

CITY OF New York AND COUNTY OF New York ss.

Samuel Beale of 51 Watt Street

being further sworn deposes and says that on the 25th day of December 1890, deponent visited the said premises, named aforesaid, and there saw the said John Doe and Hank Anderson aforesaid, and had dealings and conversation with them as follows:

Deponent being duly sworn, deposes and says that he resides at No. 51 Watt Street in the City of New York; that on the 25th. day of December 1890 he personally visited premises No. 150 Bleecker Street, and there saw the said JOHN DOE attending to the door, and opening and closing the same for persons to enter and to depart. In the said premises so guarded by the said JOHN DOE, HANK ANDERSON did then and there keep a gambling game called "Craps"; that while Deponent was present a person entered said room and placed Fifteen Dollars (\$15.00) on the table at which HANK ANDERSON sat, and said: "I shoot Fifteen Dollars." The said HANK ANDERSON took the money, placed it before him and then called out to persons present: "He shoots Fifteen Dollars" and different persons ~~paid~~ small amounts that the said man who had deposited his Fifteen Dollars with HANK ANDERSON would win. This Depo-

0025

nent said: "I bet Two Dollars this man wins", and another Fifteen Dollars was made up by persons around the table, and paid over to HANK ANDERSON, who kept the Thirty Dollars (\$30.00) in front of him. The man, whose name is unknown to Deponent, who had bet Fifteen Dollars then took the dice and threw them and won the money, and after winning, he said to the said HANK ANDERSON: "You keep a Dollar", and the said HANK ANDERSON paid over to the said man the sum of Twenty-nine (\$29.00) Dollars.

Deponent further says that in said game, which Deponent has frequently seen conducted in said premises, when persons make a pass, they were obliged to pay to the said ANDERSON the sum of Five Cents.

Deponent further says that he has frequently visited said premises and seen the said JOHN DOE and HANK ANDERSON there conducting said game of "Craps", and also further seen him conducting the gambling game of "Monte", and also has seen the said gambling game of "Poker" played in said premises, in both of which games money has been won and lost.

Deponent further says that from personal observation and dealings had with him, the said HANK ANDERSON and JOHN DOE, ^{and is positive} that he is informed and verily believes ^{that} at, in, and upon said premises situate and known as No. 150 Bleecker Street in the City of New York, the said HANK ANDERSON and JOHN DOE now have in their possession with intent to use the same as a means to commit a public offence, divers tables, apparatus, device and paraphernalia for gaming purposes, against the form of the Statute in such case made and provided, and particularly against the provisions of Chapter IX of the Penal Code of the State of New York.

Subscribed and sworn to before me
this 29th day of December 1890. } Daniel S. Beall
A. J. White }
Police Justice

0026

THE PEOPLE	
ON COMPLAINT OF	
<i>Anthony Cornuto et al.</i>	
AGAINST	
<i>John Doe</i>	
<i>Frank Anderson</i>	

*Violation Sec. 344, P. C.
Gambling and Policy.*

Affidavit of Complaint.

Subscribed and sworn to before me this }
day of _____ 188__ }

Police Justice.

WITNESSES :

A. Cornuto -
Samuel J. Beale
51 West St

0027

TO,

HON. FREDERICK SMYTH,

RECORDER OF THE CITY AND COUNTY OF NEW YORK.

The undersigned Jurors who were drawn and were
the Jury in the case of The People vs. Henry Anderson, re---
spectfully recommend the defendant to the clemency of the
Court.

J. J. Barrett, Foreman

G. Schneider

Geo. Martin

E. C. Cooke

R. E. Frear

P. J. O'Keefe

Wm. H. O'Driscoll

Wm. H. O'Driscoll

T. J. Sullivan

John W. Witz

0028

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

Anthony Fornuto

of No. 43 Park Row Street, being duly sworn, deposes and says,
that Henry Anderson (now present) is the person of the name of
Hank Anderson mentioned in deponent's affidavit of the 29th
day of Dec 1890, hereunto annexed.

Sworn to before me, this 20th
day of Dec 1890

Anthony Fornuto

A. J. White

POLICE JUSTICE.

0029

Sec. 151.

Police Court, 1st District.CITY OF New York COUNTY OF New York } ss.
AND STATE OF NEW YORK.

In the name of the People of the State of New York: To the Sheriff, or any Deputy Sheriff or Peace Officer of the County of New York, or to any Marshal, Constable or Policeman of the City of New York - GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Antony Furutach 43 East Row & Samuel Beale of No. 51 West Street, charging that on the 25 day of December 1890 at the City of New York, in the County of New York - that the crime of Keeping and allowing a room to be used and apparatus and paraphernalia for gambling purposes

has been committed, and accusing John Doe and Hank Anderson whose real names are unknown but who can be identified by Samuel Beale thereof.

