

0031

BOX:

367

FOLDER:

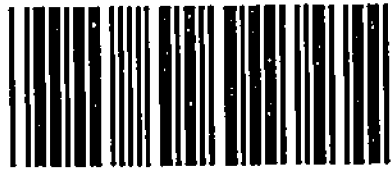
3441

DESCRIPTION:

VanBaerle, Fritz

DATE:

09/27/89



3441

Witnesses:

Henry Monquind
Henry A. Berta

165.1
over

Counsel,
Filed, day of Sept 1889
Pleads,

THE PEOPLE,

vs.

2

Fritz van Baerle
(2 cases)

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

JOHN R. FELLOWS.

District Attorney.

A True Bill.

Edw. B. Stewart
Foreman.
Renda Hendry.
State Reformatory, Eldridge.
J. W. Saffa

0032

0033

District Attorney's Office,
City and County of New York.

City and County } ss.
of New York,

of No. 142 X-Street Street, aged 24 years,
occupation Restaurant & mixer being duly sworn, deposes and says,
that on the 26th day of August 1889, at the City of New
York, in the County of New York, Trinity Roman Catholic

defendant George and other with intent to
defraud the restaurant & mixing business
amused.

Sworn before me this }
26th

0034

165 Bill ordered
DISTRICT ATTORNEY'S OFFICE,
City and County of New York.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Monquin
148 1/2 1st St.
Fritz van Baerle

Offence
Torgent

Dated Sept 12 1889

Witnesses, Henry A. Belty

No. 5 am Street,

No. Street,

No. Street,

0035

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

Frederick van Buren

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

Frederick van Buren

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

The said *Frederick van Buren*,

late of the City of New York, in the County of New York aforesaid, on the *12th*
day of *July* in the year of our Lord one thousand eight hundred and
eighty *nine*, at the City and County aforesaid, with force and arms, with intent to
deprive and defraud *a corporation known as the*

New York News Publishing Company

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*
corporation,

That *he* the said *Frederick van Buren* was
then employed by the *Manhattan*
News and Tribune Company, and had
been sent by the said Company to the
said corporation and there to receive
and obtain from the said corporation the
sum of *sixty* dollars, and that he was
then and there authorized to receive said
money from the said corporation for

0036

and on behalf of the said company

And the said Felix man Barte

And the said corporation
then and their believing the said false and fraudulent pretenses and representations so made
as aforesaid by the said Felix man Barte,

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
Felix man Barte, the sum of sixty
dollars in money, lawful money of
the United States and of the value
of sixty dollars.

of the proper moneys, goods, chattels and personal property of the said

corporation

And the said Felix man Barte
did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and
personal property, from the possession of the said corporation

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

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 Felix man Barte
was not then employed by the said
Monique Restaurant and Wine Company
and has not been since by the said

0037

company to the said corporation then
and there to receive and obtain from
the said corporation the said sum
of sixty dollars, and he was not then
and there authorized to receive said
sum of money from the said corporation
for and on behalf of the said
company;

And Whereas, in truth and in fact, the pretenses and representations so made
as aforesaid by the said Walter W. Bunker
to the said corporation was and were
then and there in all respects utterly false and untrue, as the the said
Walter W. Bunker
at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said
Walter W. Bunker
in the manner and form aforesaid, by the means aforesaid, the said 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.

JOHN R. FELLOWS,

District Attorney.

0038

Witnesses:

John C. Beeson

Perjury

Wm. H. H. H.

By J. J. J.

Louis J. J.

517 774 3

V. J. J.

Counsel,

Filed day of Sept 1889

Pleads,

THE PEOPLE

vs.

Fritz van Baerle
(2 cases)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

John R. Fellows

Foreman.

Wm. H. H.

Brought & returned.
Sept 27/89 N.Y.C.

0039

Police Court—*First* District.

Affidavit—Larceny.

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

John C. Collins
of No. *25 Park Row* Street, aged *30* years,
occupation *Manager, Daily News* being duly sworn
deposes and says, that on the *13th* day of *July* 188*8* 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:

*Good and lawful money of the
United States to the amount and
value of Sixty dollars*

the property of *The New York News Publishing
Company*

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 *Fritz Von Baerle*, for
the reasons following, to wit:
That said deponent then stated
and represented to a clerk in
the employment of said Company—
in deponent's presence and
hearing, that he, said deponent,
had been sent to said Company
by the Morgan Restaurant and
Wine Company, for said money.
That said deponent having been
in the employment of said Morgan
Restaurant and Wine Company, and
deponent believing the statement
to be ~~the~~ true, thereupon directed
said clerk to pay him said money.

Sworn to before me this

188*8*

day of

Notary Public

0040

which said clerk did an. dependent
prisoner. That since said day
dependent has been imprisoned by
the Bookkeeper of the Meridian
Restaurant and Hair Company that
said dependent was not there
in the employment of said Co.
and had no authority to collect
or receive said money, and that
the statement made by said
dependent that he has sent for
said money is false and untrue.

Dependent, therefore, may said de-
pendent may be arrested and held
until as and law may direct

Served by me this { John E. Smith
15th day of August 1886

C. H. Hagan

Police Justice

0041

Sec. 198-200.

First District Police Court.CITY AND COUNTY }
OF NEW YORK, } ss.

