0735

BOX:
61

FOLDER:
694

DESCRIPTION:
Albecker, William

DATE:
03/28/82

694

181

Witnesses:

Day of Trial,

Counsel, Mackey

Filed 28 day of March 188

Pleads Not Guilty

THE PEOPLE

vs.

William Albecker

April 13. 1882

Tried & Convicted of

Assault & Battery

Felonious Assault and Battery.

DANIEL G. ROLLINS,

District Attorney.

Marvis Ehler – mis Mary

A True Bill.

April 13. 1882

Foreman.

April 1882

0737

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Albecker

The Grand Jury of the City and County of New York, by this indictment, accuse William Albecker of the CRIME OF "Assault and Battery upon another with a deadly weapon with intent to kill," committed as follows:

The said William Albecker late of the City of New York, in the County of New York, aforesaid, on the twentieth day of March in the year of our Lord one thousand eight hundred and eighty Five with force and arms, at the City and County aforesaid, in and upon the body of Aaron Maas in the peace of the said people then and there being, feloniously did make an assault and him the said Aaron Maas with a certain Knife which the said William Albecker in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound with intent him the said Aaron Maas 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 William Albecker of the CRIME OF "Assault upon another, without justifiable or excusable cause, with a sharp, dangerous weapon, with intent to do bodily harm," committed as follows:

The said William Albecker afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~ with force and arms, in and upon the body of the said Aaron Maas then and there being, wilfully and feloniously did make an assault and him the said Aaron Maas with a certain Knife which the said William Albecker in his right hand then and there had and held, the same being then and there a sharp, dangerous weapon, wilfully and feloniously, and without justifiable and excusable cause, did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously do bodily harm unto him the said Aaron Maas against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said William Albecker of the CRIME OF "Assault and Battery upon another by such means and force as was likely to produce death with intent to kill," committed as follows:

The said William Albecker afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~ with force and arms, in and upon the body of Aaron Maas in the peace of the said people then and there being, feloniously did make another assault and him the said Aaron Maas with a certain knife which the said William Albecker in his right hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut and wound, the same being such means and force as was likely to produce the death of him the said Aaron Maas with intent him the said Aaron Maas 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.

FOURTH COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said William Albecker of the CRIME OF "Assault and Battery upon another, with a deadly weapon, with intent to maim," committed as follows:

The said William Albecker afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said William Albecker with force and arms, in and upon the body of the said Aaron Maas then and there being, wilfully and feloniously did make another assault and him the said Aaron Maas with a certain knife which the said William Albecker in his right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent then and there wilfully and feloniously to maim him the said Aaron Maas 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 McKean

~~DANIEL G. ROLLINS~~, District Attorney.

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262

Police Court— 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Oberon Bruno
No Delancey St
1 William Albecker
2
3
4

Offence, Fel. Assault

Dated March 21 1882

Magistrate.

Officer.

Clerk.

BAILED,

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

Witnesses Lena Schultes
No. 140 Delancey Street,
Catherine Schultes
No. 88 Rivington Street,
Patrick O'Neill
No. 164 " Street.

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

held to insure his appearance to be guilty thereof, I order that he be admitted to bail in the sum of five Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated March 21 188 2 — 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.

0740

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

3 DISTRICT POLICE COURT.

William Albecker 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 waiven cannot be used against him on the trial,

Question. What is your name?

Answer. William Albecker

Question. How old are you?

Answer. 26 years

Question. Where were you born?

Answer. Germany

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

Answer. I resided at 140 Delancy Street until yesterday

Question What is your business or profession?

Answer. Butcher

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 he knocked me down with a stick and another man knelled on me - and kept me down until the offier came, and arrested me, I can not say when, and how I stabbed him,

Taken before me, this 21 *day of* March 1882

William Albecker.

Warren Corbin Police Justice.

0741

Police Court— 3rd District.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss. Aaron Maas

of No. 140 Delancey Street,

being duly sworn, deposes and says, that

on Monday the 20 day of March

in the year 1882 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

William Albecker (now here)

who cut and stabbed deponent

on the head with a knife

he held in his hand and

with the felonious intent to take the life of deponent, or to do him bodily harm; and with out 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 21 *day of* March 1882 } Aaron Maas.

Warren Atterbo POLICE JUSTICE.

Testimony in the case
of
Wm Albecker
filed March
1882

The People
vs.
William Altheller

Court of General Sessions. Part I
Before Recorder Smyth. April 13. 1882.

Indictment for felonious assault and battery

Aaron Mass, sworn and examined, testified
I reside No 140 Delancey St. I remember seeing the prisoner on Monday the 20th first month in the morning about seven o'clock. He committed the assault between seven and eight o'clock in the evening in my house. There had been no quarrel or difficulty of any kind between us. He was standing in the front of my shop in the evening between seven and eight o'clock. I had a customer at the same time down in my place; he was always looking down at me, I did not want to have anything to do with him because I sent him away in the morning and paid him his wages. My wife went up stairs and asked him, "William, what do you want here?" He says, "If you dont go down, you God damned dirty Jew, I will knock you down." He knocked my wife down. He pulled the knife out of his left hand side pocket, I fell down in the shop, I was standing behind the bench. There is a witness here who was in the shop at the same time. I went to go in the back room; he caught me in the back room in the ice house and he struck at me with a knife.

He struck me on the head; this is the scar (pointing to it) It was his own butcher Knife that he brought into my place when he came to work there; it did not close; he had it in his coat pocket. My business is butcher and my place is 140 Delancey St. between Norfolk and Suffolk sts. The prisoner is not in business anywhere near me. He first assaulted my wife and then he followed and struck me with a Knife. There had been no difficulty between us. I paid him his money in the morning. He only worked for me one month last March. I discharged him because I did not like to have him work for me for he was always drunk. I told him the reason I did not want him to work for me. Cross Examined. This was a butcher Knife that he stabbed me with; sometimes they are sharp and sometimes they are not. Were you laid up with that cut? No sir. You attended to your business the next day and every day since? Yes sir. Did you give this young man a black eye? Certainly I helped myself as good as I could. I dont Know that I cut his nose, he might have done it himself. I had no Knife; he asked me to pay him three dollars.

Johanna Scott sworn and examined. I am 14 years old, live at 101 Norfolk st. I know the complainant, I bought meat of him; on the night of Monday the 20th of last month I saw the prisoner standing in front of the door; the butcher's wife came out and said, "William, what do you want here? and he says, "What have you to speak to me, you prostitute?" Then he got hold of the arm of Mrs. Mass and pushed her down the stairs. Then he went into the store and he held a Knife in his hand and hit Mr. Mass on the head with the Knife. Mr. Mass was bleeding. I ran up and hallooed "fire". Cross Examined. I go very often to Mr. Mass's place. I speak to him every night. Mr. Heller, an old man, was in the place at the time I did not see Mr. Mass touch the prisoner. Moritz Heller sworn and examined testified. I reside 184 East 7th street, I do business with Mr. Mass. I was at his place on Monday the 20th of last month, I saw the prisoner, I was there from 7 to 8 o'clock. Mr. Mass asked the prisoner what he was doing there? He said, "Go in, you God damned bad woman;" he took hold of her and put her three or four steps down stairs. The prisoner was coming in with a Knife in his hand and I told Mr. Mass

to clear out. The prisoner said, "I will kill him, he must die". He struck the man twice. Mr. Mass took a stick to defend himself. I went and took the knife out of his hand and held him till the officer came. That is all I know about it. Lena Mass, the wife of the complainant, testified that the prisoner knocked her down and then struck her husband with a knife; she saw the cut. Officer John McCauley testified that he arrested the prisoner on the 20th of March in the store of the complainant. Heller held the prisoner on the floor and I took charge of him. This knife with fresh blood on it was handed me (knife produced) The complainant and the prisoner were covered with blood around the face and head. The prisoner's nose seemed to be hurt; he did not see any cut.

William Albecker sworn and examined in his own behalf testified. I came from Germany two years ago, am a butcher, worked for Mr. Mass, left him on the 27th of March; Mass owed me three dollars and he refused to give it me in the morning, but Mrs. Mass paid me in the evening. I forgot a neck tie and handkerchief when taking away my things in the morning and I went

back in the evening for them. Mr. Mass hit me with the chopper; then he took a "smoke stick" and hit me on the head with it. I fell senseless to the ground and I dont know what happened after that for I was senseless. I did not have a knife in my hand. I had this knife in my pocket in the morning.

Charles Hoffpeer sworn. I went to school in Germany with the defendant and he is a peacable man.

The jury rendered a verdict of guilty of assault and battery.

0748

BOX:
61
FOLDER:
694
DESCRIPTION:
Albi, Fritz
DATE:
03/16/82

694

119. Next term

239

Counsel,

Filed 16 day of March 1882

Pleads Not guilty (20)

THE PEOPLE

vs.

Diaz Albert

84 130 Bremmer St

Forgery Sect 480 Ch 20 of 82

Forgery the third Degree.

John McKeon

BENJ. K. PHELPS,

District Attorney.

A True Bill.

John Lawson Rhodes

Foreman.

March 1882

Plea Not guilty

Bail $1000

Bail Bremmer

0750

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Fritz Abli

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

Fritz Abli

of the crime of Forgery third degree

committed as follows:

The said Fritz Abli

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the twenty seventh day of February in the year of our Lord one thousand eight hundred and ~~seventy~~ Eighty two at the Ward, City, and County aforesaid, having in his custody and possession a certain instrument and writing to wit: an order for the payment of money of the kind commonly called a draft; which said false forged order for the payment of money

which said

is as follows, that is to say:

Utica Feby 13 1882

$90

W. S. Alger & Co Bankers

Pay to the order of Jacob Heffly

Ninety ——— Dollars in current funds

No 6990

New York City

W. S. Alger & Co

the said Fritz Abli

afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City, and County aforesaid, feloniously did falsely make, forge, and counterfeit, and did cause and procure to be falsely made, forged, and counterfeited, and did willingly act and assist in the false making, forging and counterfeiting on the back of the said order for the payment of money a certain instrument and writing commonly called an Endorsement which said false, forged, and counterfeited instrument and writing, commonly called an is as follows: that is to say, Heffly Freeler

to injure and defraud Jacob. H. Wahenberger with intention

and divers other persons, to the jurors 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.

0751

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

of the Crime of Forgery

committed as follows:
The said Fritz Able

late of the Ward, City, and County aforesaid, afterwards, to wit: on the day and year last aforesaid, at the Ward, City, and County aforesaid, having in his custody and possession a certain instrument and writing to wit an order for the payment of money of the kind called a bank check

which said bank Check
is as follows, that is to say:

$90 Williams Febry 13 1882

W. S Alger & Co Bankers
Pay to the order of Jacob Hefley
Ninety ——— ——— Dollars
in current funds
At Chase National Bank

No 6990 New York City W. S. Alger & Co

and on the back of which said Bank check
was then and there written a certain false, forged, and counterfeited instrument and writing, commonly called an Endorsement of the said last mentioned Bank Check which said false, forged, and counterfeited instrument and writing commonly called an Endorsement
is as follows, that is to say: Hefly Fruder

the
said Fritz Able

then and
there well knowing the premises last aforesaid, and that the said Endorsement
was false, forged, and counterfeited, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City, and County aforesaid, feloniously did utter and publish as true, the said false, forged, and counterfeited Endorsement of the said last mentioned Bank Check with intention to injure

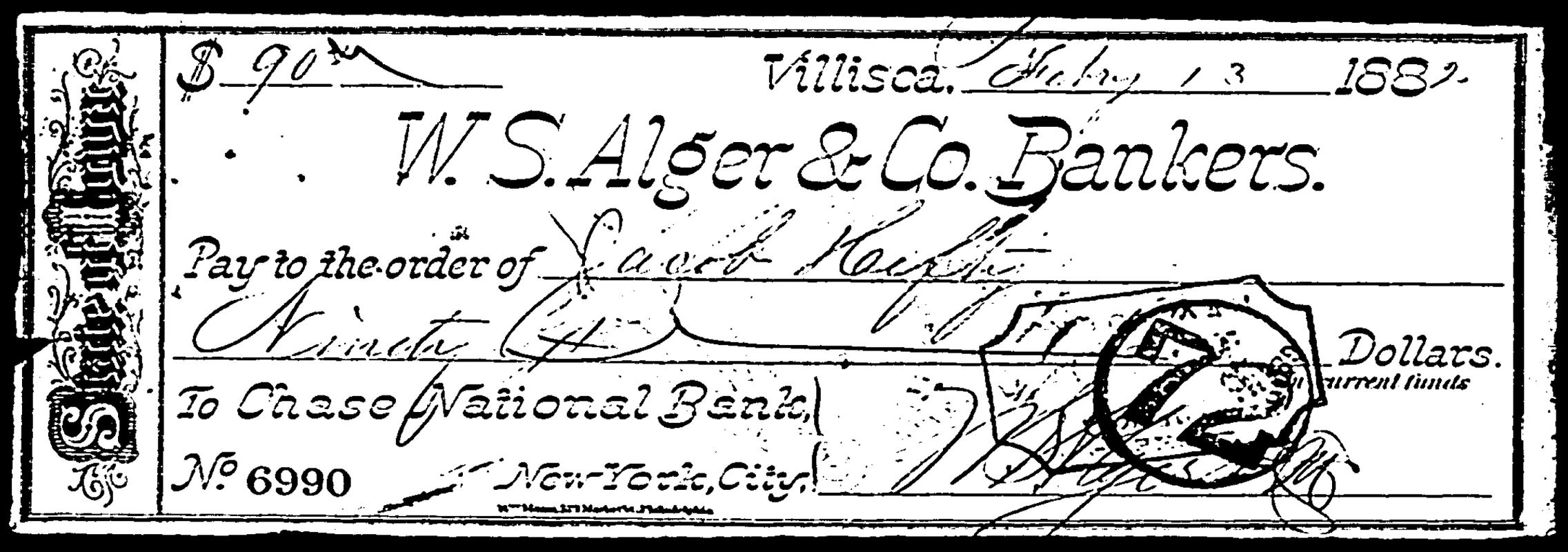
and defraud Jacob T Wahrenberger

and divers other persons, to the jurors aforesaid unknown; he the said Fritz albi Guard at the time he so uttered and published the said false, forged, and counterfeited Endorsement of the said last mentioned Bank Check then and there well knowing the said Endorsement to be false, forged, and counterfeited, as aforesaid, 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 McKeon

~~BENJAMIN K. PHELPS,~~ District Attorney.