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Deputy Sheriffs, Peace Officers, Marshals, Constables and Policemen, and each and every of you, to apprehend the said Defendants and bring them forthwith before me, at the 1st DISTRICT POLICE COURT, in the said City or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 29th day of December 1890
[Signature] POLICE JUSTICE.

0030

POLICE COURT, 2 DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anderson, Robert et al
vs.

John Doe

Frank Anderson

Warrant-General.

Dated _____ 188

Magistrate.

Officer.

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

Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS.

Time of Arrest, _____

Native of _____

Age, _____

Sex, _____

Complexion, _____

Color, _____

Profession, _____

Married, _____

Single, _____

Read, _____

Write, _____

0031

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~~ ⁴ ~~hereof~~ ¹ ~~that~~ ¹ he be held to answer the same and he be admitted to bail in the sum of Three 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 Dec. 30 18 90 AJ White Police Justice.

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

Dated Dec 30 18 90 AJ White Police Justice.

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

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

0032

13

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anthony Constock
vs.
Mary Anderson

Officer
David

1
2
3
4

Dated *Dec 30* 188*9*

White Magistrate.

O'Neil Officer.

C.D. Precinct.

Witnesses *Samuel Beah*

No. *51* Street.

No. Street.

No. Street.

\$ *5000* answer.

Bullock

BAILED.

No. 1, by *John R. Rafter*

Residence *173 West* Street.

Bail returned *1/16/90*
No. 2, by *Hugh Stearns*

Residence *243 Bleeker* Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0033

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry Anderson

The Grand Jury of the City and County of New York, by this indictment, accuse *Henry Anderson* —

(Sec. 343, of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING, committed Penal Code.) 27 follows:

The said *Henry Anderson*.

late of the *15th* Ward of the City of New York, in the County of New York aforesaid, on the *25th* day of *December*, in the year of our Lord one thousand eight hundred and *eighty-nine*, and on divers other days and times as well before as after, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building there situate, to be used for gambling, 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. (Sec. 344, Penal Code.)

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

— *Henry Anderson* —

of the CRIME OF ALLOWING A ROOM, ESTABLISHMENT, TABLE AND APPARATUS TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said *Henry Anderson*.

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on said other days and times, at the Ward, City and County aforesaid,

0034

a certain room in a certain building there situate, and a certain gambling-table, and establishment, and diver cards, chips, devices and apparatus, a more particular description whereof is to the Grand Jury aforesaid unknown, and cannot now be given, the same being suitable for gambling purposes, with force and arms, feloniously did allow to be used for gambling purposes, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT. (Sec. 385, Penal Code.)

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

— Henry Anderson —

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said Henry Anderson,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on said other days and times, at the Ward, City and County aforesaid, with force and arms, a certain common gaming-house there situate, for ~~his~~ *his* lucre and gain, unlawfully and injuriously did keep and maintain; and in ~~his~~ *his* said common gaming-house, then and on said other days and times, there unlawfully and injuriously did cause and procure divers idle and ill-disposed persons to be and remain, and the said idle and ill-disposed persons, on the day and in the year aforesaid, and on said other days and times, to game together and play at a certain unlawful game of cards called "*Rags*", in the said common gaming-house aforesaid, there did unlawfully and injuriously procure, permit and suffer, and the said idle and ill-disposed persons, then, and on said other days and times, in the said common gaming-house aforesaid, by such procurement, permission and sufferance of the said Henry Anderson —

there did game together and play at said unlawful game of cards, for divers large and excessive sums of money, to the great annoyance, injury and damage of the comfort and repose of a great number of persons, good citizens of our said State, there inhabiting and residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the Statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

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

0035

BOX:

422

FOLDER:

3899

DESCRIPTION:

Anderson, James

DATE:

01/06/91



3899

0036

Witnesses:

Jeff Tucker

Name of M. C. C.

handwritten on

James in J. P.

177

Counsel,

Filed

6

day of

1891

Pleads,

THE PEOPLE

vs.

James Anderson

Grand Larceny, 1st Degree. — [Sections 529, 580 — Penal Code].

Delaney McCall
JOHN R. FELLOWS,

District Attorney.

A True Bill.

Franklin Edson

Foreman.

Jan 7/91

Charles G. Zuley

57th St. N. E.