Fritz Von Baerle 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. Fritz Von Baerle

Question. How old are you?

Answer. 26 years of age

Question. Where were you born?

Answer. Germany

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

Answer. Bay Ridge, Long Island, 18 months

Question. What is your business or profession?

Answer. Clerk

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

Answer. I am guilty of the charge.

Fritz Von Baerle

Taken before me this

day of September 1885

Amelia A. ...
Police Justice.

0042

Sec. 151.

Police Court 1st District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*
OF NEW YORK, } *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 John C. Elliott of No. 25 Park Row Street, that on the 13 day of July 1889 at the City of New York, in the County of New York, the following article to wit:

Good and lawful money of the
United States to the amount and
Sixty Dollars,
of the value of the property of Huntington News Publishing Company
w as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Ernest Van Daele

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 1st DISTRICT POLICE COURT, in the said City, -or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 15 day of August 1889

E. J. Hagan
POLICE JUSTICE

0043

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated 188

Magistrate

Farley Officer.

The Defendant

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

Officer.

Dated 188

This Warrant may be executed ~~on Sunday~~ at
~~night~~ in the County of Kings

Charles W. Church
Police Justice.

August 15, 1884 of the Peace

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

Dated 188

Police Justice

The within named

0044

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.....

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

Dated September 8 1889 J. M. Patterson Police Justice.

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

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

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

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

0045

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court---

1360 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John C. Elliott
25 Park Row
City of New York

2

3

4

Dated

September 8th 188*8*

Patterson Magistrate.

Peter S. Farley Officer.

4th Precinct.

Witnesses

Peter S. Farley
4th Precinct. Police

No.

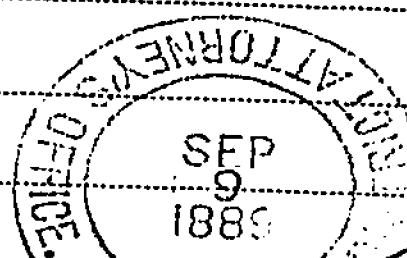
Street.

No.

Street.

\$

1500⁰⁰ to answer



Comd

0046

H. Morgan
No. 248 New York, August 26th 1887
Garfield National Bank,
Pay to the order of F. van Baerle Dollars.
Ten ⁷⁵/₁₀₀
\$ 10⁷⁵/₁₀₀
Styles & Cash Print. H. Morgan

0047

Wm. H. ...
no 5 ...
Wm. H. ...

0048

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Ernest van Buren

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

Ernest van Buren

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

The said *Ernest van Buren*.

late of the City of New York, in the County of New York aforesaid, on the
26th day of *August*, in the year of our Lord
one thousand eight hundred and eighty-*nine*, with force and arms, at the City and
County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly
act and assist in the forging a certain instrument and writing, *to wit: an*
order for the payment of money of
the kind called bank check,
which said forged *bank check*
is as follows, that is to say:

No. 248 New York August 26th 1889
Field National Bank,
Pay to the order of E. van Buren
\$ 10 ⁷⁵/₁₀₀ Dollars
\$ 10 ⁷⁵/₁₀₀.
H. Monahan.

with intent to defraud, against the form of the Statute in such case made and provided, and
against the peace of the People of the State of New York and their dignity.

0049

SECOND COUNT:—

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

Ernst van Baurle

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

The said Ernst van Baurle.

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, to wit:

an order for the payment of money of the kind called bank cheques.

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

No. 248. New York, August 26th 1889
Field National Bank,
Pay to the order of E. van Baurle
Ten $\frac{75}{100}$ Dollars
 $\$10.75$
H. Monaghan

with intent to defraud the the said Ernst van Baurle
then and there well knowing the same to be
forged, against the form of the Statute in such case made and provided, and against the peace
of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0050

BOX:

367

FOLDER:

3441

DESCRIPTION:

VanNess, William H.

DATE:

09/11/89



3441

0051

Witnesses:

Joseph J. Scrogan
Joseph H. Gaudes

bb / Perry
Counsel, Mary
Filed, day of Sept 1889
Pleads, Chas. J. Kelly

THE PEOPLE,

vs.

B

William H. Van Ness

MISDEMEANOR.
(SERVING OLEOMARGARINE AS FOOD, &c.)
[Chap. 183, Laws of 1883, (as amended by Chap. 183, Laws of 1887, § 1), § 27.]

JOHN R. FELLOWS,

RA ~~PROSECUTOR~~ ~~NEGOTIATOR~~

District Attorney.

A True Bill.

Chas. J. Kelly

Sept 17/89

Foreman.

Reads & Sings

Time \$50. P.B.M.
Paid

0052

STATE OF NEW YORK.