0753


$ 90
Villisca, May 13 1882.
W. S. Alger & Co. Bankers.
Pay to the order of
Dollars.
To Chase National Bank,
No 6990
New-York, City.

0754

Pay to the order of
Martin Frender
v
Jacob Hefty
Yoffi Frender
J. G. Wehrenberg
&
+ Cut in error
Hadley

0755

File able
minute mentioned within
was entered Pay 6 ann.
May 26 — 4 day —

State of Iowa }
Montgomery Co } ss

Personally appeared before me E. C. Libbs a Notary Public in and for above named County and State Jacob Heffty of Villisca, Iowa, who being first duly sworn on oath deposes and says, that in relation to the matter of Preity Cebble who is now confined in the "Sounds" pending trial for forgery, that he feels satisfied that said Cebble is innocent of any intention to commit said crime, that about the month of March 1882 the affiant rec'd a letter from said Cebble from New York asking that he Heffty send some money to him and Heffty's father and family to come to Iowa that the affiant send a draft for $90.00 to the order of "Heffty Freuler" the name his father bore, and that said Cebble endorsed said Draft in Heffty Freuler name and drew the money on the same that a few days after sending the Draft, he Heffty had a letter from

his father from Switzerland, in which he stated that he could not come on at that time as he could not dispose of his property. Hefty never having seen his Brother in law (Uebli) supposed that the Draft was forged, and took steps to have them apprehended. That since then his father having disposed of his property in Switzerland, and arriving in this Country, the impostor has been apprehended, and he now feels that he was mistaken. That said from his father's statement and from his own knowledge to serve a client he feels that said Uebli was a party of means in Switzerland that he had a large contract on his hands, and it broke him up, (that he left Switzerland Hefty's father intending to follow on next Steamer) that Hefty's father told him when he arrived in New York to write to the affiant (Hefty) to meet

him send money to Greyfork for them to come out to Iowa. That Hefty sent the Draft as requested supposing his father would be there. That time the Draft reached there, that said Abbli being out of funds, Hefty Freuler not having received expected and knowing the purpose for which the ~~draft~~ Draft was sent, thought he was doing no harm in endorsing the name of the payee on the Draft especially as it was sent to him (Hefty) That said Draft was endorsed in presence of Mr Mahrenberger the proprietor of the Hotel, he knowing that said Abbli was not Hefty Freuler, that when said Abbli left the Hotel he left his baggage there, & went to Philadelphia to see his sister pending the arrival of Hefty Freuler, and that said Mahrenberger knew his destination when he departed.

That he is positive from representations of Hefty Freuler (the defendant's father)

0758

that said Ackli is an honest straight forward man, and that if the offense he committed was forgery that it was not intentional

P Hefty

Subscribed and sworn to before me by said Jacobite this 25th day of May 1882

E. C. Lehr
Notary

0759

Insurance, Loan, Real Estate, and U. S. Claim Agent.

Abstracts and Conveyances. Particular attention given to Collections.

E. C. GIBBS,
ATTORNEY AT LAW.

OFFICE:
West side Public Square, 2nd Floor.

Villisca, Iowa, May 25 1881.

Judge Eldersheim
Dear Sir,
Enclosed please find a paper in form of an affidavit, which explains itself.
Mr Jacob Hefty the affiant is a poor laboring man, but is willing to ~~accumulate~~ make the parties good for all loss that has accrued to them by reason of the Draft matter, and hopes that if your honor can see from enclosed affidavit and surrounding circumstances, that said Abli

0760

Insurance, Loan, Real Estate, and U. S. Claim Agent.

Abstracts and Conveyances. Particular attention given to Collections.

E. C. GIBBS,

ATTORNEY AT LAW.

OFFICE:
West side Public Square, 2nd Floor.

Villisca, Iowa, ... 188 .

I am sorry that you will discharge him from custody on payment of whatever sum your honor thinks is just and right, only asking that you will be lenient with the parties here as in your circumstances, & will have to borrow a part of any sum that might be set. If this is not sufficient for you to base your action in the premises could you not have the matter again continued, and send a commission for the taking of whatever depositions you require? Awaiting your early answer I remain Yours very Respectfully E C Gibbs for Jacob Hoff

The People
ex rel
Jacob F. Wahrenberger
— agst —
Fritz Abli

City and County of New York ss:

Jacob F. Wahrenberger being duly sworn says that he is engaged in business in the city of New York as proprietor of Hammers Hotel at no. 130 Greenwich Street — That on or about the 27th day of February 1892 the above ~~[illegible]~~ defendant who was a guest at my hotel and owed me about seven or eight dollars offered me the check for ninety dollars which is hereunto annexed ~~whereupon I gave him trade~~ and in my presence endorsed upon said check the name Hefti Frenler ~~to whom~~ I then said that that was not his (the defendants) name when he said that it was the name of his father in law and that he had power of attorney to sign for him he then handed me

0762

the check and to paid him in money the difference between what he owed me and what the check called for. to deposited the check in my bank for collection and afterwards the check was retired to me accompanied by the annexed affidavit.

Sworn to before me this 17 day of March 1942

Hugh Emmelly
Notary Public
N.Y. Co.

Jacob F. Wahrenberger

Mr. Matsuo

Jacob F. Wahrenberger
Namen Hotel
130 Greenwich St

Off Chas. Neidlinger
60

0763

State of Iowa
Pottawattamie County } ss.

On this 5 day of Jan. 1903 before me, a Notary Public in and for said County and State being first duly sworn on oath deposed and says that the endorsement Hedti Steuler on the Original Draft No 6940, drawn by H. S. Albert & Co. of Tillson, Iowa, on the Chase National Bank of New York City, for the sum of Ninety Dollars, issued in my favor on date February 18th 1882, and by me endorsed to Hedti Steuler is a forgery, said endorsement not being in the handwriting of my father, Hedti Freeler, he being to my personal knowledge unable to write. I further swear that said endorsement was not written by his direction, knowledge or consent, he being a resident of Emmenda, Glarus, Switzerland, and never having been in New York City, of the United States of America, nor represented in said City or Country by agent authorized to use his name or transact any business for him

0764

Witness my hand and signature hereto, signed in presence of Frank G. Waterman and W. S. Alger, this Eleventh day of March A.D. 1882

Jacob Heftz

Witness
W. S. Alger
F. G. Waterman

Sworn to before me by Jacob Heftz and by him subscribed in my presence this Eleventh day of March A.D. 1882.

Witness my hand and seal Notarial on the day and date last above written

F. G. Waterman
Notary Public

6.50
14.00
2.00
2.00
7.50
12
44.00

0765

BOX:
61

FOLDER:
694

DESCRIPTION:
Alix, Joseph

DATE:
03/24/82

694

136 Bill ordered

Counsel,

Filed 24 day of March 1882

Pleads

THE PEOPLE

vs.

Joseph Alix P

43.

By W. S.

Shoemaker

BURGLARY—Third Degree, and Grand Larceny.

John McKeon

~~DANIEL G. ROLLINS,~~

District Attorney.

Part 1. Mar 24. 1882

Plead P.C.

A True Bill.

John Thomas Rhoades

Foreman.

Verdict of Guilty should specify of which count.

a/

0767

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Alix

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

of the CRIME OF Burglary in the Second Degree

committed as follows:

The said Joseph Alix

late of the Fifteenth Ward of the City of New York, in the County of New York, aforesaid, on the Eighth day of March in the year of our Lord one thousand eight hundred and eighty two with force and arms, about the hour of Nine o'clock in the Night time of the same day, at the Ward, City and County aforesaid, the dwelling house of Ida Williams

there situate, feloniously and burglariously did break into and enter, by means of forcibly breaking open an outer door of said dwelling

he the said

Joseph Alix

then and there intending to commit some crime therein, to wit: the goods, chattels and personal property of Ida Williams

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.

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

of the CRIME OF Larceny

committed as follows:

The said Joseph Alix

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,

Two Bracelets of the value of one dollar Each
Five Rings of the value of five dollars. Each
one Stud of the value of one dollar
Four Hand Kerchiefs of the value of one dollar Each

of the goods, chattels, and personal property of the said Ida Williams

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

John McKeon

~~DANIEL G. ROLLINS,~~ District Attorney.

0768

241

Sec. 204, 205, 210 & 212.

Police Court 136 **District.**

THE PEOPLE, &c.,

on the complaint of

Charles Williams, No. 86 Mt. Pleasant Ave.

Offence, Burglary

1	
2	
3	
4	

Dated March 14 1882

J. Williams Magistrate.

Officer.

Clerk.

Witnesses: Charles Weidlich, No. Central Police Office, Street.

S. S. Stillings No. Central Police Office Street.

Henry Cox No. 57 W. 7 St.

Charles Williams No. 86 Mt Pleasant Ave Street.

Committed to Warden Tombs

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 Joseph Ali

guilty thereof, I order that he ~~be admitted to bail in the sum of Hundred Dollars and~~ held to answer the same and be committed to the Warden or Keeper of the City Prison ~~until he be discharged~~ of the City of New York until legally discharged

Dated March 14 1882 J. Williams 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.

0769

Sec. 193—206.

2nd DISTRICT POLICE COURT.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Joseph Alix

Question. How old are you?

Answer. 23 Years.

Question. Where were you born?

Answer. Algiers

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

Answer. 8 1/2 West 3 Street 4 months

Question. What is your business or profession?

Answer. Shoemaker.

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 of the charge. I plead guilty to petit larceny, not burglary, on account of having bought the goods from a boy on the Bowery.

Taken before me, this 14th *day of* March 188[illegible]

Jo Alix

[illegible] *Police Justice.*

0770

Police Court—Second District.

City and County of New York. } ss:

Ida Williams, age 23, Dressmaker, of No. 86 West Third Street, being duly sworn, deposes and says, that the premises No. 86 West Third Street, Apartment 3 13 Ward, in the City and County aforesaid, the said being a Dwelling and which was occupied by deponent as a Dwelling were BURGLARIOUSLY entered by means of forcibly breaking the lock on the door leading from the Hallway with the intent to commit a crime therein on the Night of the 8th day of March 1882 and the following property feloniously taken, stolen, and carried away, viz:

One pair of plated Bracelets of the value of Two dollars. Five Gold strings together of the value of Twenty five dollars. One Gold Stud of the value ~~of Twenty five~~ of One dollar. Four silk Handkerchiefs together of the value of Four dollars. In all of the value of Thirty Two dollars.

the property of Deponent and Carrie Williams and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen and carried away by Joseph Alif (Now here) for the reasons following, to wit: That at or about the hour of 10 Oclock P.M. on said date deponents Securely fastened said door and left said premises and went to Williamsburgh and returned at or about the hour of 2 Oclock A.M. on the 9th day of March. Deponent on entering said premises discovered that her room had been Burglariously entered and the said property taken, stolen and carried away. Deponent is informed by Officer

Heidelberg that he arrested the said Alif and found in his possession a portion of the said property and three pawn tickets which the said Alif informed the said Heidelberg represented a portion of the property taken from deponents room. Deponent has seen the property taken from the said Alif and identifies it as a portion of the property which had been burglariously taken stolen and carried away from deponents premises —

Sworn to before me. Ida Williams
this 14th day of March 1882
J. Hilliard
Police Justice

City and County of New York. ss.

