

0981

BOX:

464

FOLDER:

4264

DESCRIPTION:

Mack, Annie

DATE:

01/15/92



4264

0982

Witnesses:

Office medium
11th Prec
Edward B. Baker
v. p. c. e.

I have consulted
with a part of the
very of the Society
for the prevention of
Cruelty to children
and think with them
that the ends of justice
will be subserved by
imposing a fine in
stead of imprisonment
in this case for the reason
that the girl attacked was
just under 16 years of age for her
age and had been before in
court in the business of prostitution
Oct 3rd 1892
Geo. W. Astor
Att. Gen.

149
B. N. Jany 11/92
Counsel, *D. Jany*
Filed, *15* day of *Jany* 1892
Pleads, *Not Guilty Aug. 17 1892*

THE PEOPLE

vs.

B
Cissie Mack
Def B/12
Head of Court
Sens suspended

KEEPING A HOUSE OF ILL-FAME, ETC.
(Sections 822 and 865, Penal Code.)

DE LANCEY NICOLL,
District Attorney

A TRUE BILL.

Chas. J. DeForest

Foreman.

J. Jany 27/92
apud 18th Prec I
W. L.

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

THE PEOPLE OF THE STATE OF NEW YORK
against
Annie Mada

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

Annie Mada

of the CRIME OF ABDUCTION, committed as follows:

The said *Annie Mada*,

late of the City of New York, in the County of New York aforesaid, on the *29th*
day of *December*, in the year of our Lord one thousand eight hundred and
ninety- *one*, at the City and County aforesaid, did feloniously take, receive, harbor,
employ and use one *Rathornie Rogers*, who was then and there a female
under the age of sixteen years, to wit: of the age of *fourteen* years, for the purpose of
prostitution, 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.

0984

Mail paid at 1000
RBC
\$

Witnesses:

My, consulted
with agent steering
in the prevention of
crim. to children and
that the ends of justice
will be subserved by
upholding a firm vested
of improvement in the case
in the name that the girl
was 16 years old
and also of said woman
(see) you Mr. Brown
St. Paul

148
82

Counsel,
Filed
day of *Jan* 180
Pleads, *Not* *Aug* 1/92

THE PEOPLE
vs.

Annie Mack
(2 years)

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

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Charles R. Forest

Foreman.

Sept 20/92

Charles Abduction

Filed 250
(1000)

0985

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

Edward Becker

of No. *100 East 23^d*

Street, being duly sworn, deposes and

~~says~~ that he has been informed and has just cause to believe and does believe
that on ~~or~~ about the *29th* day of *December* 189*4*

at the City of New York, in the County of New York, *at number 44*

Rivington Street in said City, one Annie Mack, did then and there unlawfully take, receive, harbor, employ and use a certain female child, now present, called Catharine Rigney, said child then and there being actually and apparently under the age of sixteen years, to wit; of the age of fourteen years, for the purpose of prostitution, in violation of section 282 of the Penal Code of the State of New York -

Wherefore deponent prays that said Annie Mack, may be apprehended, arrested and dealt with according to law -

Edward Becker

0986

Police Court, _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward Becker

vs.

Annie Mack

(2 cases)

AFFIDAVIT.

Dated Jan 15 1892

Magistrate.

Officer.

Witness,

Disposition,

Court of General Sessions.

-----X
 The People, &c.,)
)
 -against-)
)
 Annie Mack.)
 -----X

City and County of New York, ss:-

Charles A. Place, being duly sworn, deposes and says, that he is a ward detective, connected with the Eleventh Precinct Police Station, in the City of New York, and the precinct, in which the defendant formerly carried on the business complained of.

That since the defendant's arrest herein, she has removed from and abandoned the premises, formerly occupied by her, in which the nuisance complained of herein was carried on, and deponent says that the nuisance complained of has been abated.

Sworn to before me this :
16th day of June, 1892. :

Charles A. Place

Henry Deiker
Natary Public
New York County

Court of General Sessions of the Peace.

-----X
 :
 The People, &c.,)
 :
 -against-)
 :
 Annie Mack.)
 :
 -----X

City and County of New York, ss:-

A n n i e M a c k, being duly sworn, de-
 poses and says, that she is the defendant above-named, and
 formerly resided at #44 Rivington Street, in the City of
 New York, in which the nuisance complained of herein was
 carried on. That immediately after her arrest herein, de-
 ponent removed from said premises and gave up said busi-
 ness; that she is no longer engaged in the business com-
 plained of and has abandoned said premises, and given up
 said business, and that the nuisance complained of has
 been abated.

Sworn to before me this : *Annie Mack* X
)
 14th day of June, 1892. :

Julius Bunnell
Notary Public
4th St. N.Y.C.

Court of General Sessions.

----- x
 T H E P E O P L E :
 -against- :
 A N N I E M A C K :
 ----- x

City and County of New York, ss:-

Conrad WACK, being duly sworn deposes and says, that he is engaged in the Stationery and Confectionery business. That he has been engaged in said business at No. 46 Rivington Street in the City of New York for a great many years, which premises are adjoining those formerly occupied by the defendant, who was then engaged in the business complained of herein. Deponent further says that the defendant immediately after her arrest herein, which occurred on the 31st day of December, 1891, discontinued the business which she then conducted and vacated the premises then occupied by her as aforesaid, and that she no longer occupies said premises and is not engaged in said business.

Sworn to before me this
 26th day of April, 1892.

C. Wack

Julius Blumberg
 Notary Public
 City of N.Y.

Court of General Sessions.

----- x
 T H E P E O P L E :
 -against- :
 A N N I E M A C K :
 ----- *

City and County of New York, ss:-

HARRIS WOLF - , being duly sworn, deposes and says, that he is engaged in the ice business at No. ³ Essex Street in the City of New York, and has been engaged in this business in said City for a number of years. Deponent further says that he has known the defendant, ANNIE MACK for more than six years, and knows other people who are acquainted with said defendant, and that the reputation of said defendant among those who know her is very good. Deponent further says that he believes the defendant to be a woman of good character, and he has never heard anything said against her, except that at one time she was, as deponent, is informed, engaged in the business complained of herein, but that she no longer carries on said business, nor does she now reside in the place where said business was conducted, nor has she any thing to do with the same.

Sworn to before me this : *Harris Wolf*
^{26th} day of April, 1892. :
Julius Rosenberg
Notary Public
N.Y.C.

Court of General Sessions.

----- X
T H E P E O P L E

-against-

A N N I E M A C K
----- X

City and County of New York, ss:-

Samuel Rosenthal being duly

sworn, deposes and says:- I carry on the business of

Ricquarts in the City of New York, at No. 10 *Essex St*
N.Y. City. I have known the above named defendant, ANNIE

MACK, for a period of over five years, and her character
has hitherto been good, save and excepting that I have
heard that at one time she did conduct the business com-
plained of herein. I am informed and believe that the
business carried on by her as complained of, has been
given up, and that she does not now reside in the same
place, or have any connection therewith.

Sworn to before me this

26th day of April, 1892.

Samuel Rosenthal
Julius Blumberg
Notary Public N.Y. Co.

Court of General Sessions.

----- X
 T H E P E O P L E ;
 -against- ;
 A N N I E M A C K ;
 ----- X

City and County of New York, ss:-

Geo. Forscher, being duly sworn, deposes and says, that he is engaged in the Scale Manufacturing business, at No. ~~42~~ Rivington Street in said City; that the premises No. 44 Rivington Street in said City, which were formerly occupied, as deponent is informed, by the defendant above named, were vacated immediately after her arrest herein, and that the defendant then abandoned said business in which she is no longer engaged, and does not occupy said premises any more.

Sworn to before me this :
 26th day of April, 1892. :

Geo. Forscher

Julius Blumberg
 Notary Public
NYC

Court of General Sessions.

----- X
THE PEOPLE

-against-

ANNIE MACK
----- X

City and County of New York, ss:-

WILLIAM MOONEY of said City, being duly sworn, deposes and says:- I am one of the officers connected with the 11th Police Precinct in the City of New York, in which are situated the premises known as No. 44 Rivington Street. I know the above named defendant, ANNIE MACK, and have known her for a number of years. I know that she has given up the business that was carried on at said place, and that she does not reside there, having removed from said premises immediately after her arrest herein.

Sworn to before me this
26th day of April, 1892.

William J. Mooney

Julius Blumberg
Notary Public
N.Y. Co.

0994

Department of War
Washington, D. C.
February 1945

THE SECRETARY OF WAR
WASHINGTON, D. C.
TO: THE SECRETARY OF THE ARMY
FROM: THE SECRETARY OF THE ARMY
SUBJECT: [Illegible]

Boyle

cc

Quinn

Boyle

Very truly yours,
[Signature]
[Title]

OFFICE OF THE SECRETARY OF WAR

0995

UNITED STATES OF AMERICA
DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

MEMORANDUM FOR THE DIRECTOR
FROM: SAC, [illegible]
SUBJECT: [illegible]

Boyle
Quinn-Martin
Oppenheimer

DATE: [illegible]
BY: [illegible]

APPROVED AND FORWARDED:
[illegible]

0996

Sec. 322, Penal Code.

3^d District Police Court:

CITY AND COUNTY }
OF NEW YORK. } ss.

of No. 11 - Police Precinct Street, in said City, being duly sworn says
that at the premises known as Number 407 Irving Ave Street,
in the City and County of New York, on the 29 day of December, 1897, and on divers
other days and times, between that day and the day of making this complaint

Annie Mack
did unlawfully keep and maintain and yet continue to keep and maintain a House disorderly
and did then, and on the said other days and times, there unlawfully procure
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil
name and fame there to be and remain ~~drinking, dancing, fighting,~~ disturbing the peace, whoring and misbehaving
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and
there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said Annie Mack
and all vile, disorderly and improper persons found upon the premises, occupied by said

Annie Mack
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 1st
day of January, 1898 John Mc Sweeney
J. N. [Signature] Police Justice.

0997

CITY AND COUNTY } ss.
OF NEW YORK, }

POLICE COURT, 3 DISTRICT.

Kate Rigney

of No. _____ Street, aged _____ years,
occupation _____ being duly sworn deposes and says

that on the 28th day of December 1891
at the City of New York, in the County of New York: she became an

inmate of the Disorderly House situated at number
44 Livingston Street in said City, which is owned and
managed by one Annie Mack, now present; that ^{deponent} she
was inmate of said house from the aforesaid date
until December 29th 1891 and that during said
period she prostituted herself with a number
of men, receiving ^{money} pay for said prostitution,
which money deponent gave said Annie
Mack.

Kate Rigney.

Sworn to before me, this _____ day

of January 1892

[Signature]
Police Justice.

0998

POLICE COURT 3^o DISTRICT. 1351

City and County of New York, ss.:

THE PEOPLE
vs.
Annie Mack

On Complaint of John McSweeney
For Keeping Disorderly House.

After being informed of my rights under the law, I hereby ^{*demand*} ~~waive~~ a trial, by Jury, on this complaint, and demand a trial at the COURT OF ^{*General*} ~~SPECIAL SESSIONS OF THE PEACE~~, to be holden in and for the City and County of New York.

Dated January 1st 189 2

Annie Mack

B. Willett Police Justice.

0999

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *Annie Mack*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *44 Rivington St and 1 year.*

Question. What is your business or profession?

Answer. *Seamstress*

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.*

Annie Mack

Taken before me this

day of *January* 192*8*

Police Justice.

[Signature]

1000

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 she be admitted to bail in the sum of 3 Hundred Dollars,..... and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such part.

Dated January 12 1892 J. Wilbur Police Justice.

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

Dated Jan 2nd 1892 J. Wilbur Police Justice.

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

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

Police Court--- District. 1616

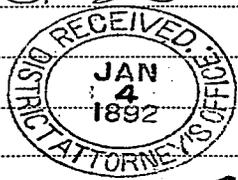
THE PEOPLE, etc.,
ON THE COMPLAINT OF

John McSweeney
Archie Mack

Offence Keeping Arms
Disobeying Order

Dated January 1st 1892
Kilbuck Magistrate.
McSweeney Officer.
11th Precinct.

Witnesses Edw Becker
105 E. 23rd Street.



No. Street.

No. Street. 200 to answer 40

Signature

Aug 1/92

BAILED,
No. 1, by Isaac Smith
Residence 7 Court Street.