CITY OF New York } S.S.:COUNTY OF New York }

Joseph J. Sorogian, 288 Greenwich Street, being duly sworn, says, that he resides at number 564 New York Street, in the City of New York, County of New York and State of New York, is 31 years of age, and an expert appointed by Hon. JOSIAH K. BROWN, the New York State Dairy Commissioner; that, at the times hereinafter mentioned, one William H. Van Ness was the keeper and proprietor, of a restaurant a place of public entertainment and had his said restaurant in a room in number 564 Seventh Avenue Street, in the City of New York, County of New York, within this State, and occupied and controlled such room and was in charge of such restaurant; that on the 14th day of May, 1889, deponent went to such Van Ness's said restaurant and ordered a luncheon; and the said William H. Van Ness, in response thereto in his said restaurant then and there served to deponent as food for deponent and as a part of the said luncheon so ordered by deponent, who was then a guest and customer of said William H. Van Ness in his said restaurant, a substance in imitation and semblance of natural butter, produced from pure unadulterated milk or cream of the same, which had been made out of some animal fat or animal or vegetable oils not produced from unadulterated milk or cream from the same and by mixing, compounding with and adding to milk, cream or butter such animal fats or animal or vegetable oils not produced from milk or cream, so as to produce an article, substance and human food in imitation and semblance of natural butter and which had been made in violation of the provisions of Section 7 of Chapter 183 of the Laws of 1885, as amended by Chapter 577 of the Laws of 1886; that a more particular description of such manufactured substance, the ingredients thereof and the amount of the same are unknown to deponent and cannot be stated herein for that reason; that the same was so served by said William H. Van Ness in the ordinary course of his said business; and said Van Ness asked, and deponent then and there paid him 10 cents for such luncheon; that deponent then and there took from the substance so served to him by said William H. Van Ness a sample thereof for analysis in the manner required by law; and thereafter, on May 14th, 1889, deponent delivered such sample so taken by him as stated, to one Joseph J. Sorogian who was and is known to deponent to have then been, and who since has been and is now, a chemist, practicing as such at number 6 Harrison Street, in the City of New York County of New York within this State, and deponent caused the said substance to be analyzed by such chemist; that the certificate of such analysis thereof, made by said chemist, is hereto annexed.

Deponent charges that the said William H. Van Ness against the peace and dignity of the People of the State of New York, and the statutes in such case made and provided, wrongfully and unlawfully so served such manufactured substance and caused, procured and suffered the same to be so served to deponent, and was thereby guilty of a misdemeanor; and deponent, therefore, asks for a warrant against the said William H. Van Ness for violation by him of Section 27 of Chapter 183 of the Laws of 1885, as added thereto by Chapter 583 of the Laws of 1887, and that he may be dealt with as the law directs.

Sworn to before me

this 23rd day of May, 1889.Joseph J. Sorogian
Police JUSTICE.

0053

Lucas B. Rice

Court of

County of

W. H. H. H.

THE PEOPLE, &C.

Joseph J. Sorogan

vs.

William H. Van Ness

May 23 1889

William H. Van Ness

Affidavit:

Joseph J. Sorogan

288 GREENWICH ST.

NEW YORK CITY.

Witnesses:

William H. Van Ness

Residence, 288 GREENWICH STREET,

NEW YORK CITY.

Joseph J. Sorogan

Residence, 288 GREENWICH STREET,

Residence

0054

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer. *William H. Van Ness*

Question. How old are you?

Answer. *24 years old*

Question. Where were you born?

Answer. *New Jersey*

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

Answer. *564, 5th Ave 2 Mo*

Question. What is your business or profession?

Answer. *Restaurant Keeper*

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
demand a trial by jury*

W. H. Van Ness.

Taken before me this

day of

188

John M. Sullivan Police Justice

0055

Police Court

Sec-151.

CITY AND COUNTY
OF NEW YORK, } ss.

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

Police Court 2nd District.

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 Joseph J. Sirogan
of No. 288 Greenwich Street, that on the 14th day of May

1889 at the City of New York, in the County of New York, one the premises on

564 Seventh Avenue one William H. Van Ness
then being the keeper of a restaurant did serve his
food to Joseph J. Sirogan then his guest and
customer a quantity of oleomargarine made in
imitation and resemblance of butter and not made of
unadulterated milk or cream in violation of Chap. 183
Laws of 1885 and Chap. 583 Laws of 1889

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him
forthwith before me, at the 2nd 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 23rd day of May 1889

J. M. Gattuso
POLICE JUSTICE.

0056

2. B. M. 24. M. Mrs. Restaurant M. No. 51 24. 7 Avenue

The within named

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

Dated 188

Police Justice.

Police Court 2 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Warrant General.

Joseph J. Loring

William H. Van Ness

Dated May 23 1889

James M. Cotton Magistrate

Conrad M. Campbell Officer.
The Defendant William H. Van Ness

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

Conrad M. Campbell Officer.

Dated May 24 1889

This Warrant may be executed on Sunday or at
night.

Police Justice.

564-7

0057

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 *Three* Hundred Dollars,.....and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *May 24* 188 *J. M. Patterson* Police Justice.

I have admitted the above-named.....

defendant

to bail to answer by the undertaking hereto annexed.

Dated *May 24* 188 *J. M. Patterson* 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.....188.....Police Justice.

0058

BAILIED

No. 1,

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

2760 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph J. Sorogan
28 St. Greenwich
Wm H. Van Ness

1

2

3

4

Offence

Admission of Guilt

Dated

May 24 1889

Paterson

Magistrate.

Campbell

Officer.

Witnesses

No.

Street.

No.

Street.

No.

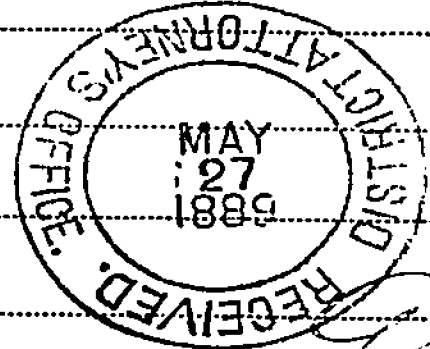
Street.