Charles Heidelberg, aged 44. of the Central Office Police being duly sworn deposes and says. that he has heard read the foregoing affidavit and that the facts stated therein on information of deponent are true of deponents own knowledge.

Sworn to before me. Chas. Heidelberg
this 14th day of March 1882. [redacted]
J. Hilliard
Police Justice

0772

BOX:
61
FOLDER:
694
DESCRIPTION:
Bailey, James
DATE:
03/14/82

694

WITNESSES.

I Buckley A.C. White
506 West 58th St.

23. 1883 – Sentenced to Penitentiary for 10 months & mpt of Grand Jury on another charge
Not yet warrant for
Jany 26. 1883 – W.D.

94

B. M. Jany 24/83

Day of Trial,

Counsel,

Filed 14 day of March 188 2

Pleads

THE PEOPLE

vs.

James A Bailey

Dur. & Conv. Nov. 25. 1883

Nov 30/83.

Discharged by Court

LARCENY AND RECEIVING STOLEN GOODS.

JOHN McKEON,

District Attorney.

A True Bill.

John Hanson Rhoades

Foreman.

Left without trial
H. Wenniger & aid
H. Arch & Any Quality
Ov. papers written

0774

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James A. Bailey

The Grand Jury of the City and County of New York, by this indictment, accuse James A. Bailey of the CRIME OF LARCENY

committed as follows:

The said James. A. Bailey

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

forty yards of Silk of the value of two dollars Each yard.

of the goods, chattels and personal property of one Samuel Oppenheim

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

John McKeon
District Attorney

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

of the Crime of Receiving Stolen Goods, committed as follows:

The said

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

of the goods, chattels and personal property of the said

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

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

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

JOHN McKEON, District Attorney.

New York General Sessions.

PEOPLE ON MY COMPLAINT,

VERSUS

James A. Bailey

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.

And would further request that he may be discharged on his own cognizance

Saml Oppenheim

Mr Cutten concurs in above and recommends that defdt be disch.d & indictment dismissed.

J.S.

0777

Sec. 204, 209, 210 & 212.

Police Court— 2 District. 225

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James A. Bailey
394 Pearl Street
Grand Larceny

Offence, Grand Larceny

BAILED,

No. 1, by _____ Residence _____ Street,

No. 2, by _____ Residence _____ Street,

No. 3, by _____ Residence _____ Street,

No. 4, by _____ Residence _____ Street,

Dated March 11 188 2

Gunther Magistrate.

Thalmeier Officer.

Clerk.

Witnesses Wm. Gaffney

Street,

Chas. Gaffney

Street,

No. 21 Pearl Street,

No. _____ Street.

P. J. Murphy
Gen

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 A. Bailey held to answer and

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

Dated March 11 188 2 Hughes Gardy *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.*

0778

4

Sec. 198—200.

DISTRICT POLICE COURT.

CITY AND COUNTY OF NEW YORK, } ss.

James A. Bailey 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 waiven cannot be used against him on the trial,

Question. What is your name?

Answer. James A Bailey

Question. How old are you?

Answer. 21 years

Question. Where were you born?

Answer. Albany New York

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

Answer. 159 East 82 Street, about three years

Question. What is your business or profession?

Answer. Bookkeeper

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

Answer. I am guilty

Taken before me, this 4 *day of* March 1882 } James A. Bailey

Hugh Hendrick *Police Justice.*

0779

9

District Police Court—

CITY AND COUNTY OF NEW YORK } ss.

Samuel Oppenheimer aged 24 years occupation Clothing Merchant

of No. 39 and 41 Mercer Street

being duly sworn, deposeth and saith, that on the 15th day of February 1882

at the 5th Ward of the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent,

the following property viz.:

Forty yards of piece of the value of eighty dollars

the property of Samuel Oppenheimer and Julius Oppenheimer under the firm name of Oppenheimer & Co.

, 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 A. Bailey (now here) from the fact that the said Bailey has acknowledged and confessed to deponent in the presence of a witness that he did take steal and carry away the said property from deponents place of business at the aforesaid premises and deponent further says that the said

Sworn before me this 15th day of February 1882

Robert Jeffrey

0780

Bailey has acknowledged and confessed that he did on divers dates during the ten months last past take, steal and carry away divers pieces of silks, ribbons, buttons, sewing sticks, and other property to the amount and value of three hundred dollars

Sworn to before me
this 11 day of March 1882

Hugh McLaughlin
Police Justice

David Oppenheimer

DISTRICT POLICE COURT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

187

DATED

MAGISTRATE.

OFFICER.

WITNESSES:

0781

BOX:
61

FOLDER:
694

DESCRIPTION:
Barnable, John

DATE:
03/24/82

694

I Barlehy
George A. Haggerty
779 3rd ave.

162 Part Two
Counsel, W.F.K. Trans. Co.
Filed 24 day of March 1882
Pleads Not Guilty 27.

THE PEOPLE

17. Bdw
Sol + Charlotte vs. B.

John Donnable

INDICTMENT.
Larceny from the Person.

Sentence suspended
P 2 April 14. 1882

John McKeon
~~DANIEL G. ROLLINS,~~
District Attorney.

P 2. April 11. 1882.
pleads Attempt 18

A True Bill.

John Henry Rhodes
Foreman.

Bail cancel
he latter in
the sum of
$500. Filed

WITNESSES.

0783

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Barnable

The Grand Jury of the City and County of New York, by this indictment, accuse John Barnable of the CRIME OF LARCENY (from the person)

committed as follows:

The said John Barnable late of the First Ward of the City of New York, in the County of New York, aforesaid, on the twentieth day of March in the year of our Lord one thousand eight hundred and eighty-two, at the Ward, City and County aforesaid, with force and arms,

Three United States Silver Coins of the denomination of fifty cents and of the value of fifty cents each, Six United States Silver Coins of the denomination of twenty-five cents and of the value of twenty-five cents each, Fifteen United States Silver Coins of the denomination of ten cents and of the value of ten cents each,

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

John W. Keon

~~DANIEL G. ROLLINS~~, District Attorney.

0784

258

Sec. 209, 210, 211 & 212.

Police Court—[illegible] District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Charles Whitfield
[illegible]
John Barnable

Offence, Larceny from person

Dated 21 March 188 2

1
2
3
4

[illegible] Magistrate.

[illegible] Officer.
C.O.

BAILED,

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

Witnesses James Mahlin
No. 457 W 37th
No. .....
No. .....
No. .....

BOROUGH OF BROOKLYN
MAR 22 1882
DISTRICT ATTORNEY'S OFFICE

Antonio Lenn

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

[illegible] guilty thereof. I order that he be admitted to bail in the sum of [illegible] Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated 21 March 188 2 [illegible] *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.*

0785

Sec. 198—200.

18 DISTRICT POLICE COURT.

CITY AND COUNTY OF NEW YORK, } ss.

John Barnable 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 upon the trial,

Question. What is your name?

Answer. John Barnable

Question. How old are you?

Answer. 17 years

Question. Where were you born?

Answer. New York city

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

Answer. 805 – 3 ave 13 years

Question What is your business or profession?

Answer. Stair builder

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

Answer. I am guilty

Taken before me, this 14 *day of* March 188[illegible] John Barnable

[illegible] *Police Justice.*

0786

1st District Police Court. Affidavit—Larceny.

CITY AND COUNTY OF NEW YORK, } ss:

Clara S Whitfield, aged 33 years
of No. 245 Lexington ~~street~~ avenue

being duly sworn, deposes and says, that on the 20 day of March 188 2
at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent and from deponents person in the night time
the following property, viz:

One small sachel containing silver coins of different denominations and of the value of one dollar and fifty cents

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 Barnable (now here)
from the fact that while deponent was passing along East 26th Street in said city on said day deponent felt some persons hand in the pocket of the cloak then and there worn by deponent as a part of her bodily clothing and immediately thereafter deponent saw said defendant start an run away from deponent and ~~she missed~~ at said time deponent

Sworn before me this day of 188

Police Justice.

0787

missed the aforesaid property from said pocket of said cloak.

Wherefore deponent charges said defendant with taking stealing and carrying away from deponents person the aforesaid property.

Chas J. Whitfield

Sworn to before me this 21 day of March 1882

W. J. Carman

Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated 188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

General Sessions Court

The People

Plaintiff,

AGAINST

John Barnabas

Defendant.

Affidavit of Defense

William F. Kratzer

Attorney for Deft

Post-office and Office Address,

NO. 15 CENTRE STREET,

NEW YORK CITY.

To

BORGARDT, Printer (Law Telephone No. 12); 20 Rose St., N. Y.

0789

N.Y. General Sessions
The People etc
agst -
John J Barnable

City and County of New York.

Henry H. Rittenbusch being duly sworn says I reside at Number 797 Third Avenue in the City of New York. I am engaged in the Grocery Business at said Number aforesaid. I know John J Barnable defendant above named and have known him for four years last past He was in my employ during said time for about six months - during the summer and fall of the year 1880. I know other people that know him and I know that his character for honesty is of the very best. During the time he was in my employ I found him to be honest and industrious. His character for honesty among those that I know who know said Barnable is of the very best -

Sworn to before me this 13th day of April 1882

Henry H. Rittenbusch

Henry Pickle
Notary Public

0790

U. S. General Sessions

The People etc
agt
John J Barnable

City & County of New York ss
Robert B. Livingston
being duly sworn says I reside at number 799 Third Avenue in the City of New York and am engaged in the Furniture business at said place. I know John J Barnable defendant above named and have known him for five years last past
I know a great many people who know defendant, and I know that his character among his friends and acquaintances for honesty is of the very best
I know personally that said Barnable is an honest and industrious young man.
Sworn to before me this 13th day of April 1882 } Robert B Livingston

Thomas F Rhoad
Notary Pub.
C. 6 N.Y.C.

0791

City General Sessions
The People etc
agt
John J Barnable

City and County of New York ss.
Mathew J. Graham
being duly sworn says I reside at
Number 209 East 50th Street New York City
I am a clerk in the Department
of Arrears of Taxes in City of New York
I know John J Barnable defendant
above named and have known him
about three years last past.
I know other people who know the
defendant and I know that his char-
acter for honesty is of the very best
I have seen him frequently during
said time and I know, we have always
known him to be an honest industrious
and good boy.
Sworn to before me } M. J. Graham
this 18th day of April 1882 }
John H Sherman (72)
Notary Public N.Y.Co

P.19.

In General Sessions

The People etc

against

John J. Barnabe

Affidavits of
Character

Wm. F. Kenizing
Counsel for Defdt
15 Center St
Chicago

0793

City General Sessions
The People etc
agst
John J. Barnable

City & County of New York ss.

George R. Haggerty being duly sworn says I reside at No 803 Third Avenue New York City. I am engaged at said place aforesaid in the business of Locksmith and Brass Founder I know John J. Barnable defendant above named and have known him the years last past.

I know other people who know him and I know that his character for honesty is quite very best.

I have seen said B~~arnable~~ frequently almost daily during said time and know that he has been an honest industrious and good boy in whom I have always had great confidence

Sworn before me this 13th day of April 1882

[redacted]

[redacted]
Notary Public
C. A. C.

0794

☞ PLEASE ADDRESS ANSWER TO FACTORY. ☜

GARDNER & CO.,

PATENTEES AND MANUFACTURERS OF

Perforated Veneer Seats, Chairs, Settees, &c.

FACTORY,

No. 330 to 340 EAST 61st STREET,

OFFICE, 183 CANAL STREET.

New York, April 14 1882

Hon. Rufus B. Bowing

Dear Sir

This is to certify that John Barry was in our employ from March. 29th 1882 untill April. 10th 1882. and without his position has been refilled we will take him back

Respt Yours.

Gardner and Co.

0795

BOX:
61
FOLDER:
694
DESCRIPTION:
Barto, Thomas
DATE:
03/31/82

694

210 Bi[illegible]

Counsel,

Filed 31 day of March 1882

Pleads

THE PEOPLE

vs.

40. Phil. Banks P.

Thomas F. Bait

INDICTMENT.

FORGERY in the Third Degree.

JOHN McKEON,

District Attorney.

P 2 April 3. 1882
pleads guilty 6.

A True Bill.

John Hamm Rhoades

Foreman.

S.P. 4 years.

a/

0797

Court of General Sessions of the City and County of New York.

