

0938

BOX:

474

FOLDER:

4347

DESCRIPTION:

Dabrowski, Joseph A.

DATE:

04/12/92



4347

POOR QUALITY ORIGINAL

0939

Witnesses:

Lucie Zabrowski
Volna Zabrowski

Counsel,

Filed *12* day of *April* 189*2*

Pleadg. *1* *W* guilty

THE PEOPLE

vs.

R

Joseph A. Zabrowski

R A P E .
(Sections 278 and 218, Penal Code.)

Dr LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. A. [Signature]
Foreman.
Part 3, May 13, 192
Indictment
It is ordered that who tries this
case be foreman, who has not
been sworn to (192)

POOR QUALITY ORIGINAL

0940

Police Court, 2nd District.

City and County } ss.
of New York

of No. 925. Columbus Avenue ~~St.~~, aged 23 years,
occupation Housekeeper being duly sworn, deposes and says,
that on the 4th day of April 1882, at the City of New
York, in the County of New York,

Emmie Debrowski

Joseph Debrowski (now here) did have
sexual intercourse with deponent, she
not being his wife, against her will ^{and}
without her consent. from the following
facts to wit: That about the hour of six
o'clock P. M. of the aforesaid date, while
deponent was in the act of making a
fire in the stove, in her kitchen, the
defendant who was in said room, suddenly
took hold of deponent, and caught her
around the waist with his hands, ^{and} arms,
and carried her forcibly, and against her
will and without her consent, she being
alone at said time, with said defendant,
to a bed-room off said kitchen, where the
defendant threw deponent on a bed in said
bed room, and that the defendant then
raised her clothes, and inserted his penis
into the private parts of deponents person -
and did then and there have sexual
connection with deponent against her will or
without her consent, and deponent further
says that at said time she made all the
resistance in her power to prevent the
defendant from having sexual intercourse
with her, and that she informed her husband
Wallace Debrowski of said fact on his arrival
at home - Deponent therefore charges the
defendant with violation of Section 27 of the Penal
Code and asks that he may be held and dealt
with as the Law may direct and Emmie Debrowski
Sworn to before me this
5 day of April 1892

Police Justice

POOR QUALITY ORIGINAL

0941

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

2
District Police Court.

Joseph Detrowski 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 Detrowski*

Question. How old are you?

Answer. *23 years -*

Question. Where were you born?

Answer. *Germany*

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

Answer. *453-9-Avenue - 2 months*

Question. What is your business or profession?

Answer. *Drug Clerk*

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
J A Detrowski*

Taken before me this

day of

Sept

1882

Police Justice.

POOR QUALITY ORIGINAL

0942

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

Police Court---
 District. *401*

THE PEOPLE, &c.,
 ON THE COMPLAINT OF
James J. DeMott
925 Columbus
St. N.Y.
 Offense _____

Dated, *April 5* 189*2*

Harvey
 Officer,
Harvey
 Magistrate.

Witnesses
William DeMott
 No. *925* *Columbus Avenue*
 Street

RECEIVED
 APR 7 1892
 DISTRICT ATTORNEY
 OFFICE

No. *5000*
 to answer
Steed
 Street

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

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

Dated, *April 5* 189*2* *[Signature]* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

POOR QUALITY ORIGINAL

0943

My dear Wallace,
I cannot describe to you how deep
sorry I am for what I did. If it was in my power
to undo what I have done, I would gladly do it.
Wallace, I am liable to get 10 years, don't
know what my old man fears for that wife
if she was left all alone, it would make
her crazy, and it would be such a
disgrace for them all their best friends
that they would accompany Wallace if you
would withdraw the charges. I will leave
New York and never come back, and you
would never see me again. I ask you
for my wife and children, make up to
send me to Long Island. I know how you
feel about it. I would feel you
and I know you feel very sore. If I could
only see you for five minutes, I could
tell you and plead to you how I feel
about it. Just imagine being sent to prison
for 10 years, to see my I would be
43 years old, and then not having any
friends, what would I do. It would

POOR QUALITY ORIGINAL

09444

My dear Wallace,
I cannot describe to you how very
sorry I am for what I did. If it was in my power
to undo what I have done, I would glad
Wallace I am liable to get 10 years, for it
and what we plan my parents that my wife
and she was left all alone, and I would
be very, and it would be such a
disgrace for them all their lives to think
that their little girl was with Wallace, and
would withdraw the charges, I will leave
New York and never come back, and you
would never see me again. I ask you
for my wife and children, make me
send me to Sing Sing. I know how you
feel about it, I would feel just the same
and I know you feel very sore. If I could
only see you for five minutes, I could
tell you and plead to you, how I feel
about it, just imagine being sent to prison
for 10 years, even so I would be
it's goals done, and then not having any
friends, what would I do. It would

POOR QUALITY ORIGINAL

0945

be a terrible revenge, so I ask you
in good name not to let your
name appear against me, and I
solemnly promise you that I will
leave the land never to come back
Also think how it would disgrace
you to think that you are
to a corner. He would feel very
bad about it and would get very
at the dear brother's letter
your heart I am under 1500 dollars
I have
Your Brother
Joseph

Copy A II

POOR QUALITY
ORIGINAL

0946

No 1

From Mr W. S. Debrowski.

My dear Wallace!

I cannot describe to you how
very sorry I am for what I did.
If it was in my power to undo
what I have done, I would glad undo.
Wallace I am liable to get 20 years
for it, and what would my poor
little wife do, if she was left all
alone: it would drive her crazy
and it would be such a disgrace
for them all. Their lives to think
that their father is a convict.
Wallace if you would withdraw the
charge, I will leave New York -

POOR QUALITY
ORIGINAL

0947

No 2

and never come back, and you
would ^{never} see me again, I ask you for
my wife and children sake not to
send me to Sing Sing. I know
how you feel about it; I would
feel just the same; and I know
you feel very sore. If I could
only see you for five minutes I
could tell ^{you} and plead to you
how I feel about it. Just imagine
being sent to prison for 20 years
locked up I would be 43 years old,
and then not having any friends;
what would I do. It would be a
terrible revenge. So I ask you
in god name not to let your
wife appear against me, and I
solemnly promise you that I
will leave N. Y. and never ^{back} come

No 3

Also think how it would disgrace
father to think that one of his
sons is a convict he would feel
very bad about it and never
get event. My dear brother let
this note soften your heart.
I am under 1500 Dollars Bail.

Your Brother
Joseph.

Turn over

POOR QUALITY
ORIGINAL

0948

17th Apr 9th 1892

Dear Sir!

We got a notice on Friday night
to appear against him on the
April 11th 92 that is on Monday
noon about 10¹/₂ in the Grand
jury. That is all I have to
write you until we hear from
them further.

Yours truly

W. F. DeBrower
No 925 Columbus ave
City.

POOR QUALITY
ORIGINAL

0949

496

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph A. Delmonico

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *Joseph A. Delmonico*
of the CRIME OF RAPE, committed as follows:

The said *Joseph A. Delmonico*,
late of the City of New York, in the County of New York aforesaid, on the *fourth*
day of *April*, in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms, in and upon
a certain female not his wife, to wit: one *Jennie Delmonico*,
then and there being, wilfully and feloniously did make an assault, and her
the said *Jennie Delmonico*, then and there, by force and with violence to
her the said *Jennie Delmonico*, against her will and with-
out her consent, did wilfully and feloniously ravish and carnally know, against the form of the
Statute in such case made and provided, and against the peace of the People of the State of New
York and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said *Joseph A. Delmonico*
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-
mitted as follows:

The said *Joseph A. Delmonico*,
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms, in and upon a certain female not his
wife, to wit: her the said *Jennie Delmonico*, then and there being,
wilfully and feloniously did make another assault with intent her the said *Jennie*
Delmonico, against her will and without her consent, by force and violence, to then
and there wilfully and feloniously ravish and carnally know, 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.

POOR QUALITY
ORIGINAL

0950

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said *Joseph A. Salvendy*
of the CRIME OF RAPE, committed as follows:

The said *Joseph A. Salvendy*,
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms, in and upon a certain female not his wife,
to wit: her the said *Jennie Salvendy*, then and there being, wilfully and
feloniously did make another assault, and an act of sexual intercourse with her the said
Jennie Salvendy, then and there wilfully and feloniously did
commit and perpetrate, against the will of the said *Jennie Salvendy*,
and without her consent; against the form of the Statute in such case made and provided, and
against the peace of the People of the State of New York and their dignity.

FOURTH COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said *Joseph A. Salvendy*
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-
mitted as follows:

The said *Joseph A. Salvendy*,
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms, in and upon a certain female not his
wife, to wit: her the said *Jennie Salvendy*, then and there being,
wilfully and feloniously did make another assault, with intent an act of sexual intercourse with
her the said *Jennie Salvendy*, against her will and without her
consent then and there wilfully and feloniously to commit and perpetrate, against the form of
the Statute in such case made and provided, and against the peace of the People of the State
of New York and their dignity.

DE LANCEY NICOLL, *District Attorney.*

0951

BOX:

474

FOLDER:

4347

DESCRIPTION:

Dalton, Robert

DATE:

04/26/92



4347

POOR QUALITY ORIGINAL

0952

Counsel,

Filed

26 day of April

1892

Pleas,

Not guilty

THE PEOPLE

vs.

Robert Dalton

Grand Jurors, Second District, Degree, and Verdict, Sections 628, 629, 1040 Penal Code.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. H. Osham

Foreman.

W. H. Osham

Fred. A. Reynolds

Witnesses:

Witness signature lines

POOR QUALITY ORIGINAL

0953

(1885)

Police Court - 9th District.

Affidavit - Larceny.

City and County of New York, } ss.

of No. 904 Amsterdam Street, aged 19 years,
occupation Butcher

deposes and says, that on the 9th day of April 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the Day time, the following property, viz:

One horse. One wagon
and one set of harness
together together of the
value of three hundred and
fifty dollars.
the property of Joseph Broder and in
deponent's care and custody.

Sworn to before me, this
9th day of April 1892
of David
District

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 Robert Dalton (New York)
from the fact - that - at about
the hour of 2:15 - o'clock P.M.
said date. Deponent left said
horse wagon and harness standing
in front of no 126. W 102. St.
while deponent went into said
business to deliver an order.
and when deponent came out,
deponent saw this deponent in
the act of driving away with said
property.
Wherefore deponent charges this
deponent with feloniously taking
stealing and carrying away said
property. Emil Oppenheimer.

POOR QUALITY ORIGINAL

0954

Sec. 198-200

J District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss:

Robert Dalton 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 sees fit, to answer the charge and explain the facts alleged against him, that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Robert Dalton

Question. How old are you?

Answer.

21 years old

Question. Where were you born?

Answer

New York

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

Answer.

137. W. 57th St. 3 days

Question. What is your business or profession?

Answer.

Shoemaker. Driver

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

Answer.

I am not guilty

Robert Dalton

Taken before me this

day of April 1899

[Signature]
Police Justice

POOR QUALITY ORIGINAL

0955

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Magnistrate Justice
in my absence and
them and determine
this case.

Robert Jones

Police Court... 31 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

David G. ...
Arthur ...

1
2
3
4
Offense

Date, April 10 1892

Magistrate
Joseph J. ...
Paul ...

Witness
J. M. ...

No. 74, 2-97

RECEIVED
APR 14 1892
DISTRICT ATTORNEY

No. \$1,000 to answer

1000 \$1,000-11-9. ...

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

Alfred ...

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

Dated, April 10 1892 Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

**POOR QUALITY
ORIGINAL**

0956

505

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Robert Dalton

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

Robert Dalton

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

The said

Robert Dalton

late 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 ninety-*two* at the City and County aforesaid, with force and arms,

*one horse of the value of two hundred dollars,
one waggon of the value of one hundred dollars,
and one set of harness of the value of fifty dollars.*

of the goods, chattels and personal property of one

Joseph Brokers

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

**POOR QUALITY
ORIGINAL**

0957

SECOND COUNT—

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

Robert Dalton

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Robert Dalton*

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

*one horse of the value of two hundred dollars,
one wagon of the value of one hundred dollars,
and one set of harness of the value of fifty dollars.*

of the goods, chattels and personal property of one *Joseph Broker*

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

Joseph Broker

unlawfully and unjustly did feloniously receive and have; the said

Robert Dalton

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

DE LANCEY NICOLL,

District Attorney.

0958

BOX:

474

FOLDER:

4347

DESCRIPTION:

Dawson, John

DATE:

04/07/92



4347

0959

BOX:

474

FOLDER:

4347

DESCRIPTION:

Kelly, Samuel

DATE:

04/07/92



4347

0960

BOX:

474

FOLDER:

4347

DESCRIPTION:

Scheele, David

DATE:

04/07/92



4347

POOR QUALITY ORIGINAL

0961

54.

J. Williams

Counsel,

Filed

1892

Pleaded

THE PEOPLE

vs.

*James Dawson,
Samuel Kelly,
and
David Scheele*

DE LANCEY NICOLL,

District Attorney.

Filed April 13, 1892

A TRUE BILL.

Wm. N. Sherman

Filed April 13, 1892

All tried & convicted

*not by the Court
1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.*

Witnesses:

Wm. N. Roberts

And Ackerman

John Geiger

John Lawless

*John J. Schmitt
19th Feb*

Franklin

Bud

Section 488, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600.

POOR QUALITY ORIGINAL

0962

Police Court—V District.

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

of No. 128-N-33 William H. Dobbs Street, aged 60 years,
occupation Carpenter being duly sworn

deposes and says, that the premises No 137-N-32 Street,
in the City and County aforesaid, the said being a four story building

not ~~and which~~ was occupied by deponent as a _____
~~and in which there was at the time a human being, by name~~ _____

were BURGLARIOUSLY entered by means of forcibly opening a window

on the 22 day of March 1892 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

A quantity of lead pipe of the value of One hundred and fifty Dollars

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

John Dawson - Samuel Kelly - David Scheele - Washington Sharp - all now here and one other not yet arrested for the reasons following, to wit:

On said date deponent was informed that said place had been entered he went to said place and discovered that the lead pipe in said house had been cut and part of it missing and some of said pipe was in a bag - deponent was informed by Frederick Ackerman of 133 West 32nd Street

POOR QUALITY ORIGINAL

0963

that he saw the defendants Lawson and Sharp and others standing in front of said house No 137 - W - 32nd Street and after they went away - he, Ackerman saw that the place had been Burglars entered - he then went to inform John Geiger who is in deponent employ of the Burglary - and Geiger caused the arrest of defendant Lawson - said Ackerman fully identified the defendant Lawson and Sharp as persons he saw standing in front of said premises Deponent is further informed by Arthur Scott of 137 - W - 33rd Street, that on said date he saw the defendant Kelly raise the window of said house and enter said house and that the defendant Scheel also entered immediately afterwards - in about an hour after Scott saw one of the others not yet arrested go out of said house with something under his coat - Deponent charges defendants with Burglary and prays that they be dealt with according to law

Am. Dobb

Sworn to before me this 24th day of March 1892

The City of New York
Magistrate
Police Justice

Police Court District

Degree
Burglary

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Dated 188

Magistrate
Officer
Client

Witnesses:

Committed in default of \$ Bail

Bailed by

No. Street

POOR QUALITY ORIGINAL

0964

Police Court - 2 District.

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

of No. 128-N-33rd Street, aged 60 years,

occupation Carpenter being duly sworn

deposes and says, that the premises No 137-N-32nd Street,

in the City and County aforesaid, the said being a four story building

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

were BURGLARIOUSLY entered by means of forcibly opening a window

on the 22nd day of March 1892 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

a quantity of Lead pipe
of the value of One hundred
and fifty dollars

the property of Deponent

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

John Dawson (nowhere) and ~~two~~ four others not yet arrested all acting in concert with each other for the reasons following, to wit: on said date deponent

was informed by Officer Peter Lawless of the 19th Precinct, that he arrested the defendant Dawson on the complaint of John Seiger of 128-N-33rd Street for having Burglariously entered said building

Deponent was further informed by Frederick Ackerman 2424-8th Avenue, that on said date he saw the defendant Dawson

POOR QUALITY ORIGINAL

0965

who was with the four others not yet arrested - standing in front of said premises, and he Ackelin saw that the place had been entered, and he then notified Geiger who is in the employ of deponent.

Deponent further says that he has since visited said place and discovered that the lead pipe in said house had been cut and part of it removed from said place and some of it in a bag.

Deponent charges defendants with Burglary and prays that he be dealt with according to law.

[Signature]

Sworn to before me
this 22nd day of March 1892

[Signature]

Police Justice

Police Court District

THE PEOPLE, & c.,
ON THE COMPLAINT OF

Burglary
Degree

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No. Street.

POOR QUALITY ORIGINAL

0966

CITY AND COUNTY }
OF NEW YORK, } ss.

Peter Lawless
aged _____ years, occupation Police Officer of No. _____

19 Bremer Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of William H. Dobbs and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 22 day of March 1890, } Peter Lawless

J. H. Gady
Police Justice.

(3692)

CITY AND COUNTY }
OF NEW YORK, } ss.