0037

Sec. 156-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

3 District Police Court.

James Anderson 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 Anderson*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *U.S. Boston Mass*

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

Answer. *112 Madison Street 1 1/2 years*

Question. What is your business or profession?

Answer. *Bar tender*

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

Answer. *I am not guilty*
James Anderson

Taken before me this

day of *November**1906*

Police Justice

0038

Police Court—

3 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

John Ricord
of No. Levell Street 6 Delaware Street, aged 37 years,
occupation Seaman being duly sworn
deposes and says, that on the 25th day of December 1899 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the night time, the following property, viz:

Thirty-four dollars in food
and lawful money of the United
States and one pocket book the
whole valued at thirty-six dollars

\$ 36 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 James Peterson (now here)

in the following manner to wit:
Deponent was in the saloon at number
192 Division Street and he had said
money in his coat pocket. Deponent
missed said property and then made
an alarm. Officer Crouch came into said
place and saw Bernard O'Connell the
proprietor of said saloon have the
defendant in his custody. Defendant
was searched and said property was
found in the possession of defendant.
Deponent therefore charges the defendant
with having taken carried away and stolen
said property and prays that he be held
to answer.

John Ricord
mark

Subscribed before me, this

26th day

1899

Police Justice.

0039

POLICE COURT—3 DISTRICT.CITY AND COUNTY }
OF NEW YORK, } ss.

RECOGNIZANCE TO TESTIFY.

BE IT REMEMBERED, That on
the 24th day of December in the year of our Lord 18890of No. Levil - Orleans Street, in the City of New York,and James A Van Bruntof No. 34 Fourth Street, in the said City,personally came before the undersigned, one of the Police Justices in and for the City of New York, and
acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say: the saidthe sum of one Hundred Dollars,and the said James A Van Bruntthe sum of one Hundred Dollars,separately, of good and lawful money of the State of New York, to be levied and made of their respective
goods and chattels, lands and tenements, to the use of said People, if default shall be made in the con-
dition following, viz:

The Condition of this Recognizance is such, That if the person first above recognized shall personally
appear at the next COURT OF General SESSIONS of the Peace, to be holden in and
for the City and County of New York, and then and there Testify and give such evidence, in behalf of
the People of the State of New York, as he may know concerning an Offence by James Anderson
said to have been lately committed in the City of New York aforesaid by

Charged with Grand Larceny on
the person of said Record

And do not depart thence without leave of the Court, then this Recognizance to be void, otherwise to
remain in full force and virtue.

Taken and acknowledged before me, the }
day and year first above written. }

[Signature]
Police Justice.

James A Van Brunt
James Anderson

0040

CITY AND COUNTY } ss.
OF NEW YORK, }

the within-named Bail, being duly sworn, says that he is a Free holder in
said City, and is worth 200 Hundred Dollars,

over and above the amount of all his debts and liabilities; and that his property consists of

House and lot situated at 435
seventh St Brooklyn New York City
and valued at Two Thousand
dollars

Plummer M. Jones

New York Sessions.

THE PEOPLE, &c.

Recognition to Testify.

23.

Magistrate

Filed

day of

188

0041

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.....

De Furlan
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Two* 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 *Dec 26* 18*90* *[Signature]* Police Justice.

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

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

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

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

0042

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, &c.,
ON THE COMPLAINT OF

John Record

vs. Bailed

James Anderson

2.

3.

4.

Dated

December 26th 1890

Magistrate.

Larkin M. Crouch

Officer.

Precinct.

Witnesses

No.

No.

No.

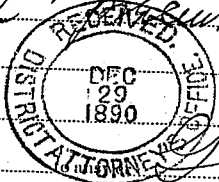
No.

\$

1000

Leon

get
person
money



Complainant bailed
by James A. Van Buren
77 South St

0043

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 Anderson

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

this indictment, accuse

James Anderson

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

The said

James Anderson

late of the City of New York, in the County of New York aforesaid, on the 20th
day of December in the year of our Lord one thousand eight hundred and
ninety, at the City and County aforesaid, with force and arms, in the
night-time of the same day, divers promissory notes for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the
payment of and of the value of thirty-four

\$34.00
dollars; divers other promissory notes for the payment of money, being then and there due
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination
to the Grand Jury aforesaid unknown, for the payment of and of the value of

thirty-four
dollars; divers United States Silver Certificates of a number and denomination to the Grand
Jury aforesaid unknown, of the value of thirty-four

dollars; divers United States Gold Certificates of a number and denomination to the
Grand Jury aforesaid unknown, of the value of thirty-four

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid
unknown, of the value of thirty-four dollars and

one pocketbook of the value of
two dollars

of the goods, chattels and personal property of one John Record
on the person of the said John Record then and there being found,
from the person of the said John Record
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.