THE PEOPLE OF THE STATE OF NEW YORK
against
Thomas F. Barto

The Grand Jury of the City and County of New York by this indictment accuse Thomas F. Barto of the crime of Forgery in the third degree, committed as follows:

The said Thomas F. Barto

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the twenty third day of March in the year of our Lord one thousand eight hundred and eighty two with force and arms, at the Ward, City, and County aforesaid, feloniously did falsely make, forge, and counterfeit, and cause and procure to be falsely made, forged and counterfeited, and willingly act and assist in the false making, forging and counterfeiting a certain instrument and writing to wit, an order for the payment of money of the kind commonly called a draft

which said false, forged and counterfeited draft is as follows, that is to say:

No 5300.

The Peoples National Bank of Pittsburgh
Pittsburgh Pa Feb 18 1882.

Pay to the order of T. F. Barto
Thirty-five hundred Dollars
To The Third National Bank
New York

F. M. Jordan
Cashier

No 57309

with intent to injure and defraud the Peoples National Bank of Pittsburgh

and divers other 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.

0798

And the Grand Jury aforesaid further accuse

the said Thomas F. Barto of the crime of Forgery, committed as follows: The said Thomas F. Barto

late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously and falsely did utter and publish as true, with intent to injure and defraud ~~the said~~ one William Taber

and divers other persons, to the Grand Jury aforesaid unknown, a certain false, forged and counterfeited instrument and writing to wit: an order for the payment of money of the kind commonly called a draft,

which said last-mentioned false, forged and counterfeited draft is as follows, that is to say:

$500.

The Peoples National Bank of Pittsburgh

Pittsburgh, Pa. Nov. 17, 1892.

Pay to the order of T. F. Barto

Sixty-five hundred Dollars

To the Third National Bank
New York

No. 51,309

F. W. Gordon,
Cashier

the said Thomas F. Barto

at the same time he so uttered and published the last-mentioned false, forged and counterfeited draft

as aforesaid, then and there well knowing the same to be false, forged and counterfeited, 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 McKEON, District Attorney.

0799

Warrant of Attachment.

Plaintiff's Attorney.

I hereby Certify the ~~within~~ annexed to be a true copy of the Original Warrant of Attachment, as issued to me in the within mentioned action, and that the attachment, of which the within is a copy, is now in my hands, and that by it I am commanded to attach all estate, real and personal, including money and bank notes, of the defendant

J. E. Barto

within named within my county (except articles exempt from execution), and to take into my custody all books of account, vouchers and papers relating to the property, debts, credits, and effects of said defendant together with all evidences of title to real estate, and that all such property, debts, credits, and effects, and all rights and shares of stock, with all interest and profits thereon, and all dividends thereon or therefrom, of the said defendant now in your possession or under your control, are, and those which may come into your possession or under your control, will be liable to said warrant of attachment, and are hereby attached by me, and you are hereby required to deliver all such moneys, bank notes, books, vouchers, papers, debts, credits, effects, evidences of title to real estate, shares of stock, interest, profits, and dividends thereon, and all property capable of manual delivery, into my custody without delay. And I hereby require you to furnish me with a certificate, as required in that behalf by the Code of Procedure, of any rights, shares, debts, or other property of said defendant incapable of manual delivery. And in DEFAULT hereof you will be liable to the EXAMINATION and ATTACHMENT in such case provided by law. Also specially attach a Certain Check for the Sum of $27,957.65 on the Nat. National Exchange Bank Albany by Bank Draft by J. K. Knight (or J. K. King) to the order of defendants.

Dated New York, the 29th day of Oct 188 7

Yours, etc.,

Peter Rowe
Sheriff of the City and County of New York.

Jno Dunlap
Deputy Sheriff.

0800

Warrant of Attachment.—Code of Civil Procedure, §641.

H. Justice & Co., Stationers, 23 Nassau Street, N. Y.

The People of the State of New York,

To the Sheriff of the City and *County of* New York GREETING:

Whereas an Application has been made to the Judge granting this warrant by Charles Bidel, William Jekel and Anton Eilers plaintiffs for an attachment against the property of J. J. Barto, the defendant in an action in this Supreme Court and upon such application, it duly appearing by affidavit that a cause of action on the ground of injury to personal property in consequence of the fraud of said Defendant exists in said action in favor of the said plaintiffs against the said defendant — for the recovery of $3,113 05/100 dollars ~~and cents~~, with interest thereon from the 23rd day of March 188 2 and the said affidavit specifying the amount of the said claim, and the grounds thereof, and that the said defendant is not a resident of the State and has disposed of or secreted property with the intent to defraud his creditors and the said plaintiffs having also given the undertaking required by law:

Now you are hereby Commanded, to attach and safely keep so much of the property of the said defendant J. J. Barto within your County, which the said defendant has or may have at any time before final judgment in this action, as will satisfy the plaintiff's said demand of $3113 05/100 with interest as aforesaid, together with costs and expenses, and that you proceed hereon in the manner required of you by law.

Given under the hand of Hon John R. Lawrence *one of the Justices of the said* Supreme *Court, at the* City of New York *this* 28th *day of* March *in the year one thousand eight hundred and* eighty two

John Robinson *Plaintiff's Attorney.*
161 Broadway
N. Y.

John R. Lawrence
J. S. C.

Judge.

0801

274 310

Police Court—2nd District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
William Stokes
38 Spruce St
Thomas F Barto.

Offence, Forging and Uttering

BAILED,

No. 1, by .....

Residence ..... Street,

No. 2, by .....

Residence ..... Street,

No. 3, by .....

Residence ..... Street,

No. 4, by .....

Residence ..... Street,

Witnesses .....

No. ..... Street,

No. ..... Street,

No. ..... Street.

2
3
4

Dated March 27th 1882

No. 1

Solon B Smith Magistrate.

Daughety 25 Officer.

..... Clerk.

Committed

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

held to answer the same and he is guilty thereof, I order that he be ~~admitted to bail in the sum of ... Hundred Dollars and be~~ committed to the Warden or Keeper of the City Prison of the city & New York ~~until he gives such bail.~~

Dated March 27th 188 2 Solon B Smith 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.*

0802

No. 198—200.

First DISTRICT POLICE COURT.

CITY AND COUNTY OF NEW YORK, } ss.

Thomas F. Barto 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 waiven cannot be used against him on the trial,

Question. What is your name?

Answer. Thomas F. Barto

Question. How old are you?

Answer. Forty two Years

Question. Where were you born?

Answer. St Louis. Mo

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

Answer. Pittsburgh Pa. 8 Months

Question. What is your business or profession?

Answer. Shoe and Leather

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 waive my right to make a statement and further examination

Taken before me, this 27 *day of* March 188 } T. F. Barto.

Solon B. Smith *Police Justice.*

0803

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

POLICE COURT First DISTRICT.

William Depew
of No. 38 Spruce 43 - Pittsburgh Street, being duly sworn, deposes and says that on the 23d day of March 1882 at the City of New York, in the County of New York, Thomas J. Barto (now here) did knowingly and feloniously with the intent to cheat and defraud deponent forge and utter as true a certain instrument in writing to wit a draft issued by the Peoples National Bank of Pittsburgh Pennsylvania upon the First National Bank of Boston and purporting to have been issued by said bank as true and dated March 18th 1882. for the sum of Thirty five hundred dollars and bents attached that said Barto gave said draft to deponent in payment for certain goods purchased from deponent and at the time said Barto represented to deponent that said draft was good and genuine, he well knowing at the time of making such representations to deponent that said draft was false forged and fraudulent and of no value. Deponent is informed by Jacob Painter Jr a director of said bank that said draft is false forged and fraudulent inasmuch, that it has been issued and altered from a draft issued by said bank on February 17th 1882 payable to the order of J. H. Hindman and for the sum of Twenty one dollars and seventy five cents. Wherefore deponent charges said Barto with feloniously forging and uttering as true said draft and prays said Barto may be held to answer as the law directs.

Wm Depew

Sworn to before me this 27th of March 1882.

[illegible]
Police Justice

0804

Jacob Painter Jr. of Pittsburgh Pennsylvania being duly sworn says that he is a director of the Peoples National Bank of Pittsburgh Pennsylvania. That he has seen the within named draft. That said draft is false forged and fraudulent in as much that it has been raised and altered from a draft ~~given~~ ~~bank~~ issued by said Bank on February 17th 1882 for the sum of Twenty one dollars and seventy five cents) to one J. H. Hindman. That on the 18th day of March 1882 No draft for the sum of Thirty five hundred dollars and payable to J. F. Barto was issued by said bank. That the said draft for the said sum of Thirty five hundred dollars and dated March 18. 1882 is false forged and fraudulent.

Jacob Painter Jr.

Sworn to before me this 27th day of March 1882

Solon B. Smith
Police Justice

Police Court _____ District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated _____ 188

Magistrate.

Officer.

Witness, _____

Disposition, _____

0805

BOX:
61

FOLDER:
694

DESCRIPTION:
Barton, Mary

DATE:
03/28/82

694

176

Witnesses:

Day of Trial,

Counsel,

Filed 28 day of March 188 2

Pleads

THE PEOPLE

24.
175. 3M *vs.*

J.
Mary Barton

Felonious Assault and Battery.

John McNeem
~~DANIEL G. ROLLINS,~~
District Attorney.

P 2 Mar 29, 1882
plead assault.

A True Bill.

John Harris Rhoades
Foreman.

Rec: Sheriff

a

0807

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Mary Barton

The Grand Jury of the City and County of New York, by this indictment, accuse Mary Barton of the CRIME OF "Assault and Battery upon another with a deadly weapon with intent to kill," committed as follows:

The said Mary Barton late of the City of New York, in the County of New York, aforesaid, on the Tenth day of March in the year of our Lord one thousand eight hundred and eighty six with force and arms, at the City and County aforesaid, in and upon the body of Mary A. Seymour in the peace of the said people then and there being, feloniously did make an assault and her the said Mary A. Seymour with a certain Knife which the said Mary Barton in her right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound with intent her the said Mary A. Seymour 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 Mary Barton of the CRIME OF "Assault upon another, without justifiable or excusable cause, with a sharp, dangerous weapon, with intent to do bodily harm," committed as follows:

The said Mary Barton afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~ with force and arms, in and upon the body of the said Mary A. Seymour — — — — — — — then and there being, wilfully and feloniously did make an assault and her the said Mary A. Seymour with a certain Knife which the said Mary Barton in her right hand then and there had and held, the same being then and there a sharp, dangerous weapon, wilfully and feloniously, and without justifiable and excusable cause, did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously do bodily harm unto her the said Mary A. Seymour 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.

0808

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said Mary Barton of the CRIME OF "Assault and Battery upon another by such means and force as was likely to produce death with intent to kill," committed as follows:

The said Mary Barton afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~ with force and arms, in and upon the body of Mary A. Seymour in the peace of the said people then and there being, feloniously did make another assault and her the said Mary A. Seymour with a certain knife which the said Mary Barton in her right hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut and wound, the same being such means and force as was likely to produce the death of her the said Mary A. Seymour ~~with~~ intent her the said Mary A. Seymour 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.

FOURTH COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said Mary Barton of the CRIME OF "Assault and Battery upon another, with a deadly weapon, with intent to maim," committed as follows:

The said Mary Barton afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said Mary Barton with force and arms, in and upon the body of the said Mary A. Seymour then and there being, wilfully and feloniously did make another assault and her the said Mary A. Seymour with a certain knife which the said Mary Barton in her right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent ~~then and there~~ wilfully and feloniously to maim the said Mary A. Seymour 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 McKeon

~~DANIEL G. ROLLINS~~, District Attorney.

0809

280

Sec. 20, 20 A. 212.

Police Court— 2 — District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

1 [illegible]

2 No. [illegible] Richmond Ho

3 [illegible]

4 [illegible]

Offence, [illegible]

Dated March 20 188 2

[illegible] Justice.

[illegible] Officer.

[illegible] Clerk.

Witnesses

No. ..... Street.

No. ..... Street.

No. ..... Street.

BUREAU OF PUBLIC BUILDINGS. FEB 24 1882 OFFICE.

#5110 [illegible]

Corporal

BAILED,

No. 1, by .....

Residence ..... Street,

No. 2, by .....

Residence ..... Street,

No. 3, by .....

Residence ..... Street,

No. 4, 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 Mary Dalton

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

Dated March 20 188 2 — *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 him to be discharged.

Dated ..... 188 — *Police Justice.*

0810

Sec. 198—200.

2nd DISTRICT POLICE COURT.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Mary Barton

Question. How old are you?

Answer. 24 years old

Question. Where were you born?

Answer. New York

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

Answer. 125 West 3 St ; 2 weeks

Question. What is your business or profession?