Frederick Ackerman
aged _____ years, occupation Carpet Cleaner of No. _____

133 - N - 32 Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of William H. Dobbs and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 22 day of March 1890, } Frederick Ackerman

J. H. Gady
Police Justice.

(3692)

POOR QUALITY ORIGINAL

0967

CITY AND COUNTY }
OF NEW YORK, } ss.

John Geiger
aged _____ years, occupation *Carpenter* of No. *128-N-33*
Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *William H. Dobbs*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this *22*
day of *March* 189*2* } *John Geiger*

John F. Brady
Police Justice.

(3692)

CITY AND COUNTY }
OF NEW YORK, } ss.

Arthur Scott
aged *14* years, occupation *School boy* of No. *137-N-33*
Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *William H. Dobbs*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this *24*
day of *March* 189*2* } *Arthur M. Scott*

John F. Brady
Police Justice.

(3692)

POOR QUALITY ORIGINAL

0968

(1885)

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. John Dawson

Question. How old are you?

Answer. 16 yrs

Question. Where were you born?

Answer. Scotland

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

Answer. No home

Question. What is your business or profession?

Answer. none

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

Answer. I have nothing to say only I was not in the vicinity.

John Dawson

Taken before me this

22

day of

March 1897

Wm. J. Brady Police Justice.

POOR QUALITY ORIGINAL

0969

(1235)

Sec. 198-200.

2

District Police Court

CITY AND COUNTY OF NEW YORK, ss.

Samuel Kelly

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. *Samuel Kelly*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Washington D.C.*

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

Answer. *203-N-32nd St 8 months*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I went into the House but I did not take any of the lead*

Samuel Kelly

Taken before me this

23

day of

March

1891

Wm. J. Kelly
Police Justice.

POOR QUALITY ORIGINAL

0970

(1835)

Sec. 198-200.

2

District Police Court

CITY AND COUNTY }
OF NEW YORK, } ss.

David Scheels

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. *David Scheels*

Question. How old are you?

Answer. *16 yrs*

Question. Where were you born?

Answer. *New York*

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

Answer. *455 - W - 42nd St 3 years*

Question. What is your business or profession?

Answer. *Piano Maker*

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

Answer. *I went into the house but did not take any lead David Scheels.*

Taken before me this *23*
day of *March* 189*7*
W. J. Brady
Police Justice.

POOR QUALITY ORIGINAL

0971

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

Police Court... 2 District

THE PEOPLE, Sec.,
ON THE COMPLAINT OF

William H. Roberts
178 W 23 St

John Dawson
Amuel Kelly
David Schelle

Washington Sharp
Offence Burglary

Dated March 22 1892

Magistrate
Grady
Officer
Lawless

Witnesses
Officer Lawless
Precinct: 19

No. 128-N-33
Residence _____ Street _____
John Berger Seize and Swear

No. 133-N-32
Residence _____ Street _____
Frederick Ackerman

No. 121-2-23
Residence _____ Street _____
500 year to answer

No 4 Discharged
Sharp



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 Dawson

Kelly and Schelle defendants
guilty thereof, I order that they be held to answer the same and they be admitted to bail in the sum of Five Hundred Dollars, each and be committed to the Warden and Keeper of the City Prison, of the City of New York, until they give such bail.

Dated March 22 1892 Grady Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated March 23 1892 Grady Police Justice.

**POOR QUALITY
ORIGINAL**

0973

2

WILLIAM H. DOBBS, THE COMPLAINANT, testified that he lived at 108 Bank street and was a carpenter and builder. He was one of the owners, and the executor of the premises 137 West 32nd street, and those premises were nearly in the rear of 128 West 33rd street. He visited the premises 137 West 32nd street on March 22nd. He found the wash-tray taken from its position and placed in the center of the floor, in the basement. The pipes were disconnected and the faucets were removed. The faucets from the boiler and the sinks were also cut off and destroyed. A Wash-basin on the firstfloor was taken away. The damage to the plumbing of the house would amount to about one hundred and fifty dollars. The house was a four story house, unoccupied at that time. The house was secured previous to that time and the front door was locked. He, the complainant, visited the house almost every day.

JOHN GIEGER, carpenter, testified that he was in the employ of Mr. Dobbs, and was at work at 128 West 33rd street on the 22nd of March, 1892. A Mr. Ackerman called at the shop and spoke to him, and, as the result of the conversation,

**POOR QUALITY
ORIGINAL**

0974

3

he, the witness, went to 137 West 32nd street. As he and Mr. Ackerman were walking down 32nd street from Sixth avenue towards Seventh avenue, Mr. Ackerman pointed out a young man who was sitting with a paper in front of him, pretending to read, and said, "That's one of the boys. You go down and see if you can see an officer." This boy was afterwards identified as Dawson. He was sitting on a stoop, almost opposite Mr. Dobbs's house in 32nd street. He, the witness, went to Seventh avenue but saw no officer, and then he went to the police station in 32nd street and asked them to send a police officer to 137 West 32nd street. He, the witness, then left the police station, and walked back towards the house. As he went towards the house, two officers were going up through the street from Seventh avenue. At that time the boy Dawson had crossed 32nd street, to 137. And then he, the witness, went up to Dawson and arrested him and brought him back and handed him over to officer Lawless. It was then in the forenoon, between half-past nine and ten o'clock. When he, the witness, got hold of Dawson, he said to him that he was wanted down the street, and Dawson asked him what right he had

**POOR QUALITY
ORIGINAL**

0975

4

to take hold of him. He, the witness, said that the officer wanted to see him. Then the officer arrested Dawson. He, the witness, and Officer Lawless went into the house at 137 West 32nd street. They found a front window on the first floor open. The basement door was also found open. They looked around and saw that much of the plumbing had been cut away. As they entered the basement door they saw a bag full of lead pipe. There was about sixty pounds of lead pipe in the bag. The lead pipe was worth about two and a half cents a pound.

ARTHUR SCOTT testified that he lived at 137 West 33rd street.

He remembered the morning of March 22, 1892. He saw the three defendants in the neighborhood of 137 West 32nd street at about half-past seven o'clock on the morning of March 22. They were standing talking together. He, the witness, was on his way to the rag and bottle shop. He asked Kelly what the boys were going to do, whether they were going to get a job in the stable. Then one of the other boys said, "Oh, yes, he is." Soon afterwards a crowd of persons passed and the boys went away from the stable, and then they went to Mr. Dobbs's house at 137

West 32nd street and Kelly lifted a front second story window of 137. Kelly then jumped into the open window and Dawson followed. Three other boys went in. There were five boys altogether, inclusive of the three defendants. After they got into the window, one of the defendants said to him, "Ah, get away, what are you standing around there for?" He, the witness, did not say a word for a moment, and then he said, "Youse ain't got no business going in that house." Then they shut the window and shut the blinds and then told him to go away. He, the witness, then went on about his business and told his mother what he had seen, and she went down to the corner. Soon afterwards he saw a tall boy, who had not been arrested, come out, with his coat and vest full of lead and go towards Seventh avenue. He, the witness, went to the corner and looked for Officer "Husky." He, the witness, meant Officer Sahulka.

In cross-examination the witness testified that he did not see either of the three boys come out of the house, after he first saw them go in. He, the witness, never had any trouble with the defendants. He knew them by seeing them standing around the newspaper

**POOR QUALITY
ORIGINAL**

0977

5

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In cross-examination the witness testified that he did not see either of the three boys come out of the house, after he first saw them go in. He, the witness, never had any trouble with the defendants. He knew them by seeing them standing around the newspaper

stand. He had never played with the defendants. He, the witness, was fourteen years of age, going on fifteen. He went to school usually about a quarter to nine. He attended school in 42nd street. He, the witness, identified the defendants after their arrest.

OFFICER FRANK A. SAHULKA testified that he was attached to the 19th police precinct. He, the witness, first heard of the burglary at 137 West 32nd street at about ten o'clock, on the morning of March 22, 1892. Officer Lawless told him, the witness, of the burglary, and said that Dawson, whom he, Officer Lawles, had arrested, gave him, Lawles, the names of the boys implicated in the burglary. In the evening he, the witness, was on post in 32nd street, and he arrested Kelly at Seventh avenue and 32nd street. He asked him about the burglary. He denied any knowledge of it. On the way to the station house, Kelly said that he would make a clean breast of it, and gave the names of the boys that were concerned with him in the burglary. One of the boys that he mentioned was Schiele, the co-defendant, and the other was a boy named Coakley, who was not arrested. He also

**POOR QUALITY
ORIGINAL**

0979

7

mentioned a boy named Sharpe. Kelly said that he went through the second story window of the house with four other boys, and they cut lead pipe and carried part of it away ---- fifty-two pounds---- and sold it to a junkman in Seventh avenue, near 36th street, for \$1.56. The junkman's name was Edward Callahan. He, the witness, subsequently arrested Callahan. The same evening, he, the witness, went to the lodging house for boys in that neighborhood, and arrested two other boys, Schiele and Sharpe. He could not find Coakley. When he, the witness, told Schiele that Kelly had told all about the burglary, he said, "Well, I was in the place, but I didnt take any of the stuff, but we dividied up the money equally. Each of us got a part of the \$1.56. There was five boys into it." Sharpe was discharged on the following morning, because he was a very small boy.

OFFICER PETER LAWLESS testified that he was attached to the 19th Police precinct. On the 22nd of March, 1892, he arrested Dawson, one of the defendants. He took Dawson to the 30th street police station, and at front of the Sergeant at the desk he asked Dawson if he had been in the

**POOR QUALITY
ORIGINAL**

0980

7

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OFFICER PETER LAWLESS testified that he was attached to the 19th Police precinct. On the 22nd of March, 1892, he arrested Dawson, one of the defendants. He took Dawson to the 30th street police station, and at front of the Sergeant at the desk he asked Dawson if he had been in the

**POOR QUALITY
ORIGINAL**

0981

8

the house, and Dawson said no, but that he was the watch for four other fellows that went in. He said that Samuel Kelly, David Schiele, and Washington Sharpe, and another boy by the name of Kipley or Coakley went into the house.

EDWARD CALLAHAN testified that he was in the junk business at 473 Seventh avenue, between 36th and 37th streets. The defendant, Kelly, sold him, the witness, fifty-four pounds of lead pipe, for \$1.56, on March 22, 1892. It was dirty old lead pipe. The sale was made at about a quarter to nine on that morning. No one was with Kelly when he sold the lead pipe. Kelly said that it came from the Hotel Royal fire and that one of the men sent him there with the pipe. He, the witness, had never seen Kelly before that morning. He remembered Kelly particularly because he had a crack or scar on the front of his head.

(No Defence was offered.)

POOR QUALITY
ORIGINAL

0982

John Dawson
age 16. March 26. 1922
his mother is a teacher
in the Benedict. Has he
worked as messenger Brown
& 26th telegraph office
for about 1 year.
has no father

David Scheele
age 17. Feb. 20. 1922
455 W. 42nd St. he has
a good home but will
not live there. he has
spent 2 years in the
Juvvenile asy. has
a father but no mother
Dora Kelly

Can find no relatives
age 18. came to the lodging
house. Sept 11/21. from Newark

POOR QUALITY
ORIGINAL

0983

April 18th 1892,

Hon. Frederick B Smyth.
Judge A. S. C.

Dear Sir,

A young Lad
named David Shele was tried before
you, and found guilty of Burglary.

Permit me to say of him, that
I have known him since his
Infant days. I know his Father
to be a most respectable man,
as also all of his Family.

I urgently request your
kindness and leniency for the Boy,
believing as I do that that it
will ultimately be a blessing to
the Lad. Believe me sincerely yours
John Q. Quinn V. S. J. W. S. H. 1892

**POOR QUALITY
ORIGINAL**

0984

483

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Dawson, Samuel
Kelly and David Scheele*

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

John Dawson, Samuel Kelly and David Scheele

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

The said

*John Dawson, Samuel Kelly
and David Scheele, all*

late of the *40th* Ward of the City of New York, in the County of New York aforesaid, on the
twenty-second day of *March* in the year of our Lord one
thousand eight hundred and ninety-*two* in the *day* - time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *building* of
one *William N. Dobbs*

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein to wit: with intent the goods, chattels and personal property of the said *William
N. Dobbs* in the said *building*
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.

**POOR QUALITY
ORIGINAL**

0985

SECOND COUNT—

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

John Dawson, Samuel Kelly and David Scheele

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

The said

*John Dawson, Samuel Kelly
and David Scheele, all*

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

*one thousand pounds of lead
pipe of the value of fifteen
cents each pound*

of the goods, chattels and personal property of one

William W. Dobbo

in the

building

of the said

William W. Dobbo

there situate, then and there being found, in the

building

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

*De Lancey Nicoll
District Attorney*

0986

BOX:

474

FOLDER:

4347

DESCRIPTION:

DeForrest, Charles

DATE:

04/29/92



4347

POOR QUALITY ORIGINAL

0987

376.

Counsel,
Filed 27 day of April 1892
Pleas, *Winnick, & Day*

THE PEOPLE
27-9-1892
43-1892
B
Charles De Forest
Assault in the Second Degree.
(Section 218, Penal Code.)

DE LANCEY NICOLL,
District Attorney.

May 10, 1892. U.P.D.
May 16, 1892. U.P.D.

A TRUE BILL.

Wm. H. Johnson
Taverner.

May 3 - May 17 1892.
tried and convicted
of assault & death
of Mrs. *Ken*
May 10, 1892

Witnesses:
J. A. Bohler

-----X
The People &c.
vs.
Charles DeForrest

Charged with Assault
2nd Degree,
Indictment filed April
29, 1892.

-----X-
City and County of New York, SS:

Vernon M. Davis being duly sworn deposes and says as follows: I am one of the Assistant District Attorneys of the County of New York. I was in charge of the Calendar in Part Three of the Court of General Sessions of the Peace of New York County on the 10th and 16th days of May 1892. The above entitled case was on the Calendar on the 10th day of May 1892, and the People were ready for trial, all their witnesses to the number of at least five being then in Court. The defendant, through his counsel, Douglas Levien, Esq., made an application to the Court for an adjournment on the ground of absence of material witnesses. This adjournment was finally consented to by me, upon the express promise and stipulation on the part of the defendant's attorney that he would be ready to try the case on Monday May 16th, 1892. The 16th of May was agreed to only after defendant's counsel had stated that he would not under any circumstances apply for further adjournment.

Sworn to before me this
20th day of May 1892.

F. Harvey
Reed
Vernon M. Davis

POOR QUALITY ORIGINAL

0989

40

No. 49

THE PEOPLE OF THE STATE OF
NEW YORK

against

Charles De Tarrech

Applicant
of

DE LANCEY NICOLL,

DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,

NEW YORK CITY.

*Take file name
for. two" as of
the 10th day of May
/92
KLS*

POOR QUALITY ORIGINAL

0990

Sec. 192.

W District Police Court.

Undertaking to Appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss:

An information having been laid before *Thomas S. Grady* a Police Justice of the City of New York, charging *John C. Campbell* Defendant with the offense of *Assault*

and he having been brought before said Justice for an examination of said charge, and it having been made to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hearing thereof having been adjourned,

WE, *John C. Campbell* Defendant of No. *131 Charlton* Street, by occupation a *Broker* *John M. Nutty* and of No. *160 Perry* Street, by occupation a *liquor dealer* Surety, hereby jointly and severally undertake that the above-named *John C. Campbell* Defendant shall personally appear before the said Justice, at the *2^d* District Police Court in the City of New York during the said examination, or that we will pay to the People of the State of New York the sum of *thirty* Hundred Dollars.

Taken and acknowledged before me this *14* day of *April* 189 *3*

Mrs. C. Campbell
John M. Nutty
Thomas S. Grady Police Justice.

POOR QUALITY ORIGINAL

0991

City and County of New York, ss:

Sworn to before me this
day of Sept 1892
Wm J. Barry
Police Justice.

John McSully
the within-named Bail and Surety, being duly sworn, says, that he is a resident and house
holder within the said County and State, and is worth Ten Thousand ~~Hundred~~ Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,
and that his property consists of a House at No 165 Perry
Street N.Y. City valued at \$15000
Mortg \$5000.

John McSully

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Undertaking to Appear during
the Examination.

Taken the _____ day of _____ 189

Justice.

POOR QUALITY ORIGINAL

0992

Dept. 400. I
Police Court— 4d 2 District.

CITY AND COUNTY }
OF NEW YORK, } ss.

Ernest Hutchinson
of No. Westminster Hotel, 16th Spring Place Street, aged 47 years,
occupation Manager being duly sworn, deposes and says, that
on the 13 day of April 1889 at the City of New York,
in the County of New York,

he was violently ASSAULTED and BEATEN by Charles R. Forrest and
Samuel C. Campbell (both men here). The said
Campbell who threatening deponent while
the deponent was Dr. Forbes Street deponent
threw several blows on the head with a brass
studied walking cane inflicting severe injuries and
said assault was committed
without any justification on the part of the said assailants.

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

Sworn to before me, this 22
day of April 1889 Ernest Hutchinson
W. J. [Signature] Police Justice.