DeLaney Nicoll
JOHN R. FELLOWS, District Attorney.

0044

BOX:

422

FOLDER:

3899

DESCRIPTION:

Ashley, Charles

DATE:

01/28/91



3899

0045

Witnesses:

John R. Sanders
153 Grand St.

By Chas. A. Lacy
for Charles Ashley
There are other
compeles apthm
T.S.

Counsel,

Filed 28 day of June 1891

Pleas, Not guilty

25 THE PEOPLE

vs.

By Henry
Charles Ashley

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

BELANCEY NICOLL

JOHN R. FELLOWS

District Attorney.

Feb 5/91 B.S.

Feb 6/91 at way of def's B.S.

A True Bill.

Franklin Carson
Dist 2 - Feb 6, 1891, Foreman.
Held: Guilty of Forgery.
J. W. J. P.

0046

JWDavis & Co

No. 1722 New York June 7th 1890

The Bank of New York
NATIONAL BANKING ASSOCIATION

Pay to the order of William Hechem

Fifteen Dollars

\$ 15⁰⁰/₁₀₀

J. W. Davis & Co

Wynkoop, Hallenbeck & Co Printers N. Y.

0047

Pay to the order of

Wm. Reichman
~~Henry J. Wagner~~

190

0048



No. 1722 New York July 18th 1890
National Broadway Bank
 Pay to the order of William Ashheim
Fifteen Dollars
 \$ 15⁰⁰/₁₀₀ Max Sampter & Sons

and demanded payment which was refused.

Whereupon, I, the said Notary Public, at the request aforesaid did Protest, and by these presents do publicly and solemnly Protest as well against the Drawer and Endorsers of the said Note check as against all others whom it doth or may concern, or exchange, re-exchange and all costs damages and interest already incurred and to be hereafter incurred for want of payment of the same.

Thus done and Protested, in the City of New York aforesaid, in the presence of John Doe and Richard Roe, witnesses.

IN TESTIMONIUM VERTATIS

Wm R Kurau
 Notary Public.

United States of America,
 State of New York.

ss:

I, WILLIAM R. KURAU, a Notary Public, duly admitted and sworn, in and for the State of New York, do hereby certify, that on the 18th day of July

1890. Notice of the Protest of the before mentioned Note check was by me served personally upon

<u>Max Sampter & Sons</u>	New York City
<u>Wm Ashheim</u>	" " "
<u>Chas Bergenstein & Co</u>	" " "
<u>Wm Ashheim & Co</u>	" " "
<u>Chas Bergenstein & Co</u>	" " "
<u>Max Sampter & Sons</u>	" " "

by depositing the same in the United States Post Office, postage prepaid.

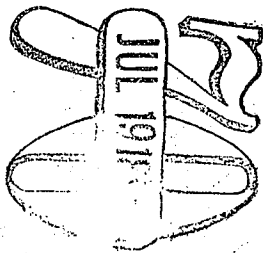
William R. Kurau,
 Notary Public,
 THE BOWERY BANK.

0049

James Bergerstein & Co.

Wm. Asheim

5
neg. Grand



0050

GLUED PAGE

TORN PAGE

Wm. R. Kurau
11

Chas. Bergenstein & Co

PROTEST.

Liber. Page

United States of America,
STATE OF NEW YORK.

ss:

On the Twenty first day of July

in the year of our Lord one thousand eight hundred and ninety at the request of THE BOWERY BANK OF NEW YORK. I, WILLIAM R. KURAU, a Notary Public in and for the State of New York, duly admitted and sworn, did present the Original Prom-
issory Note Check hereunto annexed

a letter in the National
Advertiser
and demanded payment which was refused.

Whereupon, I, the said Notary Public, at the request aforesaid did Protest, and by these presents do publicly and solemnly Protest as well against the Drawer and Endorsers of the said Note Check as against all others whom it doth or may concern, or exchange, re-exchange and all costs damages and interest already incurred and to be hereafter incurred for want of payment of the same.

Thus done and Protested, in the City of New York aforesaid, in the presence of John Doe and Richard Roe, witnesses.

IN TESTIMONIUM VERTATIS

Wm. R. Kurau
Notary Public.