Answer. General house work.

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 struck her with an umbrella. She struck me first with her fist. I did not have a razor - I never had a razor.

Mary Barton

Taken before me, this 20th *day of* March 1884

J. W. Ramsey *Police Justice.*

0811

AFFIDAVIT—FELONIOUS ASSAULT, &c.

Second District Police Court.

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

Mary A. Seymour.
age 22. Servant.
of No. 176 Thompson Street, being duly sworn, deposes and says that on the 10th day of March in the year 1882, at the City of New York, she was violently and feloniously assaulted and beaten by

Mary Barton (mulatto) who wilfully and maliciously did cut and wound the right hand of this deponent with a certain deadly weapon, to wit: a razor, which she, said Mary Barton, then and there had and held in her right hand

with the felonious intent to take the life of deponent, ~~or~~ to do her ~~him~~ 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~~ dealt with according to law.

Mary A. Seymour
her mark

Sworn to before me this 20th *day of* March 1882

H. D. Thomson *Police Justice.*

0812

BOX:
61

FOLDER:
694

DESCRIPTION:
Baxter, Charles

DATE:
03/31/82

694

76
395 Jurors Recap
Kentgrove

Counsel,

Filed 31 day of March 188 2

Pleads Not guilty after

THE PEOPLE

vs.

P.

Charles Bagley

(2 Cases)

INDICTMENT.

FOR: LARCENY in the Third Degree.

JOHN McKEON,

District Attorney.

A True Bill.

John Ramon Rhoades

May 5/82

Foreman.

Richard by Search

0814

Court of General Sessions of the City and County of New York.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Charles Baxter

The Grand Jury of the City and County of New York by this indictment accuse Charles Baxter of the crime of Forgery in the third degree, committed as follows:

The said Charles Baxter

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the eighth day of April in the year of our Lord one thousand eight hundred and ~~eighty~~ seventy-nine, with force and arms, at the Ward, City, and County aforesaid, feloniously did falsely make, forge, and counterfeit, and cause and procure to be falsely made, forged and counterfeited, and willingly act and assist in the false making, forging and counterfeiting a certain instrument and writing purport an order for the payment of money of the kind commonly called a bank check

which said false, forged and counterfeited Bank Check is as follows, that is to say:

No 103 New York, 8 April 1879.
German Exchange Bank
Pay to the order of Chas. Baxter
Twenty & Collars
$20. Josef Scheuer

with intent to injure and defraud

Josef Scheuer

and divers other 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.

0815

And the Grand Jury aforesaid further accuse

the said Charles Baxter of the crime of Forgery, committed as follows: The said Charles Baxter

late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously and falsely did utter and publish as true, with intent to injure and defraud the said

Joseph Schenia

and divers other persons, to the Grand Jury aforesaid unknown, a certain false, forged and counterfeited instrument and writing to wit, an order for the payment of money of the kind commonly called a Bank check

which said last-mentioned false, forged and counterfeited Bank check is as follows, that is to say:

No 103 New York 8 April 1879.

German Exchange Bank,
Pay to the order of Chas Baxter
Ninety Dollars
$90. Josef Schenia

the said Charles Baxter

at the same time he so uttered and published the last-mentioned false, forged and counterfeited Bank check

as aforesaid, then and there well knowing the same to be false, forged and counterfeited, 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 McKEON, District Attorney.

0816

POOR QUALITY
ORIGINAL
DOCUMENT(S)

0817

Sec. 204, 209, 210 & 212.

Police Court— ____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Chief Clerk
233 W. 47th St.
Charles Baxter

Offence, Forgery

Dated 1 March 188 2

Magistrate.

Witness Officer.

Clerk.

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,

Charles Baxter

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 Charles Baxter guilty thereof, I order that he be ~~admitted to bail in the sum of ____ Hundred Dollars~~ held to answer and be committed to the Warden or Keeper of the City Prison until ~~he gives such~~ bail.

Dated 1 March 188 2 — 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.*

City & County
of New York.

Charles Dayrie. aged
83 years. Clock manufacturer
residing No 11. 2 Place. Brooklyn.
being sworn in his own defence
says: I am at present confined
by the Sheriff. I first entered
the employ of Theine & Co. in
Jan. of 1870. & was engaged by
Jas. Bell. who was one of the
had a moiety of interest in the
firm. I was engaged to take charge
and represent Campbell's in-
-terest there. That employment
continued about 9 years.
I had general charge of finances
and books & C. for the firm. and
made all the bank deposits.
When I first met them they were
in Cherry St this City and the
books were kept there. The office
was in the factory. They moved
in March 1879. to Williamsburgh.
but kept business going in Cherry
Street until May 1879. In
Williamsburg the books were
kept in the same building. The

had an iron safe there.. The check books and checks and stubs were given to me often being balanced by the Bank. ~~and~~ once a month and I took it them up. Till transcribed for 1879. Stubs, checks, bills and receipts were placed in the one box. I don't recollect if Scheina ever joined in. by me. Scheina commenced signing checks in blank for me as soon as I was recalled a most. after I first met him. He generally signed a page (3) checks in blank, which I filled out for the business. When checks were filled out to the order. of Charles Barber in my generally for general or petty cash. I paid the hands after the first pay day. The money I paid them with, was what was in the bank and what I could collect. I settled with the hands every 2 weeks. alternate Mondays. The custom of delivering checks in blank. continued until I started an account in myself and joseph

Shinea & Co. the Manufacturer's National Bank, Brooklyn. I ~~shanked~~ dont recollect the date I shanked that account. There were checks signed in blank. delivered to me down to the middle of April 1879. and it was my custom to carry them along 2 or 3 days until I used them. I remember that I generally had a dozen by me on hand.

Q. Look at Exhibit K. the alleged forged check. Did you ever see that check before?

A. Yes Sir.

Q. Was that one of the checks delivered to you in blank?

A. To the best of my recollection it was.

Q. Was the signature of Jas. Shinea on that check made by you?

A. No Sir.

Q. Is the endorsement in your handwriting?

A. Yes Sir.

Q. Was that check given to you for your own use or the use of.

the Concern.

A. For the use of the Concern.

Q. Was any portion of that money had by you in person?

A. None of it.

Q. Do you recall whether that check was signed by Dohmen in New York or Brooklyn?

A. I can't state positively.

Q. Look at Exhibit E. and state whether from that you can tell how many checks were dated on the 8 April 1894

Question Withdrawn

Q. Who instructed you to start this new bank account?

Objected to and Question Withdrawn

Q. You afterwards bought out Campbell's interest and became a partner?

Objected to and Objection Sustained.

Q. Were there not more checks signed in blank than there were funds in the bank to pay with?

Question Excluded.

Q. Were there not checks sometimes given to you in blank for the purpose of enabling you to fill

them up for a sum to be borrowed by you to make up overdrafts at the Bank?

Objected to and Objection sustained.

Q. On the 8th April 1879 was the Corporation indebted to you for any amount not less than 90 Dollars?

A. The firm was indebted to me.

Q. Are you acquainted with the handwriting of Sheina?

A. Yes Sir.

Q. Have you seen him write often?

A. I have seen him write his name quite often.

Q. Look at the alledged forged cheque, and state in whose handwriting that signature is of Joseph Sheina is?

A. The signature is Sheina's.

Q. Look at the signatures now shown you of Charles Barber & Joseph Sheina, particularly the latter. Did you see that written?

A. I did.

Q. In whose handwriting is the body of the manuscript which follows that signature?

A. Mine.

Counsel for defence offers the papers ~~signatures~~ in Evidence. Counsel for prosecution objects to anything but the signatures.

Signatures objected to as evidence marked Exhibit J.

Q. During the month of April 1879 in the transaction of the business of that concern, had you been authorized to sign the name of Joseph Schenia for convenience together or both of the members of that firm?

Objected to and objection sustained.

Q. Was there any restriction whatever placed upon you when you were authorized to sign the name of Joseph Schenia for the convenience of the transaction of the firm at the bank or elsewhere?

A. None whatever.

By the Court.

Q. Who had charge of the bank account when you first went into Schenia & Kempsky?

A. He had charge of his own account. I took the bank book to the

bank to have it balanced. and received the cancelled checks. To the best of my recollection the check in question was signed in blank. I think every check made out was regularly entered in the book, and numbered. I was given power or order from Schuiza to sign his name to checks.

X Q. 9. You said your direct testimony that your name is Charles Porter Do not your name Casey Porter Do so?

Objected to & Objection Overruled.

A. That is the name I went by some time ago.

Q. Look at the paper shown you and say in whose handwriting it is?

Objected to and Objection Overruled.

A Question Excluded.

Juror (Be-fore me) this 10th day of February 1882

Chas. Porter

Chas. Porter

Clerk Justice

City & County of Philadelphia } Charles T. Schiven,
being duly sworn and cross examined
says I am paying teller of the
German Exchange Bank and
have been a teller since
1871.

Q. Do you know who received his
check in question to you - Bank
of your own knowledge?
A. No Sir.
Q. Do you know of your own knowl-
-edge who received the money for
that check?
A. No Sir.
I know a man named Frank Ell
as he has been called in my presence
and I have seen him in Court.
I don't recollect seeing him quite
either about six months.
Q. Was not Mr Scheine in the habit
before Barber came into his busi-
-ness with having notes and
checks presented at the Bank. dis-
-honored?
Objected to and objection sustained.
Q. You have stated as your opinion

that the check allocated to the Complainant in this matter signed for or receive in a forgery & that you please point out the particular marks, parts of the signature that check is said to be the forgery of the accused.

A. In the first place the numerals are crossed & the figures are not as regular as the other figures in the field of the record. Secondly the letters being over wrote, that in the last letter in the word is thereby of the writing in the name of Joseph.

Q. That is about all see difference.

Q. Was Sekerina's signature always uniform?

A. Usually yes.

Q. ~~Was it always~~ not. Is the total respect was it not ~~only~~ always uniform?

A. The writing may have been larger or smaller or heavier one letter larger or smaller.

Q. Did he always make a dash under his name?

A. I don't recollect. He may have missed it at times.

Q. You would have paid that cheque however at the Bank, if it had been presented to you, would you not?

Objected to and objection withdrawn

A. It depends a great deal on circumstances.

Q. If that cheque had been drawn payable to bearer, and presented to you under ordinary or reasonable circumstances in the ordinary way of your business, would you or not have paid it?

A. I don't think I would.

Q. Can you state whether the Regina Leaf is longer or shorter than that of Prince Edward?

A. The regulations of Long officers for Prince Edward and Saskatchewan about the same length

Q. Are the letters deeper or less deep than he ordinarily writes?

A. In the word Long letters deeper than ordinary. Saskatchewan about the same depth as the usual regulation.

Q. Have you announced that Regina has stolen the Parliament?

A. No Sir

0828

Q. Do you know how to use the Parallels, of a Magnifier, &c.?
A. I do.
Q. How ~~you~~ do you do it?
A. Place two signatures together and compare the words and observe strokes.
Q. Do you know how to ascertain the distances from letter to letter in degrees by Measurement?
A. Yes sir I can do it.
Q. Look at Exhibit D.4. and state which is the longest in comparison with the check attached to the Complaint of the word Loan?
A. Exhibit D.4 is the longest.
Q. From the two signatures as with the word Schurz is there any difference in the parallels?
A. Exhibit D.4 is in some parts a little straighter. The S is straighter. and the L is straighter. the i is straighter.
Q. Are the ~~pa~~ strokes of any other letters in the word Schurz in different parallels?
A. Yes Sir
Q. Which letters?

A. In the S. R. and i.

Q. Look at Exhibit D. 1 and state whether the parallels there are not the same?

A. No Sir. The letter R. and the letter i.

Q. Are there any marked differences?

A. Yes Sir.

Q. In what respect?

A. The letter R is a little shorter, and the letter i also a little shorter in Exhibit D. 1.

Q. Look at the 7 checks. D. 1 D 2 D 3 D 4 D 1. 1 D 2 & 1 D 3. and state whether in the signature of Joseph Schiera the letters in those checks are exactly parallel with each other?

A. No Sir. not all exactly in a line. Same paying teller.

Q. Now look at a little very green.

A. A little very green.

Q. How long have you known Dentino personally?

A. I think between 3 or 4 years.

Q. Have you ever been in his place of business?

A. No Sir.

Q. Do you meet him occasionally

outside the Bank.

A. Yes. Sir.

Q. And you are friendly?

A. Yes Sir.

Q. Are you a German?

A. Yes Sir. born in this Country.

Q. Have you ever appeared before in any case in Court as an expert handwriting?

A. No Sir.

Q. Is there any distinguishing mark by which you could give an opinion in handwriting as to whether another word was written by a German or American?