POOR QUALITY
ORIGINAL

0993

DR. WALTER M. FLEMING,
240 FIFTH AVE.
NEW YORK.

April 19th 92

This is to certify
That the serious
Crisis in the illness of
Mr. Ernest Hutchinson,
has passed, and he is
now rapidly improving.

He is however still
extremely weak, and
confined to the bed.

A persistent Vertigo and
Nausea; characterizes every
effort, & assume an up-
Woing position.

It is therefore not deemed
safe to him to make the
effort to appear to day.

POOR QUALITY
ORIGINAL

0994

Should no unfavorable
opinion supervene we
will in all probability
improve sufficiently to
do so, at the next call
of the Court.

Courtesy by Scribner.

Walter H. Murray M.D.

POOR QUALITY ORIGINAL

0995

Sec. 192.

Second District Police Court.

Undertaking to Appear during the Examination.

CITY AND COUNTY } ss.
OF NEW YORK, }

An information having been laid before Thomas J. Goady a Police Justice of the City of New York, charging Charles De Forest Defendant with the offense of Assault

and he having been brought before said Justice for an examination of said charge, and it having been made to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hearing thereof having been adjourned,

WE, Charles De Forest Defendant of No. 143 9th Avenue Street, by occupation a Actor

Arthur Stewart and of No. 123 Charlton Street, by occupation a liquor dealer and Dennis Shields of No. 530 West 14th Street, Surety, hereby jointly and severally under-

take that the above-named Charles De Forest Defendant shall personally appear before the said Justice, at the 2nd District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of thirty Hundred Dollars.

Taken and acknowledged before me this 19 day of April 1882

Dennis Shields
Charles De Forest
Arthur Stewart
Police Justice.
man

POOR QUALITY ORIGINAL

0996

City and County of New York, ss:

Dennis Shields and Ann

the within-named Bail and Surety, being duly sworn, says, that he is a resident and free holder within the said County and State, and is worth Sixty Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of House and lot, no 33, West Street New York City worth \$16000.00

and clear, and Ann Shield within a good and surety being duly sworn says that he resides and is a household in said city and county and is worth \$5000.00 and clear consisting of mortgages on real estate household furniture and money in bank

Sworn to before me this
day of April
1881
Police Justice

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

ss.

Takep the day of

Justice.

Dennis
Shield
mark
Ann
Shield
mark

POOR QUALITY
ORIGINAL

0997

DR. WALTER M. FLEMING •
240 FIFTH AVE.
NEW YORK.

Apr 14th 99

This is to Certify

That Mr Ernest Hutchinson
Manager of the Lydia
Thompson Dramatic Co
who was assaulted, at the
14th St Theatre, last Evng,
is under my professional
Care, and attendance, at
the Westminster Hotel,
and is so seriously injured
that he is unable to leave
his bed, having sustained
a compound fracture of
the nasal bone, and

a serious contusion of
the base of the Cranium.
and palpable evidences
of Compression of the Brain,
Being partially delirious,
and prostrated, from loss
of blood, so it is impossible
for him to appear against
his assailants, and begs
the Court, that they be
held, until it is safe
for him to appear, or
the result of his injuries
may be determined.
Respectfully Submitted
Walter M. Fleming M.D.

POOR QUALITY
ORIGINAL

0998

DR. WALTER M. FLEMING,
240 FIFTH AVE.
NEW YORK.

Apr 16th 99

This is to certify
that the condition
of Mr Ernest Hutchinson
is such, as to preclude the
possibility of his appearance.
He is not able to leave his
bed, and the general indications
are not as favorable as hoped
for. His symptoms are
ominous, and the ultimate
results in the case, from the
present status, are decidedly
uncertain.

Courteously Submitted

Walter M. Fleming M.D.

POOR QUALITY ORIGINAL

0999

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

George W. Reid

of No. 19 Precinct Street, aged _____ years, occupation Police officer

being duly sworn deposes and says, that on the 13 day of April 1892

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

Charles DeForest and James C. Campbell (both now here) for assaulting Ernest Hutchinson and inflicting such injuries that he Hutchinson is unable to appear in court - said Hutchinson in the presence of deponent fully identified both defendants as the persons who assaulted him and caused his injuries - deponent asks that the Defendants be held to await the result of said injuries

Geo W. Reid

Sworn to before me, this 14 day of April 1892

M. G. Brady Police Justice.

POOR QUALITY ORIGINAL

1000

Police Court, 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Chas DeForest
John C. Campbell

AFFIDAVIT.

Ex. Apl. 22/92 - 2A 2m

Dated April 14 1892

Grady Magistrate.

Reed Officer.

Witness, F. A. Boland
14th St Theatre

Emanuel Anhalt
14th St Theatre

Paul McDonald
14th St Theatre

Not Bailed.

Disposition, _____

\$3000 Ex. Apl. 16/92 - 10th 2m.
" 19/92 - 2 P.m.

POOR QUALITY ORIGINAL

1001

Sec. 198-200.

2nd
District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Charles De Forrest 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. *Charles De Forrest*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *443-9th Avenue, Manhattan*

Question. What is your business or profession?

Answer. *Actor*

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*

Chas De Forrest

Taken before me this
day of *June* 188*9*

Police Justice

Handwritten initials/signature

POOR QUALITY ORIGINAL

1002

E. A. M. 24. W. 2.

Police Court... District.

274

2

483

BAILED,

No. 1, by *Am. News*

Residence *127 Charlton Street*

No. 2, by _____

Residence _____ Street

No. 3, by _____

Residence _____ Street

No. 4, by _____

Residence _____ Street

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Campbell
Magistrate



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

Defendant and is Charles de Forrest

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

Dated, *Apr 22* 1892 *Thos. P. Brady* Police Justice.

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

Dated, *Apr 24* 1892 *Thos. P. Brady* Police Justice.

There being no sufficient cause to believe the within named *James Campbell* guilty of the offense within mentioned, I order him to be discharged.

Dated, *Apr 22* 1892 *Thos. P. Brady* Police Justice.

POOR QUALITY
ORIGINAL

1003

Henry C. Miner's
Fifth Avenue Theatre, People's Theatre,
Bowery Theatre,
Newark Theatre, Eighth Ave. Theatre.
Address, PEOPLE'S THEATRE, New York.

To
New York, May 19 1892
Recorder Smyth
My Dear Recorder

If in your good judgment you can be lenient towards
Chas De Forest who has a wife, child and invalid
Mother I would respectfully suggest that leniency.
I have always understood that he was a quiet
and inoffensive young man and in my humble
opinion worthy of your kind consideration -

Yours Respectfully
Henry C. Miner
S

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

The People
vs
Charles D. Jones

City and County of New York

Charles D. Jones

being duly sworn deposes
and says that he is the defendant
above named.

That D. Charles Allen of the
Metropolitan Hotel Brooklyn
is a material and necessary
witness for the defence in this
action as is also Samuel
Reynolds. That deponent
expects to prove by one
of said witnesses Reynolds
who resides in Westchester
County that the assault
complained of was committed
by the defendant complained
and that deponent acts
in self defence, and that
no more force than
was necessary to

protect himself from said assault
that deponent has made
every effort to secure the
attendance of his said
witnesses but has been
unable to send or secure
service upon one of
them Reynolds. That
the other witness Allen
was in Court this morning
but deponent learned that
this case would not
be called until Tuesday
Apr 17th 1892, and upon
receiving said information
said witness left the
Court and will not for
Covey Island and will
not return until tomorrow
that deponent has fully
and fully stated the
case in this cause
this Council in a
Review, and that it
is informed by a
said Council of the
said statement made
as fore and that

OUR QUALITY ORIGINAL

1006

he cannot safely proceed
to trial without the
evidence of 7 or 8
witnesses who testify
he killed her. He can
securely if the case
be adjourned until
tomorrow.

Wm. H. Byrnes & Chas De Forest,
this 16. May 1892
Josephine
Lynn Co.

**POOR QUALITY
ORIGINAL**

1007

23
10

to Form at.

For, Miss [unclear]

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

189

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

The People

vs.

Charles de Forest

We the undersigned the Jurors
empanelled in the above
action of our own voluntary
act and accord, and entirely
without solicitation on the part
of the defendant do after careful
consideration, and in view of the
attenuating circumstances uncommo-
nly in recommending the
prisoner Charles de Forest to
the greatest clemency and
mercy at the hands of the
Court and in accordance
therewith we herewith

DOR QUALITY
ORIGINAL

1009

Subscribe our names.
N.Y. May 14th 1892

M. L. Born ✓
John W. U. Koch ✓
James M. Morton ✓
J. H. M. L. Klein

Edward E. France ✓
H. N. Johns Jr ✓
Chas. A. Cole ✓
L. Whitehead ✓

Tom Sargeant ✓
Walter A. Miller ✓
Michael ✓
Samuel J. Harvey

M. L. Born

POOR QUALITY ORIGINAL

10 10

Representative of all First-Class Vaudeville Theatres, Combinations and Artists

...SPECIAL AGENT FOR...

HOWARD ATHENEUM, Boston, Mass.
CENTRAL THEATRE, Philadelphia, Pa.
ACADEMY OF MUSIC, Pittsburgh, Pa.
KERNAN'S THEATRE, Baltimore, Md.
KERNAN'S THEATRE, Washington, D. C.
KEITH'S BLOU THEATRE, Philadelphia, Pa.
KEITH'S BLOU THEATRE, Boston, Mass.
LYCEUM THEATRE, Philadelphia, Pa.
KENSINGTON THEATRE, Philadelphia, Pa.
HYDE & BEHMAN'S THEATRE, Brooklyn, N. Y.
GAIETY THEATRE, Albany, N. Y.

Specialties and Novelties of all kinds Furnished. Combinations Organized and Booked. Private Clubs and Entertainments supplied with Talent.

OFFICES OF

JAMES J. ARMSTRONG,

Theatrical Exchange,
DRAMATIC, + MUSICAL, + VARIETY,
No. 10 UNION SQUARE,

...SPECIAL AGENT FOR...

GRAND THEATRE, Brooklyn, E. D., N. Y.
WALDMANN'S NEWARK OPERA HOUSE, Newark, N. J.
PEOPLE'S THEATRE, Paterson, N. J.
LYCEUM THEATRE, Montreal, Can.
EMPIRE THEATRE, Philadelphia, Pa.
BUCKINGHAM THEATRE, Louisville, Ky.
STANDARD THEATRE, St. Louis, Mo.
GRISWOLD STREET THEATRE, Detroit, Mich.
FRONT STREET THEATRE, Worcester, Mass.
WESTMINSTER THEATRE, Providence, R. I.

No Engagements made for Artists delinquent for Commissions.

ALL TELEGRAMS MUST BE PREPAID.

Open Sundays from 11 A. M. to 2 P. M.

New York City,

May 19th

1892

Hon. Fred Smyth, Recorder City, New York

Dear Sir,

I have been requested to testify to the character of Wm. De Torrent, a Variety Artist, now under sentence for assault. I have known him for four years past, and can cheerfully testify to his good character and strict attention to his business at all times. any clemency you may bestow I think will be appreciated, and think it will be a very penitent and changed man in future.

Very Respectfully Yours

James J. Armstrong

I cordially endorse E. M. North's Museum
the above, Edmund Buel, Ins. Superintendent.

**POOR QUALITY
ORIGINAL**

1011

HUBER'S

PALACE MUSEUM

106, 108 East 14th Street,

103, 105, 107 E. 13th Street,

BET. 3D AND 4TH AVENUES.

OPEN DAILY FROM 11 A. M. TO 10:30 P. M.

POPULAR PRICES.

G. H. HUBER, PROPRIETOR AND MANAGER.

J. H. ANDERSON, BUSINESS MANAGER.

The Leading, Largest and Most
Elegant Family Museum and
Theatre in America.

Entire Front of Beveled Plate
and Stained Glass.

ACCESSIBLE BY ALL "L" AND
SURFACE ROADS.

106, 108 East 14th Street and run-
ning through to and including
Nos. 103, 105, 107 East
13th Street.
Covering nearly Five City Lots.

NEW FEATURES RECEIVED AND
ADDED DAILY.

Several of the Oldest and Largest Col-
lections in the world have been
Secured and Placed in this
Palace of Amusement.

1,000,000—ORIENTAL, NATIONAL AND
HISTORICAL CURIOSITIES—1,000,000.

The Theatorium in the New Annex
Seated with the Latest Improved
Opera Chairs and Splendidly
Ventilated—Seating 850
PERSONS.

NO AMUSEMENT TEMPLE IN THE COUN-
TRY BETTER PROVIDED WITH EXITS.

• Living • Curiosities •
Trained • and • Rare • Animals.

We want at all times Recognized Ar-
tists in all lines of specialties for the
Theatorium, Living Curiosities, Freaks
of Nature, Trained Animals, and Me-
chanical Novelties of Merit, as we desire
to present our patrons as many new
features as may be offered. Write or
Telegraph for dates. Exhibition hours
for Freaks and Novelties 11 A. M. to
10:30 P. M. One hour for dinner and
supper each.

The LECTURE HALLS will be under the
immediate supervision of G. H. Huber
and his able assistants. An efficient
Stage Manager will direct the amuse-
ments on the stage.

Seven Stage Performances and extra
shows on holidays, set nights if business
demands.

If artists are required to do more than
one turn or go in acts, faces or sketches
with other artists, they will do so with-
out extra charge.

Our aim is to elevate and refine while
amusing our patrons, and nothing that
appeals to a morbid or depraved nature
will be permitted.

Our aim will be to secure the BEST
Artists, the Greatest Wonders, and the
Latest Novelties to be added from week
to week to our gigantic store regardless
of expenses.

The Management positively reserve
the right to annul and terminate an en-
gagement with forfeiture of all claims
for services at any time before or after
the performance of any incompe-
tently excessive or when wages are
curio not suited to our House.

Artists and Curios after contract-
ing with us must not appear at any
other place of amusement in this city
until our contract is filled.

Performers will send their acts seven
days in advance of opening. If LITHOS
or PICTORIAL descriptive cuts, state price
and where printed.

The Rules and Regulations for the
government of Artists as well as Em-
ployees and Curios while engaged in this
house will be strictly enforced.

RICHARD K. FOX, PRINTER, NEW YORK.

New York, May 19th 1892

How Recorder Any to
or Sir
I desire to say in behalf of Mr Chus
beforest, for his wife & child's sake
who are dependent on there father
only for support, the he with his
partner Mr Manning have worked
for me several times, are engaged
by me for the 30th in Brooklyn
have always found him steady
sober & hard worker, I know
him to be a man of good charac-
ter and peaceable disposition

Yours Resp
G. H. Huber

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles De Forrest

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

Charles De Forrest

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

The said

Charles De Forrest

late of the City and County of New York, on the thirteenth day of April in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, in and upon one

Ernest Hutchinson

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

Charles De Forrest

with a certain

stick

which he the said

Charles De Forrest

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

SECOND COUNT—

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

— Charles De Forrest —
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said — Charles De Forrest —

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, in and upon the said

— Ernest Hutchinson —

in the peace of the said People then and there being, feloniously
did wilfully and wrongfully make another assault; and the said — Charles De Forrest —
the said — Ernest Hutchinson —
with a certain — stick —

which — he — the said — Charles De Forrest —

in — his — right hand then and there had and held, in and upon the — head
— body and side — of — him — the said — Ernest Hutchinson —
then and there feloniously did wilfully and wrongfully strike, beat,
bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully
and wrongfully inflict grievous bodily harm upon the said — Ernest Hutchinson —
— to the great damage of the said — Ernest Hutchinson —
against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

DE LANCEY NICOLL, District Attorney.

10 14

BOX:

474

FOLDER:

4347

DESCRIPTION:

Delacarte, Louise

DATE:

04/14/92



4347

POOR QUALITY ORIGINAL

10 15

181

Counsel,
Filed, 14th day of April 1892
Pleads, *Chattel*

THE PEOPLE
vs. *B*
Louis Ducares
Transferred to the Court of Special Sessions for trial and final disposition.
Part 2. April 2nd 1892
DE LANCEY HOLL,
District Attorney.

(Sections 822 and 885, Penal Code.)
BEHIND A HOUSE OF ILL-FAME, ETC.

Witnesses
John Mc Cord

A TRUE BILL.

W. H. Johnson
Foreman.

**POOR QUALITY
ORIGINAL**

10 16

Court of General Sessions of the Peace

470

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Louise Delacarte

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

Louise Delacarte

(Sec. 322,
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, committed as follows:

The said

Louise Delacarte

late of the *Fifteenth* Ward of the City of New York, in the County of New York aforesaid, on the *third* day of *March* in the year of our Lord one thousand eight hundred and ninety-*two*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in said house divers ill-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well as in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

Louise Delacarte

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offenses on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, 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

Louise Delacarte

(Sec. 385,
Penal Code.)