No. 2, by Frank J. Seelig
Residence 13 Allen Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

1002

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 14 years, occupation Catharine Rigney of No.

Street, being duly sworn deposes and
says, that she has heard read the foregoing affidavit of Edward Becker
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 15th
day of January 1892

Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Annie Mack

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

Annie Mack

(Sec. 822, Penal Code.)

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

The said

Annie Mack

late of the Tenth Ward of the City of New York, in the County of New York aforesaid, on the twenty-ninth day of December in the year of our Lord one thousand eight hundred and ninety-one, 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

Annie Mack

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

Annie Mack

(Sec. 885, Penal Code.)

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

The said

Annie Mack

late of the Ward, City and County aforesaid, afterwards, to wit: on the twenty-ninth day of December in the year of our Lord one thousand eight hundred and

ninety- *one* — , 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 re-passing, 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

— *Annie Mack* —

(Sec. 322,
Penal Code.)

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows :

The said

— *Annie Mack* —

late of the Ward, City and County aforesaid, afterwards, to wit : on the *twenty-ninth* day of *December* in the year of our Lord one thousand eight hundred and ninety- *one* 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.

1005

BOX:

464

FOLDER:

4264

DESCRIPTION:

Magnus, Louis

DATE:

01/21/92



4264

225

Sam Lavel

Counsel,

Filed, *21* day of *January* 189*2*

Plends,

W. H. Small

THE PEOPLE

vs.

T

Louis Magnan

LANCEY NICOLL
(False Pretenses)
[Section 528, and 581, Penal Code.]

De Lancey Nicoll,
District Attorney.

Open & convicted

A TRUE BILL.

Charles DeForest

Foreman.

Paul T. Feb 4th

W. L.

S. P. 5-915
R. B. M.

Witnesses:

Witness lines

The People
vs.
Louis Magnus

Court of General Sessions. Part I
Before Judge Mustine. February 24, 1892
Indictment for grand larceny in first degree.
Robert W. Mulready sworn and examined.
I have charge of the wholesale department of
Schweeling, Daly and Gales fire arms and
sporting goods No. 302 Broadway. I saw the
defendant in their place of business on
the 11th of January. The defendant came in
with a letter, as buyers frequently do under
such circumstances, and enquired the price
of Smith and Wesson's revolvers. After some
conversation he decided that he wanted
single action 38 caliber revolvers, and
stated in the conversation that he had been
sent by Mr. L. Frank, Leopold Frank. Had
seen the defendant frequently before in the
store on similar business from Mr. Frank.
We got up the goods. He said they were going
to make shipments that day, on other oc-
casions he had left orders. He said they
were going to make shipment that day, and
that if we could give him the revolvers then
it would facilitate matters and we did
so. We gave him six Smith and Wesson
single action 38 caliber. I could not say
exactly that the revolvers now shown me
are the same as were delivered to the
defendant, but they answer the description.

exactly, but we have many such in our establishment. I had the revolvers delivered to the defendant. I gave the order to the order clerk. Within a very short time after that Mr. Frank came in and had a conversation with him. I charged for those revolvers \$9.75 each less ten per cent—over eight dollars a piece.

Cross Examined. Have been about ten years with this firm. I was acquainted with the defendant before this as the representative of Mr. Frank. Did you at any time previous to that give him any goods to be delivered to Frank's firm? Not that I have any recollection of. My recollection is that I said that in the Police Court that he had left similar orders before as he had frequently done. I do not recollect his taking goods with him on previous occasions. I did not show him any revolvers but I described them. He said to me that these revolvers were bought for Serf. Hirsch & Co and that he wanted triple bills, as had been made out on previous occasions to be sent to L. Frank, 40 West Broadway and he requested to take the bills with him. Mr. Frank is the buyer for Serf. Hirsch & Co of New Orleans; the bills were billed to Serf. Hirsch & Co and were always sent to Frank. The defendant

said he got the goods for shipment to Seif
Hirsch & Co. The defendant had been in
the past been in the employ of Mr. Frank
and had been in the habit of coming
to my place of business with orders; and
on this day he came in there and said
that they had an order from Seif, Hirsch &
Co. for six revolvers. He said that he wanted
to leave an order for six Smith and Wesson
revolvers. I think the price he mentioned
was \$7.50. I told him that he could not
get 38 caliber revolvers as cheap as
that. I then mentioned the cheapest price
38 caliber Smith and Wesson's could be sold
at. He then said that that would do and
I said that I would take the order. He
said for six Smith and Wesson single
action 38 caliber. I took it down. Previous to
that I never had occasion to ask his
name. I knew him by sight perfectly
well, as we do dozens of young men who
come in our store on similar occasions.
I asked him what his name was. I
never had occasion to do that before be-
cause we never delivered the goods. He said
his name was Joseph Brooks. I knew
nothing to the contrary. I never heard his
name before. I asked him if he was
in a particular hurry for the revolvers.

He said he could not help it, to get them ready in 15 or 20 minutes. He then said he was going to the Post Office and that he would be back in that time and asked me if I would have them ready. I asked if we would make three bills out as usual! He says, "Why you know what we always do in cases of that kind." The goods were gotten up and the bills were made out - in fact the bills were not entirely made out at the time he came back; he stood waiting for them. He chatted around and made some pleasant remarks, and finally got the goods and went out. I asked if the goods were for Serf. Misch & Co and I wrote down the order. I wrote down Serf. Misch & Co. When boys come in and present orders for other firms after a few months when we know them we do not enquire every time who they represent.

By Mr. Weeks the purpose of my question was to know whether you simply relied upon his manner and the representation that you drew from the triplicate bills as formerly or whether he said particularly any name just try to think if there was any conversation? I really find it hard to

1011

answer that question. In the business of that kind that we do every day we do not go through the formality of asking questions as we would the first time that we do business with anybody. We take it for granted to a great extent that those things are right. My recollection is that he did say it was for Seif. Wirsch & Co. that he wanted those revolvers. He said that Mr. Frank was about to make a shipment that day to Seif. Wirsch & Co. and that if he took the revolvers with him that would facilitate matters, and therefore I gave them to him. Those are the words the defendant used as near as I can recollect. Are you positive he used the firm name of Seif. Wirsch & Co.? That is my belief. Are you positive that he used the firm name of Seif. Wirsch & Co.? No sir. Are you positive that he used the name of Leopold Frank? Yes sir. We have on the books of our concern the name of Seif. Wirsch & Co. and all goods bought by Mr. Frank are charged to that firm. I do not know whether Mr. Frank represents other firms or not or that he buys goods at the same place for other firms. The defendant asked for triplicate bills, and the three bills were made

out in the name of Surf. Hirsch & Co. On previous occasions when this boy came in with orders from his office bills were made out to Surf. Hirsch & Co and always delivered to Frank? Made or perhaps sent by our boy. I have no recollection that they were sent by this defendant. On previous occasions you either mailed them or sent them by your messenger? Yes, that is my recollection.

Joseph Schirmer, sworn and examined. I am the officer who recovered the six revolvers that are here in Court from the pawn shops. Officer Liston took the tickets from Mr. Magnus the defendant; there were three tickets and I went to Simpson's three shops in the Bowery. I read the tickets and left them in the shops when I got the revolvers. The defendant was arrested the day following the procurement of the revolvers.

Cross Examined. Officer Liston arrested the defendant. He started out on the case, I went to West Broadway and told Officer Liston to go up to 111th street where he resided; when I came back to the station house Officer Liston had him there. The defendant told me he pawned the revolvers in the pawn shops.

Leopold Frank sworn and examined. I am in business at No. 40 East Broadway; the defendant was in my employ up to the 5th of January; he was not in my employ on the 11th of January. I am resident buyer for out of town houses and am the buyer for Seif, Hirsch & Co. Did you on the 11th of January send this defendant to the house of Schwering, Daly and Gales to buy six revolvers or any other property? I did not. He was not in my employ on the 11th of January, and on that date he had no authority whatever to represent that he came from me for the purpose of procuring half a dozen of revolvers or any number of revolvers to be shipped to Seif, Hirsch & Co. When did you first learn that he had procured from this firm revolvers for your account on the 11th of January? On the very same day, the 11th of January between the hours of half past nine and ten o'clock in the morning. On hearing it I went to find out, I started to look him up. I went to Newburger, Hirsch & Co on Green street and did not find him; he said he had a position there. I came back and attended to some orders and then in the evening I came back to Schwering, Daly and Gales and I believe I had a talk with Mr. Gales. I had seen Mr. Mulready

in the morning and learned from him that the defendant had received the revolvers.

Cross Examined: I am the brother-in-law of the defendant I am on unfriendly terms with him now. Have you been from the 5th of January when he said, "I am going to leave you to get another place? No. Since when are you on unfriendly terms with him? Since the 11th of January. There you are on unfriendly terms with him? I am. You want to see him severely punished as far as the law allows if he is found guilty of obtaining goods under false pretences? I do.

By Mr. Weeks And yet this very day because he is related to you by marriage you have been trying to do something for him, have you not? I have sir, for years. Until the 11th of January you had no hard feelings against him? No sir. But when he did what you understood he did on the 11th of January then you felt that your feelings toward him changed? Yes sir.

By Counsel Have you not had at one time charge of the defendant's mother? I did. Now those functions have ceased have they not? Yes sir, years ago.

Mr. Weeks. That is the case for the people.

Louis Magnus, sworn and examined in his own behalf testified. How old are you? Twenty one. Where do you reside? No. 61 East 110th street. What is your business? Clerk. I have heard the testimony of Mr. Mulready. Give your story just as it occurred to the Court and jury how you went in that store and obtained those revolvers? I went in the store between the hours of nine and ten o'clock. I went up to the gentleman, Mr. Mulready. I did not know his name before. I only knew him by sight. I told him I wanted six pistols. He asked me what kind? I told him Smith and Wesson 38. I told him I wanted something about seven dollars. He told me he did not have that price, \$9.75 less ten per cent. I told him that would do, to give them to me. I went out and came back in ten minutes and they were not ready. He told me to wait and he would deliver them to me in about two seconds, they were to be charged. He delivered me the goods, and he asked me what he should do with the bills. He asked me if I wanted three, and I told him, yes. I told him he could do what ever he felt like with them. He said, you had better take them along and save trouble. He delivered me the goods not asking me any questions, what

I wanted them for; nor taking a receipt for them. I have been in the habit of going in the store and leaving orders. At that time I had orders the same as usual, but I never received any goods from him before, and he never gave me any bills; he always sent the bills through the mails. When you went into the store to obtain these revolvers did you during any conversation that you had with ~~Mc~~ already mentioned the name of Leopold Frank or Sep Birsch & Co? No sir.

Cross Examined. Where were you born? In this city. Did you ever live anywhere else? Yes sir. When did you leave New Orleans? Last summer. Were you in jail in New Orleans for two years just before you left there and came north? I refuse to answer.

By the Court. You may refuse to answer if you base your refusal upon the ground that it tended to criminate and degrade you; do you base it upon that ground? Yes, I was in jail. For what crime? For petty larceny. How much did you steal? Seventy dollars. Your brother-in-law Leopold Frank brought you up here didn't he? No sir. He did not contribute any money towards bringing you up here and trying to make a man

of you? No sir, not a cent. He never has done anything for you? I don't know what you call doing anything. He employed you after you got up here? Yes sir I could have got other positions besides that. Where could you have got any? I used to work for Mr. Henry before I left New York. Before you were in prison you worked for him? Yes sir, he told me he would give me another position. Knowing that you had been in prison? Yes sir, he knew it at the time. Is that the only time you were ever in prison? Yes sir, the only time. You went into Schwerling, Daly and Gales. For the purpose of getting these six revolvers without any intention of paying for them, didn't you? I do not know what you mean by the question. Did you tell them about charging the goods to anybody? No. Did you offer to pay for them when you got them? No. Who did you think they would be charged to? I did not care who they charged them to. You never intended to pay for them - you wanted to get Schwerling, Daly and Gales goods, is that right, without paying for them? I wanted to get the pistols - yes sir. What did you do with the pistols after you got them? I pawned them. Where did you pawn

there? In a pawn shop of course. How soon?
I cannot tell how soon, right after that.

Was it the same day? The same day.

How much money did you get on them?

I do not remember, fourteen or fifteen dollars.