United States of America,
State of New York.

ss:

I, WILLIAM R. KURAU, a Notary Public, duly admitted and sworn, in and for the State of New York, do hereby certify, that on the 21 day of July 1890. Notice of the Protest of the before mentioned Note Check was by me served personally upon

<u>Mr. Knapp & Sons</u>	_____	New York City
<u>Mr. Adheim</u>	_____	" " "
<u>Chas. Bergenstein & Co</u>	_____	" " "
<u>Mr. Adheim & John H. Gerdes 249 Grand St</u>	_____	" " "
<u>Chas. Bergenstein & Co</u>	_____	" " "
<u>Max Supt. & Sons</u>	_____	" " "

same in the United States Post Office, postage prepaid.

William R. Kurau,
Notary Public,
THE BOWERY BANK.

0051

Robert \$ *15*
Protest and Notices *188*

\$ *16.25*

Max Dangler & Sons

FOR

John H. Gerdes

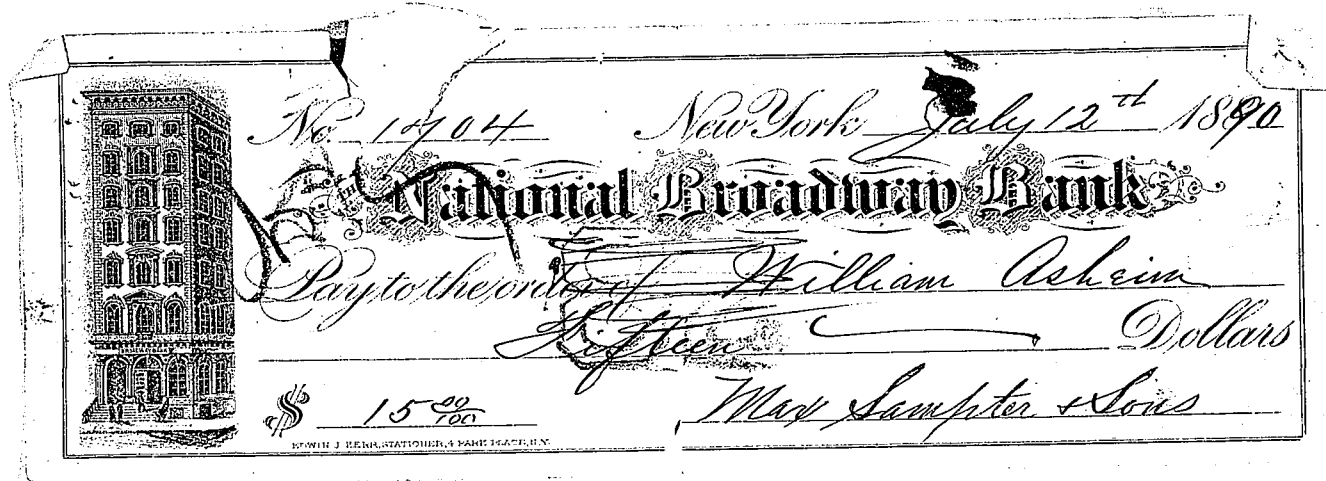
New York, July 21 1890.

William B. Huran,

Notary Public,

THE BOWERY BANK

0052



0053

J. B. Raymond

W. Asher

J. L. Brown

B. F. Harland

623 N. Long

324

0054

401 Broadway.

No. 1705

New York, Aug 1st 1890

National Citizens Bank,

Pay to

S. B. Wolf

or Bearer

Eighteen

Dollars.



18⁰⁰/₁₀₀

Max Sampter & Sons

J. S. HULIN, Stationer and Printer, 369 Broadway, N. Y.

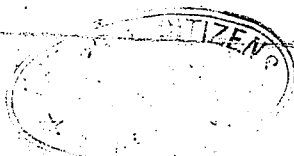
0055

J. B. Wolf

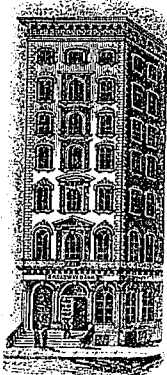
Chas Bergenstein & Co.

~~Pro~~ ~~Frankfurt~~

326 Greenwich St



0056



No. 1706 New York Aug 11th 1890

National Broadway Bank

Pay to the order of Wm. Asheim
Fifteen Dollars

\$ 15 ⁰⁰/₁₀₀

Max Arnold & Son

EDWIN J. KERR, STATIONER, & PRINTER, N.Y.

0057

Wm. Asheim

D. Arnold and Son

0058

Sec. 151.

Police Court 1st District.

CITY AND COUNTY }
OF NEW YORK, } ss.