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

The said

Louise Delacarte

late of the Ward, City and County aforesaid, afterwards, to wit: on the *third* day of *March* in the year of our Lord one thousand eight hundred and

**POOR QUALITY
ORIGINAL**

10 17

ninety- *two* , and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in *her* said house for *her* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the statute in such case made and provided, and against the peace 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

Louise Delacarte

(Sec. 322,
Penal Code.) of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said

Louise Delacarte

late of the Ward, City and County aforesaid, afterwards, to wit: on the *third* day of *March* in the year of our Lord one thousand eight hundred and ninety- *two* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in *her* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are habitually disturbed, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

10 18

BOX:

474

FOLDER:

4347

DESCRIPTION:

Demarest, William T.

DATE:

04/22/92



4347

POOR QUALITY ORIGINAL

10 19

Witness:

Harvey M. Hall

an examination of this case leaves
no doubt as to whether the
defendant made the alleged forged
endorsement with intent to wrong
the complainant. He claimed to
have proper authority and to have
used the money obtained on the
check in the business - a claim
which seems to have some support
in fact. The complainant has
no desire to proceed further,
and since the finding of the
jury, the defendant has been, has
is now in a good situation,
earning his own livelihood.
Under these circumstances,
and of the opinion that justice
will be served by dismissing
this indictment, and so recommend
NY January 1892

De Lancey Nicoll

Retired Attorney

256
m. l. 1892

Counsel,

Filed day of April 1892

Pleas: *Misquity - May 1892*

THE PEOPLE

vs.

FORGERY IN THE SECOND DEGREE.
(Sections 511 and 521, Penal Code.)
(Endorsement, etc.)

William J. Demarest

DE LANCEY NICOLL,

District Attorney.

and read May 4/92

A TRUE BILL.

W. H. Johnson

Pat. 3 Jan 5/93

Foreman. Indictment dismissed

April 29/92

First District
Police Court

Harvey W Hall

agent
Marian T. Hemmick

Charged with
Forgery
Feb 13/1892
Before Hon
Samuel F. M. ^{Magistrate}
Police Justice

All parties being present
the examination proceeded
Harvey W Hall complainant
being duly sworn deposes & says
That examination

By Mr. Bunker

Q. What place of business is where
at 13 Elizabeth Street

Q. What you are a merchant
A. Yes Sir

Q. And you are a member of the firm
of P. W. Mitchell & Company?
A. Yes Sir

Q. Say you read the defendant?
A. Yes Sir

Q How about the month of November
1891 was the defendant here in
the employ of P R Mitchell & Company

A He was

Q Are you familiar with his hand-
writing?

A I am

Q Now at the back of the check I now
show you (showing witness a check
of a date in whose handwriting
the words P R Mitchell & Company
are in?)

A They are in his handwriting

Q Whose handwriting?

A In defendant's

Q Was that endorsement made
with the authority of your firm
Ama Si

Q Did your firm ever receive the money
on that check?

A No Sir

Cap Examined by
Mr Weiler

Q You have brought a previous

3

charge against this man, this person
I mean this defendant here you
not?

Mr Burnham, objected to as being
Immateral and Irrelevant
By the Court Sustained
Mr Wheaden Exception

Q In the examination of a prior charge
Mr Hall, you were asked whether
you did not receive all the day
of the discharge of the prisoner
the sum of \$90 a week

Mr Burnham objected to
By the Court Sustained
Mr Wheaden Exception

Q Mr Hall when did Mr Wheaden
leave your employment, or when
was he discharged?

A I think on a Monday, I cannot
tell you it was the 29 or 30th, it was
on a Monday morning our books
will show

Q The last Monday in November?
A Yes sir

4
Q. And that was probably the 29th
A. By the court. The 30th?

Q. And that day Mr. Hacc did not Mr.
Hemmes pay you certain money
Mr. Burskum, objected to as being
immaterial & irrelevant.

By the court answer the question
Yes he did.

Q. And you remembered the total sum?
A. Yes sir.

Q. What was it?

A. Twenty dollars cash.

Q. At the same time did he not turn
over to you a check for \$15.57 dollars
Mr. Burskum, I object to it as
being immaterial & irrelevant.
By the court It is admitted.

A. He did after I asked to his mind
that he had a check of the firm in
his pocket and had carried it for
several days, then he did.

Q. Then you received in check and
money \$105.57 dollars.

A. Yes sir that there don't go. I received

\$9000000 in currency, and the
check for \$15000.

Q Did not Mr. DeMorse say that very
occasionally tell you about how those
amounts were made up?
Mr. Burnham objected to
By the Court Sustained
Mr. DeMorse Exception

Q Mr. DeMorse how long have you employed
Mr. DeMorse?

A I cannot tell exactly 40 or 50 years.

Q And he has enjoyed your confidence
during that period?

Mr. Burnham objected to
By the Court Sustained

A To a certain extent.

Q Has he not been in the habit during
your absence of running the business?

Mr. Burnham objected to
By the Court Sustained

A Partly so.

Q Were you not absent last June and
July a portion of the time?
Answer:

Q In how long a period do you
remember?

A About 2 months

Q During that time were not the
finances of the firm in the charge
of Mr. Demarest?

A Yes

Q What arrangements were there made
by the firm or by you as representing
the firm with Mr. Demarest during
your absence?

A Mr. Burdham objected to

By the Court Admitted

Q In reference to what?

Q In the management of the firm
during your absence?

A He had nothing to do with the
exception when I went away, all
the arrangements were with the
senior partner of the house, I did not
favor making out any checks at
all but to give Mr. Demarest from
time to time \$ to 500 dollars with
which to pay off the current

9

expenses of the house, such as freight
and small expenses & etc that came
in and for which there should be
a voucher, and as the representatives
of that voucher seems to pay our
money

Q Say or remember when it was in
June you left to go on your vaca-
tion?

A The 24th I think.

Q At that time how much money did
you give Mr. Deane?

A About 200 dollars I think.

Q By the bank answer it

A I don't remember of giving him
a cent?

Q How much did the firm give?

A I don't know anything what the
firm gave I saw from the books, I
presume it was \$300 dollars

Q Say or know what instructions were
given to Mr. Deane at the same
time the \$300 dollars was given
to him?

A 91022ii

Q Had you give him any instructions
A 91022ii

Q Had you advised that either you or
your firm requested Mr. Demarest
to open an account with a bank
and pay out these moneys by
check to meet your current charges
A 91022ii

Q Had you anything to do with the
A Charles Yes Sir

Q What did you have to do with the
payment of the \$300 dollars to him
A Had nothing to do further more
than I advised my partner.

Q What did you advise your partner
A I advised him to give him a check
from time to time from 3 to 500
dollars for which vouchers had
not been returned

Q What do you mean by check?

A Check payable to Mr. Demarest

Q Was three hundred dollars the first
amount paid to Mr. Demarest?

10

A 910 Sir Inners had any conversation
with him?

Of Henry's not to turn it into cash and
put it in the drawer to pay and the
expenses was he

At he had access to our safe, and he
he had the key of it

Of In what bank were you depositing

A Germania bank

Of you have the firm checks?

A yes Sir

Of and you can produce them?

A yes Sir, they come from the Cincinnati
house, I don't know whether they
come from Cincinnati or not?
My, likely they did.

Of and have you got the letters, are they in
your room or in the Cincinnati house
that were addressed to Mr. Deussen
at the same time that the checks
were sent?

A Inners saw any letters

Of what days and with all the letters
that are received from the Cincinnati

11

office here in New York
A supposed to file them away properly
in the New York office, that is if they
are prior letters.

Q So if there were any letters addressed
to Mr. Bennett they would all
and file would they not?

A Maybe, likely.

Q What the first letter came while
you were here or after you had gone
objected to

By the Court Sustained

Q Had any letters come?

A There was no letters passed at all
my postbox was here at the time
of what was your postbox that was
due at the time?

A Mr. Mitchell

Q Which Mitchell?

A P. R. Mitchell the head of the firm

Q And Mr. Mitchell here any conversation
with Mr. Bennett in your presence

A Not in my presence

Q But you remembered a conversation

12

in June in which Mr Mitchell
requested Mr Deane after he
received these moneys to open an
account bearing in the Peoples
Bank & from that account to pay
out all charges & bills when they
came in for the firm?

A Yes Sir

Q You don't hear any such conversation
A Yes Sir

Q Do you know whether Mr Mitchell
gave such instructions?

A Yes Sir I got his telegram to that
effect.

Q How did that telegram happen to come

A As soon as I discovered this charge
not knowing what conversation Mr
Mitchell had with the defendant

I immediately telegraphed to Cincinnati

"Did you authorize Deane to
open above account or endorse
checks for deposit? Do you want
to see that telegraph?"

A Yes Sir

13

A witness (showing telegram).

Q If you say you did this as soon as you discovered the forgery?

A Yes Sir

Q When did you discover that forgery?

A I think it was the 9th of January

Q Was it not as a result of the cross examination to which you were subjected here?

A Yes Sir

Q How did you first come to know about this particular check of \$22 ³⁴/₁₀₀ dollars.

A Say you want me to go into the details?

Q Yes

A The case was this, when our case came up here, it was a little complicated as you recollect, and we wanted all the evidence, we were to have all the proof we could get. Q How did you find the check? A We went around to our customers, and got the receipts ^{and}

the checks, which will be testified
here by the gentleman who paid
the check ^{and} bought the goods.

Q Now you remember me asking you
Mr Hall on your previous examination
whether when you were paid
you the unity dollars, he didn't
state to you the three items, namely
\$7.65, 22 27 ^{or} 21 48 dollars.?

A Yes Sir

Q If you remember being asked whether
those 3 items added up to make up
the 90 dollars, don't you?

Objected to

By the Court: Sustained

For the last Exception

Q What disposition Mr Hall was made
of the checks that were received at
the New York office for sales made
during the period that you were
absent from the city June ^{and} July

Objected to By the Court: Admitted

A The checks for goods sold to
customers?

15

Answer

Q They were supposed to be all deposited
in our bank, the Germania Bank
of who had the authority to endorse
such checks for deposit?

A It was not exactly an endorsement
we use a stamp for the account
of P R Mitchell & Co

Q Answer my question?
to what is it?

Q Who had the authority to endorse
for deposit all checks received
for the firm of P R Mitchell & Co
in whatever way they were deposited?

A When I was home I endorsed them

Q Who did when you were away?

A When I was away, the bookkeeper
would endorse them, as I told
you, there was a rubber stamp.

By the way
Q Just you name the persons

Q Who had power to do it whether
it was the bookkeeper or anybody
else? who had it?

A The bookkeeper.

If anybody else but the bookkeeper
A nobody but the bookkeeper
Receipt Ex

If I am it true that Mr. Remond had
power to endorse?
A No Sir

If I am it true that not only during
your absence in June and July
but during your presence in the
city that Mr. Remond has rights
having endorsed checks for deposit
checks received by P. R. Trust Co

A No Sir

If you recite of that?
A I am when I was home
If you as clear of that as anything
are you satisfied to?

A Yes Sir

If that Mr. Remond never does that
A He may have done it
If with your knowledge and consent
A No Sir

If you are sure of it?
A I am.

17

Q was it not a part of Mr. DeWore's
duty while he had this thousand
dollars or so of the firm's money
to pay current obligations to also
deposit all checks received during
this time, and at the end of it
to make up ^{and send on to Cincinnati}
to the firm a statement of the
accounts of the moneys received
and deposited by him?

A No sir

Q He did not?

A No sir not to my knowledge

Q Would you be surprised to find
that he did?

A He may have during the ~~business~~
absence or so?

Q No but during your own absence

A No sir

Q You don't know what he did
After I say I can't say but that
the man might have done it
but not to my knowledge

Q Of course now that Mr. DeWore

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seems to be in trouble, you would
not be surprised to learn that he
did it right straight along every
week would you?

Mr Burnham, objected to
By the Court sustained,
Mr Weir Exception

Q do you remember when the bookkeeper
was absent during the summer?
A Yes Sir

Q if you were away were you not?
A I was away

Q Did you know that the bookkeeper
was also away, at the western
A Yes Sir

Q If he had been away whose duty
would it have been to endorse
checks and remit the deposit account
of such deposits to the committee
to the firm?

A It would have been the duty of
the one I left in charge of the
office?

Q Who was that person?

19

Q I cannot tell you who it was that
was in charge.

Q Who would have been that person
A I believe either in our employ
Mr Carr, Ferry or New next was
there.

Q Was Mr Carr ever put in such
a position?

A Not to my knowledge

Q Or Mr Ferry?

A Not to my knowledge.

Q Is it true that under such circum-
stances Mr New next would have
taken charge?

A Of the office?

Q Mr New next acted as bookkeeper
didn't he, the regular bookkeeper?

A Yes.

Q From October until he was discharged

A He was the bookkeeper at the
time he was discharged.

Q And had been for some time
since the previous October.

A I cannot go back as far as that.

Q. How long for the previous 3 weeks
or month or more?

A. Or more.

Q. You testified on the other occasions
I cannot recollect what I testified
to on the other occasions.

Q. Will you have you got the stubs of
the document checked out?

A. I have

Q. Will you please produce it?
Answer: (producing it)

Q. Where did you find this?

A. In my documents drawer

Q. In your possession of business?
Answer: Yes

Q. Where did you find it?

A. Immediately after I discharged him

Q. Is it not true that you didn't find
it until after or about the time
we concluded the last examination?

A. Yes Sir

Q. You never produced it during or
until about the time that the
last examination was concluded

Mr Burchum objected to
Pythe Court Sustained
Mr Wheeler's Exception

Q. You showed it to me?

A. Yes I did not show it to you.

Q. You knew about your son's ^{Hall} disbursement
that Mr Semmes kept a small
bank account in the Peoples Bank
A. I didn't know it until he tendered
a check in settlement of the dif-
ference?

Q. When was it?

A. After I returned from Europe on
the 5th of September I arrived home
after your trip abroad.

Q. Yes Sir

Q. And he gave you a check in settlement
for the difference that was due
P. R. Mitchell & Co, from the money
they had sent him to run the ^{camp} during the summer months?

Q. Yes Sir

Q. And you knew he had a bank
account?

POOR QUALITY ORIGINAL

1041

23

A check was turned down no good
 no funds in the bank, my book kept
 came to me and said that check
 was returned, and when I covered
 the defendants attention to it he
 thought it was very strange indeed
 Q The question is when did you discover
 he had an account in the Peoples
 bank?

A at the time the check was returned
 Q P R Mitchell & Co got the money?
 Answer

Q It should appear that immediately
 upon the deposit by Mr Deane
 of this check in his bank he drew
 out the full amount or very nearly
 the same amount, and used it
 in your business and the business
 of P R Mitchell & Co would you
 state that Mr Deane would
 be guilty of forgery?

Mr Deane objected to
 By the Court Sustained
 Mr Wieser Exception

If you are Mr. Hall that the very day this check was deposited by Mr. Deenard to his own account in the Peoples Bank that he drew out by his own check the sum of \$50 dollars.

A 910 Sir

If let me show you the little book of stubs and call your attention to an entry numbered 44 being next to the last page of that stub and also to the figures entered opposite to that page, (showing witnesses) do not that represent this very transaction?

Mr. Bismahant objected to it the entry shows for itself

By the Court Sustained
Mr. Wedder Exception

If I will read your entry?

Objected to, if you want to offer that in evidence do so?

Mr. Wedder I will offer it in evidence.

POOR QUALITY ORIGINAL

1043

74

Mr. Burshaw objected to an incompetent
 and uneducated and irrelevant
 Pythe tourist. I admitted and moved
 Defendants Ex &
 Balance: 352.
 Deposit 22 27
 \$ 27. 79
 \$ 44. 30

579.

On the right hand side Nov 4 \$20⁰⁰ Nov 25th
 1891. cash; you testified that Hall. Ed I did not
 ask you anything about a stamp, does
 that stamp contain the very words
 P R Mitchell & Co, or does it not?
 A Yes Sir.

Q It was necessary to write the words P R
 Mitchell by the one who made the deposit
 A Yes Sir.

Q And the only portion of the printed stamp
 was what was deposited to the account of
 A Yes Sir deposited in the Germania
 bank to the credit of
 Q And when it stopped?

Ayes Sir

If and then whoever was depositing wrote the P R Mitchell & Co and put his initials underneath it?

Ayes Sir

If so whoever had the right to make a deposit wrote the name?

Ayes by putting his initials underneath.

If and that was your usual method of making deposits?

Ayes Sir

If you have no proof or evidence that Mr Seymour ever used this money himself however?

Objected to By the Court Sustained In Weeder Exception

If you know what if anything Mr Seymour did with this money?

Objected to By the Court Sustained In Weeder Exception

If you or do you not know that Mr Seymour was making deposits and getting the check of \$200,000

POOR QUALITY ORIGINAL

1045

26

Q asked used the money for the firm?

A I did not.

Q He may have used it might he not?
A I know he did not.

Q How do you know it?

A Through the cash book.

Q How do you get it there?

A Yes Sir.

Q Let me see it if you please?
A Subject to it?

By the Court Let me see the books
Books produced and examined by
the Court.