The \$7.40 that was found in your possession when you were arrested was part of

the fourteen or fifteen dollars that you

got on the pistols? No sir. What became

of the fifteen dollars you got? I paid off

debts. You spent it all? No sir. How

much did you spend? Very nearly all

of it. Where did you get the seven dollars

and fifty cents? It was my own money.

You used part of the proceeds of your theft

to pay your debts and kept your own

money in your pocket, is that it? Yes.

When you went into the store of this firm

did you pull out a letter? No, I had no

letter. You did not read anything from

a letter? No sir. The clerk delivered me

three bills, but I did not look at them.

I don't know what I did with them. I

threw them away or tore them up. I put

them in my pocket. I don't know what

became of them.

The jury rendered a verdict of guilty.

He was sent to the state prison for

five years.

10 19

Testimony in
The case of
Louis Magnus
filed

Jan. 192

30th

1020

1877.

CITY AND COUNTY }
OF NEW YORK, } ss.

Leopold Frank
aged 43 years, occupation Merchant of No.

40 West 17th Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Robert W. Sudreay

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

Sworn to before me, this 13 day of Jan 1893 } *Leopold Frank*

[Signature]
Police Justice.

1021

Police Court

1 District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Robert W. McCreedy
of No. 302, Broadway Street, aged 32 years,
occupation Fire armorer being duly sworn,
deposes and says, that on the 11th day of January, 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:

Six revolvers together of the
value of Fifty - dollars

the property of Schouering. Daily paid
bills but in deponent's charge

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by Louis Magnus
from the fact that said
Magnus came to deponent's
place of business and stated
he had been instructed by
Leopold Frank a customer of
the firm to get said property
and charge it to his account.
Deponent believing the statement
made by said Magnus
said Magnus who departed
with the property and says
that he has been informed by
said Frank that said Magnus
at the time was out of his employ

Sworn to before me, this

of

189

day

Police Justice.

1022

swear that he did not instruct
him to get said property and
that he has not received it.

Robert W. Mulready

Sworn to before me this
13th day of January 1893

W. T. Anderson
Police Justice

1023

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Louis Maguire 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. *Louis Maguire*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *N.Y.*

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

Answer. *61 E 110 St.*

Question. What is your business or profession?

Answer. *Blank.*

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 at present*

Louis Maguire

Taken before me this

day of *Dec* 188*9*

H. M. ...

Police Justice.

1024

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.....

[Handwritten signature]

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

Dated Dec 13 1892..... *[Handwritten signature]* Police Justice.

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

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

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

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

275-508

45

Police Court--- District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

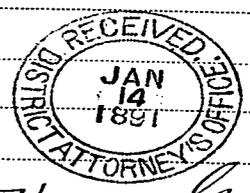
Robert W. Mulvaney
309 Bay
Louis Magnus.

James
Sherrin

Date *Jan 13* 189*2*
James Magistrate.
Sherrin Officer.

Witnesses *S. Frank*
No. *4576 Bay* Street.

No. _____ Street.
No. _____ Street.



\$ *1500* to *G.S.*
Wey

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Dominic Magnano

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

Dominic Magnano

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

The said Dominic Magnano,

late of the City of New York, in the County of New York aforesaid, on the 25th day of January, in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms, with intent to deprive and defraud Augustus Dehouedring, Charles Dehouedring and Joseph Dehouedring, partners, then and there doing business in and by the firm, name and style of Dehouedring, Dehouedring and Dehouedring,

of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to the said partners,

That he the said Dominic Magnano had been sent to the said firm by one Joseph Francis, one of its customers, then and there to receive and obtain from the said firm six hundred dollars of the same moneys hereinafter described, for and on account of the said Joseph Francis, and to be charged to his account.

And the said ~~compartments~~, —

then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said Davis Magnus —

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said Davis Magnus, six quills of the value of eight dollars, and thirty three cents each,

of the ~~proper moneys~~, goods, chattels and personal property of the said ~~compartments~~, —

And the said Davis Magnus — did then and there feloniously receive and obtain the said ~~proper moneys~~, goods, chattels and personal property, from the possession of the said ~~compartments~~, —

by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said ~~compartments~~, —

of the same, and of the use and benefit thereof, and to appropriate the same to his own use

Whereas, in truth and in fact, the said Davis Magnus had not been paid by the said Donald Frank for the said spin and due to receive from it the said six quills two and one

account of the said Joseph Grant, to be charged to his account.

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said Louis Magnus to the said Corporation was and were then and there in all respects utterly false and untrue, as the said Louis Magnus at the time of making the same then and there well knew ;

And so the Grand Jury Aforesaid, do say that the said Louis Magnus in the manner and form aforesaid, by the means aforesaid, the proper moneys, goods, chattels and personal property of the said Corporation then and there feloniously did STEAL, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,
District Attorney.

1029

BOX:

464

FOLDER:

4264

DESCRIPTION:

Mallett, Edwin A.

DATE:

01/12/92



4264

Witnesses:

1

Sut' crampth

Counsel.

Filed, 12 day of Jan 1892

Pleas, *Magulby H*

THE PEOPLE

vs.

Edwin A. Mallett
(5 cases)

Grand LARCENY, 2nd degree
(MISAPPROPRIATION)
(Sections 528 and 531 of the Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Charles De Forest

Toreman.

730

In Re)
: Affidavit opposing Indictment.
M A L L E T T)

State of New York)
: ss.
City and County of New York)

Edwin A. Mallett being duly sworn, deposes and says; I am the plaintiff in an action now pending in the Supreme Court, in which Alfred B. Scott and Samuel W. Bowne are defendants.

The SUMMONS and COMPLAINT in that action were served December 11th, 1891.

THAT on the 30th day of December, 1891, the defendants appeared therein by Robert W. Todd their attorney by serving a notice of appearance on Wm. Allen my attorney in said action.

THAT defendants time to answer or demur therein expired on the 31st day of December, 1891.

THAT on said date said defendants attorney served an order granted by His Honor, Mr. Justin Andrews extending defendants time to answer 20 days from said date.

THAT said action is brought to recover the sum of \$2,000. the amount due and owing me for services rendered the defendants covering a period of over a year and a half last past.

THAT during said period this deponent has negotiated for and purchased several pieces of property for said defendants or under their direction which are more fully described in the complaint herein referred to and

has had sole charge of said premises during said period,

Deponent admits that there is a small balance of money remaining in his hands by reason of such employment, and alleges that the same is less than \$500., which he holds subject to an accounting and to his lien for services,

THAT the said Bowne one of the defendants aforesaid by reason of the foregoing swore out a warrant against this deponent at the Tombs Police Court, charging this deponent with larceny, and thereafter and on or about the 29th day of December, 1891, this deponent appeared at the Tombs as aforesaid and surrendered himself waiving examination and giving bail in \$2,000. to appear at the Court of General Sessions whenever he may be required so to do.

All the facts set forth in the complaint in the action herein referred to I reaffirm and the amount of money in the complaint therein demanded is actually due and owing to me, and whatever charge can be brought against me by any person whomsoever is not only invited by me but I am prepared to meet it personally and allege and verily believe that the criminal proceedings was prompted solely and alone by the fact that I began the action aforesaid against my employers to recover money which was actually due me for services, and that the Criminal branch of the Courts is being used to settle a difference which is solely and entirely a matter for the Civil Courts to determine.

I now ask that in the event that the District

Attorney may deem it wise or expedient to submit the Criminal Charge against me to the action of the Grand Jury, that I shall be granted the privilege of an appearance and the giving of testimony in my own behalf either in the office of the District Attorney or that I shall be allowed to be used as a witness before the Grand Jury prior to the submission of the question of the finding of the indictment by them.

My age is forty years, I am married and have two children. I have resided in the City and County of New York, and have been engaged in business there for twenty years.

I have no interests of financial or domestic nature anywhere outside of the City and County of New York.

Should the District Attorney desire or require any further assurance with relation to my appearance when called upon (if at all) I respectfully ask that I shall have opportunity by notice, which may be served upon my attorney, Mr. William L. Allen, at 29 Broadway.

Sworn to before me this
7th day of January, 1892.)

Edwin A. Mallett

H. Woodworth
Commissioner of Land
New York City

In Re

MALLETT.

Affidavit opposing In-
dictment.

Wm. Allen
City for E. A. Mallett
29 Broadway
N.Y.

1035

*Robert W. Todd,
Attorney & Counsellor,
229 Broadway,
New York.*

February 16, 1892.

Mr. Bartow S. Weeks,
Assistant District Attorney,
New York City.

Dear Sir:--

I notice the Edwin A. Mallett cases are on the Day Calendar for trial before Mr. Justice Martine. Late last evening my client, Mr. Bowne of Scott & Bowne, the complainants, had not received any subpoena to attend the trial and I write this to ascertain whether it is your purpose to proceed with the trial to-day or to simply fix an early day when the case will be tried. We are anxious to have the case disposed of and the witnesses are accessible and can be had upon a very short notice. I write thus early in order to get the witnesses together if it is your desire to proceed with the trial to-day.

The bearer will wait for an answer.

Yours truly,

Robert W. Todd

State of New York }
 New York Co } C. S. Harrow
 being duly sworn deposes and
 says that the within statement
 by him signed is correct and
 sworn to before me this 18th day
 of April 1892

Geo. F. Vail
 Notary Public
 N.Y.C.

Central Sect. Epis. Church
 New York -
 April 18, 1892 -

This is to certify that I have
 known Edwin S. Mallett and his
 family for more than three years,
 members of the Church of which I am
 Pastor. He has seemed to be
 an industrious and right minded
 man every way: a faithful and
 considerate husband; a thoughtful
 and affectionate father.

Without knowing any thing of the
 damaging evidence against him now
 I can sincerely say as far as possible

Attenuation of his guilt, and
bespeak great mercy in dealing
with him, in view of his weak
and most deserving wife, and
his devoted sons, as well as of
own future.

C. S. Harrower
Pastor Central
M. E. Church

Court of General Sessions.

The People

-against-

EDWIN A. MALLET.

City and County of New York, ss:-

John Quinn, being duly sworn, deposes and says that he is engaged in business at No. 194 Grand Street in the City of New York. That he has been personally acquainted with the above named defendant for the past eight years, and that he has always found this defendant to be upright, honest, sober, and industrious. That he knows a great many persons who know this defendant, and that defendant's reputation among these friends and acquaintances is of the very best, and that it has never before been questioned.

Sworn to before me this :

25 day of April, 1892. :

Harry W. Adams
Notary Public
City & County of NY

John Quinn

Court of General Sessions

The People
 against
 Edwin A. Mallard

City & County of New York, ss:-

Andrew F. Kennedy, being duly sworn deposes and says that he is engaged in business at No. 12, Courtlandt Street in the City of New York, that he knows the above named defendant with whom he has been acquainted personally for eight years. Deponent further says that the defendant is an honest, sober and industrious man, and has always maintained a good reputation among those who know him. Deponent further says that he knows a great many other persons who know the defendant, and that the defendant's reputation among his friends and acquaintances is of the very best and has never before been questioned.

Sworn to before me this
 22nd day of April, 1842

Thomas Tierney

Notary Public Kings County.

Filed in Kings County

A. A. Strong
 12 Courtlandt St. N.Y.

1040

Affidavit of

Andrew J. Kennedy

State of New York } ss.

County of New York }

John L. Jones Jr being
 duly sworn deposes and says that
 he is an Attorney and Counselor at
 Law of this State and has been
 in active practice for the past
 fifteen years, with Office at 59-
 Liberty Street. That he has been
 acquainted with Edwin A. Mallett
 some four years, having done
 considerable business for him
 and always found him honest
 and fair in his transactions
 and truly believe this to be his
 first offence, and would urge
 any clemency that Your Honor
 might feel justified in attending,
 and that he would not again be found
 in the unfortunate position in which
 he now is, and that it would save
 from a broken heart a wife who
 is not well and who is now
 almost heart-broken.

Given to before me, John L. Jones Jr
 this 25th day of Apr. 1892
 Thomas Jacobson

1042

Affidavit of

John L. Jones Jr

COURT OF GEBERAL SESSIONS

-----x
 :
 T H E P E O P L E :
 :
 against :
 :
 E D W I N A . M A L L E T T :
 :
 -----x

City & County of New York, ss:

ANSON BEEBE STEWART being duly sworn, says: That he and the above named defendant have been acquainted with each other for more than Seven years. and that during such time he has known defendant to be sober and industrious and most attentive to all business engagements.