A. No Sir.

Q. Look now at this as a specimen of German handwriting. that they commence the hang stroke at the top instead of the bottom?

A. I have not.

Q. Did you ever notice any distinguishing difference between the strokes of a German as distinguished from an other Nationality?

A. I have sometimes.

Q. Is it not more angular as one peculiarity?

Cross Q. I know Bartlett's signature. The signature in the body and upon the back of the check in this complaint is Bartlett's handwriting.

Q. Mention what circumstances would you have said that Crews or Culpepper, the receiver of Barnes, accounting in Chicago.

Re X. Q. Would you have said it if he had forwarded it.

A. I should have supposed. I think I would.

By the Court. I have been 10 years engaged in banking business, and was accustomed to examine signatures at that time.

X— I don't claim to be an expert in handwriting.

From the foregoing
this 6 Dec 1888
Cyrus Bonney
Police Justice

Cyrus Bonney

0832

Sec. 151.

Police Court 3 District.

CITY AND COUNTY OF NEW YORK, } ss

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the *Police Justices* for the City of New York, by Charles L. Adrian

No. 330 Bowery Street, that on the 5th day of April

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

Charles Baxter otherwise known as C. Baxter Waple did feloniously knowingly utter as true a certain instrument in writing and purporting to be a check drawn upon the German Exchange Bank of said City to the amount of twenty dollars and purporting to be drawn by Joseph Lewis, and did then and there uttering said German Exchange Bank of twenty 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 him forthwith before me, at the 3 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 3 *day of* April 188 2

Edward Mitchell POLICE JUSTICE.

POLICE COURT..... DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles L. Adrian

vs.

Charles Baxter

Warrant—General.

Dated April 5 188 2

Frederick A. Mitchell *Magistrate*

Charles L. Adrian *Officer.*

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

Charles L. Adrian *Officer.*

Dated April 5 188 2

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest, Thursday 8 A.M.

Native of U.S.

Age, 40

Sex M

Complexion,

Color W

Married

Single,

Read,

Write,

Profession,

Place Remarks

State of N
County of Kings
City of Brooklyn

Charles J. Simmons.
of the Municipal Police New York City County of New York. being duly sworn says. that he is acquainted with the hand-writing of Andrew J. White the Police Justice of the Third District Police Court of the City of New York, who issued the annexed Warrant, that the signature to this Warrant is in the hand-writing of said Andrew J. White the Police Justice aforesaid.

Sworn to before me
this 31st of January 1882

Chas J. Simmons

J. B. [illegible]
Police Justice

This Warrant may
be served in the
County of Kings
J. B. [illegible]
Police Justice

The within named

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

Dated ____________ 188

____________ Police Justice.

City & County of
Henry W. Jones

Joseph D. Schenck.
being duly sworn and cross
examined in the presence of
the prisoner says. I am 40
years of age. And a manufacturer
of clocks and clock cases.

Ques. Have you any bank checks
in your possession that you
have signed heretofore?

Ans. I have.

Ques. Please produce them.

Ques. How long was Baylis a clerk
with you?

A. Before the 26 or 27 Jany 1880
to Dec 1879. after that he
became a partner. The partner-
ship continued until Sept
9 1880. I have given him
checks with my signature
in blank while he was clerk.
The check in question, E.A.
is not one of those checks.
I gave him about 20 or 12
checks in blank. Part of them
I signed in this City. The greater

Park in Brooklyn. Or North 3rd St. I had a kind of an office there. Baxter's duty was to keep the books and cash, and kept books in the Brooklyn office. I kept a bank book there, and the check book from which these checks were taken. I have the stub of this check here. I use only one kind of ink, but kept blotted and used ink there. The three checks shown, marked B1, B2 & B3, for identification, contain my handwriting and signature. These were the check book kept at the time the checks in question were drawn. The paper shown marked C1, contains my signature. It was not intended that Baxter should fill up any stamped paper, only to pass me buy goods from them.

Ques. What was your practice at that time in reference to petty cash or payment of current bills. Did you pay in checks or bills.

A. Payments of 10 dollars and

upwards in checks, less amounts in currency. I first discovered these forgeries after Baxter had left in Sept 1887. I discovered one other check for a small sum with my name forged. The first year Baxter was my bookkeeper I did business of $52000 dollars. These were the only forged checks which I discovered. I found it out in my factory in 19 Broad Street City.

Ques. Did you at any other time give Baxter checks in blank to be filled up for the payment of bands or current expenses?

Ans. I did not.

Ques. Can you now select from your checks those checks which you signed in blank?

Ans. I can the greatest part of them.

Ques. To whose order were they drawn?

A. I found them drawn to the order of Charles Baxter.

Q. I commenced drawing checks just when we started to move the 12 or 13 of April 1879.

Q. How long prior to that had Baxter been handling your checks?

Ans. Just before Feby 1/879 about.

Ques. Produce any checks you now have with you on the German Exchange Bank. drawn or signed by you in the month of April 1879?

A. I produce four checks - marked for identification D1. D2 D3 D4

Ques. Have you those checks. and signed by you in 1879, on the German Exchange Bank?

A. Yes Sir. I decline to produce them by a direction of Counsel.

Counsel asks the Court to compel witness to produce the checks.

The Court declines to do order.

Exception.

Ques. You and Barber are in civil litigation are you not?

Question Excluded

Exception.

During the month of April 1879 paid small sums in cash. large ones by check.

Counsel for the defendant admits in the presence of defendant. that the defdt's name was Carey Barber Dobbs. prior to Coming

to this City, and that his business name in this City is Charles Dutton.

Ques. How did you supply the money for the payment of the small bills?
I mean the petty cash.

Ans. From money collected.

Ques. Can you tell from the book in your possession how much money you collected the first week of April 1879?

Ans. Not from the book.

Ques. What book have you in your possession from which you made an answer to my previous question?

Ans. I haven't a book. It is only a leaf.

Q. Can you tell me from any paper in your possession what amount of money bills - You received the first week in April 1879 from collections?

A. I cant tell the full amount.

Q. Can you tell what amount you paid out from the 1st to April 1879 inclusive?

A. I dont know.

Q. What salary were you paying Baxter in 1879?

A. 9 dollars a week - I paid him

by the week.

Q. For how long a time after Jany 2d 1879. did Barber draw his salary each week?

A. About 4 weeks.

Q. Was Barber in the habit of advancing money to you during the Spring months of 1879.

A. He was not.

Q. Did you not send him out in those months to borrow money for you?

A. No Sir.

By the Court. Q. At what intervals did you pay him after the 4 weeks and how?

A. I paid him nothing until the end of the year, when he said 400 dollars was due.

Q. Did you not send Barber in April 1879. to advance 150 Dollars of Campbell to pay your debts.

A. I gave a check for that on the Bank.

Q. Had the money in Bank at that time to pay that check.

Q. What was the date of the check?

A. March.

Q. Can you tell from any papers in your possession what bills or charges against your firm were paid between the 1st of April 1879 & April 1879?

A. Not from anything in my possession now. I have to written statements from different parties.

Examination resumed Feby 6

Q. When Barber engaged with you was it not the understanding that he was to look after Campbell's interest in your concern?

A. It was not.

Q. Had there been any misunderstanding between you & Campbell, prior to Barber's employment?

Objected to. Objection sustained.

Q. Were you not restricted to the sum of 20 dollars weekly in that concern unless Barber would become responsible to the firm for anything over that amount?

Objected to and Objection sustained.

Q. Did you not instruct Barber to make out checks in the month of March or April 1879, on account of the business which you afterwards

used for your own personal use. and did you not state you would make it all right?

Objected to & Objection Sustained.

(1) Were you not in the habit during April 1879. of borrowing money from Baxter to make up the deficiency in the bank account?

Objected to & Objection Sustained.

I have no other April plates but those produced.

Q. Have you the checks between April & June 10 1879?

A. Some of them.

Q. How many?

A. I didn't count them

Q. Where did you get these plates from?

A. I found them in a box formerly containing glass.

Q. What other papers did you find?

A. Statements and receipted bills.

Q. To your knowledge wasn't everything for the year 1879 put into that box?

A. No Sir. I didn't know anything about there being put there. but I found them there.

Q. Did you not know that the papers of 1879. were nailed in that box and put away?
A. I did not.
Q. Any papers whatever?
A. I saw some put in that box, and saw the box standing under the desk.
Q. When did you take these stubs over that box?
A. After the 10 Sept 1880.
Q. Who was with you at the time?
A. Two men in the shop: named John Merkle. and the other Henry Keele. or George Ramming.
Q. What did you do with the papers?
A. I looked them through. and took them into the office. and then took them to my house. and kept them in my room. in my writing desk and a satchel
Q. Why did you take them from your office to your house?
A. To have bookkeepers assist them and make up the accounts.
Q. What was the name of the bookkeeper?
A. Mr Minter.

Q. How do you know if you have lost the stubs bet April 8 & June 13 1879, whether you have all the checks here or not?

A. I got a statement from the bank of the number of checks and the amount.

Q. Look at the statement and see when this 90 dollar check was posted?

A. On the same day it was dated.

Q. The pencil marks are in my handwriting, the rest of the statements in the bank.

The statement from the 1st of April 1879 offered in evidence. marked Exhibit E

Q. On April 8 1879, were you not individually indebted to Baxter?

A. No Sir!

Q. Was not the firm indebted then on April 1879?

A. He had drawn his salary if that was a debt

Q. Was not Baxter instructed to endorse checks payable to your order or the firm's order?

A. Only when on checks drawn

to my or the firm's ordering the deposit in my bank.

Q. Did you not on the 2 April 1899, the great Daniel to make out that check for £100. shown in the bank exhibit for your personal use, and you moved become responsible to Daniel for it according to Mr. Abbott's instruction?

A. No Sir.

Q. In what respect does the signature to the alleged false check, differ from your own?

A. In the name of Jones, the e is left out, and in the name of Schmidt, I generally make a German a which is a ~~ring~~ and a stroke first, then a ring, and in this it is just a ring and then a stroke.

In D.1. is the way I make the German a.

Q. Look at D. 4. what kind of an end letter is that L.

A. First a stroke then a ring.

Q. What do you call D. 2.

A. First a stroke and then a small ring not so plain.

Q. Look at the 7 checks now shown and state if the final letter is the same in form in all?

A. With one exception. One only is a little different and only on the a-I refer to B.3. That is a little different from the way I generally sign.

Q. Do you always put a dash under your name?

A. Occasionally when I have opportunity etc.

Q. Which of your uniforms attached to Def a dash there?

A. Generally Def one there.

Q. Are there the pole differences which have led to your opinion that this is a forgery?

A. No Sir.

Q. What are the other reasons?

A. You can detect bad pencil tracing in the letter I. and the generally appearance of the whole name is more round. I write them sharper.

Q. Have you any knowledge as to what sums of money were paid out by Dasher for your concern April 8th 1899?

A. I have not.
Q. Has this check been at any time out of your possession since you first discovered it?
A. It has.
Q. In whose possession?
A. My counsel Mr Scott. I left it in his possession.
Q. How long was it out of your possession?
A. Two weeks or and other checks with it.
Q. Did you at that time give Mr Scott the check stubs?
A. I showed them to him but did not leave them with him.
Q. When was the first talk between you and any person in reference to this being a forged check?
A. The middle of Sept 1887, in the face by the first time with my fore man Robert Merkle.
Q. Did he or you suggest it was a forgery?
A. I did.
Q. Did you have the stub with you then?
A. Yes Sir.
Q. Did the stub show 90 dollars?
A. It did not.

0847

Q. Produce the stub you read from.
Q. You knew there were other stubs that you didn't have when you made the last answer.
A. I didn't know there was some missing.
Q. I am a German Catholic.
Q. Have you ever been arrested?
A. Objected to and Objection sustained.
Q. You never made a similar complaint against Bonier on another check?
A. Objected to & Objection sustained.
Q. I now ask you to produce specimens of your general handwriting if you have any about you?
A. I have none except my signature to checks. I am a bad penman and do as little writing as possible.
Q. Will you produce any checks in your possession payable to the order of Barker?
Objected to & Objection sustained.

Sworn before me } Josef Ossein
this 6 July 1892 }
Andrew J. Mitchell
Police Justice

Testimony
of
Daniel T. Ames

People
vs
Baxter

City and County of
Newark } ss

Daniel T. Ames was called as an expert on the part of the defence.

Direct Examinated by Mr. E. F. Ward.