\$

300

to answer

Bailed



0059

Court of General Sessions

The People

- vs -

William Vanness

City & County of New York ss.

William Vanness being
duly sworn deposes & says: I am
the defendant in the above action.
I wish to state to this Honorable
Court through bad advice I pleaded
not guilty to the charge of which
I am guilty (& still not guilty)
when I found I was using oleomarga-
rine which I am charged with. I
immediately stopped purchasing
the same. shortly thereafter an
Inspector called upon me and asked
whether I was using oleomargarine
I told him I had been using it
but when I discovered it I dis-
continued the use of the same. to
my great surprise was arrested &
indicted by the Grand Jury

If your Honor please I desire to
plead guilty & I ask this Honorable
Court for Mercy. I am a peaceable

0060

citizen of this community and pray
that this Honorable Court will
deal lenient with me as I was
totally ignorant of what I was
handling at the time.

Sworn before me this }
17 day of September 1889 } W. H. Vauress.

Spencer
Notary Public
Tuxco

0061

General Sessions

The People

- vs -

William Barnes

affidavit

0062

OFFICIAL CHEMIST
TO THE
N. Y. MERCANTILE EXCHANGE.

Office and Laboratory
JOSEPH F. GEISLER, Ph. C., F.C.S.
Analytical and Consulting Chemist,
N. Y. MERCANTILE EXCHANGE BUILDING.

New Series, No.

Certificate of Analysis.

State of New York,
CITY OF NEW YORK } ss.
COUNTY OF NEW YORK.

I, Joseph F. Geisler, a chemist,
practising in the City of New York County and State of New York, do hereby certify that I
have analyzed the sample duly sealed and
marked 1511 D. May 14th 1889 564-7th Ave. N.Y. City N.Y. Matter May 14th 1889
received from Mr. J. J. Sorogun
on May 9th, 1889.

THE SAMPLE CONTAINS:

WATER. - - - 7.17 %
ANIMAL AND BUTTER FAT, 88.79 %
CURD, - - - .69 %
SALT. - - - 3.35 %
100.00 %

ANALYSIS OF THE FAT:

INSOLUBLE FATTY ACIDS, 95.60 %
SOLUBLE " " .14 %
SPECIFIC GRAVITY OF THE
FAT AT 100 deg. F., .9048

This sample is composed mainly of animal fat, and was not produced from unadulterated milk, or cream from the same. It was not produced from milk or cream alone. It contains coloring matter, whereby it is made to resemble butter, the product of the dairy, and is in imitation and semblance of butter, produced from pure unadulterated milk or cream from the same.

I further certify that the foregoing is a true statement of the analysis of such sample so made by me as stated.

Respectfully yours,

Joseph F. Geisler
Chemist.
Dated May 18th, 1889.
New York

State of New York,
CITY OF NEW YORK, } ss.
COUNTY OF NEW YORK.

On the 18th day of May, in the year
one thousand eight hundred and eighty nine, before me, the subscriber
personally came Joe F. Geisler, to me well known to be the same
person described in and who executed the foregoing instrument, and
acknowledged that he executed the same.

J. H. Henry
Notary Public
N.Y.C.

0063

No.

New York, *May 15th* 188*9*

Chloroquine

Certificate of Analysis.

0064

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William H. Van Ness

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

— William H. Van Ness —

of a Misdemeanor committed as follows:

The said

William H. Van Ness

late of the ~~Ward of the~~ City of New York, in the County of New York aforesaid, on
the *fourteenth* day of *May* — in the year of our Lord one
thousand eight hundred and eighty-*nine*, at the ~~Ward~~ City and County aforesaid,

being *the proprietor of a certain restaurant*

did therein unlawfully keep, use and serve to one *Joseph J. Tarogian* there situate,
then being a guest, patron, *and customer* of the said
William H. Van Ness at said *restaurant* a quantity of a
certain article, substance and compound in imitation and semblance of natural butter produced
from pure, unadulterated milk, or cream of the same, the said article, substance and compound
so sold as aforesaid, being rendered, manufactured and produced out of divers animal fats and
oils not produced from unadulterated milk, or cream from the same, the said article substance
and compound not having been manufactured prior to, and not being in process of manufacture,
on the sixteenth day of June, in the year of our Lord one thousand eight hundred and eighty
seven, (a more particular description of which said article, substance and compound, is to the
Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in
such case made and provided, and against the peace and dignity of the said people.

John R. Bellon's
~~RANDOLPH B. MARTINE,~~

District Attorney.

0065

BOX:

367

FOLDER:

3441

DESCRIPTION:

Vinogradiff, Solomon

DATE:

09/06/89



3441

0066

Witnesses:

Ernest Goeding
Off. Auditor County
J. H. Peck

AB
C. C. Geary
Counsel,
Filed
Pleads,
day of Sept. 1889

THE PEOPLE

Solomon Unogradsky
Burglary in the Second Degree.
and Petit Larceny.
[Section 497526, 528 & 53321]

JOHN R. FELLOWS,

72 Sept 11/89 District Attorney.
Ad + Criminals Burg 2 -
S.P. 7 yrs. 16.
A True Bill.

Chas. B. Bissell

Foreman.