Deponnt further says that he knows several persons who are acquainted with the above named defendant, and that his reputation among these persons is good.

Sworn to before me this : *Anson Beebe Stewart*
 21 day of April, 1892.:
John J. Tracy
 Notary Public
 N. Y. Co.

STATE OF NEW YORK)
CITY AND COUNTY OF NEW YORK) SS:

(Ed.C)

THOMAS E. STURGEON being duly sworn deposes and ^{having his office at 119 Nassau St} says that he is a real estate broker in the City of New York, that he has know Edwin A. Mallett in a business way for some years and has transacted considerable business through him and always found him honest and honorable in his business transactions.

Thomas E. Sturgeon

Sworn to before me this)
18th day of April, 1892.)

Robert A. Chappell
notary Public

(126)

N.Y. Co

Court of General Sessions.

----- X
 The People ;
 -against- ;
 EDWIN A. MALLETT. ;
 ----- X

City and County of New York, ss:-

HENRY P. NIEBUHR being duly sworn deposes and says that he is engaged in business at No.502 West 145th Street, in the City of New York. That he has known the defendant for the past six years or more, and that during that time he has always found him to be upright and honest in all his dealings with him. That he knows a number of persons who know this defendant, and that among his friends and acquaintances, defendant bears a reputation of the very best character.

~~Sworn to before me this :~~

19th day of April, 1892. :

Witness
 R. M. ...

Henry P. Niebuhr

Sworn to before
 me this Day, 21st April.

J. J. Hayden
 Notary Public
 N.Y. Co.

State of New York }
County of New York } ss.

I John L. Jones Jr being
duly sworn do depose and say that
I am an Attorney & Counselor at
Law of this State and have been
for the past fifteen years. Office
57 Liberty Street. Am acquainted
with, and have known, Edwin
A. Mallett some four years,
have done business for him,
and always found him honest
and fair in his dealings.
And truly believe this to be the
first offence he has ever been
charged with, and that it
is a case in which a suspen-
sion of sentence would be in
every way justifiable, and that
he would not again be found
in the unfortunate position
in which he is now. And that
it would save from a broken
heart, a wife who is not well
and who is now almost half-
broken.

John L. Jones Jr

Subscribed and sworn to before me
this 16th day of June 1892 }
D. N. Baughman }
NOTARY PUBLIC
KINGS COUNTY,
CERTIFICATE FILED IN
NEW YORK COUNTY.

1049

Affidavit of
John L. Joseph

1050

N. Y. General Sessions Court.

The People &c.,

against

Edwin A. Kelly

Affidavit

LEVY, FRIEND & HOUSE,
ATTORNEYS,
WORLD BUILDING,
PARK ROW, COR. FRANKFORT ST.,
NEW YORK.

Due and timely service of a copy of the within
this day of 189
..... is hereby admitted.

Attorney for

Sir:

Please take notice, that the within is
a true copy of a
in the within entitled action, this day duly
entered, and filed in the office of the Clerk
of this Court.

Dated, N. Y., 189

Yours &c.,
LEVY, FRIEND & HOUSE,
Attys for

To
Esq.,
Attorney for

Moneys collected and retained by E. A. Mallett, from
 October 15th, 1890 to November 1891, inclusive.

1890			
OCT.	Mrs. Monahan \$15.	-----	\$ 15.00
NOV.	Mrs. Monahan \$30.	-----	30.00
DEC.	An Italian \$20.-Jung \$12.-Jabson \$11.	-----	43.00
1891			
JAN.	Rowarth \$60.-Jung \$12.-Jabson \$11.-Degan & Fallon \$12.	-----	95.00
FEB.	Rowarth \$60.00-Fehrman \$12.-Jung \$12.-Jabson \$11. Degan & Fallon \$12.-Mrs. Donnelly \$15.	-----	122.00
MARCH	Fehrman \$12.-Ryan \$10.-Jung \$12.-Jabson \$11.- Degan & Fallon \$12.-Mrs. Donnelly \$15.	-----	72.00
APRIL	Fehrman \$12.-Hausley \$10.-Lampson \$14.-Ryan \$10.- Jabson \$11.-Degan & Fallon \$12.-Donnelly \$15.	-----	84.00
MAY	Mrs. Gleason \$4.-Ryan \$10.-States \$9.-Heffer- man \$12.-Mrs. Donnelly \$15.	-----	50.00
JUNE	Mrs. Gleason \$4.-Connors \$13.-Ryan \$10.-States \$9.- Hefferman \$12.- Mrs. Donnelly \$15.	-----	63.00
JULY	Mrs. Gleason \$4.-Zipsis \$1.-Riddle \$1.-Demar- est \$1.-Smith \$8.-States \$9.-Hefferman \$12.- Mrs. O'Donnell \$14.-Mrs. Donnelly \$15.	-----	65.00
AUG.	Mrs. Gleason \$4.-Connors \$13.-Ryan \$10.-Riddle \$13.-Hurley \$8.-McNally \$8.-Mrs. Donnelly \$15.- Mrs. Murphy \$25.-Freeman \$16.-Mrs. O'Donnell \$14.	-----	126.00
SEPT.	Mrs. Gleason \$4.-Connors \$13.-Yeaton & Glyn \$37.- Dunn \$13.-Hurley \$8.-McNally \$8.-Mrs. Donnel- ly \$15.-Mrs. Murphy \$25.-Freeman Bros. \$16.- Mrs. O'Donnell \$14.	-----	153.00
OCT.	Campora (part of Sept. & whole of Oct.) \$11.66- McNally \$8.-Mrs. Murphy \$25.	-----	44.66
	No. 59 Ross Street. Winninger--from various months	-----	125.00
NOV.	All of the rents amounting to	-----	\$447.35
		TOTAL	\$1635.01

1052

*Robert W. Todd,
Attorney & Counsellor,
229 Broadway,
New York.*

April 8th, 1892.

Bartow S. Weeks, Esq.,
Assistant District Attorney,
New York City.

Dear Sir:--

When I saw you the early part of last month in reference to the several indictments against Edwin A. Mallett, you gave me the positive assurance that you would have the cases tried during the Month of March and told me that I might rely upon it. I rested in confidence upon your promise and so did my clients, Messrs. Scott & Bowne, and they have been greatly disappointed in not having the cases tried. Will you kindly send me word whether they will be tried this month and if not, what disposition you expect to make of these cases? I have not been to see the District Attorney or any one else excepting yourself about the cases, but my clients feel that justice demands that they should be tried and I think you fully coincided with that view when I last saw you.

Will you kindly let me hear from you and greatly oblige,

Yours truly,

Robert W. Todd

Monday Apr 18

To the Honorable Recorder Sayre
 My dear Judge

Allow me to speak a word in
 behalf of Mr. Mallett who comes up
 for sentence tomorrow. I am the Pastor
 of the Central M. E. Church of which the
 family are members. I have known them
 three years - regard him a well-meaning, in-
 dustrious man, a faithful husband towards
 his wife who is always invalid, a kind &
 considerate to his step sons.

If consistent with justice, a suspension
 of sentence will be an act of great
 mercy to his family as I believe.

Very Respectfully

C. S. Harrower

Pastor Central Church

Rec'd from Court of Gen. Session
Judicial Paper Re People v. Cain & Mallett

Est. Hope
~~Stenographer~~ 12th Court
~~Amber~~

May 1 89

1055

Police Court _____ District. Affidavit—Larceny.

City and County }
of New York, } ss: Samuel W. Browne

of No. 132 South 5th Avenue Street, aged 49 years,
occupation Chemist being duly sworn,

deposes and says, that on the 2 day of November 1891 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:

Four hundred and forty six dollars and twenty six cents good and lawful money of the United States.

the property of Messrs Scott and Browne and in
deponent's care and charge

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 Edwin A. Mallett for the reason that deponent collected the above described property as rent in various amounts from diverse persons. The said Mallett has admitted to deponent that he has collected the same and has appropriated them to his own use. Wherefore deponent prays that the said Mallett be arrested and dealt with as the law directs.

Samuel W. Browne

Subscribed before me, this
1891 day of
November 1891
Police Justice.

District Attorney's Office
City & County of
New York

Narrans put in hands
on 11th floor to 125 W.
97th - that way abt 7
inquired.
oclock & waited outside
until 11

Next morning at 6 am
waited until 7. 1/2 hr.
& then went into shoe store
shop until 10³⁰
& then went into house
& went all through house
except top floor -
Drew there 20 minutes
& also followed
& also watched his
lawyers office

Sec. 151.

Police Court / District.

CITY AND COUNTY }
OF NEW YORK, }

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Samuel W. Brown of No. 132 Pratt Street, that on the 2 day of November 1891, at the City of New York, in the County of New York, the following article, to wit:

four hundred and forty six dollars and thirty six cents good and lawful money of the United States of the value of four hundred and forty six 36/100 Dollars, the property of Scott and Brown w. ~~as~~ taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by Edwin A. Mallett

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

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

Dated at the City of New York, this 1 day of December 1891

Solon B. ... POLICE JUSTICE.

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated Dec 11 - 1891

Smith Magistrate.

English Officer.

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

Dath English Officer.

Dated Dec 29th 1891

This Warrant may be executed on Sunday
or at night.

Call on Compt Police Justice.
bet 10 & 11 am.

46
10
U.S.
Agent
m
yes

128 W 97 St

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

District Police Court.

Carroll A. Mallon 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. *Carroll A. Mallon.*

Question. How old are you?

Answer. *40 years*

Question. Where were you born?

Answer. *W.P.*

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

Answer. *128 W-97th St.*

Question. What is your business or profession?

Answer. *Real Estate Broker*

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 and I waive further examination*

Edwin A. Wallcott

Taken before me this *27*
day of *December* 19*37*
W. J. Wallcott
Police Justice

1060

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

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

Dated Dec 29 91 18..... H. Aspelde Police Justice.

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

Dated Dec 29 91 18..... H. Aspelde 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.

11/25. 7425. 74 W 1602

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel W. Browne
28. 132 S. 5 Ave

1 Edwin A. Mallett

2 5 charges

3

4

Offence Larceny Felony

Dated December 29 1881

Smith Magistrate.

English Officer.

Cour. Precinct.

Witnesses

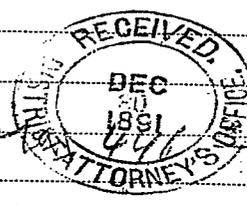
No. Street.

No. Street.

No. Street.

\$ 2000 to answer

Bailes
Bail out



BAILABLE

No. 1, by Andrew Kemmer
Residence 12 Chestnut Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

1062

*Robert W. Todd,
Attorney & Counsellor,
229 Broadway,
New York.*

February 17, 1892.

In the matter of the indictments
against Edwin A. Mallett.

Mr. Bartow S. Weeks,
Assistant District Attorney,
New York City.

Dear Sir:--

My clients, Messrs. Scott and Bowne, were considerably disappointed to find that the above case did not appear upon the calendar before Mr. Justice Martine to-day. They are very anxious that the cases shall be disposed of as soon as possible as they feel that the embezzlements of a confidential agent should be punished speedily after the act has been committed.

Will you kindly inform me by beaver what disposition has been made of the cases and when they are likely to be tried, and oblige,

Yours truly,

Robert W. Todd

2.

repeatedly promised to pay the same, yet he still withholds and refuses to pay over the said moneys.

That the said Mallett collected from the Roworth Manufacturing Company as rent for the use of the store and basement occupied by them in the premises known as 415 Pearl Street for the Months of January and February, 1891, the sum of \$75.00 for each of said months but in his statement rendered to deponent's firm, he reported the store ~~was~~ occupied by the Roworth Manufacturing Company during said months, as being vacant, and paid over to deponent the sum of \$15.00 for each of said months for the use of the basement in said premises as having been paid to him by Downs & Son, who had not as a matter of fact occupied the said basement at all during the said months of January and February, and withheld the balance of the said \$150.00 so collected by him, to wit, the sum of \$120.00 and appropriated the same to his own use and has never paid the same to the deponent or his firm.

That the said Edwin A. Mallett also collected from the firm of Degan and Fallon who occupied the store and basement in the premises 417 Pearl Street during the Months of January, February, March and April, ¹⁸⁹¹ the sum of \$45.33 for each of the said four months so named.