Mr Weader To the Court I desire
to examine the books in conjunction
with my client,

By Mr Burnham, To exhibit the
complaint objects

The Court. The Court orders
that Mr Weader can examine the
books alone.

Mr Weader all that I can say in
response to that is, I am not

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an expert bookkeeper, I have no objection to examining it alone, but I am satisfied it will be of no avail to my client in whose interest I am only interested in examining the book, and unless I am allowed to examine the book in conjunction with my client, such privilege would be accorded to me on the trial of Reed, and such privilege ought to be accorded to me on the examination on which it is sought to hold him?

By the Court. you request to refer to the P.R. Mitchell & Co cash books?

Mr. Weeden yes Sir

By the Court you can examine the book?

Mr. Weeden

and do I understand that my client will not be allowed to inspect the cash book?

By the Court. He will not
Mr. Wheeler's Exception
of Mr. Hall the book which I have
endeavored to have produced here was
kept by "Mr. Deane" as I trust.
It was at the time
of said it contains entries made
by him?

Answers:

Mr. Deane had an expert bookkeeper
examine or go through your books
since you were here last?

Objected to. By the Court, Sustained
Mr. Wheeler's Exception

of Mr. Hall do you remember testifying
and former proceeding pending
against Mr. Deane as follows
"and on Wednesday morning
"he came back and says Deane said
"I find you have taken more, I want
"500 dollars of you, and I will give
"you until next Wednesday, I was
"going to Lucchetti?"

Mr. Deane objected to as

POOR QUALITY ORIGINAL

1048

29

is competent, I understand Ed Dracourt
wished I want to show it is a
persecution ^{and} not a prosecution
By the Court answer the question
Answer is

Q How you made any further examination
objected to By the Court Sustained
Mr Wedder Exception

Q Did you find that Mr Deen was
had taken 50 dollars more?
Mr Burnham objected to
By the Court Sustained
Mr Wedder Exception

Q Is it true that Mr Deen was has at
any time taken any more from
you in excess of the 50 dollars
and the check that he had paid
you are or about the 29th or 30th
of November?

Answer is

Q When was such discovery made
objected to as being immaterial
Ed Dracourt?

By the Court Sustained

murder exception

of what was the amount,
objected to as irrelevant & immaterial
By the court Sustained
murder exception

of Have you employed since the
morning ^{and pressing} after the first
charge here an expert book keeper
to determine what if any shortage
in the account exists in your
accounts with this witness,
objected to By the court Sustained
murder exception

of Didnt you ever, in December here
a conversation with a Mrs Hogan
camp in which you told her it
would take five hundred dollars
to settle this case, irrespective of
whatever Mrs Demore had
said,

Mrs Dumbaum, objected to
By the court
about this portion of your
By the witness,

About the alleged charges against
Mr Demarest of which this is one
Mr Bumbum objected to it
By the Court sustained
Mr Wedder Exception

Q Is it not true Mr Hall that prior to
your discharge of Mr Demarest on
the same day of the dis charge he
paid the 90 dollars and turned you
in that check?

A What check?

Q \$15.57 dollars, that check and
also the 90 dollars

By Mr Bumbum objected to
By the Court sustained
Mr Wedder Exception

Q Mr Hall was it at your request that
Mr Demarest took charge of the
books?

Objected to By the Court admitted
A Yes Sir

Q Prior to that he was in general
charge of the office and the business
was he not?

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A 9102ii not general charge
of Howdugm despite his position &
Ashenas a handy man at everything
of Is it not true that Hall that of Mr
Stewart had conspired with
your demand and paid you 500
dollars in December that you
would have prepared no charges
against him?

Mr Burnham objected to
By the Court Sustained
Mr Wedder Exception

of Mr Hall your view of Mr Stewart
being untrue did you wait for
several weeks after he left your
employment?

A 9102ii

of How does it happen that you arrested
him on newspaper on any your
first charge?

Mr Burnham objected to
By the Court Sustained
Mr Wedder Exception

of On ^{the} ~~the~~ is charge, on Recross examination

I asked you as follows. "Did you
"show Mr Demorest any items of
"these discrepancies you did not
"did you find to that you answered
"no sir I did not show him any
"Are you made up any list of such
items since?"

Mr Burnham objected to as being
Immaterial & irrelevant
By the Court objection sustained
Mr Wedder Exception

Is it not true Mr Hall at the time Mr
Demorest paid you \$90 dollars he
said that the items composing
this charge make up a portion
of that \$90 dollars?

Mr Burnham objected to as being
Immaterial & irrelevant
By the Court Answer it?

A Yes Sir

Did you not testify at the last
examination when we had under
consideration the item of \$57.65
dollars that at the time he

paid you the 90 dollars, he turned
 over the check for \$15.97 dollars.
 He gave you 3 items that roughly
 made up that sum of which
 this was one of the items
 Mr. Burnham objected to
 By the Court Admitted
 City, Wis

of what Mr. Burnham at the time
 he paid you \$90 dollars tell you
 how that ninety dollars was
 made up ?

objected to as being immaterial
 By the Court Sustained
 Mr. Wheeler Exception

of how you remember that at the
 time he came in to see you
 that you noted on a piece of paper
 the items of this 90 dollars ?

Mr. Burnham objected to as being
 immaterial and irrelevant
 By the Court Sustained
 Mr. Wheeler Exception

How did you Ed Mr. Burnham just

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arrive at Goddell's?

Objected to By the Court Sustained
By Mr. Wisden Exception

Q Did not Mr. Demoreest tell you how
he made up just this sum, or
did it you tell him why it was that
you only wanted Goddell's?

Objected to By the Court Sustained
By Mr. Wisden Exception

By Mr. Burnham

Q When did you go abroad?
A 24th of June

Q When did you return?

A On the 24th or 25th of September

Q During that time the senior member
of the firm Mr. Mitchell was in New
York?

A During a part of the time

Q How much of the time was he
here?

A I cannot tell you I had no correspon-
dence here with the house I had
and or letters from Mr. Mitchell
during the whole time I was gone

Q Will Mr Devereux had no authority to endorse checks of your firm?

A ^{Yes} Mr Devereux objected to
By the Court Sustained
Mr Devereux exceptions

Q Did Mr Devereux have any authority to endorse that check following a 910-211

Q If you had been asked in Corp examination in relation to the bank account kept by Mr Devereux during your absence abroad?

A Yes

Q Was that account ever balanced and closed?

A This account

Q Yes

Mr Devereux objected to the account opens for itself?

By the Court Sustained

Q Did Mr Devereux about the time of your return from Europe account for the money in his hand?

37

What he received from the firm?
Mr. Wheeler objected to as being
Incompetent In material & Dullerant
By the bank sustained

Did any body in the employ of
J. R. Mitchell & company have
the authority to endorse checks
that way (as was)

A Yes Sir

What authority did the bookkeeper
have?

Objected to unless Mr. Hall will
state what was said by him or
any member of the firm to the
bookkeeper?

Mr. Burnham question withdrawn
How were checks endorsed that
were endorsed for deposit?

A. were used as stamp

Give the words on the stamp if you
can?

A. For deposit in the Germania Bank
to the credit of

There it stops?

38

Agassi had then in writing PR Mitchell
and company by the bookkeeper or
whoever writes it with his initials
underneath

Was any other form of endorsement
delegated to the employees of the
firm?

A Yes Sir

By the bank

It could that form have been delegated
to any one in the employ of the
firm without your knowledge

A Yes Sir

Could it have been done by your
firm without your knowledge

A It could not.

Receipt Examination

Of your end from Mr Mitchell how
many times during your absence

A 2 or 3 times

Was anything said in those letters
about Mr Kemmerer at all?

A Nothing at all.

Of your own mouth but what Mr

39

Mitchell may have authorized Mr
Seward to endorse checks
just in this way?

A I know that he did not

Q He did not tell you during that
time whether he did or not?

A Yes

Q He might have done so for us that
you know?

A Yes he did not

Q You doubt now of your own personal
knowledge that he did it do you?

A I know it from his own handwriting
he could not have done it without
consulting me.

By the Court

Q Did you have any conversation with
Mr Mitchell about that time
whether or not he gave any power
to anybody to endorse checks?

Mr Burnham objected

By the Court Sustained Objection

Mr Weaver Exception

A He never gave it.

40

Q How did this come out?
A I had no personal conversation
with him in reference to that
because he was not here.

Q Did you receive the dispatch from
Mr Mitchell?

A Yes Sir

Q How and when did you receive it
A On the 15th.

Q Why was it sent to you?

A Simply because I wanted to know
if Mr Mitchell had done so.

Re direct Ex

Q Did you communicate with Mr
Mitchell?

A Yes I telegraphed him asking him
Mr Wodear I object unless the
telegram is produced

By the Court

Q You received this answer to a
telegram you sent Mr Mitchell

A Yes Sir

Mr Burnham telegram offered
evidence?

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McWheeler objected to, on the
ground that he was not being proven
by the testimony sent it
By the Court admitted and moved
papers Ex 1.

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Narrow Piererquit called us a
writers by the people being duly
on our despatches ^{Ed says}
Direct Examination

Q What is your business?
A Bedding manufacturer
Q Where is your place of business?
A 1175 2d Avenue

Q You are a member of the firm of
Piererquit Ed Granite?
A Yes sir

Q What business are they engaged in
A In the manufacture and selling
of bedding

Q And you also do business under
the firm name of the Economy
bedding company?
A Yes sir

Q Look at the paper I now show you
and state in whose handwriting
that is?

A That is my handwriting because
I am authorized to sign checks
Q This is a check drawn by your

43

From ?

Answer

Is the other portion of that check is
in your handwriting?

A ~~number~~ 5th. Q. a P. R. M. S. Co
of your remembred drawing that check
Answer

Q. To whom design you it to ?

A. To the driver for certain goods to
be taken out from P. R. M. S. Co
store

Q. Has that check since been returned
by your bank paid ?

Mr. W. A. I expect to it the check
pays for itself

By the bank I retained

Q. The check has been returned to you
from the bank paid ?

Answer

Mr. W. A. no question



44

Charles Ferry called as a witness
by the people being duly sworn
deposes and says

Sole Examination

Q Where are you employed?
A With P R Mitchell & Co 13 Elizabeth

Street
Q What is your position there?
A Clerk

Q Do you remember of seeing that
check on or about the 25th of November
1891?

A I did
Q From whom did you receive it?
A A driver of the Economy Boating

Company
Q of Silverquit Es Quinto,
Mexico

Q About what time of the day was it?
A 11 o'clock

Q Was the check all filled up after
you received it?

A It was not.

Q From what did you receive the

45

check?

A To a bill of goods that they ordered
of that who ordered?

A Messingquit in quito

of the goods then delivered to
the command

objected to. By the Court. Sustained

Q After you received the check when
did you do with it?

A I filled out the amount of the
bill and handed it into the office
of Do when and you gave the check after
you received it?

A To Hernandez

Q To the dependant here?

A Yes Sir

Q Upon receiving the check from
the command did you deliver to
him the receipt for the company?

A I did

Q Is that the paper?

A Yes Sir

I offer it in evidence

The witness objected to.

By the Court. Sustained.
Cap. Examination.

Q If you were a witness on the former
proceeding?

Mr Burnham objected to
By the Court Sustained
"Milder Exception"

Q What would you give this check to
Seniors?

Mr Burnham objected to
By the Court Sustained Exception
Q were you instructed by anybody to
give this check to him?

By Mr Burnham Same objection
By the Court Same ruling
"Milder Exception"

Q What was the position that Mr
Seniors at that time held in
that house?

Objected to By the Court Sustained
"Milder Exception"

Q Isn't it true that it was the duty of
Mr Seniors to receive all checks
and deposit them?

47.

Mr Burnham objected to.
By the Court Sustained;
Mr Wilder Exception

Q Do you remember any conversation
that was ^{had} ~~was~~ in your presence
between Mr Hall and someone in
which someone was authorized
to endorse checks for the firm;

Mr Burnham objected
By the Court Admitted
A I do not.

Q Don't it true Mr Ferry, and you not
know that Mr Deane had full
authority to endorse the name
of P R Mitchell & Co, on all checks

Mr Burnham objected to
By the Court Admitted
A I do not

Q How long have you been in the
employ of P R Mitchell & Co

A Since May 24th 1891.

Q ^{were} ~~was~~ you ^{there} during the absence of
Mr Hall in June July or August
until September 24th

Mr Burnham objected to
By the Court Admitted
A with the exception of two weeks
vacation

Q Is it not true that during that period
Mr Demarest had full charge of the
finances of the firm and received
all moneys and deposited all checks
and paid all disbursements of the
firm by his own checks?

Mr Burnham objected to
By the Court Admitted
A That I don't know.

Q What was your business position
with Mr Mitchell & Co.?

A Shipping clerk and Treasurer
Q Did not you at times pay bills for the
firm, that the firm owed to different
people?

Mr Burnham objected to
By the Court Say you want to show
that he paid the bills by Demarest's
check?

Mr Wever That is my question

By the way answer it

What is the question

Are you in the habit of paying such bills with personal checks?

A No Sir

Whose duty was it to pay bills of the firm?

A I don't know

Did you at any time during the absence of Mr Hall receive any money or checks, and if so what did you do with them?

Mr Burnham objected to

By the Court Sustained

Mr Wedder objection

Do you remember an occasion or occasions in which you received Mr Burnham's personal checks to pay freight?

Objected to, By the Court answer it

A I don't remember

Are you quite clear that you never did? How were the freights paid during this period?

50

Objected to By the Court Sustained
Mr. Wheeler's Exception

Q Are you clear that you never paid them
with any of personal checks of
Mr. Demoreest on the paper bank
Mr. Burnham objected to

By the Court Answered it

A That I cannot remember

Q Is your recollection pretty good?
A Good

Q Do you remember testifying any other
last appearance here on the stand
that you received \$765 dollars in
cash?

Mr. Burnham objected to

By the Court Sustained

Mr. Wheeler's Exception

Q You did not testify did you not
Mr. Burnham objected to

By the Court Sustained

Mr. Wheeler's Exception

Q Is it not true Mr. Ferry that you
testified that an amount of \$765
dollars was paid to you in

57

cash, when in truth in fact it was
paid to you by check,

Mr Burnham objected to

By the Court Sustained

Mr Wedder Exception

Q Is it not true Mr Garry that during
the summer months that all moneys
that were received and all checks

that were received were turned right
over to Mr Demarest by you?

Mr Burnham objected to

By the Court Sustained

Mr Wedder Exception

Q Is it true Mr Garry that all checks
that were deposited during the

summer months in the Germania
bank to the credit of P R Mitchell

& Co were endorsed for such
deposit by Mr Demarest?

Mr Burnham objected to

By the Court Admitted

A That I do not know.

Q Had you ever made any deposits
of checks in the Germania bank?

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objected to By the Court Justice's
Whitaker Exception

If I mean by that Mr. Gerry did you
not formally carry the bank book
containing checks and deposit the
checks in the bank?

By the Court, objected to, do not answer
the question

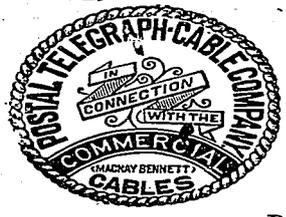
Complainant Rests

The further hearing was then adjourned
to Wednesday February 17th 2 P.M.

POOR QUALITY ORIGINAL

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FORM 2.



TELEGRAM

This Company TRANSMITS and DELIVERS messages subject to conditions printed on back of this Blank.
ALBERT B. CHANDLER, President and General Manager. JOHN O. STEVENS, Secretary

| | | | |
|--------|---------|----------|-------|
| NUMBER | SENT BY | REC'D BY | CHECK |
| 25 | Am | Km | 157 |

Dated Cincinnati 10/15

Received at

To R Mitchell & Co

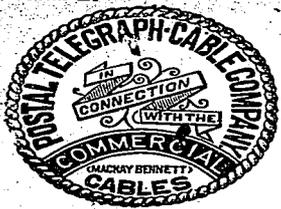
1/15 1892

Did not authorize
 Pffew Demarest to open a Bank acct
 nor to endorse or sign checks
 Person R Mitchell

POOR QUALITY ORIGINAL

1073

FORM 2.



TELEGRAM

This Company TRANSMITS and DELIVERS messages subject to conditions printed on back of this Blank.
ALBERT B. CHANDLER, President and General Manager. JOHN O. STEVENS, Secretary

| | | | |
|--------|---------|----------|-------|
| NUMBER | SENT BY | REC'D BY | CHECK |
| 251 | Am Km | 1.5.10 | |

Dated Cincinnati 10 15 Received at

To R Mitchell & Co 1/15 1892

Did not authorize
 Pffey Demarest to open an Bank acct
 nor to endorse or sign checks
 Person R Mitchell

POOR QUALITY ORIGINAL

1074

No. 64a

New York, November 25th 1891

UNION SQUARE BANK
8. UNION SQUARE EAST.