Carb 11
Sept 11/89
Sept 11/89
S. J. B.

0067

Police Court— *3rd* District.City and County { ss.:
of New York,of No. *181. Madison* Street, aged *25* years,occupation *Block Maker* being duly sworndeposes and says, that the premises No. *181. Madison* Street, *7th* Wardin the City and County aforesaid the said being a *Basement store*
(*Tenement house*)and which was occupied by deponent as a *dwelling & Workshop*and in which there was at the time a human being, by name *the whole**Family of deponent, (four in all),*were BURGLARIOUSLY entered by means of forcibly *opening the**rear entrance door to said basement store**in said premises which had been bolted**by deponent himself at 11 O'Clock P.M.*on the *15th* day of *August* 188*9* in the *night* time, and the

following property feloniously taken, stolen, and carried away, viz:

A Pocketbook containing eight ^{good} 50
dollar in lawful money of the united
*states of the following description**One note of 5 dollars**One do of 2 dollars**One do of 1 dollar**and a fifty cents silver piece in all as**above said, eight dollars & fifty cents*the property of *deponent*

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen and carried away by

*Solomon Vinogradiff, (now here,*for the reasons following, to wit: *Deponent is informed by**Officer Andrew Curry of the 7th Precinct Police**that at the hour of about two O'Clock in the**morning the said officer passed said basement**and saw said deponent sitting on the stoop**and when asked for an explanation about his presence**at such an unusual hour, could not give a**proper account thereof, Thereafter the said**Curry tried the door of said store and found*

0068

the same open, meanwhile the defendant
flew away, pursued by the officer, who
caught him and brought him back to said
premises and awakened deponent, who
when informed of the fact, examined his
premises and ~~found~~ missed the aforesaid
property. the officer searched the defendant
who tried to throw away the money
aforesaid, which he had in his possession,
which deponent has since seen and
identified as his property, wherefor
deponent prays that said Vinogradoff
be held up deal with him, as the Law
may direct.

Sworn to before me
this 15th day of August 1889
[Signature]
Police Justice

[Signature] Isaac Golding
Magistrate

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated _____ 188__
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated _____ 188__
There being no sufficient cause to believe the within named
guilty of the offense therein mentioned, I order he to be discharged.
Dated _____ 188__
Police Justice.

Police Court, _____ District.

THE PEOPLE, &c.,
on the complaint of

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

Offense—BURGLARY.

Dated _____ 188__

Magistrate.

Officer.

Clerk.

Witnesses.

No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

\$ _____ to answer General Sessions.

0069

CITY AND COUNTY }
OF NEW YORK, } ss.

Andrew Currie
aged *28* years, occupation *Police Officer* of No.
the 7th Precinct Police Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *Isaac Golding*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this *15th*
day of *August* 188*9* } *Andrew Currie.*

D. G. Briggs
Police Justice.

0070

Sec. 198-200.

3rd

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Salomon Vinogradoff 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.

Salomon Vinogradoff

Question. How old are you?

Answer.

45 years

Question. Where were you born?

Answer.

Russia

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

Answer.

No 164. Madison Street, two months

Question. What is your business or profession?

Answer.

Shoemaker

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

Answer.

I am not guilty
Salomon Vinogradoff

Taken before me this

15th

day of

August 1894

Police Justice.

0071

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 *ten* 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 *August 15* 188*9* Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

0072

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court 3 District: 1236

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Isaac Golding
181 vs. Madison St.
Solomon Vinogradoff

2 _____
3 _____
4 _____

Dated August 15th 1889

Duffy Magistrate

Curry Officer.

7 Precinct.

Witnesses Andrew Curry

No. 7 Precinct Station Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 1000 to answer G. S.

Corn



0073

COURT OF GENERAL SESSIONS.

-----X
: The People :
: v. :
Solomon Vinogradiff, : Tried Sep. 11, 1889, before
: Hon. Rufus B. Cowing and
Indictment filed Sep. 6, '89: : a Jury.
Indicted for Burglary in the:
: second degree.
: :
-----X

Assistant District Attorney Bedford for the People.

John G. Heinzleman, Esq., for the Defense.

I S A A C G O L D I N G, the complainant, testified that he lived at 181 Madison Street, a tenement house. He was living there on the 15th of August, 1889 in the back basement. He was a married man. He lived there with his wife and two children. They retired at about twelve o'clock on that night. He locked up the basement at about eleven o'clock. He fastened both the windows and the doors. He was awakened at about two o'clock in the morning by two officers. They had the defendant under arrest. In the presence of the

0074

2

defendant the officers told him to see if his money was in his pocket-book. He told the officers that his money was not there. Then the officers searched the defendant. He had the missing money in his hand, and threw it upon the bureau, and the police officer picked it up. There was eight dollars and a half--a five-dollar bill, a two-dollar bill, a one-dollar bill, and fifty cents. He identified the money that the officer picked up from the bureau as his money. There were two pawn tickets in his pocket book, but they were not disturbed. He found on examining the premises that the rear door of the extension was broken open, and learned that the defendant had gone out of the front door of the basement.