That the said Mallett reported to deponent and his firm that he had collected from the said Degan and Fallon only the sum of \$33.33 for each of the aforesaid four months and thereby withheld from deponent and his firm the sum of \$12.00 for each of the ~~four~~ months, making a total of \$48.00 which he has misapplied and appropriated to his own use and withheld from deponent's firm.

3.

That the said Edwin A. Mallett collected from the firm of R. Freeman & Bro. who occupied the basement in the premises known as 61 Rose Street during the Months of August and September, 1891, the sum of \$16.00 for each and every month but in his returns to deponent and his firm, reported the said premises so occupied by R. Freeman & Bro. as being vacant and appropriated the rent so collected by him to his own use.

4 That the said Edwin A. Mallett collected from one Hefferman who occupied the apartment known as the fourth floor front west in the premises known as 415 Pearl Street during the Months of May, June and July, 1891, the sum of \$12.00 for each and every month and in his returns to deponent and his firm, reported the apartments so occupied by the said Hefferman as being vacant during the said months and appropriated to his own use the said sum of \$36.00 so collected by him as rent from the *said Hefferman*.

5 That the said Edwin A. Mallett collected from one O'Donnell who occupied the second floor of the premises known as 61 Rose Street during the Months of July, August and September, 1891, the sum of \$14.00 for each of said months and failed to report the same in returns to deponent and his firm, and appropriated the said sum to wit, \$42.00 so collected from the said O'Donnell to his own use.

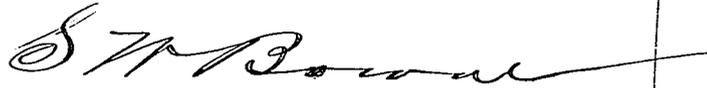
Deponent further says that he has within the last sixty days upon an investigation of the returns of Edwin A. Mallett made to his firm of Scott and Bowne, learned of various sums collected by the said Mallett as rents from various parties who have occupied as tenants some portion of the aforesaid

4.

premises, the sum of about \$1000.00 in the aggregate which he has made no report or return of to deponent's said firm but has appropriated the said money so collected to his own use.

Deponent therefore respectfully asks the district attorney and his office that when the charge, which is now pending and for which said Edwin A. Mallett has been arrested, shall be brought before the attention of the Grand Jury of this County, that the other charges herein enumerated and referred to may be investigated by the said Grand Jury and such other and further indictments as may seem best may be returned by the said Grand Jury against the said Edwin A. Mallett.

Sworn to before me this



6 day of January, 1892.


Notary Public
N. Y. Co.

County of New York

In the matter of the
various embegglements

of
Edwin A. Mallett

Dec 27/90	\$ 60.-
Jan 2/91	60.-
Jan 7/91	120.-
Jan 11/91	174.-

27

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

THE PEOPLE OF THE STATE OF NEW YORK
against

Edwin A. Mallett

The Grand Jury of the City and County of New York, by this indictment, accuse
Edwin A. Mallett
of the CRIME OF ~~Perch~~ LARCENY, committed
as follows:

The said *Edwin A. Mallett*

late of the City of New York, in the County of New York aforesaid, on the *first*
day of *September* in the year of our Lord one thousand eight hundred and
ninety-*ones* at the City and County aforesaid, being then and there the *clerk*
and servant of *Alfred B. Scott and*
Samuel W. Bowne, copartners

and as such *clerk and servant* then and there having in his
possession, custody and control certain goods, chattels and personal property of the said
Alfred B. Scott and Samuel W. Bowne
the true owner thereof, to wit:

the sum of fourteen
dollars in money, lawful money
of the United States of America,
and of the value of fourteen dollars

the said *Edwin A. Mallett* afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said *sum of money*

to his own use, with intent to deprive and defraud the said *Alfred B.*
Scott and Samuel W. Bowne
of the same, and of the use and benefit thereof; and the same goods, chattels and personal
property of the said *Alfred B. Scott and Samuel W. Bowne*

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

DE LANCEY NICOLL,
District Attorney.

Witnesses:

Counsel.

Filed,

day of

1892

Pleas,

THE PEOPLE

vs.

Edwin A. Mallett

(5 cases)

(Sections 528 and 532 of the Penal Code.)

Petit
LARCENY,
(MISAPPROPRIATION.)

DE LANCEY NICOLL,

District Attorney.

JUN 20 11 15 AM '92

A TRUE BILL.

Chas. C. DeForest

Townman.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Edwin A. Mallett

The Grand Jury of the City and County of New York, by this indictment, accuse
Edwin A. Mallett
of the CRIME OF Grand LARCENY, in the second degree, committed
as follows:

The said Edwin A. Mallett

late of the City of New York, in the County of New York aforesaid, on the second
day of November in the year of our Lord one thousand eight hundred and
ninety-one, at the City and County aforesaid, being then and there the agent
and bailee of Alfred B. Scott, and Samuel
W. Bowne, copartners

and as such agent and bailee then and there having in his
possession, custody and control certain goods, chattels and personal property of the said
Alfred B. Scott and Samuel W. Bowne
the true owner thereof, to wit:

the sum of four hundred
and forty-six dollars and thirty-six
cents in money, lawful money
of the United States of America,
and of the value of four hundred and
forty-six dollars and thirty-six cents;

the said Edwin A. Mallett afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said sum of money -

to his own use, with intent to deprive and defraud the said Alfred B.
Scott and Samuel W. Bowne
of the same, and of the use and benefit thereof; and the same goods, chattels and personal
property of the said Alfred B. Scott and Samuel W. Bowne

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

DE LANCEY NICOLL,
District Attorney.

Witnesses:

Counsel.

Filed,

Day of

1892

Pleads,

THE PEOPLE

vs.

Edwin A. Thallott

(5 years)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Chas. J. DeForest

Toreman.

Edwin LANCEY NICOLL
(MISAPPROPRIATION.)
(Sections 528 and 537 of the Penal Code.)

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

THE PEOPLE OF THE STATE OF NEW YORK
against
Edwin A. Mallett

The Grand Jury of the City and County of New York, by this indictment, accuse
Edwin A. Mallett
of the CRIME OF Petty LARCENY, committed
as follows:

The said Edwin A. Mallett,
late of the City of New York, in the County of New York aforesaid, on the first
day of July in the year of our Lord one thousand eight hundred and
ninety-one, at the City and County aforesaid, being then and there the clerk
and servant of Alfred B. Scott and
Samuel W. Bowne, copartners

and as such clerk and servant then and there having in his
possession, custody and control certain goods, chattels and personal property of the said
Alfred B. Scott and Samuel W. Bowne
the true owner thereof, to wit:

the sum of twelve
dollars in money, lawful money
of the United States of America,
and of the value of twelve dollars:

the said Edwin A. Mallett afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said sum of money

to his own use, with intent to deprive and defraud the said Alfred B.
Scott and Samuel W. Bowne
of the same, and of the use and benefit thereof; and the same goods, chattels and personal
property of the said Alfred B. Scott and Samuel W. Bowne

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

DE LANCEY NICOLL,
District Attorney.

Witnesses:

Counsel.

Filed,

day of

1892

Pleads,

THE PEOPLE

vs.

Edwin A. Mallett

(5 cases)

(Sections 528 and 537 of the Penal Code.)

ROBERT LANCEY, (MISAPPROPRIATION)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Chas. J. De Forest

Toreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edwin A Mallett

The Grand Jury of the City and County of New York, by this indictment, accuse Edwin A. Mallett of the CRIME OF Grand LARCENY, in the second degree, committed as follows:

The said Edwin A. Mallett

late of the City of New York, in the County of New York aforesaid, on the 22nd day of December in the year of our Lord one thousand eight hundred and ninety- , at the City and County aforesaid, being then and there the clerk and servant of Alfred B. Scott and Samuel W. Bowne, copartners

and as such clerk and servant then and there having in his possession, custody and control certain goods, chattels and personal property of the said Alfred B. Scott and Samuel W. Bowne the true owner thereof, to wit:

the sum of sixty dollars in money, lawful money of the United States of America, and of the value of sixty dollars

the said Edwin A. Mallett afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said sum of money

to his own use, with intent to deprive and defraud the said Alfred B. Scott and Samuel W. Bowne of the same, and of the use and benefit thereof; and the same goods, chattels and personal property of the said Alfred B. Scott and Samuel W. Bowne

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

DE LANCEY NICOLL, District Attorney.

1075

BOX:

464

FOLDER:

4264

DESCRIPTION:

Marcus, Bertha

DATE:

01/19/92



4264

1917
W. E. Clark

Counsel,
Filed, 19 day of May 1897
Plends, *Aggrieved*

Witnesses:

KEEPING A HOUSE OF ILL-FAME, ETC.
(Sections 322 and 385, Penal Code.)

THE PEOPLE

vs. B

Bertha Marcus
(2 Cases)

DE LANCEY NICOLL,
District Attorney

July 15/97
July 24/97
A TRUE BILL.

Chas. J. DeForest

Foreman.
I, the undersigned, do hereby certify that
of this case a copy of the
Complaint sent to the Court
of Special Sessions,

Part III, April 6, 1897.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Bertha Marcus

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

Bertha Marcus

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES WITHOUT A LICENSE, committed as follows:

(III. Revised Statutes, 7th edition, page 1901, Sec. 13.)

The said *Bertha Marcus*

late of the City of New York, in the County of New York aforesaid, on the *twenty-sixth* day of *December* in the year of our Lord one thousand eight hundred and ninety *one*, at the City and County aforesaid, certain strong and spirituous liquors, and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantity less than five gallons at a time, to

one William W. Finn and to certain *other* persons whose names are to the Grand Jury aforesaid unknown, without having a license therefor, as required by law, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1883, chapter 810, Sec. 5.)

SECOND COUNT—

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

Bertha Marcus

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND BEER, WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said *Bertha Marcus*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, and at the premises there situate, known as number

Eleven, First Street

certain strong and spirituous liquors, and certain ales, wines and beer, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell to

one William W. Finn and to certain *other* persons whose names are to the Grand Jury aforesaid unknown, to be drank upon the premises aforesaid, without having a license therefor, as required by law, 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.

Witnesses:

.....
.....
.....
.....

198 L. Frank

Counsel,

Filed

day of

1892

Pleads,

Chapman

THE PEOPLE

vs.

B

Bertie Marcus
(? Cases)

VIOLATION OF EXCISE LAW.
(Selling without License.)

[Ill. Rev. Stat. (7th Edition), page 1381, § 13, and of 1884, Chap. 349, § 5.]

DE LANCEY NICOLL,

District Attorney.

22 Feb 92

A TRUE BILL.

Chas. J. DeForest
Foreman.

Complaint sent to the Court
of Special Sessions,

Part III, April 6, 1892.

1079

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

470

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST

Bertha Marcus

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

Bertha Marcus

(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 *Bertha Marcus*

late of the *Eleventh* Ward of the City of New York, in the County of New York aforesaid, on the *twenty-sixth* day of *December* in the year of our Lord one thousand eight hundred and ninety *one*, 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

Bertha Marcus

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

Bertha Marcus

(Sec. 325,
Penal Code.)

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

The said *Bertha Marcus*

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

ninety—*one*—, 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

— *Bertha Marcus* —

(Sec. 322,
Penal Code.)

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed, as follows :

The said

— *Bertha Marcus* —

late of the Ward, City and County aforesaid, afterwards, to wit: on the *twenty-sixth* day of *December* in the year of our Lord one thousand eight hundred and ninety—*one* 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.

1081

BOX:

464

FOLDER:

4264

DESCRIPTION:

Margrett, Edward

DATE:

01/07/92



4264

Police Court 4 District.

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

of No. 222 E. 29th Street, aged 31 years,
occupation Brewer being duly sworn

deposes and says, that on the 25 day of December 1891 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Edward Margiotta (now here) who wilfully and maliciously pointed, aimed and discharged, one shot from a revolving pistol, he then and then held in his hand at-
tempt.

Deponent further says that such assault was committed;

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

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

Sworn to before me, this 25 day }
of Dec 1891 } Rocco Capodanno

John H. Gray Police Justice.

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK,

Edward Margritto

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. *Edward Margritto*

Question. How old are you?

Answer. *24 years old*

Question. Where were you born?

Answer. *Italy*

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

Answer. *229, E. 74th St 1 year*

Question. What is your business or profession?