Pay to the order of P. R. Mitchell & Co

Twenty-two ~~hundred~~ ²² ~~and~~ ^{no} ~~more~~ Dollars



Shanghaier & Co

ADAMSON & CO. NY

POOR QUALITY ORIGINAL

1075

P.R. Mitchell & Co

*For Deposit in
Peoples Bank
& to the credit of
N. G. Demarest.*



POOR QUALITY ORIGINAL

1076

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY)
OF NEW YORK,) ss.

An information having been laid before Samuel J. Michael Police Justice of the City of New York, charging Thomas J. Demarest Defendant with the offence of

Fugery

and he having been brought before said Justice for an examination of said charge, and it having been made to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hearing thereof having been adjourned

We, Thomas J. Demarest Defendant of No. 339 West 27th Street; by occupation a None and Calvin Demarest of No. 170 Water Street, by occupation a Fireman Surety, hereby jointly and severally undertake that the above named Thomas J. Demarest Defendant shall personally appear before the said Justice, at the 1st District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Ten Hundred Dollars.

Taken and acknowledged before me, this 13th William T. Howard day of January 1898 Calvin Demarest
W. W. Malon POLICE JUSTICE.

POOR QUALITY ORIGINAL

1077

CITY AND COUNTY }
OF NEW YORK, } ss.

W. W. ...
Police Justice.

Sworn to before me, this

the within named Bail and Surety being duly sworn, says that he is a resident and *Free* holder within the said County and State, and is worth *Twenty* Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *Twenty five acres of land*

situated at 22 Jane Street New York City
Twenty thousand dollars or
of all circumstances

Calvin Ferraresi

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear during the Examination.

vs.

Taken the ... day of ... 18

Justice.

POOR QUALITY ORIGINAL

1078

Police Court District.

City and County of New York ss

of No. 13 Elizabeth Street, aged 40 years, occupation Merchant, being duly sworn, deposes and says, that on the 25th day of November 1891, at the City of New York, in the County of New York,

Norrey W Hall

William T Demaree (now dead) did with intent to defraud, make and utter the endorsement of P R Mitchell & Company to a certain instrument in writing purporting to be a check drawn by Silverquitt & Quinto for the payment of money to pay a pecuniary demand & obligation, so or purports to have been created, discharged & affected, by which the rights of this deponent or his copartners are affected, in violation of section 511 of the penal code, for the reasons following to wit, That on the aforesaid day there was due & owing to the said firm of P R Mitchell & Company, of which this deponent is a member the amount of Twenty two \$22.00 dollars by said Silverquitt & Quinto, & on said day said Silverquitt & Quinto drew the check hereto annexed & marked it as to the order of P R Mitchell & Co for the amount of \$22.00 dollars upon the Union Square bank & that deponent who was then the bookkeeper of this deponent & his copartners received the said check & did with intent to defraud this deponent & his firm, affix thereto the endorsement of the said parties P R Mitchell & Co, and deposited the same to his own credit in the People's bank, & deponent further

POOR QUALITY ORIGINAL

1079

says that the said endorsement was so affixed without the knowledge or consent of the deponent or his firm, and he therefore charges said deponent with forgery and with violation of Section 511 of the Penal Code

I was before me 1892
this 13th day of January

Harry W. Hall

Wm. M. Mahon
Police Justice

Police Court, District.

| | | |
|---------------------|--|----------|
| THE PEOPLE, &c., | | Offense. |
| ON THE COMPLAINT OF | | |
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |

Dated..... 189

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street.

No. Street.

No. Street.

\$ to answer. Sessions.

POOR QUALITY ORIGINAL

1080

Sec. 198-200.

District Police Court

CITY AND COUNTY OF NEW YORK, ss.

William T. Demarest 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. *William T. Demarest*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *339 West 27th Street about 24 years*

Question. What is your business or profession?

Answer. *None at present*

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*

William T. Demarest

Taken before me this *13th* day of *January* 188*8*

Police Justice

POOR QUALITY ORIGINAL

10001

4 Feb 17: 2 PM

BAILED

No. 1, by Pauline Leonard
Residence 170 Madison Street

No. 2, by Carle de Forest
Residence 170 W 90 Street

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court--- District 2025

THE PEOPLE vs. ON THE COMPLAINT OF

Harvey White
William G. de Forest

1 _____
2 _____
3 _____
4 _____
Offence _____

Dated January 13 1892

Wm. G. de Forest Magistrate
James J. Perce Precinct Officer
W. G. de Forest Precinct

Witnesses

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____



10000 to answer

10000 Jan 15: 2 PM
80 Jan 26 2 PM
10000 Feb 4 2 PM
10000 Feb 13: 2 PM
10000 Feb 13: 10 am

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

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

Dated February 7 1892 Wm. G. de Forest Police Justice.

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

Dated February 17 1892 Wm. G. de Forest Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY ORIGINAL

1082

4 Feb 17: 2 PM

BAILLED,
 No. 1, of Robert Leonard
 Residence 170 Madison Street
 No. 2, by De de front
 Residence 170 W 90 Street
 No. 3, by _____
 Residence _____
 No. 4, by _____
 Residence _____

Police Court--- District 2025

THE PEOPLE vs. ON THE COMPLAINT OF

Henry W. De la Haye
William G. De la Haye

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Dated January 13 1892

Wm. G. De la Haye Magistrate.
James J. De la Haye Precinct.

Witnesses:

No. _____ Street.

No. _____ Street.

No. _____ Street.



No. 1077 Street. 48

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

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

Dated February 7 1892 Wm. G. De la Haye Police Justice.

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

Dated February 17 1892 Wm. G. De la Haye Police Justice.

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

Dated _____ 18 _____ Police Justice.

**POOR QUALITY
ORIGINAL**

1003

ROBERT S. RUDD.

JAMES M. HUNT.

WILLIAM R. WILDER.

LAW OFFICES OF
RUDD, HUNT & WILDER,
31 & 33 PINE STREET,

TELEPHONE NUMBER, 1974 CORTLANDT.

New York, May 19, 1892 189

Henry D. Macdona, Esq.,

My dear Macdona:

Herewith I enclose a copy of the testimony taken in the prosecution of the first charge against poor Demarest. It will be of value to you in indicating the malice and venom of the complainant. Be good enough to let me know when I can see you further about the matter after you have taken the trouble to read and familiarize yourself with the literature of the case.

Sincerely yours,



POOR QUALITY ORIGINAL

1084

STENOGRAPHER'S MINUTES.

1 District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Harvey W. Hall
vs.
William T. Hemmick

BEFORE HON.

Samuel J. M. ...
POLICE JUSTICE,
January 1882

APPEARANCES:

{ For the People, *W. Durban*
For the Defence, *J. Weed*
188

I N D E X .

WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

A. C. ...

Official Stenographer.

POOR QUALITY ORIGINAL

1085

STENOGRAPHER'S MINUTES.

1 District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF
Harvey W. Hall
 vs.
William T. Newman

BEFORE HON.

Samuel J. M. Cook
 POLICE JUSTICE,
January 1892

APPEARANCES:

For the People, *Wm. Durban*
 For the Defence, *J. W. ...*
 188

I N D E X.

WITNESSES. Direct Ex. Cross Ex. Re-Direct. Re-Cross.

A. C. ...

Official Stenographer.

POOR QUALITY
ORIGINAL

1086

Norrey W Hall }
Agent }
Merran T Newcomb }
Examined
Proceeded

Complaint further examined by
Mr. Burkman.

Q Mr Hall can you state the
exact amount of the check
for \$15.00 dollars that demand
you on the 30th?

A The exact amount
yes was it even fifteen dollars
of 710.

Q What was it?

A \$15.00 dollars I think
of purchase order was that check
made payable?

A P. P. Fritchell & Co.

Mr. Weiser I object to it as
being immaterial, and it is
no part of the case, they are
not making any complaint
against us for that, we had
it and immediately turned

22

to us?

Mr. Burnham?

I want it to appear that
it was not Lemmon's check, or
payable to his order
By the Court.

I will allow him to
show that?

Mr. Weaver Exception

Whose check was it?
A. J. R. Mitchell & Co.

Of Mr. Hall at the time that
Lemmon took charge of the
books, was the cash account
balanced?

A. It was

balanced at that time and the books
show the exact amount of
cash on hand?

A. Yes Sir

On the morning of Lemmon's
discharge did you balance the
cash?

A. I did afterwards

a 3

of the fund it correct
A 2nd sin

of how much short was the
cash account?

A \$15.00 dollars. the petty cash
was short.

of Mike as bookkeeper here
will charge of the cash account
A he did

of full charge of the receipts and
disbursements

of Mike as the handling of the
petty cash account.

of the same was responsible for
the cash of the office

By the court

of Mike here will charge of the
petty cash account

A he did

By Mr. Buchanan

of this check of \$15.00 dollars
which Demoreck returned to
you that morning was it a
check for a specific bill of

POOR QUALITY ORIGINAL

1089

a4

goods purchased by the Economy
 Bedding Company.
 Ayer's
 M.W. Reed
 710 quarters
 Cup Examination raised

at

Charles Ferry called us a
witness by the people being
and sworn deposes ^{and says}
By the Court.

Where do you reside?

A 511 West 44th Street

What is your age?

A 23 years.

What is your occupation?

A Clerk with P.R. Mitchell & Co
Sole Co

By Mitchell & Co

Were you in the employ of P.R.
Mitchell on the 12th day of November
1891

A Yes Sir

Exactly what was your employ-
ment?

A I was employed as shipping
clerk

And during at that time wait
on customers

A Yes Sir

And during on or about the 12th

26

day of November 1891. send a
bill of goods to the Economy
Bedding company.

Ayes si

Q How you remember the amount
A \$ 51⁶⁵ dollars.

Q you saw the customers take
the goods away.

A yes si

Q was the bill paid to you?

A yes si

Q The 51⁶⁵ dollars

A yes si

Q How in cash or by check.

A In cash

Q what did you do with the cash
A I handed it over to Mr. Deussen

Q did he hand you a receipt
for \$ 51⁶⁵ dollars
A yes si
Q receive a voucher from him
for the amount

A I did

Q Is that the voucher (showing)

A yes si.

a7

of that bill ^{and} receipt in his handwriting
Ayes si

of Honey you examined the sales book ^{and} cash book of the firm of P R Mitchell & Co's
A shue

of does the entry of the 57.⁶⁵ dollars anywhere appear there on
A I do not.

has examined
A shue

of are you sure that the money was paid in cash

A shue to trust to my recollection my memory about that, I have not examined the thing carefully so far as my memory serves me it was

of Honey you been looking into the matter since this complaint was made ^{and} the defendant was arrested

Ayes si

as

Q You had a conference with
Mr. Hall have you not.

A Yes sir.

Q How you looked at the deposit
book to see if this particular
amount was paid in check
or paid in cash?

A I know not.

Q Is the deposit book in Court?

A It is.

Q Will you produce it?

A The deposit book is not here
the check book is here.

Q In what bank was P. R. Mitchell
and Company have their account
in?

A Germania Bank.

Q Under day's say, the check
was received?

A I do not say check,

Q I mean the amount of \$765
dollars.

A The amount was received
late on the 11th of November.

a9

Of course I understand your the
entry, I now refer to an entry
in the check book, of P R
Mittell ^{and} company, I will
read the entry: 7/10/11 the cash
pays check \$165 dollars, cash
82 cents, making a total of \$165.⁴²
dollars. Has that refresh
your recollection enough
to enable you to tell whether or
not that is the very amount
to which you have just testified
to happen to be there

If then you doubt that you
are mistaken in testifying
that you received that money
in cash which is the basis
of that charge and you turned it
over to Mr. Klemmest in cash
I depend entirely on my
memory, I did not examine
these books

Now after this examination will
you be informed to believe

210

that this money came in a
check from the Economy
padding company, and that
the check was turned over to
Sennett, and by him
deposited as it appears here
in the stub of the check book
Ayesu.

If and therefore whatever Mr
Sennett may have done
there. not stated or taken
this money has he?

A I don't know that, it seems
there deposited that money
in bank.

If he could not have taken it
himself could he.

A No not that check
Mr. Reubain

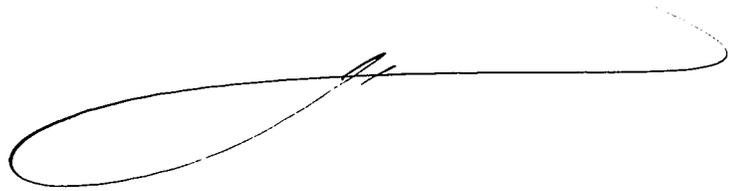
I will withdraw the
charge and make a complaint
of common law forgery against
this man
By the Court.

**POOR QUALITY
ORIGINAL**

1096

all

I will discuss the Com
plaint and discharge the prisoners
at the request of the Complain
ants Council



POOR QUALITY ORIGINAL

1097

First District }
Justice Court }

Harvey W Hall
agent
Merrill J Newman

Charged with
Forgery
January 8th 1892
Deport Hon
Samuel M. Cook

All parties present the examination
indicated
Complainant being duly sworn
deposed & says

That examination)
By Mr. Deane)

Q Where do you reside?
A New York City

Q What is your place of business?
A 13 Elizabeth Street

Q What is your business?
A Reading business

Q Are you a member of the firm
A Yes.

Q Of what firm are you a member
A F R Mitchell & Co.

Q Do you know the defendant?
A No.

Q In the month of November 1891
was he in the employ of P. R.
Mitchell & Co.

A Yes Sir

Q In what capacity?

A At that time he was bookkeeper.

Q He had charge of the books of
the firm at that time.

A He did.

Q Was it a part of his duty, as such
bookkeeper, to enter upon the
cash book, the cash received
by him.

A Yes Sir the same book.

Q Just the same book?

A Yes Sir

Q And then?

A The cash book.

Q When did the defendant leave
your employ?

A I think it was the 29th of
November it was on a

Monday
Cape Es by
The Wilder

Q When did Mr. McCannan take
charge of the books?

A He took charge of them - I can
tell exactly by looking at the books
of Lasso.

A (Witnesses looking at the books.) and
the 26th of October

Q Did you request him to do so
A Sa Si Si

Q Did you pay him any extra money
for that purpose?

A No Sir

Q How did he come to leave your
employment

A Through the discovery of these
thefts

Defendants counsel moved to
strike out the word thefts

By the Court

Strike it out

Q Tell us what took place, what

lead to his discharge, if he was
discharged

By Mr Burnham.

Objected to as irrelevant
and immaterial

Q Will you please state what
took place between you and Mr
Hemmett?

A At the time I discharged him
I yes.

Mr Burnham Objected to
By the Court Sustained

Q Mr Hall I would like your
version of what took place
on the 30th, you say it was the
29th?

A It was on a Monday, when he
was discharged, our books will
show the date, the 29th of Novem-
ber was on a Sunday, my
books will show he left
my employ, on a Monday
morning.

Q Then we will change the date to

5

the 30th
Ayeshi Hayward to know
what took place between Mr
Seward and myself.

Mr Burnham

Objected to as being
Immoral and Indecorous
Mr Weed

I want to show where these
shortages, forgeries, or wrong doings
were discovered, this man more
suspect good, and the companies
Kear satisfied and give him a
clean bill of health

By Mr Burnham, Objection withdrawn
A I had my suspicions about Mr
Seward

Mr Weed

I more to strike out what
he had.

By the Court
I feel as what was said and
done.

By Mr Burnham?

6

Relate the conversation between
yourself and Mr. Reed
A Monday morning when I came
to my office, after I had opened
up my mail, I sent the gentleman
man who is now filling the
place, or introduced him to the
rest of the force, and I went
back in the office and asked for
Mr. Reed to come in, and
he came in, and said to him
you have been robbing this
concern right along, and he
admitted he had taken money
Mr. Reed I more to strike
out what he admitted

What did he say?
He said he had taken money, he
admitted he had taken the money
By the Court.

Just tell us what he did say
He said I had used money of
this concern, and I want to
talk to you about it, and I

POOR QUALITY
ORIGINAL

1103

7
X
said you cannot talk to me
I said you go right straight out
and make that money good
before 12 o'clock, make it good or
I will have you arrested, he went
out and at 12 o'clock he came in
and handed me twenty dollars
and he said "Mr Hall as near
as I can come to it that is what
I have taken, and I say is that
all, and he says that is all, I
say where is the check of fifteen
dollars of the Economy bedding
company, and he says here it is
in my pocket, and putting his
hand in his pocket said I am
glad you spoke about it, and
I say now is that all, and he
says that is all, and then he
said Mr Hall I suppose you
won't hunt up anything against
me, in getting a valuation ^{on}
I say I am not through with
you yet, you want to come

POOR QUALITY
ORIGINAL

1104

leaver here on a wednesday morn-
ing, and on wednesday
the morning he came back, Ed
I says tomorrow, I find you
the taken more, I want five
hundred dollars of you, and
I will give you until next
wednesday. I was going to
Cincinnati, he didnt appear
on wednesday, but he wrote
me a letter on Thursday saying
Mr Wedder objected to, the
letter is the best evidence

of the didnt ever did he?
A 710 Sir ^{Ed} from that time on
he didnt come, I was waiting
for him, in the meantime to
make up the deficiency of the
stolen money
Mr Wedder, moves to strike it out
By the Court, never mind that
A. The didnt appear ^{Ed} under the
advice of my poster here I
proceeded to have him arrested

9

Q Do they see?