Under Cross Examination, the complainant testified that his house was situated between two tenement houses, and at the rear there was another tenement house. There was a fence about eight feet high at the back of this house. There was no door in the fence, and there was no opening in the fence separating the houses on either side from his house. He occupied the rear basement with his family, and had a store in front. He manufac-

0075

3

tured and sold goods there. When he went to bed he left his pocket-book in ~~xxx~~ his trousers pocket and the trousers were on the bureau. When the officer awakened him the trousers were on a chair. When he went to bed there was a lamp burning low in the extension, and when he woke up there was a lamp burning in his room as well. This had been lit by the burglar.

O F F I C E R A N D R E W C U R R Y testified that he belonged to the Seventh Precinct. He arrested this defendant at 181 Madison Street. The prisoner was sitting at the top of the steps leading into the basement--the complainant's premises. He asked the defendant what he was doing there, and he mumbled something. He said that he couldn't speak English. He, the officer, went down the stairs to try the door of the store, and as he did so the defendant began to go away. He told him to stop. He, the witness, tried the main doors of the basement, and they were locked. Then he tried the small door under the stoop of the house and with a push it opened. He looked in quick, and, hearing a noise, turned quickly and saw the defendant run down the street with his shoes in his hand. He, the officer, gave an alarm rap, and the defendant

0076

4

was captured at Pike and Madison Streets by Officer Stange. Then he aroused the complainant, and asked him if he had lost anything, and he began to look around. Then he, the officer, noticed a pair of pants lying on the chair, with a pocket-book, which the complainant subsequently identified as his, lying on the top of them. He asked the complainant if it was not his pocket-book, and he said yes, and that he had had money in it. He said that he had had eight dollars and a half in it. He, the officer, asked the defendant if he had any money, and the defendant pointed down to his hip pocket. As he, the officer, reached down to that pocket the defendant reached his hand over towards the bureau with the money crumpled in his hand, and laid it on the bureau and tried to pull a dress over it. He, the officer, saw the defendant do this, and picked up the money from the bureau. The roll of money contained eight dollars and a half. The complainant subsequently identified this money. The complainant described the money before he saw it. After the arrest of the prisoner he found a jimmy on the stoop where he had been sitting.

0077

5

Under Cross Examination, the officer testified that the prisoner seemed to understand what he said, but he couldn't speak English, or pretended that he couldn't. Officer McCoy accompanied him, the witness, and the defendant into the basement to wake up the complainant. Officer McCoy also saw the defendant throw the money on the bureau. There was a dress on the bureau. He saw the money drop from the defendant's hand. The defendant was about two feet from the bureau when he did this. When the defendant was searched at the Police station he found only a pocket-knife--a small pocket-knife in his pocket. In the police station the sergeant asked the defendant his name and where he lived. He told his name and said that he lived at 164 Madison Street, which is six doors further down from the complainant's place of residence on the opposite side of the street. He, the witness, went to that house the next morning and found that the prisoner did live there. After his return from the station house he, the witness, examined the door of the extension and found that it had been forced. There were dents in the wood of the door into which the jimmy fitted.

0078

6

OFFICER HENRY STANGE testified that he belonged to the Seventh Precinct. He searched the premises of the complainant with the previous witness. The witness then corroborated the preceding witness as to the defendant putting the money on the bureau when the other officer began to search him. As the defendant did this he, the witness, called out to Officer Curry, "Watch his hand, Curry."

For the Defense, ISRAEL OFSCHINSKY testified that he lived at No. 152 Delancey Street, between Clinton and Suffolk Street. He knew the defendant. He, the witness, had just returned from a hospital where he had been ill for some time, and the defendant visited him. He came about dusk. They had some drinks together in his rooms. At about one o'clock on the morning in question he told the defendant that it was time to go, as he wanted to go to bed. The defendant did not know how to write, and asked him to write a letter to his relatives in the old country, and he wrote the letter. Then they played a game of cards and had some whisky and beer. A countryman of theirs named Rosenberg was also there. His, the witness's, family--his wife and three children--were there. He, the witness, had known the

0079

7

defendant in the old country. The defendant was a shoe maker by trade. The defendant had a wife and four children. The defendant was intoxicated when he left his, the witness's house.

Under Cross Examination, the witness testified that though the defendant was intoxicated he could walk straight. The defendant wanted more drink, but he, the witness, would not give him more, because he was intoxicated. The defendant said that he would not come again to see him, the witness, because he would not give him more drink.

B E R N A R D R O S E N B E R G testified that he was in the rag business at 15 Hester Street. He knew the defendant. He was in the rooms of Ofschinsky on the night in question. He corroborated the previous witness as to the occurrences of that evening in Ofschinsky's rooms. He had known the defendant for about six months.

S O L O M O N V I N O G R A D I F F, the defendant, testified that he was about forty-five years of age and had five children. He lived at 164 Madison Street, and was a shoe maker by trade. He went to Ofschinsky's rooms at about seven o'clock on the evening

0000

8

in question. It was after one o'clock on the following morning when he left there. Rosenberg was in the rooms also. He, the defendant, drank both whisky and beer, and was intoxicated when he left there. All at once he felt dizzy and wanted to vomit, and he sat down on a stoop. Then he fell into a kind of doze and he received a blow and saw a police officer. He did not know that he was sitting on the complainant's stoop. He got up and began to walk away when he was arrested. He did not remember that he was taken into the basement of the complainant, because he was dizzy. He did not at any time enter the complainant's premises and attempt to steal any money from him. The jimmy did not belong to him, and he never saw it in his life before. He did not attempt to put eight dollars and a half on the bureau.