Answer. *Porter*

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
Eve Margrett*

Taken before me this

day of *June*

1916

Joseph Brady
Police Justice

1085

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 Dush

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

Dated *Nov 25* 18 *91* *John H. Brady* Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

Police Court--- 4 1592 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Rocco Cappano
222 E 29th St.
Edward Margitto

Offence
Assault

Dated Dec 25 1891
Grady Magistrate.
McDermott 511 Officer.
Precinct.

Witnesses
No. Tony Krepka and
Ida C. C. Padavano Street.
232 E 29th St.
No. Louisa C. Padavano
222 E 29th St.
No. Street.

\$ 2500 to answer
G.S.
C.M.M.
Ambr. -
M. K.

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against Edward Margratt

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

Edward Margratt of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Edward Margratt

late of the City of New York, in the County of New York aforesaid, on the 25th day of December in the year of our Lord one thousand eight hundred and ninety-one, with force and arms, at the City and County aforesaid, in and upon the body of one Rocco Cappano in the peace of the said People then and there being, feloniously did make an assault and to, at and against the said Rocco Cappano a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said Edward Margratt in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge with intent to kill the said Rocco Cappano thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

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

The said Edward Margratt

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Rocco Cappano in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against the said Rocco Cappano

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said Edward Margratt

in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, 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.

1088

BOX:

464

FOLDER:

4264

DESCRIPTION:

Mascolo, Giovanni

DATE:

01/18/92



4264

165

Racey

Counsel,
Filed *18* day of *January* 1892
Pleads, *Magistry 19*
THE PEOPLE

Arsault in the First Degree, Et c.
(Sections 217 and 218, Penal Code.)

vs.

Sivanni Masols
Theloff
Spud & Acquitted.

DR LANCEY NICOLL,
District Attorney.

1892
Part I Feb 18. 92
A TRUE BILL.

Edward R. Forest

Foreman.

1892
Jan 27th
G. S. [Signature]

Feb 11/92 DHD

Witnesses:

Police Court _____ District.

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

Louis Alphon

of No. 4 Albany Street, aged 28 years,
occupation Barber being duly sworn

deposes and says, that on the 21 day of December 1889 at the City of New

York, in the County of New York, in 43 Washington Street

he was violently and feloniously ASSAULTED and BEATEN by Giovanni
Mascolo (now here) - and two other persons
one Pasquale Copolongo already arrested and
held to answer in One thousand dollars bail -
Papera now at the District Attorney's Office -
The said Mascolo did feloniously cut and
stab deponent three times with a knife then
and there held in his hand - cutting deponent
in the face, hand and back

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

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

Sworn to before me, this 27 day }
of December 1889 } Louis Alphon

J. C. ... Police Justice.

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Giovanni Mascolo 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. Giovanni Mascolo

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. I Italy

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

Answer. 42 Washington Street - 4 years

Question. What is your business or profession?

Answer. Barber

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.

Giovanni Mascolo

Taken before me this 27
day of September 1891
Police Justice.

1092

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 ~~Less~~ *1000* 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 *Nov 30* 18 *91* *[Signature]* Police Justice

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

Dated..... 18 Police Justice.

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

Dated..... 18 Police Justice.

W-21

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Louis Alphon
H Albans.
1 Giovanni Mascolo

Offence Assault
Felony

Dated December 27 1891

D. O'R Magistrate.

O'Connor Officer.

Squad Precinct.

Witnesses
\$1000 & Dec 30 1891

No. Street.

No. Street.

\$1000 to answer



[Signature]

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

The Justice presiding in this Court will hear and determine this case by reason of my absence

Don't do better
Police Justice

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

THE PEOPLE OF THE STATE OF NEW YORK,
against
Giovanni Mascolo

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

The said *Giovanni Mascolo*
late of the City of New York, in the County of New York aforesaid, on the *21st*
day of *December* in the year of our Lord one thousand eight hundred and
ninety-*one*, with force and arms, at the City and County aforesaid, in and upon
the body of one *Louis Alphon* in the peace of the said People
then and there being, feloniously did make an assault and *him* the said
Louis Alphon with a certain *knife*

which the said *Giovanni Mascolo*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,
with intent *him* the said *Louis Alphon*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York and
their dignity.

SECOND COUNT—

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

The said *Giovanni Mascolo*
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms, in and upon the body of the said
Louis Alphon in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *him* the said *Louis Alphon*
with a certain *knife*

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

De Lancey Nicoll
District Attorney.

1095

BOX:

464

FOLDER:

4264

DESCRIPTION:

Maurer, Christian

DATE:

01/07/92



4264

1096

BOX:

464

FOLDER:

4264

DESCRIPTION:

Maurer, Margaret

DATE:

01/07/92



4264

Witnesses:

Witness signature lines

A. Jay Eckhardt

number, filed leads, *July 1892*

1892

Grand Larceny, Second Degree, [Sections 529, 537] (Penal Code)

THE PEOPLE

vs.

Christian Mauer
(in case)
and
Margaret Mauer

DE LANCEY NICOLL,

District Attorney.

July 15, 92 B.W.

A TRUE BILL.

Chas. DeForest

P2 Jan 15, 1892 Foreman.

Arrested and convicted

P I

P3 Jan 19, 1892

Pen bond 19

Police Court - 2^d District.

Affidavit - Larceny.

City and County of New York, ss.

of No. 65 W 19th Street, aged 37 years, occupation Engraver being duly sworn, Charles Lewis deposes and says, that on the 25th day of December 1891 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property, viz:

One Over Coat and one Hat secured together about thirty six dollars \$38⁰⁰/₁₀₀

the property of Deponent

Sworn to before me this 27th day of December 1891

Police Justice

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 Margaret Murer and Christian Murer (both women) who were acting in concert

for the fact that deponent was accosted on W 26th Street by defendants Margaret and that after she had taken deponent to a room in a house on said street and had placed said property on a sofa in said room, that Defendant Christian came into said room and struck deponent a severe blow on the head with a cane and soon after deponent missed said property. Defendant Margaret was subsequently arrested and said property was found in a house in W 33rd Street. Deponent therefore charges the defendants with Larceny and prays that they be held to answer Charles Lewis

1099

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. Margaret Munn

Question. How old are you?

Answer. 28 years

Question. Where were you born?

Answer. Ireland

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

Answer. 212 W 26th Street 3 months

Question. What is your business or profession?

Answer. Keeps House

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

Answer. I am not guilty of stealing the property I took it for safe keeping

Mrs Margaret Munn

Taken before me this 17th day of February 1889

Judge Justice

1100

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Christian Maurer 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. *Christian Maurer*

Question. How old are you?

Answer. *48 years*

Question. Where were you born?

Answer. *Switzerland*

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

Answer. *212 W 26th Street 3 months*

Question. What is your business or profession?

Answer. *Washer*

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*

Christian Maurer

Taken before me this *17*
day of *March* 18*91*

[Signature]
Public Justice.

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

.....
guilty thereof, I order that *De Leunans* they be held to answer the same and they be admitted to bail in the sum of *Two* 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 *Decemr 27th* 18 *91* Police Justice. *[Signature]*

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

Dated..... 18 Police Justice.

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

Dated..... 18 Police Justice.

1607

Police Court--- V District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Chas Lewis
62 West 14th St
1 Christian Munn
2 Margaret Munn
3
4

Offence Larceny

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated DEC 27 1891

Hyman Magistrate.

McNiece Officer.

16th Precinct.

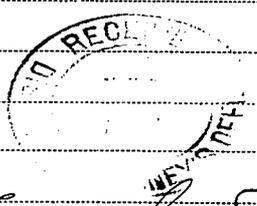
Witnesses call the officer

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 1000 each to answer M.S.



Can [initials]

POOR QUALITY
ORIGINAL

1103

COURT OF GENERAL SESSIONS,
CITY AND COUNTY OF NEW YORK.

-----X
The People : : Before
against : : Hon. Rufus B. Cowing
Christian and Margaret Maurer. : : and a Jury.
-----X

Tried January 15th, 1892.

APPEARANCES.

Assistant District Attorney Robert Townsend, for the
People;
H. J. Goldsmith, Esq., for the Defense.

C H A R L E S L E W I S, the complainant, testified that he liv-
ed at 62 West 19th Street, and was an engraver. At about 7
o'clock on the evening of December 25th, 1891, he was walking
in Sixth Avenue. He wore an overcoat, worth \$39., and a hat.
At Sixth Avenue and 26th Street he met the defendant Margaret
Maurer. She spoke to him and invited him to go to her apart-
ment. The room was in 26th Street, just beyond 7th Avenue.
It was on the third story of the house. He entered the sit-
ting room. He took off his overcoat and hat and put them on
a lounge. They were in conversation, when the door opened,
and Christian Maurer, the co-defendant, entered. The door

was not locked. He and Margaret Maurer had been in conversation only about five minutes when Christian Maurer entered. He, the complainant, was seated at a centre table, talking with Margaret Maurer. He, the complainant, did not see Christian Maurer until he, the complainant, was struck upon the head with a heavy cane by Maurer. He, the complainant, sprang up, to defend himself, and Maurer struck him several times more upon the head and body. He, the complainant, was in a half dazed condition. He distinctly saw Maurer's face, because, when he sprang up to defend himself, he faced Maurer. He, the complainant, identified the cane produced by the District Attorney as the cane with which Maurer assaulted him, the complainant. Then he, the complainant, got out of the room as rapidly as possible and went to the 20th Street police station. He first met Officer McNiece, and they went back to the room of the Maurers, to look for his, the complainant's, coat and hat. They found Christian Maurer there. Maurer said something that he, the complainant, could not understand, because it was in broken English, and attempted to assault him, the complainant, but the officer prevented the assault. Neither he, the complainant, nor Officer McNiece could find his, the complainant's, coat or hat. Then the officer took him, the complainant, to the 20th Street police station, where he made his complaint, and from there,

he was taken to the New York Hospital. On the following morning, in the Jefferson Market Police Court, he saw the defendant, Christian Maurer, and, on the morning following that -- Sunday morning -- he saw both of the defendants in the same police court. He had no conversation with the defendant in the police court. When he, the complainant, ran out into the street, from the Maurers' room, to escape from Christian Maurer, he did not think of his overcoat or hat, being afraid that Maurer would kill him. As soon as he saw Officer Mc-Niece, however, he went back with the officer to the room, to get his coat and hat.

In cross-examination the complainant testified that he was 27 years of age and unmarried. He had lived at 62 West 19th Street since the early part of October, 1891. He had never been arrested for, or charged with, any crime. On Christmas morning he got up about 7 o'clock, and had his breakfast about half-past nine. He, the complainant, drank four Manhattan cocktails before lunch and three after that. After he met Margaret Maurer they stopped in two saloons, and he drank two glasses of sherry. He did not say to Mrs. Maurer that he was looking for a housekeeper, and she did not offer to procure one for him. He, the complainant, was not so much under the influence of liquor that he did not know what occurred. He remembered distinctly her proposition to

him, and his agreement to her proposition. She asked him to go into two saloons, and treat her to drinks. He, the complainant, could not recall the exact conversation that occurred between them, in the room, because it was on general topics, and was of a trivial nature. He, the complainant, did have a small flask of whiskey in his pocket, and he did offer some of the whiskey to her. She took one drink. He did not have to force her to take the drink. She got a glass herself, and poured a drink out of the bottle. He, the complainant, did not see or hear Christian Maurer enter the room, and did not know that he was in the room until Maurer struck him the first blow. Maurer did not ask him, the complainant, what he was doing in the room, and he, the complainant, did not answer that he was there on business. He, the complainant, did not ask Maurer, "What's the matter with you? Who are you anyhow?" He, the complainant, was so much surprised and stunned by the assault that he said nothing to Maurer.