A Yes Sir

Receipts &c

Q Did you show Mr. Stewart any items of these discrepancies you did not did you?

A No Sir I didn't show him any

Q You didn't tell him in a general way that you wanted Five hundred dollars

A Yes the way I stated it.

Q You didn't cite to him, any single instance where he had forged or taken any money, any particular money, or house bill, did you
A No Sir, the morning of the 30th of November after he paid the society dollars he admitted he had taken it 51⁶⁵ & the 15⁰⁰ dollars clear.

Q And that is the very item that is the basis of this complaint

A Not necessarily so

Q Do it not?

A 710511 because I have answered
attens also.

Q Put us it the 57⁶⁵ dollars that
you and Mr Demaree talked
about on the morning of the
30th of November, the very item
connected or relating to the
very transaction, on which the
complaint is based, that is true
is it not.

A Yes Sir

Q Purchase check was it?

A It was not a check, it was currency

Q From whom was it received

A From the Economy Bonding
Company.

Q How received that morning
\$90 dollars in cash and 15⁵⁷ in
check?

A Yes Sir

Q How low was the 90 dollars
made up between you and
Demaree?

A It was not made up at all

11

he simply handed me twenty
dollars and said that was more
than he had taken

Q Should you tell you how he made
up the twenty dollars
A He said

Q Should he mention any additions
to the 51.05

A No Sir not that I remember
Q Wasn't there two others, one for
21.27 & the other for 21.48?

A No Sir not that I remember, in
fact the conversation stopped
right there and then

Q Since Mr. Henry has left your
employ, you had another
bookkeeper; have you had an
expert bookkeeper examine
your books for you?

A No Sir we have now employed
an expert bookkeeper as our
bookkeeper

Q You had nobody called in to
examine your books in order

13

to see whether there has been
any shortages, either on the part
of this young man, or about
papers by the name of Liron
or Lerow, or some such name
that you have mentioned?

Yes I have a bookkeeper, an expert
of when the crime?

On the day that I discharged Newman
he was there at the time in the
office

of Hashe made up statement of
alleged shortages

Yes Sir

The further hearing was
then adjourned to January
13th 2 P M

POOR QUALITY ORIGINAL

1109

District Police Court.

Harvey W. Hall
vs.
Thomas Edmondson

STENOGRAPHER'S TRANSCRIPT.

January 6th 1889

BEFORE HON.

Samuel M. Gordon
Police Justice.

D. C. Bellman

Official Stenographer.

**POOR QUALITY
ORIGINAL**

1110

District Police Court.

Nancy W. Hall

vs.

Thomas J. Hancock

STENOGRAPHER'S TRANSCRIPT.

January 6th 1889

BEFORE HON.

Samuel M. Nolan

Police Justice.

D. C. Sullivan

Official Stenographer.

POOR QUALITY ORIGINAL



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

THE PEOPLE OF THE STATE OF NEW YORK
against
William T. Demarest

The Grand Jury of the City and County of New York, by this indictment, accuse
William T. Demarest
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said *William T. Demarest*

late of the City of New York, in the County of New York aforesaid, on the *25th*
day of *November* in the year of our Lord one thousand eight hundred and
ninety-*one*, at the City and County aforesaid, having in *his* custody a
certain instrument and writing, in the words and figures following, that is to say:

New York, November 25th. 1891
Union Square Bank
8 Union Square East.
Pay to the order of *P. R. Mitchell & Co*
Twenty-two ————— *27/100* dollars
\$ 2 27/100 *Silverquist & Quinto*

The said *William T. Demarest* —
afterwards, to wit: on the day and in the year
aforesaid, with intent to defraud, at the City and County aforesaid, feloniously did forge, on the
back of the said *instrument and writing*
a certain instrument and writing commonly called an *endorsement* which said forged
instrument and writing commonly called an *endorsement* is as follows, that is to say:

" P. R. Mitchell & Co. "

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.

POOR QUALITY ORIGINAL

1112

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment further accuse the said *William T. Demarest* of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said *William T. Demarest* late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, having in *his* possession a certain instrument and writing, in the words and figures following, that is to say:

New York, Novemb. 25th 1891
Union Square Bank
8 Union Square East.
Pay to the order of P. R. Mitchell & Co.
Twenty two ————— $\frac{27}{100}$ Dollars
\$22 $\frac{27}{100}$ Silvergold & Incurts

on the *back* of which said *Bank cheque* there was then and there written a certain forged instrument and writing commonly called an *Endorsement* which said forged instrument and writing, commonly called an *endorsement* is as follows, that is to say:

"P. R. Mitchell & Co."

with force and arms, the said forged instrument and writing then and there feloniously did utter, dispose of and put off as true, with intent to defraud, *he* the said *William T. Demarest* then and there well knowing the same to be forged, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

1113

BOX:

474

FOLDER:

4347

DESCRIPTION:

Denby, Herman

DATE:

04/26/92



4347

POOR QUALITY ORIGINAL

1114

COURT OF GENERAL SESSIONS

CLERK'S OFFICE,

New York, N.Y.

PEOPLE

vs.

Proof of loss in
Greenwich Ins. Co.
Case of Herman Denby
withdrawn from paper
by J. Mitchell
The Plaintiff

May 19/12

314

May 19/12

Counsel,

Filed

1892

Pleas,

THE PEOPLE

vs.

Insurance

April 29/12

Should B.S.

Herman Denby

Argon in the [Section 487, Penal Code] Degree.

May 19/12
DE LANCEY NICOLLY
District Attorney.

May 17, 1892
A TRUE BILL
May 19, 1892
May 20, 1892
J. Mitchell
Foreman.

May 23, 1892
May 26, 1892

Per J. May 27/12
read and acquitted

Witnesses:

J. Mitchell

Marion Fisher

POOR QUALITY ORIGINAL

1115

1001

COURT OF GENERAL SESSIONS

CLERK'S OFFICE,

New York, N.Y. 10012

PEOPLE

78.

Proof of loss in
Greenwich Ins. Co.
Case of Herman Denby
withdrawn from paper
by Jack Mitchell
The Standard

June 9/92

314

6/17/1912

Counsel,

Filed

1892

Pleas,

THE PEOPLE

vs.

April 29/92

Standard B.S.

Herman Denby

Person in the [Section 487, Penal Code] Degree.

May 17, 1912
DE LANCEY NICOLLI
District Attorney.

May 17, 1912
A TRUE BILL
May 19, 1912
May 20, 1912
E. H. Graham
Foreman.

May 23, 1892
May 26, 1892

June 3, 1912
The Standard

Witnesses:

Jack Mitchell
Herman Fisher

POOR QUALITY ORIGINAL

1116

1409

COURT OF GENERAL SESSIONS

CLERK'S OFFICE,

New York, *May 3rd 1892*

PEOPLE

vs.

Herman Deuly

Received of James P. Dancy,
Sgt (Clerk Dist Ct) a fire
insurance policy on
personal property of said
Dancy No 364-16 of
The Germania Insurance
Co. - *expiring July 5, 1893*

Jas. Mitchell
Fire Marshal

May 3rd 1892

**POOR QUALITY
ORIGINAL**

1117

Rayman Munc & Rosenthal
234 Broadway
and
ALEX. S. ROSENTHAL,
Counselor-at-Law,
No 70 ESSEX STREET,
(Opposite Court House)
RESIDENCE, } 40 SUFFOLK ST., New York.

People &c. vs. Demby

Requests to charge:

- I. A higher degree of certainty is necessary in criminal than in Civil cases. The evidence must exclude to a moral certainty, every hypothesis but that of guilt.
- II. The supposition of guilt must flow naturally from ~~all~~ the facts and be consistent with them.
- III. In cases of doubt it is safest to acquit.
- IV. It is not safe to convict upon one circumstance alone
- V. The circumstances from which you seek to deduce the conclusion must not themselves depend upon conjecture.
- VI. The origin of the fire should be established beyond a reasonable doubt and should be shown by proof beyond a reasonable doubt to be of a felonious character.
- VII. The chain of evidence must be complete and must when proven clearly trace the crime charged in the indictment to the prisoner beyond a reasonable doubt before he can be convicted.
- VIII. Evidence which leaves it uncertain which of two or more inferences from the ~~facts~~ proved is a true one does not amount to proof.
- IX. Evidence which merely establishes a probability no matter how strong in favor of one conclusion does not amount to proof.
- X. In order to justify the inference of legal guilt from circumstantial evidence, the existence of the inculpatory facts must be ~~absolutely~~ incompatible with the innocence of the accused, and incapable of explanation upon any other reasonable hypothesis than that of his guilt.

**POOR QUALITY
ORIGINAL**

1119

XI. In order to justify a verdict of guilt against the defendant the evidence must be such as to exclude every hypothesis but that of his guilt of the offence imputed to him in the indictment; or, in other words, the facts proved must not only be all consistent with and point beyond a reasonable doubt to the defendant's guilt, but they must be inconsistent with his innocence.

XII. Each link in the chain of circumstantial evidence must be established to the same degree of certainty as the main fact itself.

XIII. In cases of circumstantial evidence good character is of peculiar weight.

XIV. In such a case good character may of itself sometimes create a doubt where otherwise none would exist.

XV. If the facts which are claimed by the prosecution to point to the guilt of the defendant are equally consistent with innocence, they do not make out a case against the defendant.

XVI. The measure of that reasonable doubt of the defendant's guilt which will entitle him to an acquittal is a question addressed to the judgment and conscience of each individual juror, and no juror should agree to a verdict of guilty unless he is convinced of the defendant's guilt beyond a reasonable doubt; and he must be convinced of that, not upon suspicion, not conjecture, not belief, but upon the evidence and the evidence alone.

XVII. There is no case in which the jury may not in the exercise of a sound discretion give a prisoner the benefit of a previous good character. Evidence of previous

**POOR QUALITY
ORIGINAL**

1120

good character of a defendant is positive evidence which may of itself produce such reasonable doubt as may result in an acquittal.

An individual accused of crime is entitled to have it left to the jury to form their conclusion, on all the evidence, whether he, if his character were previously im-blemished has or has not committed the particular crime charged against him.

POOR QUALITY ORIGINAL

1121

N. Y. Genl Sessions

People &c.,

- vs -

Herman Derby

Requests to Charge

*To:
Wm. Fredk Smyth,
Recorder*

POOR QUALITY ORIGINAL

1122

Police Court, 92 District.

City and County } ss.
of New York, }

of No. 123 Street, aged 35 years,
occupation carriage driver being duly sworn, deposes and says,
that on the 15 day of June 188 2, at the City of New
York, in the County of New York,

[Faint, mostly illegible handwritten text follows, likely a deposition or affidavit.]

Joseph John

less than

POOR QUALITY ORIGINAL

1123

in part ... Dep ...

7th

J. Phillips

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

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

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

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

..... I have admitted the above named

..... to bail to answer by the undertaking hereto annexed.

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

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

..... Hundred Dollars, and be committed to the Warden and Keeper of the City

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

..... committed, and that there is sufficient cause to believe the within named

..... It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1
2
3
4
Offence,

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer Sessions

POOR QUALITY ORIGINAL

1124

Fire Department of the City of New York.
BUREAU OF FIRE MARSHAL.

(Form No. 3.)

(157 & 159 EAST 67th STREET.)

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

Mrs Annie Fischer

of No. 574 East 11th Street

being duly sworn, deposes and says: I am housekeeper of

the house in which I live. I remember the morning of Tuesday the 29th inst. I was in the hall on the 2^d floor of said house, the floor on which my rooms are situated. It was about 8⁰⁰ o'clock in the morning. I had been in the hall about 2 minutes sweeping the floor when one of the tenants, a Mr. Henry Denby, passed through the hall from the floor above, where his rooms are, and on passing me said "good morning", to which I replied, saying also "good morning". He passed down alone, and I did not see any one else go out either before or after him. About 10 minutes after he had passed, as described, a Mrs. Romano, a tenant on the 3^d floor, called out that there was a fire in the house. I immediately ran up to help her and to hold the baby, supposing the fire to be in her rooms. When I got up I found the fire to be in the ^{of the said Denby,} rooms, the smoke coming up in such quantity that I could not see the stairs, so that I fell down the stairs. That is all I know about the matter; the firemen came soon after and the fire was extinguished. I was present when the said Denby returned to the house at about 10 o'clock on the same day. I told him that he had frightened all the tenants, that there had been a big fire in his rooms. He was perfectly

26 1/2

Subscribed and sworn to, this _____ day of _____ 1888, before me.

POOR QUALITY
ORIGINAL

1125

quiet, said nothing and went up stairs. Finding
the door to his room nailed he asked me for a
butcher to break it in, which I did not prove
him - I was and not in the room in which the
fire occurred on that day, nor did I see
Dunby again until the next day, when
I asked him for the keys, by the owner's
directions. On the day of the fire, when he
returned to the house I asked him if he
was insured, and he told me that he was
not. - The said Dunby was a tenant of the house from Feb 10th.

Subscribed and sworn to
this 10th day of April
1892, before me -

Annie Fischer

Jas Mitchell
Fire Marshal

Sworn to before me
this 7th day of
April 1892

A. W. [Signature]
Police Justice

**POOR QUALITY
ORIGINAL**

1126

Fire Department of the City of New York.
BUREAU OF FIRE MARSHAL.

(Form No. 3.)

(157 & 159 EAST 67th STREET.)

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

Mrs Annie Roman

of No. 504 East 11th St.

being duly sworn, deposes and says: I reside in the above

premises with my husband and family. I was present in the house on the morning of Tuesday, when a fire occurred in the rooms of one of the tenants on the same floor on which I reside. It was in the ^{front} rear rooms immediately ~~opposite~~ ^{adjoining} mine - I had to go to the pump in the hall for water - While I was at the pump the door of the rooms referred to were opened, and I saw three men - One of them was put out of the rooms by the other two, who shut the door upon him - The one put out commenced to kick and beat on the door and succeeded in getting into the room again - Fearing that there was a fight going on I went into my own room and closed the door - While inside my room I heard the door of the ~~front~~ ^{adjoining} rooms, those in which I had seen the men, locked and heard the men go down stairs, very quietly - I did not see them go down, and the only one of the three whom I could recognize again was the man who was put out of the rooms - I never saw him before, and do not know who he is - Some minutes after I heard the men go down stairs, I heard a peculiar noise in the rooms of Denby, and immediately I saw smoke coming through the door and window - ^{I gave an alarm of fire, seized my baby and ran down stairs} I endeavored to go into the room ~~where~~

Subscribed and sworn to, this

188, before me.

day of

POOR QUALITY
ORIGINAL

1127

The firemen were there, but was not permitted to
do so - I saw Deubert when he returned to the
house that morning; about one hour after
the discovery of the fire - I asked him then
if he was insured, and he said he was not.
He afterwards acknowledged in my presence to
the Fire Marshal's representative that he was
insured -

Subscribed and sworn to Annina Romano
on this 1st day of April
1892, before me -

Jas. Mitchell
Fire Marshal

Sworn to before me
This 2nd day of April 1892

J. H. Whitcomb
Police Justice

POOR QUALITY ORIGINAL

1128

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Herman Derby 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. *Herman Derby*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *504 East 11th St. 1 month*

Question. What is your business or profession?

Answer. *Seam maker*

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

Answer. *I am not guilty*

Herman Derby

Taken before me this

day of April 1907

1897

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

1129

My Dear Sir
New York, April 17th 1892
Chief District Police
Court
James J. Kilbrath Esq
Residing Justice.

James Mitchell }
W. } Prison,
Herrman Building }

James Mitchell being
only sworn deposer
and says

Q. Your name
is James Mitchell?

Q. Yes Sir,
You are the Fire Marshal

Q. Yes Sir,
You say in your
Affidavit that a
fire occurred in
the room of the
Defendant, at about

1

2

7.55 O'clock on the
morning of March 29th
1892?

Q. 2 At 54 East 11th Street

Q. 2. There was an exam-
-ination had before
you at your Head
Quarters?

Q. There was ^{any}
testimony given.

Q. Who were present
as witnesses at that
examination?

Q. Mrs Annie Fisher,
Mrs A. Romano and
the Defendant.

Q. There was
testimony taken?

Q. 2. Yes Sir,
Such testimony was
reduced to writing
(2)

D

Q. Q. And duly subscribed to?

Q. I want show you two (2) affidavits purporting to be signed by these two witnesses and ask you whether they are legally the testimony taken before you? They do.

Q. Q. Such affidavits are part of your complaint against the Defendant?

Q. Q. Did any one else give testimony?

Q. No other person gave any testimony, my assistant who

H

Visited the premises
made his report to
me, he is here for

Q.

What report he made?

~~Court~~ I don't care about

Q.

Tell me what the
result of the investi-
-gation before you?

~~Court~~ What is concluded,
Q. You made a thorough
examination?

A.

I make as
thorough an exami-
-nation as possible, I
do not close my ex-
-amination at any
time

Q.