Q. What is your name?
A. Daniel T. Ames
Q. What is your age Mr. Ames?
A. I am 46 years of age.
Q. What is your occupation?
A. I am a publisher of works on penmanship & examiner of questioned penmanship – handwriting
Q. How long have you been so Engaged?
A. During twenty thirty (30) years as an author and 10 or 15 years as an examiner.
Q. During that time you have been often called into Court as an expert?
A. Yes sir, very frequently.
Q. Have you examined "Exhibits "D", 1, 2, 3 & 4 in this case and "B 1, 2 & 3" & Exhibit "C"? (which were shown

witness here)

(Witness here examines said exhibits with a magnifying glass and also examined at this time Exhibit "G")

A. Yes sir I have examined them

Q. And from this examination you are able to give an opinion as to the signature of Joseph Shinn?

A. Yes sir I am, that I am I think so.

Q. Look at Exhibit "O" (shown witness) and state whether in your opinion the signature to that check is in the same handwriting or is written by the same hand as the signatures to the other exhibits which have been shown you?

A. I think it is, yes sir, the same handwriting.

Q. Will you please state any peculiarities that you notice in that signature in connection with the other signatures?

A. I find the signature in Exhibit "A" to have the same habitual characteristics as respects the forms of letters — the place and degree of pen pressure correspond with that in the standards. I find the signature upon the standard variable to a degree rather beyond what is customary in signatures.

I find in the word "Joseph" in the questioned signature apparently an absence of the letter "e" which generally appears in the standard signatures, yet in Exhibits "D.1" and "F" I find the "e" diminished or small in its size to such a degree as to present very much the appearance which it has in the questioned signature. Especially so this the case in Exhibit "D 1", so that the fact of the diminutive size of "e" in the questioned signature, comes to be to my mind very strongly if not conclusive evidence that it occurs as the result of habit rather than from design.

Hiel Brownell Cross Examined

2 Take the microscope and state whether you can say what was the letter between S & f in Joseph, State whether there was or is any letter between S & f in Joseph?

A. Yes sir there is a letter?

Q. What is the letter?

A. It is the letter "e"

(By the Court) Q. I suppose you mean it might be

intended for an "e"?

A. Yes sir.

Q. State any of the peculiarities seen in the writing of the genuine signatures in comparison with the one in question?

A. I find in the questioned signature between the "S" and "f" in Joseph (or draft) a break in the connecting line; I find also the same peculiarity in Exhibit "D 3." I find that this results from the peculiar habit of the writer in raising the pen after the letter "O" and before making the "S" and at the points of rest in the beginning in the two instances mentioned joined in the first so as to produce a broken line. I find that in all respects the points since of rest and beginning as between the questioned signature and the standard are the same, and to my mind clearly indicate a coincidence of habit.

Cross Examination by Mr Sacchus

Q. In how many cases have you been employed as an expert to give testimony?

A. Quite a number, I could not say how many.

Q. In how many cases have you been called as an expert

where there was expert testimony on the site approved by you?

A. I could not say.

Q. In how many cases can you say when expert testimony was against your testimony?

A. I could not say.

Q. In quite a number you are the approved?

A. Yes sir.

Q. How many?

A. I told you I could not say without giving it greater thought. — it covers a great many years.

Q. Can't you give me an idea of the number of times?

A. I could not; it would cover an period of from 10 to 15 years.

Q. Have you not approved 10, 50 or 100 times?

A. I could not say the number.

Q. Can you come within 100 of it?

A. Yes sir.

Q. Was it more or less than 100 times?

A. I could not say.

Q. Was it more than 10 times?

A. I should presume it was.

Q Can you tell us the number of times in which you have sworn that a signature in your judgment was genuine or that it was a forgery and that an expert witness or experts on the other side have sworn to directly the opposite?

A. I don't think more than two (2) times.

Q. Have you any doubt in your mind that the questioned signature compared with the standard signature was written by Mr Shenon or by somebody imitating them?

A. I don't know that I have, I formed that conclusion

Q When did you arrive at that conclusion — since you arrived here to-day in Court?

A. Again, I formed that conclusion when I compared the questioned signature with them.

Q. Have you found out that experienced penmen or expert penmen may make a counterfeit of a signature that it will be impossible to detect?

A. It depends on the character of the signature to be imitated.

Q Does the signature vary?

A Somewhat but it has one of the same characteristics.

Q Did you notice any peculiarities about the parallels of the letters?

A. I did not notice any particular difference between them

Q Do you notice any peculiarity about the "e" in Shein?

A. Yes sir

Q What difference, particularly?

A. I notice that the first front of the e is not very visible and is in most of his signatures.

Q Do there no peculiarity characteristic that impresses you as being part of the peculiar habit in the questioned signature?

A. I find an occasional dark or more of the pen under the signature and also in general of the standards.

Q Do you think that any of the signatures in the Standard were made with the same kind of pen and ink as those in the questioned signature?

A. I think so.

Q You can't state positively?

A. I should have to make a close examination

Q. Look at "D 3", "D 4", "D 1", "B 3", "D 2" & "B 1" & say whether if in all the exhibits of the standards Except "B 2" that there is not a seat or stop?

A. Yes sir a well defined one with the exception of "B" & "B 2"

Q. Any other one?

A. I think that they are the only two well defined exceptions.

Q. In all the others the habit of reading is well defined is it?

A. Yes sir.

(Samuel S. Jones

Sworn to before me this 13 day of February 1889

Andrew J. Whitney

Police Justice

0857

INFORMATION CUT

OFF AT BOTTOM

EDGE

0858

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

Third District Police Court.

Charles L. Adsman

of No 230 Bowery

Street, being duly sworn, deposes and says,

that on the Eighth day of April 1879

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

and now is Paying teller of the German Exchange Bank doing business as a bank of discount and deposit at the premises No. 245 Bowery, and said Bank is duly organized and incorporated under the laws of the State of New York and in accordance with the laws of the State of New York That on said 8th day of April Charles Baxter who is otherwise known as C. Baxter, who was in the employ of Joseph Scheuer as a Bookkeeper did fraudulently, knowingly utter as true and did present said Bank and did demand payment of said Bank of that certain Check and instrument in writing hereto annexed and marked Exhibit A and purporting to be a Check made and drawn by Joseph Scheuer on the said German Exchange Bank dated New York 8 April 1879 payable to the order of Charles Baxter in the sum of Sixty dollars

That deponent is informed by Joseph Scheuer (now here) that said instrument is false forged, fraudulent and counterfeit and deponent believes the same to be true

Th[illegible] said day, said Joseph Scheuer [illegible] of New [illegible]

Sworn to before me this 8th day of April 1879
Charles L. Adsman
[illegible]

[illegible] City [illegible]
and [illegible] on the 8th day of April
1879 defendant did have money deposits
to defendants credit in the German Exchange
Bank in said City —
That the instrument hereto annexed and
marked Exhibit A. and being the said check
described in the foregoing complaint, was
not made or written by defendant or
by authority or consent of defendant
and that said ~~[illegible]~~ check is false, forged
fraudulent and counterfeit
That the name of Joseph Scheiner subscribed
to said ~~[illegible]~~ check is an imitation of the
handwriting of defendant and the
same is calculated to deceive.

Sworn to before me this
8th day of June 1882

Joseph Scheiner

Andrew J. Bell
Police Justice

Police Court

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Charles Scheiner
vs.
Adolph Roselius

AFFIDAVIT

Dated, June 8 1882

Charles Scheiner Magistrate.
Officer

Case Marked
2 [illegible]

Forged for $[illegible] July 1st 2 p.m.
Held to July 1st 2 p.m.
p m at request of Mr Fleck
July 9th 9 A.M.
10. 9. A.M.
13. [illegible]

0860

Mr Peterson.
Janitor. 23 East 13th St.

Mrs Cath. H. Walsh.
203. East 13th St.

Mr W. Donaldson.
39 Greenwich Avenue

John W. Kittredge.
Stand. Paper Collar Co. ✓
21 Mercer St.

Nellie C. Bullock.
29 Greenwich Ave. ✓

Shoe & Leather Bank.
Paying Teller & Bookkeeper
having Book of a/c with New
Haven Clock Co. —
Also Ledger containing a/c.

0861

No. 183 New York 3 May 1874

GERMAN EXCHANGE BANK

243 Bowery Cor. Stanton St.

Pay to the order of Chas Boost

Seventy five Dollars

$ 75.— Chas Schaine

Form Marshall & Ottmann Lith. 70 Church St. N.Y.

0862

X I

Chas Bai[illegible]

0863


245 Bowery, Cor. Stanton St

No. 81 New York, 14 March 1879

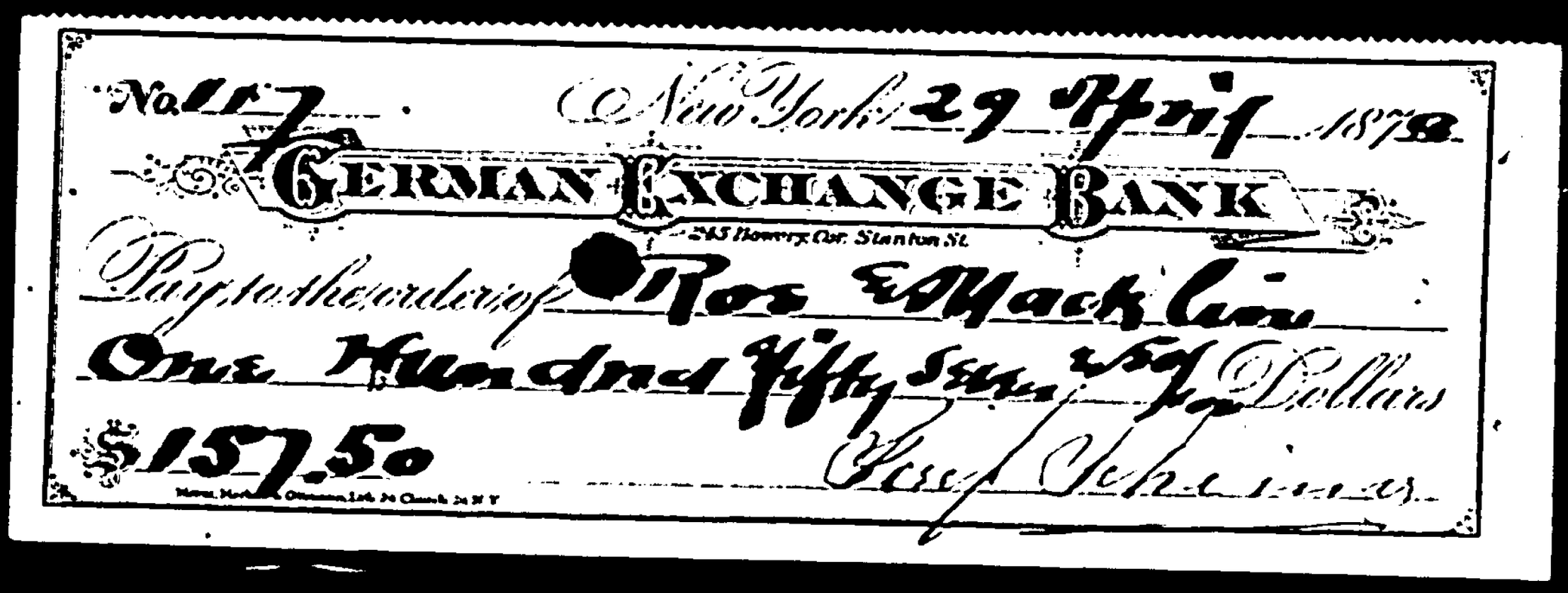
The German Exchange Bank,

Pay to the order of Bearer

Twenty Dollars.