OFFICER PATRICK McNIECE testified that he had been connected with the Municipal Police Court for twelve years. He met the complainant, Lewis, in West 26th Street, on the evening of December 25th, 1891. The complainant was covered with blood. His shirt collar, his shirt, the breast of his coat and his

vest were all stained with blood. He had two ugly cuts upon his head, one in the centre of his forehead, and one over the left eye. The complainant told him, the officer, of the occurrence in the Maurers' room, and he, the officer, and the complainant went to the Maurers' room. It was on the third floor of the house No. 212 West 26th Street, about 150 west of 7th Avenue, on the south side of the street. It was a rear room. When they got to the room the door was open. The room was lighted. He, the officer, saw Christian Maurer in the room. He was standing in the middle of the room, with the cane that had been offered in evidence in his hand. He, the officer, told Maurer of Lewis's charge against him, and Maurer said that he had assaulted Lewis, in his own room, because he thought that Lewis had no business there, and that he had a right to assault him. He also admitted that he had struck Lewis upon the head with the cane. He, the officer, said to Maurer, "What about this man's overcoat and hat? He wants them." Then he, the officer, and the complainant made a general search of the room, but could not find the overcoat or hat. They even took the mattresses off of the bed and the clothing out of the closets and the trunks. Margaret Maurer, the co-defendant, was not in the room. He, the officer, arrested Christian Maurer, upon Lewis's complaint, and took him to the 20th Street police station. On

the following morning he, the witness, arraigned Maurer in the Jefferson Market Police Court, and Justice Hogan remanded Maurer to the station house, to give him, the witness, an opportunity to arrest Margaret Maurer. He, the witness, took Christian Maurer back to the station, and then went to Maurers' room, at 212 West 26th Street, and found Margaret Maurer in the room. It was then about twenty minutes past one o'clock in the afternoon. He, the witness, asked her where Lewis's overcoat and hat were, and she denied knowing anything about them. He, the witness, arrested her. On the way to the 20th Street police station, she told him, the witness, that, if he would let her go, she would tell him where the coat and hat were. He, the witness, said, "All right." Then she told him that the coat and hat were in a house in West 33rd Street, near Sixth Avenue. He, the witness, asked her what the number of the house was. She said, "I can't tell the number, but I will take you there." They went to the house together. It was in 33rd Street, about 50 feet from Sixth Avenue. It was a rear house, and approach to it was had through an alleyway. He, the witness, recovered the hat and coat belonging to the complainant, and took them and the defendant to the station house. On the following morning he arraigned Margaret Maurer in the Jefferson Market Police Court. The complainant, Lewis, identi-

fied Margaret Maurer, and also identified his coat and hat. He, the witness, turned over the coat and hat to Lewis, in the court room, getting a receipt from him.

In cross-examination, the witness testified that he was appointed a police officer on the 19th of October, 1880. He had been a witness many times. When he, the witness, went to the room of the Maurers', with the complainant, Lewis, and found Maurer there, the complainant said to Maurer, "I want my overcoat and hat." Maurer said that he knew nothing about the coat and hat. Thereupon, he, the witness, and the complainant made a thorough search of the room, but did not find the hat or coat. When he, the witness, arrested Margaret Maurer, in the room, on the following afternoon, she did not say that the coat and hat were not in the room, but that she had taken them to the house of a friend, a Mrs. Masterson, in 33rd Street. On the contrary, she denied all knowledge of the coat and hat until after she was arrested, and when she was on the way to the station house. He, the witness, took her down 7th Avenue, on the way to the station house, and they had reached 24th Street when Margaret Maurer told him where the coat and hat were. He did not know whether he had any right to use the stratagem that he did to get possession of the coat and hat, but, at any rate, that was his scheme to get possession of the stolen property. He accom-

panied Margaret Maurer into Mrs. Masterson's room. Margaret Maurer went direct to a closet and put her hand on the hat and coat and brought them out. It was not a fact that Mrs. Masterson took the hat and coat from the closet, and handed them to Margaret Maurer, who was seated at a table in the room.

For the defense, Margaret Maurer testified that she lived at 212 West 26th Street. The co-defendant was her husband. They had been married five years. They were married in Philadelphia. She, the witness, had been in New York nearly four years. She had never been before arrested upon any charge of crime. She attended the meetings of the Young Women's Christian Association frequently. She had joined that association to learn the S. T. Taylor dressmaking system. The association would not admit her without recommendations as to good character. She got these recommendations from ladies in Philadelphia, for whom she had worked as a dressmaker. She had lived continuously with her husband, except when she went to Philadelphia, to see her mother. They had been living in the room in 26th Street for almost three months. Before that she had lived in a new building adjoining the 20th Street police station. She and her husband had dinner together on the afternoon of Christmas, and were very happy together. After dinner her husband said that he was

going to his club, and that he would return in time to take her out in the evening. Some time afterwards, about dusk, she went out to mail some letters, and to buy some postage stamps. It was difficult for her to buy them, because the drug stores were closed, and it was nearly 7 o'clock when she was on her way home. Lewis followed her from 6th Avenue and 26th Street and when near 7th Avenue he said, "Good evening." She turned around and looked at the man and said, "You don't know me." He said, "If you don't know me, we can get acquainted." The complainant was carrying his light overcoat on his arm. The complainant then said, "I am looking for a housekeeper. Do you know any lady who would keep house for me?" She said, "No. If you look over the papers, you will find plenty." Then he asked her where she was going, and she said that she was going home. The complainant followed her up to her room, and entered and put his overcoat and hat on the table, and then he asked her to have a drink of whiskey with him, but she refused to take it. Neither she nor the complainant drank any of the whiskey. He put the bottle down on the sewing machine. The complainant was drunk, and she wanted to get him out quietly and peaceably. Just then her husband entered. Her husband said, "What do you want here? What is your business here, in my apartments?" The complainant answered, "I am here on business." Then the com-

plainant caught hold of her husband and shoved him over the stove, in which there was a fire. The lamp was lit on the table. She, the witness, was afraid the lamp would be overturned in the struggle, so she picked up the complainant's coat and hat and ran downstairs to the street, and looked for a policeman. She walked up and down on the opposite side of the street, looking for a policeman, carrying the complainant's coat and hat on her arm, but could not find a policeman. After a while she returned to her room, and found the door locked. There was a patent lock on the door, and she had a duplicate key. She opened the door, and found that no one was in the room. She became uneasy about her husband. She wanted also to return the complainant's overcoat and hat to him. She said to herself that, if she kept the coat and hat her husband might think that the complainant was coming back again, at her invitation. So she went to the house of Mrs. Masterson. Mrs. Masterson had been the housekeeper of a house where she, the witness, lived for two years. She said to Mrs. Masterson, "Mrs. Masterson, I have a coat and hat that I will leave to you. If a man calls for them, you will please give them to him." Mrs. Masterson was very busy and said to her, "Mrs. Maurer, throw them back on that shelf in the closet." She, the witness, then returned to her room and walked the floor all night, expecting her husband to come

home. She was sewing on her sewing machine, when Officer McNiece came in. When the officer asked her for the complainant's coat and hat she said, "Police officer, I haven't the coat and hat here." Then the officer asked her if she had them "in hock". She told him that she did not understand the meaning of those words. When he asked her where the coat and hat were she told him that they were put away safely for Lewis. Then she took him to Mrs. Masterson's house. She did not ask him to let her go if she told him where the coat and hat were. Mrs. Masterson wrapped the hat and coat in paper, and the officer made her, the witness, carry the bundle to the police station. She had no intention of stealing the coat and hat, but she took them simply for safe keeping.

Under cross-examination, Margaret Maurer testified that she did not accost the defendant first, and she did not go with him into two saloons to drink. She was surprised when he followed her into to her room. There were many tenants in the house, and tenants on the same floor, but she did not call any of them to assist her in ejecting the complainant from her room. He, the complainant, was conversing with her politely, and on general subjects, when her husband entered. She had been then alone with the complainant only about five minutes. She made no effort to eject him from the

room. He was talking with her about finding a housekeeper for him most of the time. Mrs. Masterson was married, and had two sons. She had not sent for Mrs. Masterson, and had not let her know that she was under arrest, though she had been in the Tombs about three weeks. Her, the witness's husband, was a waiter. At the time of their arrest, he had been out of work for two days. His last place of employment was at the Cambridge Hotel. He did not occupy any permanent position, but went out to wait at parties. She, the witness, was a dressmaker, and did work for different persons at her own home. She had none of her business cards with her, they were all at home.

C H R I S T I A N M A U R E R, the co-defendant, testified that he was 48 years of age, and a native of Switzerland. He lived at 212 West 26th Street, and was a waiter. On the afternoon of December 25th, 1891, he went to the rooms of the Geneva Society, 49 West 24th Street. He stayed there a couple of hours, and then had his dinner at home. Then he went out again to the Society's room. Next he went to a place in West 26th Street, where orders for the employment of waiters are received. He stayed there for some time, chatting with two friends, and then he went home. When he opened the door of his room he saw the complainant in his room. He said to the

complainant, "What are you doing here?" And the complainant said, "I am here on business." He, the defendant, said, "Get out of here, or I will show you the business," and the complainant said, "What are you anyhow, you son of a gun?" He then attempted to put the complainant out of his room and there was a fight. Finally he put the complainant out, and followed him down to the second floor, to see that he got out of the house. Then he returned to his own room, and stayed there for a few minutes and was so much excited that he did not know what he was doing. He then went out into 26th St., and, at the corner of 7th Avenue and 26th Street, he saw the officer and the complainant. They were standing under the awning of a grocery. Officer McNiece said to him, the defendant, "This man claims his coat and hat." He, the defendant, said, "I don't know anything about it. If he wants his hat and coat, let him come up with me, and I will give it to him." Then he, the defendant, the officer and the complainant, went up to his, the defendant's, room. He, the defendant, searched everywhere in the room for the coat and hat, but could not find them. He, the defendant, gave the officer his full name and address, when he first saw the officer and said, "You can arrest me if you want to." The officer said, "No, I don't want to arrest you in this case." Then he, the defendant, believed that he went to the rooms of

the Geneva Association again, and had several glasses of beer or something else. He got quite angry, when he thought of the invasion of his home by the complainant, and he swore, Then he went home, and Officer McNiece arrested him. The officer said that the complainant had been to the police station, and had his head dressed, and that, on the physician's certificate, he, the officer, had to arrest him, the defendant. Then he took the officer up to his, the defendant's, room, and the officer let him drink a couple of glasses of liquor before he took him to the station house. The Geneva Society's rooms were at 49 West 24th Street. He also belonged to another Swiss society, at 215 West 28th Street. He did not see the complainant's hat or coat until Officer McNiece brought his, the defendant's wife to the Jefferson Market police court, and the officer had the hat and coat under his arm.

Under cross-examination the co-defendant testified that Margaret Maurer was his wife. They were married in Philadelphia, in 1886 or 1887, or something like that, about August. He couldn't remember the name of the minister, nor the name of the church. All that he knew that it was a Protestant Church. He thought that it was a Presbyterian Church. He did not know what street the church was in, but he believed it was somewhere in South Street. He was not liv-

ing with Margaret Maurer, as her husband, though he had not been married to her, because she was lawfully married to him by a minister.

In rebuttal, Officer McNiece testified that he did not see Christian Maurer first at the corner of 7th Avenue and 26th Street. He first saw Maurer, as he had previously testified, in Maurer's room, to which he went with the complainant, after the complainant had complained that his hat and coat were in Maurer's room, and that he was afraid to go there to get them. The first that he, Officer McNiece, saw of Christian Maurer was when he saw Maurer standing in his own room, with the cane in his hand. He asked Maurer where the woman was. Maurer said that he did not know where she was. He also said that he was not married to her, but had been living with her for some time, and that he had been in trouble before, Officer William Gray having arrested them on a similar charge. Maurer said that he wanted him, Officer McNiece, to arrest the woman as well as himself, Maurer. He, the officer, said that he could not arrest her then, because she was not there. After he arrested the defendant he did not permit him to take any drinks before he took him to the police station.

1118

POLICE DEPARTMENT OF THE CITY OF NEW YORK,

Precinct No. 16

Hon Edward Hogan
Justice at 2nd District Court

1119

Police Department of the City of New York.
 Precinct No. 16
 @ New York, Nov 27, 1891

John Edward Hogan
 Police Justice
 Sir
 Christian Manner
 State Journal Times re
 was only 28 yrs old and
 the entry on Manner as
 follows

9. Pin Christian Manner
 28 yrs white single. Manner was
 yrs 212 W 26th
 Leonard Avenue, Harlem
 62 W 19th St. Officer
 Miss Mace
 James Knick
 Kensington

1120

Police Court. 2 District.

CITY AND COUNTY } ss:
OF NEW YORK, }

of No. 62 W 19th Street, aged 27 years,
occupation Cupbearer being duly sworn, deposes and says, that
on the 25th day of December 1896 (at the City of New York,
in the County of New York,

he was violently ASSAULTED and BEATEN by Christian Murray
who struck deponent a violent blow
on the head with a cane

without any justification on the part of the said assailant.