You have no
further evidence than
there was presented
before you on the 1st of

5

A. I propose to submit the same evidence to the Court today with some additional

Q. Did you make a report to the Insurance Company to ascertain if the claim had been paid, and requested them not to pay without further consultation with me.

Q. Do you know the result reached by the Company

Court I do not care about that

Q. How much was the amount insured for?

A. Four hundred

Q. dollars At what amount

6

Court - was it adjusted
I do not care what

Q. it was How many
rooms did the

Q. Defendant occupy?

One parlor,
Sitting room and a
smaller room

Q. Do you
remember at this
examination was there
a conflict of testimony
between the Italian
woman and the
other?

Court - I do not care

Q. about that Will you
state if you know
the contents of these
rooms?

Q. I made no

4

inventory, I saw a small lounge, partially burned, bedding and clothing

Sworn to before me }
this 7th day of April 192

Police Justice

Annie Fisher being duly sworn deposes and says

Q. What time in the morning was this fire?

A. A little after eight in the morning

Q. How have you given testimony before Mr. Mitchell, the Fire Marshal?

A. I did

4

D

Q And signed this affidavit?

Q Do you remember testifying where you were at the time of the fire?

A I was stand-
ing on the second
floor sweeping the
hall

Q When did you see the Defendant?

A He passed me.
Q How long had you been sweeping there?

A Very minutes when Mr Rouano yelled "fire"

Q I mean before you saw the Defendant?

A (Q) Two minutes
After you had

9

been creeping two @ minutes, you saw the Defendant coming down?

Q. Yes Sir,
A. Two minutes after?

A. She yelled "fire", I thought to catch the baby, I saw smoke coming out and fell down the stairs, I was frightened, I went in my room to get some things and my Kent

Q. You are the Housekeeper?

A. Yes Sir,
Q. Did you hear any noise in that house?

A. I did not, I was on the ^{second} floor and heard no noise

9

10,

Q. Did you have any talk with the Defendant

A. I never had a talk with him, I was on the stairs, and I told him he made trouble here, that was all I said, I went up to his door; the fireman had closed the door with nails, he went up stairs,

Q. Did he seem

A. Surprised? He was as quiet as I am now, that was just ten o'clock

Q. That was all the conversation you had?

A. Yes Sir,
10

N

- Q. How long had he lived there?
- A. He came over the 10th of the month.
- Q. You had no other talk with him?
- A. He asked my wife or Statcher to open the door, he wanted to break it in, I would not give it.
- Q. You are positive that he came down and spoke to you?
- A. Yes Sir,
- Q. And went down alone?
- A. Yes Sir,
- Q. Did you ever meet him in the hallway before that?
- A. May be once before

12.

Q. You stated to me that the Defendant came in at ten o'clock; you asked him about insurance?

A. I asked him if he was insured, he said no, afterwards, one owner was there and he said the Defendant was insured.

Q. You say you saw the Defendant come down about ten minutes before the alarm of fire?

Q. Did you see any one else come down after him?

A. No sir,

13

Q. If other persons had passed through (crossed) you have heard him or them?

A. Yes Sir,
Cross Examination.

Q. What time did you speak to him about the insurance?

A. When he came back about ten o'clock the same day.

Q. There was a fire man there?

A. Yes Sir,
Q. Was anyone there from the insurance company

A. Yes Sir, they

Q. gave me some cards. Did they ask you to ask him how much he was insured for?

A. Yes Sir,
(13)

14,

Q. Did anyone speak to you to find out how much he was insured for or whether he was insured?

A. They all asked me and gave me cards, I said I did not, then I asked him when he came back, and he came back, he said no.

Q. What did you do with the cards?

A. I gave them to Mr. Derby.

Q. Do you remember what was on the cards?

A. I don't and I don't know the language

15

Q. Of the card, Did these people who gave you cards tell you they wanted to get the adjustment of the insurance?

Q. A. No Sir, What did they say when they gave them

Q. A. They said do you know where the Repe-

Q. A. -day is, I said No, they asked you to hand the cards to him?

Q. A. Yes Sir, so I did Did any person who handed you these cards promise you anything?

Q. A. No Sir, Or do you any

POOR QUALITY ORIGINAL

1144

16.

Q Favor? No Sir,

Sworn to before me }
this 7th day of April 1892 }

Police Justice

George Wm Tillhard
being duly sworn
deposes and says, &
para fireman of
Engine No 28,

Q. Do you remember
March 29th 1921?

Q. I do
Q. Were you in East 11th
Street?

A. Yes Sir, that
fire was there,

Q. State
what you know
about it

17

He had a poll call
and I had to take
the papers to Head
quarters; as I got
within 150 feet of the
fire, I saw the fire,
it was on the 3rd floor
I went up and the
fire was in the
front on the West side
of the building, the
door would not open,
I asked the lady for
water, I saw the
fire lying out side
of the room, I looked
into the room, I
saw the burning
cloth, as I came
out I asked the
ladies to get me
water, a German man
was breaking the

17

18

Windows I told him
not to go that, I
knew I could not
handle the fire, so
I sent for the Engine,
I was eye in the mean
time had sent out
the signal, I ran
down stairs and I
told the Captain where
it was, the windows
were latched because
we opened them the
blinds were closed
and the shades down
all the way

Q.

Q. You
found the fire burn-
ing in the front
of the door in the bed
room and among the
clothes on the wall?
Yes Sir,

Q.

18

19

Cross Examination

Q. How long are you connected with the Department?

A. Three years.
Q. Where were you just-
ing at the time?

A. Going through
11th St.

Q. Did you see
smoke?

A. I heard the
people call "fire"; I
saw smoke issuing
from the premises.

Q. Did you say the
windows were closed?

A. Q. Yes Sir,
You saw some
smoke coming through
the cracks?

Q. Yes Sir,
Q. Did you turn in

19

20.

Q. an Alarm? No Sir,

Q. You carry a key

Q. Did you break in
the door?

A. I forced it
in with my shoulders,
I did not notice the
locks or bolts, it was
an ordinary convenient
house door; the place
was dark and closed
up, there was nothing
to give the fire head-
=way

Q. You opened the
door?

Q. No Sir,
there was nothing
inspicious about the
fire?

A. Yes Sir,
20

Q 1,

Q. What was it?
A. The fire seemed
to be on the floor
and leading to
these rooms; it was
like as if it was
leading into these
rooms.

Q. What did
you do after the
fire?

A. Went to Battalion
Headquarters, with the
papers.

Q. Then you went
to the engine house?

A. I had my breakfast
and then I
went back, I had
no conversation with
anyone about the
fire.

Q. Do you mean
Q 1

22,

To say, if you saw
a lump of paper in
the room and oil
cans, you would
not take it?

Q. I have no authority
to say anything, those
are our orders, I
report to the Com-
manding Officer.

Q. But you did not
report this fire?

Q. No Sir, the
company came down
the street and the
foreman took charge
of the fire, I said to
Captain, "I will
be working at the
fire, I gave him a
hand, so I said "it
looks kind of funny",
he said "Yes"

POOR QUALITY ORIGINAL

1151

23,

Q. Did you testify before the fire marshal
A. No Sir,

Sworn to before me }
this 7th day of April 1892 }

Peace Justice

Præmia Ferrario
being duly sworn
deposes and says

Q. You live at 504
East 11th St?

Q. Yes Sir,
You signed this
paper before the fire
marshal

Q. Yes Sir, that
there was a fire there
in the Defendants
rooms on the date

23

Q.H.

Q. in question?
A. Q. Yes Sir,
Q. What time was it?
A. After eight
o'clock, I was going
for water, I saw
three men, one fat
man, and the fat
man knocked on the
door and wanted to
get in, I think there
was a fight, I was
afraid and went
into my room and
shut the door, he
went awfully quiet
down stairs, then I
opened the door to
get water for the baby,
I looked at my bed
room and saw smoke
coming out, I
took the baby and

25

Q. I heard "fire", "fire",
and the housekeeper
asked me where was
the fire, I said in
the bedroom, we use
oil lamps there,

Q. Did you see the
three men
going down stairs?

A. No, I heard
noise and the door
shut with a key

Q. Did you see the
Defendant going
down

Q. Do you know
whether he was in
the room or had he
got away?

A. I only
Q. Did you see the
Defendant was
not there?

25

26.

A. Q. I did not see him there, if he had been there, there would have been four men?

A. Q. Yes Sir, you did not say one of the three men was not the defendant?

A. Q. No Sir, how long was it that you heard this noise after the men went down stairs?

A. About five or six minutes.

Q. Who was kicking at the door?

A. A big man a stranger.

Q. You did not see them going down?

A. Only heard the noise.

26

POOR QUALITY ORIGINAL

1155

D. W.

Q. Was the Housekeeper
weeping down stairs
A. Yes Sir,

Q. When did you see
her after she went
down stairs?

A. About ten (10)
minutes

Q. The Housekeeper
had been weeping?
A. Yes Sir,

Sworn before me }
This 7th day of June 1892 }

Police Justice

Defendant held in
One thousand Dollars
Bonds

POOR QUALITY ORIGINAL

1155

Identified by
Criminal office of
Residential

James Mitchell
139 Ave 67th St
Kew-Forest, N.Y.

Police Court... 3
District...

BILLED,
No. 1, by Samuel Black
Residence 188 Stanton Street

No. 2, by _____
Residence _____

No. 3, by _____
Residence _____

No. 4, by _____
Residence _____

THE PEOPLE, Ac.,
ON THE COMPLAINT OF
James Mitchell
139 Ave 67th St
Kew-Forest, N.Y.
Offence Arson

Dated April 7, 1892

William Mitchell Magistrate

Henry Officer

Witnesses Amie Davis

No. 504 E. 11th Street

Amie Davis

No. 504 E. 11th Street

No. _____ Street

\$ 1000 to answer

Amie Davis



430

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

defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 10 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated April 7, 1892 J. Mitchell Police Justice.

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

Dated April 7, 1892 J. Mitchell 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.

POOR QUALITY ORIGINAL

1157

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 3 DISTRICT.

of No. Charles Long
No 25th Street, aged 47 years,
occupation Police Officer being duly sworn deposes and says
that on the 5th day of April 1897
at the City of New York, in the County of New York Dep. Mat. arrested

Sworn to before me this 5th day of April 1897

Police Justice

Herman Derby (now here) on
a charge of having set fire to a
tenement house no 50 East
11th Street in the day time on
the 29th day of March endangering
the lives of the tenants living in said
premises. Therefore deponent prays
that said defendant may be held
for examination in order to enable
deponent to procure sufficient evidence
Charles Long

POOR QUALITY ORIGINAL

1158

135
 Police Court, 3 District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF
Charles Lang
 vs.
Herman Denton
28 Green St. N. E.

Dated April 5 1897
Kilbuck Magistrate.
Lang Officer.

Witness: [Signature]

Disposition 4 for April 6
at 10
Ev 9 to 10 Oct M

JAMES DAVIT. CARSON

POOR QUALITY ORIGINAL

1159

Fire Department of the City of New York.
BUREAU OF FIRE MARSHAL.

(Form No. 3.)

(157 & 159 EAST 67th STREET.)

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

Norman Denty

of No. *504 East 11th Street*

being duly sworn, deposes and says: *I live in rooms on the*

3rd floor of the above premises. I occupy the two front rooms on the East side of the hallway on the 3rd floor. I moved into the house on March 10th, from 345 East 10th where I had been living for about three months. I insured my property while I was living in 10th St., and when I moved to 11th Street, I had the insurance transferred. The amount of the insurance is \$400, in the Greenwich Ins. Co. I consider that my clothes and household effects are worth the amount of my insurance. I am a married man, but wife has not been living with me since September last, when she left to go to the country. I do not know where she is now.

I remember the morning of Tuesday the 29th inst., the morning in which a fire occurred in my rooms. I left the rooms at 7:30 a.m. that morning, and did not return to them until about 12:30 a.m., when I first learned that there had been a fire. I do not know how the fire started. I carefully locked the door when I left the rooms. There was no fire in the stove when I went out nor was there any light burning in the rooms at that time, that I know of. I usually keep a lamp burning during the night, which I always put out before leaving in the morning, but I don't know whether I did so on Tuesday morning or not. I was alone

Subscribed and sworn to, this _____ day of _____ 1888, before me.

POOR QUALITY
ORIGINAL

1160

in my room that morning and when I went out
I was alone -

I have resided in this country about seven years,
and during that time I have always been known
by my present name - I have had one fire
before the present one - It occurred at 1859 3rd
Avenue, where I had a cigar store, on Sunday
evening, ^{November 1st 1870} at about 9 o'c. - I was out walking
at the time, having left one of my workmen in
the store when I went out. It was during my absence
that the fire started - I was then insured for
\$1,500. - My loss was small -

I am at present working for Burns & Levin, the
dealers in cigars, at No. 62 Catherine St., receiving
as compensation \$12⁰⁰ per week, besides a commission
on sales - I am not in debt, and am not pressed
for money -

Subscribed and sworn
to this 1st day of April
1892, before me

Jeremiah Donohy

Just Mitchell,
Fri Mar 20 1892

**POOR QUALITY
ORIGINAL**

1161

(110)

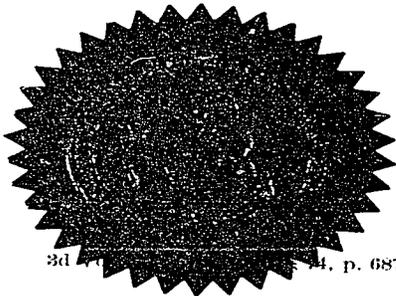
JOHN F. CARROLL

I, ~~JOHN SPARKS~~, Clerk of the Court of General Sessions of the Peace and Clerk of the Court of Oyer and Terminer in and for the City and County of New York (each being a Court of Record, having a common seal), do certify that the annexed is a copy of

An Undertaking to Answer

now on file in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom, and of the whole of such original.

GIVEN UNDER my hand, and attested by the seal of the said Court, this *Twentieth* day of *April* in the year of our Lord one thousand eight hundred and ninety *two*



3d 44. p. 687.

John F. Carroll

POOR QUALITY ORIGINAL

1152

3^d District Police Court Undertaking to Answer

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

An order having been made on the 7th day of April 1892, by Hon. James C. Kilbreth Police Justice of the City of New York that Herman Derby be held to answer upon a charge of Arson

upon which he has been duly admitted to bail in the sum of One hundred dollars:

We, Herman Derby defendant, of residing at No. 504 East 11th Street, in the said City of New York, occupation segar maker and Harrah Gluck of residing at No. 188 Stanton Street, in said City,

surety; hereby jointly and severally undertake that the above-named Herman Derby shall appear and answer the charge above mentioned, in whatever Court it may be prosecuted; and shall at all times render himself amenable to the orders and process of the Court; and, if convicted, shall appear for judgment, and render himself in execution thereof; or if he fail to perform either of these conditions, that we will pay to the people of the State of New York the sum of One hundred dollars.

Taken and acknowledged before me, } Herman Derby Principal. (I.S.)
this 7th day of April 1892 } Harrah Gluck Surety. (I.S.)
J. C. Kilbreth
Police Justice

POOR QUALITY ORIGINAL

1163

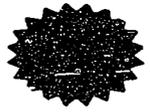
STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } SS.

1769

I, Samuel Cook the surety mentioned in the annexed undertaking to answer, do hereby authorize and empower any Policeman of the City of New York, or
or either of them, in my name, place and stead, to take, seize and surrender the said German Derby (in the said undertaking held as defendant) to the Court wherein he is bound to appear for trial, or deliver him to the custody of the authorities of said city and county, in my exoneration as surety therein.

Dated April 27th 1892

Samuel Cook Surety.



NEW YORK

Court of General Sessions of the Peace.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

Recognition to Answer.

vs.

German Derby

Taken the 27 day of April 1889

Approved as to Form and Sufficiency.

Dated 27 April 1889

Wm. J. [Signature]
District Attorney.

Identified by

Filed 26 day of April 1889

POOR QUALITY ORIGINAL

1164

Court of General Sessions of the Peace

526

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Herman Denton

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

Herman Denton

of the CRIME OF ARSON IN THE *Second* DEGREE, committed as follows:

The said *Herman Denton*

late of the *South* Ward of the City of New York, in the County of New York aforesaid, on the *twelfth* day of *March*, in the year of our Lord one thousand eight hundred and ninety-*two*, at the Ward, City and County aforesaid, with force and arms, in the *day* time of the said day, a certain *dwelling-house* of one *Joseph Fisher*, there situate, there being then and there within the said *dwelling-house*, some human being, feloniously, wilfully and maliciously did set on fire and burn, 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

Herman Denton

of the CRIME OF ARSON IN THE *Second* DEGREE, committed as follows:

The said *Herman Denton*

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, with force and arms, in the *day* time of the said day, a certain *dwelling-house* of one *John Roman*, there situate, there being then and there within the said *dwelling-house*, some human being, feloniously, wilfully and maliciously did set on fire and burn, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

DE LANCEY NICOLL,

District Attorney.

1166

**END OF
BOX**