*John C. ...
Acting ...*
In the name of the People of the State of New York; To the Sheriff of the County
of New York, or to any Marshal or Policeman of the City of New York: GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned one of the Police
Justices for the City of New York, by Albert Wagner

of No. 1465 Sumner Street, that on the 23 day of June
1890 at the City of New York, in the County of New York,

*Charles Ashland did feloniously
make force utter and counterfeit
with intent to defraud the
name Mr. Davis to a check drawn
on the Bank of New York for
the sum of fifteen dollars*

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant, and bring
forthwith before me, at the 1st District Police Court, in the said City, or in case of my absence
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
be dealt with according to law.

Dated at the City of New York, this 23 day of August 1890

J. B. ...
POLICE JUSTICE.

0059

Police Court _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Warrant-General.

vs

Dated _____ 188

Patterson Magistrate.

Samuel J. Chrysler Officer.
6 E. 1st St.

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

Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS:

Time of Arrest, _____

Native of _____

Age, _____

Sex, _____

Complexion, _____

Color, _____

Profession, _____

Married, _____

Single, _____

Read, _____

Write, _____

0060

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

Charles Ashley 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.

Charles Ashley

Question. How old are you?

Answer.

25 years.

Question. Where were you born?

Answer.

New York

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

Answer.

69 Bowery St. 2 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 think will tend to your
exculpation?

Answer.

*I am not guilty**Charles Ashley*

Taken before me this

day of *Jan* 1891.*Charles J. Smith* Police Justice.

0061

CITY AND COUNTY }
OF NEW YORK, } ss.

Samuel Barton
aged 57 years, occupation Broker of No. 66 Broadway Street, being duly sworn deposes and

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

Sworn to before me, this 23

day of August 1890

Samuel Barton

Police Justice

0062

Police Court, 1st District.City and County
of New York, } ss.

of No. 1465 3rd Avenue Street, aged 38 years,
 occupation Hotel Proprietor being duly sworn, deposes and says,
 that on the 9th day of June 1890, at the City of New
 York, in the County of New York,

Charles Ashby (now in the
 Penitentiary serving a 5 months
 term) did feloniously make
 forge, utter and pass counterfeit
 with intent to defraud the
 name J. W. Harris & Co to a
 bank check purporting to be
 drawn on the Bank of New
 York to the order of William
 Aschman for the sum of
 fifteen Dollars in violation
 of Section 509 of the Penal
 Code of the State of New York
 for the reasons following to wit:
 on the said date this defendant
 presented the annexed check
 to deponent and asked him
 to cash the same, telling
 him that the said check was
 genuine. Deponent believing
 the representation made by de-
 fendant to be true for the de-
 fendant the said fifteen dollars
 Deponent is informed by William
 Borton (now being a member of
 the firm of J. W. Harris & Co
 whose name is signed to said
 check, that the signature J. W. Harris
 & Co is not in the handwriting
 of any one connected with said
 firm and that the defendant
 had no authority to sign said name.
 Given to be before me
 this 23rd day of August 1890

Am. Deponent
 John Dunlop

Alfred J. Wagner

0063

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

Frederick L. Rodewald

of No. *66 Broadway* Street, aged *35* years,
occupation *Broker* being duly sworn deposes and says,

that on the *22nd* day of *May* 189*8*

at the City of New York, in the County of New York, he is a member of the Firm of J. N. Davis & Co doing business at No 66 Broadway. and that he well and truly knows the signatures of the said Firm. and he further says that he has seen the Check hereto annexed and purporting to be the signature of the said Firm of J. N. Davis & Co. and knows the same be a false, and forged Check of said Firm, and was issued with the intent to deceive and defraud

F. L. Rodewald

Sworn to before me, this

22nd day

Charles J. Tamm
Police Justice

0064

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

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

Dated January 22nd 1891 Charles N. Smith Police Justice.

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

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

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

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

0065

105

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Alfred Wagner
1463 vs. *3400*
Phoebe Wagner

2

3

4

Offender

Dated

January 22 1891
Painter & Son

Magistrate.

Officer.

Precinct.

Witnesses

No.

No.

No.

\$

to answer

Street.

Committed

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

0066

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles Ashley

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

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

The said

Charles Ashley,

late of the City of New York, in the County of New York aforesaid, on the
eighth day of June in the year of our Lord
one thousand eight hundred and ninety, 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 cheques
which said forged bank cheque
is as follows, that is to say:

No. 1722

New York June 7th 1890

The Bank of New York
National Banking Association

Pay to the order of William Ascheim
Fifteen — Dollars

\$15.00
100

J. W. Davis & Co

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.

0067

SECOND COUNT—

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

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

The said

Charles Ashley
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 cheques,
which said forged bank cheque
is as follows, that is to say:

No. 1722 New York June 7th 1890
The Bank of New York
national Banking association
Pay to the order of William Ascheim
Fifteen — Dollars
\$15.00
100 J. W. Davis & Co

with intent to defraud

He

the said

Charles Ashley

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.