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

Sworn to before me, this 27 day of December 1896 } Charles Lewis
[Signature] Police Justice.

1121

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

2 District Police Court.

Christian Maurer 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. *Christian Maurer*

Question. How old are you?

Answer. *48 years*

Question. Where were you born?

Answer. *Switzerland*

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

Answer. *212 W 26th Street 3 months*

Question. What is your business or profession?

Answer. *Writer*

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

Christian Maurer

Taken before me this

day of *March* 1931

[Signature]
D. J. [Signature]

1122

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

De Audens
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 *March 27* 18 *91* *[Signature]* Police Justice.

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

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

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

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

1607

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Chas Lewis
Cr. No. 194 Jv

1 *Christian Murr*

2

3

4

Asst. Clerk
Offence

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *Dec 27* 18*91*

Hogson Magistrate.

Mc Nice Officer.

16th Precinct.

Witnesses *Call the office*

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *500* to answer



Com

W. H. B.

1124

Court of General Sessions of the Peace

491

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Christian Maurer

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

Christian Maurer

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

The said *Christian Maurer*

late of the City of New York, in the County of New York aforesaid, on the *25th* day of *December* in the year of our Lord one thousand eight hundred and ninety-*one*, at the City and County aforesaid, in and upon the body of one *Charles Lewis* in the peace of the said People; then and there being, with force and arms, unlawfully did make an assault, and *him* the said *Charles Lewis* did then and there unlawfully beat, wound and illtreat, 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.

Witnesses:

Counsel,

Filed

7 day of May 1892

Pleads,

Guilty

THE PEOPLE

vs.

Christian Maurer
(re-arrest)

Assault in the Third Degree.
(Section 219, Penal Code.)

DE LANCEY NICOLI,

District Attorney.

A TRUE BILL.

Clas. DeForest

Foreman.

40

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Christian Maurer
and
Margaret Maurer

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

Christian Maurer and Margaret Maurer

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

The said Christian Maurer and Margaret Maurer, both

late of the City of New York, in the County of New York aforesaid, on the 25th day of December in the year of our Lord one thousand eight hundred and ninety-one, at the City and County aforesaid, with force and arms,

one overcoat of the value of thirty-five dollars, and one hat of the value of three dollars

of the goods, chattels and personal property of one

Charles Lewis

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.

Wm Rancey Nicoll
District Attorney

1127

BOX:

464

FOLDER:

4264

DESCRIPTION:

McArdle, James J.

DATE:

01/21/92



4264

1128

BOX:

464

FOLDER:

4264

DESCRIPTION:

Sheridan, James

DATE:

01/21/92



4264

Witnesses:

The defendant de la Roche, having been
sequestered under the direction of
the Court and the depts. Sheridan
having testified for the purpose of
recommending the disbarment of
the in testimony against Sheridan

Attest
Richard J. Miska

181
Counsel,
Filed
Pleads,

21 day of Jan 1892
Sheridan

THE PEOPLE

vs.
I
James J. McArdle
I
James Sheridan

DE LANCEY NICOLL,
District Attorney.

Part I of the 2d 1892

A TRUE BILL.

Chas. E. DeForest
Foreman.

No. 1. In re Sheridan,
No. 2. In re de la Roche, on rem.
John A. DeForest. R.M.

1130

Police Court 2 District.

City and County } ss.
of New York.

Thomas L Hamilton

of No. 347 West 26th
occupation Builder

Street, aged 32 years,

that on the 21st day of December

being duly sworn, deposes and says,

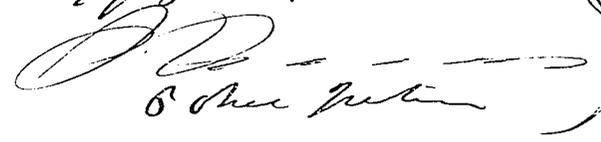
1891, at the City of New York, in the County of New York,

James Sheridan (now here) did utter and offer as true, and have in his possession with intent to utter and offer as true, a certain forged instrument of writing hereunto annexed purporting to be an order signed by A. Scott calling for payment for twenty eight hours work to Salton, a laborer, under the following circumstances: Deponent is member of the firm of John L Hamilton & Son, Builders having an office at No 347 West 26th Street, New York City. The said firm employs laborers in Madison Square Garden and other places. One A. Scott is foreman for the said firm and it is customary for him to give orders for payment of laborers in the form of the said forged instrument, and signed "A. Scott". On the presentation of the said forged instrument by the defendant deponent detected the said forgery and deponent asked the defendant where he got the said paper, and defendant replied "I got it from Archie Scott". Then subsequently defendant said he got the said paper from another man and that he was to receive half the money for collecting it. The sum of money called for by the said forged instrument was seven dollars and deponent charges defendant with uttering the said forged instrument with the intent to defraud said firm of John L. Hamilton & Son, and for proof that the said paper presented by the defendant was forged deponent is informed by Archibald Scott now

See that he did not sign the said paper,
 and that the signature thereto is an imitation
 of his handwriting. And for further proof
 that the defendant intended to defraud the
 said firm Deponent charges that at the
 time of the presentation of the said forged
 instrument the defendant falsely represented
 to Deponent that his name was Dalton,
 and that he was employed for said firm
 in Madison Square Garden. Deponent asks
 that defendant be held to answer said
 charge.

Thomas L Hamilton

sworn to before me on the
 1st day of January 1892


 O. J. Fulton

Police Court, District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1. _____
2. _____
3. _____
4. _____

Offense _____

Dated _____ 1890

Magistrate.

Officer.

Clerk.

Witnesses,

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ _____ to answer. Sessions.

1132

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 36 years, occupation Carpenter of No.

347 West 26th Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Thomas L. Hamilton

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

Sworn to before me, this 1
day of January 1882 } Archibald Scott

[Signature]
Police Justice.

1133

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer.

James Sheridan

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

Washington House 1 week

Question. What is your business or profession?

Answer.

Cast warts

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.

*A man gave it to me
I do not know his name. James Sh.*

James Sheridan

Taken before me this

day of *January*

1891

Police Justice.

1134

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

James Shindan

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ~~500~~ *200* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated *Jan 1* 18*92* Police Justice.

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

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

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

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

1892
Police Court--- 02 District. 26

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas L Hamilton
347 W 26 St.
Jas. Sheridan
2 jointly indicted
3 with Jas. J. McArdle
4

Offence
Forgery

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Jan 1 1892

Divver Magistrate.

Moloney Officer.

16 Precinct.

Witnesses Archibald Scott

No. 347 W 26 Street.

Geo Hall

No. 157 Wash House Street.

No. Street.

\$ 1000 to answer E.S.



Y. C. ...

1136

STATE OF NEW YORK, CITY AND COUNTY OF NEW YORK, POLICE COURT, 2 DISTRICT.

Thomas Hamilton of No. 347 - W - 26th Street, being duly sworn, deposes and

says that on the 31 day of December 1888 at the City of New York, in the County of New York, James J. McMiddle

was here, did feloniously, unlawfully, forge, utter and counterfeit with intent to defraud the name of A. Scott to a paper purporting to be an order in arrears to pay the sum of some dollars for the reasons following to wit: On the said date the said paper which is annexed to an affidavit against one James Sheridan charged with forgery and who is held to answer on the Court of General Sessions was presented to defendant who employs a number of laborers and he defendant caused the arrest of said Sheridan. The said Sheridan informs defendant that the defendant Mr. McMiddle gave to him Sheridan the said paper and referred to him that he was the Walter named in said paper and asked him to go to defendant and get the money for 28 hours work which he McMiddle had performed for defendant. Defendant is informed by Corbin that he James J. McMiddle did not write

The annexed order nor did he authorize any person to sign his name to any paper. Defendant further says that the defendant Mr C Arde is not in his employ ~~and~~ ~~that~~ he ~~is~~ and he is for this informed by George Hall that the Hall saw the defendant Mr C Arde and James Shriman leave the Washington House on 153 1st 23rd Street, together on said date.

Sworn to before me } Thos Hamilton
 This 27th day of January }
 1861 }

Wm. J. Justice

Police Court, District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

AFFIDAVIT.

vs.

Dated 188

Magistrate.

Officer.

Witness,

Disposition,

1138

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 36 years, occupation Compositor of No. 347 - W - 26 Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Thomas K. Hamilton

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

Sworn to before me, this 4 day of January 1892 } Archibald Scott

[Signature]
Police Justice.

1139

CITY AND COUNTY }
OF NEW YORK, } ss.

George Hall
aged 50 years, occupation Master of No.

153 - 10 2nd St Street, being duly sworn, deposes and

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

Sworn to before me, this 4
day of January 1890, } Geo Hall

[Signature]
Police Justice.

1140

Sec. 195-200.

District Police Court.

CITY AND COUNTY }
NEW YORK, } ss.

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

Question. What is your name?

Answer. *James J Mc Ardle*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *228 East 25th St 1 year*

Question. What is your business or profession?

Answer. *Shoe Polisher*

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

Answer. *I am not guilty
James Mc Ardle,*

Taken before me this

day of

September
1892

Police Justice.

1141

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.....

Referred out
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *100* Hundred Dollars,..... and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *January* 18 *92* *[Signature]* Police Justice.

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

Dated..... 18 Police Justice.

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

Dated..... 18 Police Justice.

Police Court--- District. 27

THE PEOPLE, &c.
ON THE COMPLAINT OF

Thomas H. Hamilton
vs.
James M. Conice

2 *jointly indicted*
3 *with Jas Sheridan*
4

Offence

Dated *Jan 14 92*

Thomas Magistrate.

Carry Officer.

16 Precinct.

Witnesses *A. Kern*

No. *347 - W - 26* Street.

George Hall

No. *153 - E - 23* Street.

Schmitt

No. _____ Street.

\$ *1000* to answer _____

Com



BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
James J. McDonald
James Sheridan

The Grand Jury of the City and County of New York, by this indictment, accuse
James J. McDonald and James Sheridan
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said James J. McDonald and James Sheridan,

late of the City of New York, in the County of New York aforesaid, on the 21st day of December, in the year of our Lord one thousand eight hundred and ninety-one, at the City and County aforesaid, with intent to defraud, feloniously did forge a certain instrument and writing, which said forged instrument and writing is as follows, that is to say:

"Dollon Laborer
28 hours
O. Scott"

which said instrument and writing purport to be the act of one Archibald Scott, who was then and there a foreman in the employ of one Thomas S. Hamilton, and whose duty it was, among other things to furnish to laborers employed by the said Thomas S. Hamilton, and under the immediate supervision of the said Archibald Scott, as such foreman, when money for services was due them, paper writing purporting to be from said Lord the name of the laborer, and the number of hours made for which the laborer was entitled to compensation, which said forged instrument and writing then and there purport to be one of such paper writing, and to be signed by the said Archibald Scott, and to indicate and signify, and which did in substance and effect declare and set forth that one Dollon, a laborer in the employ of the said Thomas S. Hamilton, was then entitled to pay from the said Thomas S. Hamilton for twenty-eight hours made performed by him on behalf of the said Thomas S. Hamilton, and that the said Archibald Scott as such foreman, had by the said instrument and writing certified thereto, and that the said Thomas S. Hamilton was then indebted to the said Dollon in the amount of \$2.00, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

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

James McAnale and James Sheridan

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

The said *James McAnale and James Sheridan, both* —

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 intent to defraud, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, which said forged instrument and writing is as follows, that is to say: "*Dalton Laborer*

23 hours

A. Scott"

which said instrument and writing purported to be the act of one Archibald Scott, who was then and there a foreman in the employ of one Thomas S. Hamilton, whose duty it was, among other things, to furnish to laborers employed by the said Thomas S. Hamilton, and under the immediate supervision of the said Archibald Scott as such foreman, when money for services was due them, paper with which to write the name of the laborer and the number of hours' work for which the laborer was entitled to compensation, which said forged instrument then and there purported to be one of such paper writings, and to be signed by the said Archibald Scott, and to indicate and signify and which did in substance and effect declare and set forth that one Dalton, a laborer in the employ of the said Thomas S. Hamilton, was then entitled to pay from the said Thomas S. Hamilton for twenty-eight hours' work performed by him on the said Archibald Scott, as such foreman read by the said instrument and writing, certified thereto, and that the said Thomas S. Hamilton master, further indebted to the said Dalton in the amount of such pay;

the said *James McAnale and James Sheridan* —

— 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.

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**END OF
BOX**