Under Cross Examination, he testified that he was so much intoxicated that he could hardly walk. He did not attempt to run away from the police officer. He did not remember taking off his shoes.

In Rebuttal, Officer Curry testified that the defendant was perfectly sober when he arrested him.

Officer Stange, being recalled, testified that the defendant was absolutely sober when arrested.

0081

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edmon Vinogradoff

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

Edmon Vinogradoff
of the CRIME OF BURGLARY IN THE ~~second~~ DEGREE, committed as follows:
The said *Edmon Vinogradoff*,

late of the *Seventh* Ward of the City of New York, in the County of New York
aforesaid, on the *thirteenth* day of *August*, in the year
of our Lord one thousand eight hundred and eighty-*nine*, with force and arms, about the
hour of *two* o'clock in the *morning* time of the same day, at the Ward,
City and County aforesaid, the dwelling house of one *Isaac Feldman*

there situate, feloniously and burglariously did break into and enter, there being then and there
some human being, to wit: *the said Isaac Feldman*,

within the said dwelling house, with intent to commit some crime therein, to wit: the goods
chattels and personal property of the said *Isaac Feldman*

in the said dwelling house then and there being, then and there feloniously and burglariously to
steal, take and carry away;

against the form of the statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity,

0082

SECOND COUNT—

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

Salomon Vinogradoff
of the CRIME OF ^{Petit} LARCENY ~~in the~~ committed as follows:

The said *Salomon Vinogradoff*.

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

*one pocket book of the value
of fifty cents, and the sum
of eight dollars and fifty
cents in money, lawful money
of the United States, and of
the value of eight dollars
and fifty cents,*

of the goods, chattels and personal property of one *Isaac Golding*,

in the dwelling house of the said *Isaac Golding*.

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

John P. Callows
District Attorney

0083

BOX:

367

FOLDER:

3441

DESCRIPTION:

Vlandaki, Emanuel

DATE:

09/04/89



3441

0084

BOX:

367

FOLDER:

3441

DESCRIPTION:

Aragnostopulo, Nicholas

DATE:

09/04/89



3441

0085

Witnesses:

Barbara Ortiz
Off Muller

Counsel,

Filed 11th day of Sept. 1889
Pleads, 1st 1st 5

THE PEOPLE
vs.
Emanuel Mandak
and
Nicholas Dragostopul
H.D.

JOHN R. FELLOWS,
District Attorney.

Sept 11-19. D.M.

A True Bill.

Chas. B. Edwards
Sept-12/89 Foreman.

(Court)
Spec. & Directed of
Robbery 2nd
S.P. Two yrs each.
Sept-23/89 23rd.

0085

Police Court— District.

CITY AND COUNTY } ss
OF NEW YORK,

Barbara Betz
 of No. *26 Willett* Street, Aged *46* Years
 Occupation *Washing & Ironing* being duly sworn, deposes and says, that on the
17th day of *August* 188*9*, at the *4th* Ward of the City of New York,
 in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
 ponent by force and violence, without his consent and against his will, the following property, viz:

*One handkerchief containing good
 and lawful money of the United
 States of the value of Five dollars
 and eighty nine cents*

of the value of DOLLARS,
 the property of *deponent*

and that this deponent has a probable cause to suspect, and does suspect, that the said property was
 feloniously taken, stolen, and carried away, by force and violence as aforesaid by *Emmanuel*
Vlandaki and Nicholas Anagnostopoulos
(now here) for the reasons that on said
 day deponent was in the restaurant
 at 94 New Chambers Street; that while
 deponent was eating the defendant
 who appeared to be the proprietor told
 deponent to go into the back or rear
 room of said store. Deponent went
 therein and had said handkerchief in
 which said money was tied buttoned
 in her dress which she then wore
 on her person and next to her breast;
 that the defendants ~~who~~ came into said

day of

Sworn to before me, this

188

Police Justice.

0087

room together and acting in concert did
seize violent hold of deponents body
and threw deponent over a bed and
the defendant Nicholas held deponents
body on said bed and the defendant
Emanuel forcibly and against deponents
will and consent tore open the said
dress at the breast and took said
handkerchief containing said money
from deponents body and thereafter
struck and beat deponent
Sworn to before me }
this 18th August, 1889 }

Sam'l O'Reilly
Police Justice

Robertson Bry

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1889
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1889
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1889
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

1
2
3
4

Office—ROBBERY.

Dated 1889

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

to answer General Sessions.

0088

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *Emanuel Vladaki*

Question. How old are you?

Answer. *41 years*

Question. Where were you born?

Answer. *Greece*

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

Answer. *28 Chrystie St. 4 years*

Question. What is your business or profession?

Answer. *Restaurant Keeper*

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*

Emanuel Vladaki
wave

Taken before me this *18*
day of *August* 188*7*

Police Justice.

10-11-30

0089

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Nicholas Anagnostopulo 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. *Nicholas Anagnostopulo*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *Greece*

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

Answer. *28 Chrystie St. 1 week*

Question. What is your business or profession?