Jacob Schenck

0864


No. 117 New York 29 April 1878

GERMAN EXCHANGE BANK

245 Bowery Cor. Stanton St.

Pay to the order of Ros Ellack Lin

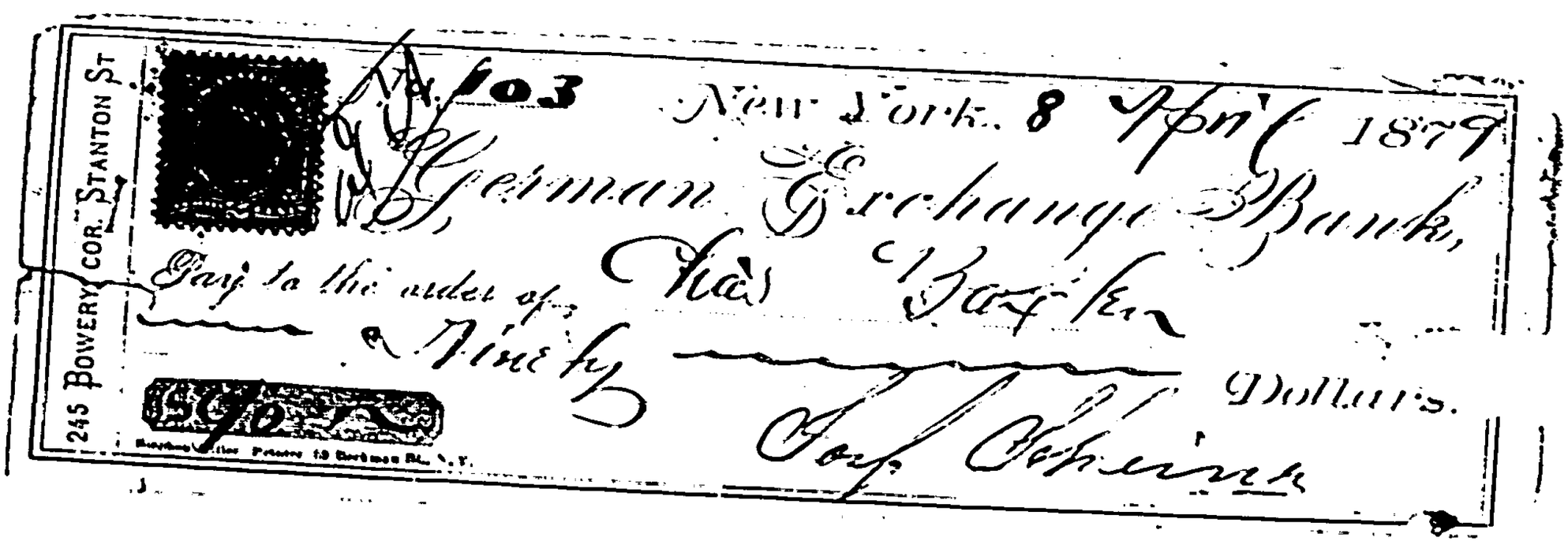
One Hundred Fifty Seven 50/100 Dollars

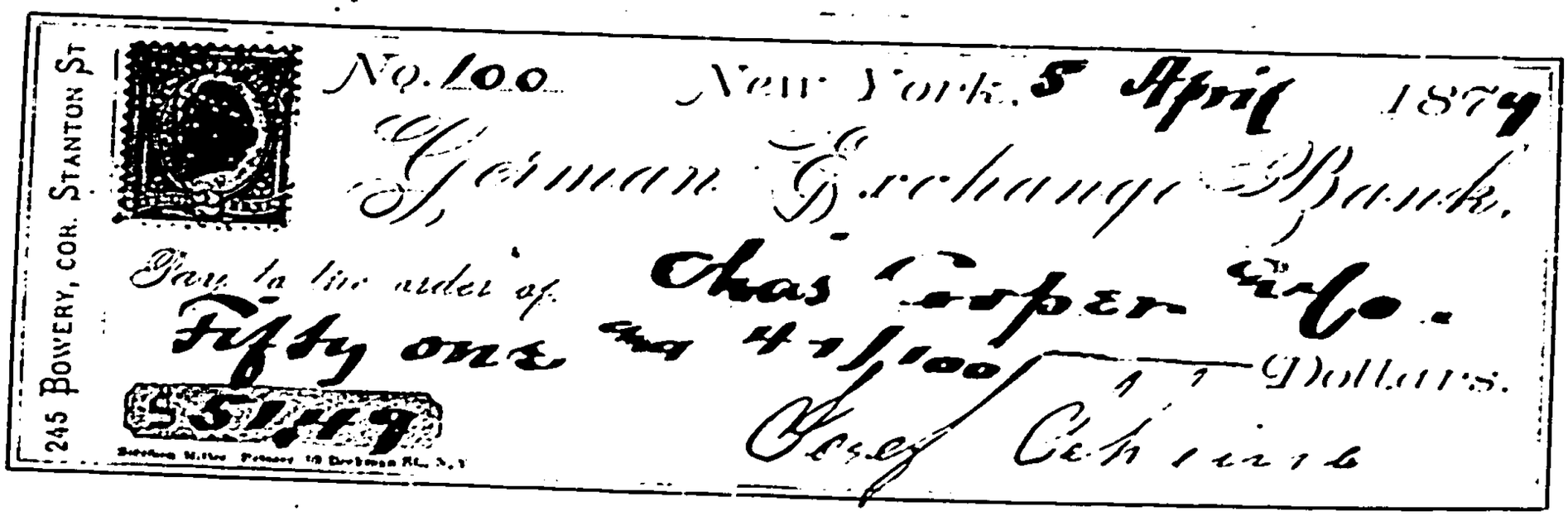
$157.50

Yosef Scheiner

5980

0866


245 Bowery, cor. Stanton St
No. 103
New York, 8 April 1879
German Exchange Bank,
Pay to the order of Has Barfer
Nine fy
Dollars.
Jos. Oehrine


245 Bowery, cor. Stanton St
No. 100
New York, 5 April 1879
German Exchange Bank.
Pay to the order of Chas Cooper & Co.
Fifty one and 41/100
Dollars.
Jos. Oehrine

0867

245 Bowery, cor. Stanton St

No. 99 New York, 5 April 1879

German Exchange Bank,

Pay to the order of Blis & Williams

One Hundred and Ninety Nine 99/100 Dollars.

$199.99 Per Schenna

245 Bowery, cor. Stanton St

No. 101 New York, 5 April 1879

German Exchange Bank,

Pay to the order of George Moore

Eighty four and 66/100 Dollars.

$84.66 Per Schenna

E. Wood
Bus. to Jury

Counsel, Col Wood 2445 Jury

Filed 31 day of March 188[illegible]

Pleads Not Guilty 4 pers

THE PEOPLE

vs.

P.

Charles Barthes

(2 Cases)

FOR BY THE THIRD DEGREE

ENDORSEMENT, Etc.

JOHN McKEON,

District Attorney.

A True Bill.

John Hanson Rhoades

May 31/92

Foreman.

Filed & Acquitted

0869

Court of General Sessions of the City and County of New York.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles Barker

The Grand Jury of the City and County of New York by this indictment accuse Charles Barker of the crime of Forgery in the third degree, committed as follows:

The said Charles Barker

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the Sixth day of November in the year of our Lord one thousand eight hundred and ~~eighty~~ seventy-nine at the Ward, City, and County aforesaid, having in his custody and possession a certain instrument and writing to wit: An order for the payment of money of the kind commonly called a bank check

which said Bank check

is as follows, that is to say:

No. 185 New York November 6 1879.

The National Shoe and Leather Bank.

Pay to the order of Mess Jos. Scherrer & Co

Fifteen hundred and Ninety-seven Dollars

New Haven Clock Company

$ 1597 00/100

Frank E. Morgan

the said Charles Barker afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously did falsely make, forge and counterfeit, and did cause and procure to be falsely made, forged and counterfeited, and did willingly act and assist in the false making, forging and counterfeiting on the back of the said Bank check a certain instrument and writing commonly called an endorsement which said false, forged and counterfeited instrument and writing, commonly called an endorsement is as follows: that is to say,

Joseph Scherrer & Co

to injure and defraud one Joseph Scherrer with intention and divers other 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.

0870

And the Grand Jury aforesaid do further accuse

the said Charles Barker of the crime of Forgery in the third degree, committed as follows:

The said Charles Barker

late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last aforesaid, at the Ward, City and County aforesaid, having in his custody and possession a certain instrument and writing to wit. An order for the payment of money of the kind commonly called a Bank Check

which said Bank Check is as follows, that is to say:

No. 185 New York November 6 1879.

The National Shoe and Leather Bank.

Pay to the order of Mess Jos. Schenia & Co.

Fifteen hundred and Ninety-seven Dollars

New Haven Clock Company

$1597 00/100 Frank E. Morgan

and on the back of which said Bank Check was then and there written a certain false, forged and counterfeited instrument and writing, commonly called an endorsement — of the said last mentioned Bank-check which said false, forged and counterfeited instrument and writing, commonly called an endorsement is as follows, that is to say:

the said Josef Schenia & Co.

Charles Barker

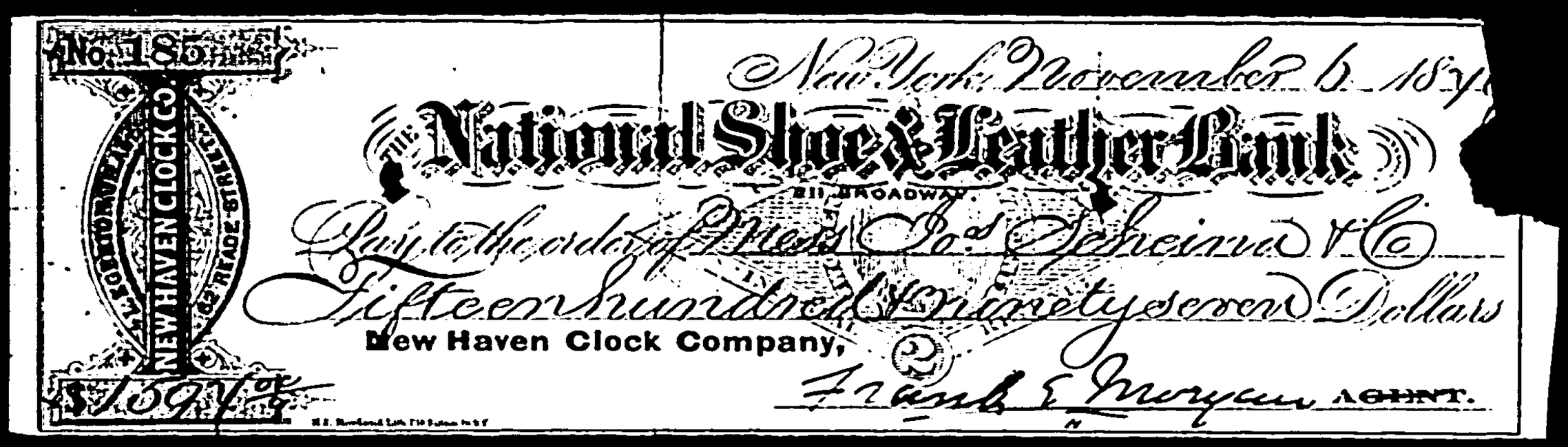
there well knowing the premises last aforesaid, and that the said endorsement then and was false, forged and counterfeited, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously did utter and publish as true, the said false, forged and counterfeited endorsement of the said last mentioned Bank-check with intention to injure

and defraud one Joseph Sohenio

and divers other persons, to the Grand Jury aforesaid unknown; he the said Charles Barber at the time he so uttered and published the said false, forged and counterfeited indorsement of the said last mentioned Bank check then and there well knowing the said indorsement to be false, forged and counterfeited, as aforesaid, 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 McKEON, District Attorney.

0872


No. 185
NEW HAVEN CLOCK CO.
New York November 6 1891
The National Shoe & Leather Bank
211 BROADWAY
Pay to the order of Mess Jos Schweinus & Co
Fifteen hundred & ninety seven Dollars
New Haven Clock Company,
Frank E Morgan AGENT.
$1597 00

08713

Joseph Schmidt

[illegible]

[illegible] Chas [illegible]
[illegible] Feb 1877. had [illegible]
[illegible] had sent it [illegible].
[illegible] work [illegible]

Call Mr [illegible]
Not [illegible]
B. [illegible]
[illegible]

[illegible] Bank [illegible]
[illegible]

What did Banks say when he got his
the [illegible] Checks in [illegible]

5. Call the [illegible] of the forgery of that Check
When did the [illegible] — [illegible]
[illegible] you [illegible]

Call his attention to the Check:—

The Clerk 1881

Explain why you only Credit [illegible]
the [illegible] of credit for the [illegible]
Manufacturers Nat Bank - (81)

He took advantage of his business to defraud his employer.

The man of whom we were informed to employ Bagill

0876

3

* The check with Barker's signature was
* Alarmy his Confederates.
* I have dealings with Mr Knowles
* These deals are at a loss for Gas ...
* Big deals.
* I force the forged check in the Stock Room
* in a Glass Case & the book was not there

They forced the door for robbing and the Bank and by using a crowbar

Did Beasley make new statements & give alibi the Newfoundland Co.

£9 = per week. How much did the ~~part~~ Defendant Mr Saunders Stole for.

When did the partnership cease

Page 21 What became of the Robbery in January or February

Who prepared the Statement Dec 1879

Set Checks marked for Defendant

0877

Second Acct

Johnson: I keep Petit Coat fine with
Check as it belongs. —
Did you know if he signed an affidavit. —

upon ~~check~~ Inverneath Barter at Shelbiana — | Dec 19. 79 — Aug 14 79

Did he say there had been some many
Explanations about the notes
Day book & cash book — Did you see
take them away upon the occ.
Explanation about alterations

What did Barter say about the notes.
Do you know who had the keys from
everything left by Banks.

Did he give notes — not checks