De Lancey Nicoll
JOHN R. FELLOWS,

District Attorney.

0068

BOX:

422

FOLDER:

3899

DESCRIPTION:

Atipietro, Benedetto

DATE:

01/06/91



3899

0069

E. J. Berkey
Attorney at Law

Counsel,

Filed

6 day of Jan 1891

Pleads,

THE PEOPLE

vs.

Benedetto Atipietro

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

Jan 19/91

John R. Fellows
JOHN R. FELLOWS

District Attorney.

Spies requested

A True Bill.

found

Franklin Eason

Foreman.

Port 1

Young 12

H.D.M.

Jan #5 19 1891

0070

Police Court— District.

City and County } ss.:
of New York }

of No. 609 Sixth Street, aged 36 years,
 occupation Cyotoman being duly sworn
 deposes and says, that on 29 day of December 1880 at the City of New
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by one
Benjamin Spier who did
 cut the deponent on the
 second finger of the left hand
 with a Razor which he then
 held in his hand

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

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

Sworn to before me, this

30 day
 of December 1880

Benjamin Spier

Police Justice.

0071

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK.*Benedetto Vivetto*
Frank Delle

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

Question. What is your name?

Answer.

Frank Delle Benedetto Vivetto

Question. How old are you?

Answer.

30 years

Question. Where were you born?

Answer.

Italy

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

Answer.

110 Willist Street 1 month

Question. What is your business or profession?

Answer.

Fruit Dealer

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

Answer.

*I am not guilty**Benedetto Vivetto*

Taken before me this
day of *Dec* 188*8*

John J. [Signature]
Police Officer

0072

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..... *Dec 30* 18..... *[Signature]* Police Justice.

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

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

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

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

0073

Police Court---

31913 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Benjamin
Benvenuto
Offence

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated DEC 30 1890

Hogan Magistrate.

Walsh Officer.

13 Precinct.

Witnesses

No. Street.

No. Street.

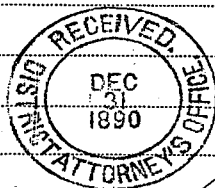
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Com Amn 1



0074

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Benedetto Atipietro

The Grand Jury of the City and County of New York, by this indictment, accuse
Benedetto Atipietro
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Benedetto Atipietro*

late of the City of New York, in the County of New York aforesaid, on the
twenty-sixth day of *December* in the year of our Lord
one thousand eight hundred and *ninety*, with force and arms, at the City and
County aforesaid, in and upon the body of one *Benjamin Spier*
in the Peace of the said People then and there being, feloniously did make an assault
and *him* the said *Benjamin Spier*
with a certain *razor*

which the said *Benedetto Atipietro*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent *him* the said *Benjamin Spier*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said
Benedetto Atipietro
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Benedetto Atipietro*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said *Benjamin Spier* in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and *him* the said
Benjamin Spier
with a certain *razor*

which the said *Benedetto Atipietro*
in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York,
and their dignity.

De Lancey McCall,
District Attorney.

0075

BOX:

422

FOLDER:

3899

DESCRIPTION:

Atkinson, Robert

DATE:

01/26/91



3899

0076

Witnesses:

Counsel,

Filed

Pleads,

1889

THE PEOPLE

vs.

Robert Atkinson

ABDUCTION.

[Section 282, Sub. 1, Penal Code.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Franklin Aaron

Foreman.

Grand and Committed, with

Recommendations & award

1/1/16 C 9200 SP

FL

0077

CITY AND COUNTY }
OF NEW YORK, } ss.

Victoria Marciniak
aged 15 years, occupation Homework of No. 66 Pile Street, being duly sworn deposes and

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

Sworn to before me, this

day of

6 }
July }
1899 }

Victoria Marciniak

Quinn

Police Justice.

0078

Police Court, 3 District.

City and County } ss.
of New York,

of No. 100 E. 23rd Street, aged 28 years,
 occupation Agent being duly sworn, deposes and says,
 that on the 1st day of January 1891, at the City of New
 York, in the County of New York,

Robert Atkinson (now here)
 did feloniously take, receive,
 employ, harbor, and use a
 certain female child actually
 and apparently under the age of
 sixteen years. To wit: of the age of
 fifteen years, and named Victoria
 Marciniak. For the purpose of
 sexual intercourse he not being
 the husband of the said Victoria
 as deponent truly believes. From the
 fact that deponent is informed
 by the said Victoria Marciniak that
 on the date above mentioned this
 defendant took her the said
 Victoria Marciniak to the premises
 No 19 Hamilton Street. and that
 they undressed and went to bed together
 and that this defendant then and
 there had sexual intercourse with
 her. all of which is in violation of
 Section 262 of the Penal Code of
 the State of New York.

Wherefore deponent prays the said
 defendant may be held and
 dealt with according to law.

Sworn to before me }
 this 6th day of Jan'y 1891

Edw. Meach Edward Becker
 Police Justice

0079

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

3 District Police Court.

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

Question. What is your name?

Answer.

Robert Atkinson

Question. How old are you?

Answer.

45 years old

Question. Where were you born?

Answer.

Ireland

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

Answer.

66 Pile St 4 mos

Question. What is your business or profession?

Answer.

Work in a rubber factory

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

Answer.

I am not guilty
Robert Atkinson

Taken before me this

6

day of

1891

Police Justice

0080

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 5 DISTRICT,

John A. Neville
 of No. 7th Recruit-Place Street, aged _____ years,
 occupation Police Officer being duly sworn deposes and says
 that on the 2nd day of January 1891

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

Robert Hopkinson (now here) on
 complaint of Victoria Marcinick
 a female child actually and
 apparently under the age of sixteen
 years ^{who changed the age of fourteen} years, with having taken, harbored,
 used, and employed her the said
 child for the purpose of prostitution
 he not being her husband.

Deponent further says that he has
 not sufficient evidence now in Court

deponent to be sworn on this

1891

Police Justice

0081

to make a complaint: and prays
that the said defendant be held a
reasonable time to enable defendant
to secure further evidence.

Served to before me
this 2nd day of June 1891 } John F. Neville
Deputy
Police Justice

65
Police Court--3 District.

THE PEOPLE, & C.,

ON THE COMPLAINT OF

Robert Hopkins
vs.
C. C. Pilsch & S. J. De
Witt

Dated June 2 1891

Magistrate.

Neville

Officer.

Witness, Victoria Marcinich
C. C. Pilsch.

Disposition.

1000
June 2 2 P.M.

0082

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.....

Alfred Dawh
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty 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 June 6 1891 W. W. Mead Police Justice.

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

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

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

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

0083

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

65th
Police Court---

3

28th
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edmund Becker

vs.
Robert Atkinson

2

3

4

Office
Atkinson

Dated Jan 6 1891

Mulder Magistrate.

John H. Neville Officer.

77 Precinct.

Witnesses Victoria Marciano

No. 100 E. 23rd Street.

Rahonella Ocicke

No. Thomas " Street.

66 Pike Street

No. Call office Street.

2500 to and for

Cur



0084

*The New York Society for the
Prevention of Cruelty to Children*

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, *January 14th* 1881.

*Court of General Sessions of the Peace in and for the
City and County of New York.*

*The People
against
Robert Atkinson*

Notice of Prosecution.

*To the District Attorney of the
City and County of New York,*

*Sir: This Society is interested in the prosecution of
the above defendant, and is familiar with the facts of the
case. It respectfully requests that before sending the papers
to the Grand Jury, fixing the day of trial, consenting to
any postponement thereof, or to any reduction of bail, or
final disposition of the charge, you will duly notify me as
its President and Counsel, so that I may confer with you
in regard thereto. This request is made pursuant to the
statute (Laws of 1880 Chapter 30, Section 4), and in
furtherance of the ends of Justice.*

I have the honor to remain, with great respect,

*Elbridge T. Gerry,
President, &c.*

0085

N. Y. GENERAL SESSIONS

THE PEOPLE



CRUELTY TO CHILDREN.

St. Lawrence

NOTICE OF PROSECUTION
BY THE SOCIETY.

ELBRIDGE T. GERRY,
President, &c.

0086

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Robert Atkinson

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

Robert Atkinson

of the CRIME OF ABDUCTION, committed as follows:

The said *Robert Atkinson*, —

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

twentieth — day of *January*, in the year of our Lord one

thousand eight hundred and ~~eighty~~ *nineteen*, at the City and County aforesaid, did

feloniously take, receive, harbor, employ and use one *Victoria Marinada*,

who was then and there a female under the age of sixteen years, to wit: of the age of

fifteen — years, for the purpose of sexual intercourse, he, the

said *Robert Atkinson*, not being then and there

the husband of the said *Victoria Marinada*, —

against the form of the Statute in such case made and provided, and against the peace of

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

DE LANCEY NICOLL,
JOHN R. FELLOWS,

District Attorney.