Answer. *Feeder*

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*

Nicholas^{his} Anagnostopulo
made

Taken before me this

*18*day of *August* 188*9*

Police Justice.

0090

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

defendant

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

Dated *Aug. 18* 188*9* *Ed. J. C. Sullivan* Police Justice.

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

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

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

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

0091

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court---

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Barbara Betz

vs.

Emmanuel Mandaki

Nicholas Anagnostopoulos

3.

4.

Offence

Robbery

Dated August 18 1889

O'Reilly

Magistrate.

Mullen & Clarke

Officer.

4th Precinct.

Witnesses

Complainant committed to
the House of Detention
on default of \$100 to testify
Police Justice

No. _____ Street.

\$2500 to answer 9/8

COMMITTED.

0092

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, DISTRICT.

of No. 4 "Pleasant" Street, aged _____ years,
occupation Police officer being duly sworn deposes and says,
that on the 18 day of August 1889

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

(now here) is a necessary and material witness for the People against Emanuel Vladaki and Nicholas Anagnostopoulos charged with Robbery. Deponent fears that the said Betz will not appear when wanted and asks that she be sent to the House of Detention in default of bail for her appearance

Fabrischi H. Mullin

Sworn to before me, this 18 day
of August 1889

Police Justice

0093

40
The People
vs
Emmanuel Vlandaki
and
Nicholas Aragnostopulo
Indictment for Robbery in the first degree.

Court of General Sessions, Part
Before Judge Gildersleeve.
September 12th 1889.

Barbara Betz, sworn and examined through the Interpreter testified: I live at 26 Willett St. in this city and I work at washing and ironing. on the 17th of August I saw these two defendants in a restaurant on the corner of Roosevelt St. and some other street. I am not acquainted down in that neighborhood. I know Officer Mullin now pointed out to me. The place where I took him was the place where I saw the defendants. I went into the restaurant to get something to eat. When I first entered there was a lady and gentlemen there. I asked for something to eat, and they did not bring it to me until these persons had left; then they brought me something to eat and put it on the table both together. we held a Kettle with something to drink in it. There was nobody else in the restaurant when I went in but the lady and gentlemen and the defendants. This was after twelve o'clock, dinner time. When they

0094

brought me something to eat and put it on the table. I put my hand in my pocket to get the money to pay for it. Before I commenced to eat they told me to go inside. I thought that was an extra place reserved for ladies and I went inside; and when I entered the room they fastened the door with a bolt; then they said, "I am a nice girl, a nice woman," and they took the money out of my bosom - five dollars and eighty nine cents. I had it in the corner of a brown silk handkerchief - brown and yellow handkerchief. These two defendants took it away from me; there was nobody else in the room but them. I had the same dress on that I have now; they tore the buttons off the front and took the money out. The one who had the Kettle stood in front of me and said, "You are a nice woman; here, take a drink." She tried to make me drink something that was in the Kettle. I don't know what it was. I told them right away, "You stole my money," and I tried to open the door to

0095

get out of this room; they held on to the door and did not let me open the door, and both said, I have to tie down on the bed. I said, No, and I made an effort and opened the door by force and jumped out. I ran out into the street and told it to a policeman and he told me to go to the station house in Oak St. and report it. I went there and officer Mullin came along with me to the restaurant. When the officer went in they said that I did not pay for my meals; then the plate was shoved aside and the ten cents that I put under the plate for the meal was there. Then the defendants were arrested. Then they put their hands on my bosom to take my money. I resisted and my dress was all torn. I tried to get away from them before my money was taken; they pushed me against the door and held me and while they did so they took the money. When I first ordered something to eat I took out my money and took the cents out and put it on the table and then put the money back into my bosom.

0096

I took the ten cents from the other money, and at the time the taller one of the two defendants was standing nearly opposite to me and looked at me. There were three new dollar bills and two were somewhat worn and three 25 cent pieces, a ten cent piece and a couple of pennies, four or five pennies, I could not tell exactly. The handkerchief was not found only the money. Cross Examined. I lived at 26 Willett st. with my husband. I had children, but they are dead. My husband worked in a sugar refinery in Williamsburg, but he is now sick and has been in the Hospital over a month. The day I went into this restaurant I had two rooms in Willett st. I have been in the House of Detention ever since. It was a little after twelve o'clock when I went into the Restaurant. I went down to Washington st. to see a woman with whom I worked, she told me to be down there, she was getting another place. I had no hat on when I went into the Restaurant. I was going to buy myself a hat. I left home that

0097

morning about eight o'clock. It is not true that I asked a man in the restaurant to pay for my stew; they gave me a piece of soup meat and I was waiting for some vegetables. I did not touch the meat in the enter room, but ate it in the little room; there was no table there. The door they bolted is level with the street. I saw them bolt it. It is not a fact that people were coming in and out eating while I was there. They knocked me down on the bed I halloved and made a noise, I had my dress and everything torn. I did not care if I never had anything if I was out on the street again. I swear that both of the defendants were in the place when I went in first. The name of the woman in Washington St. whom I went to see is Mrs. Seitz 103 Washington St. she was not at home; they said she moved away. It was below Washington Market where I was. I walked up and was going to go home. I felt hungry and wanted to have something to eat. I used to work in Coe's Restaurant in Pearl St. I did not dance in this Restaurant.

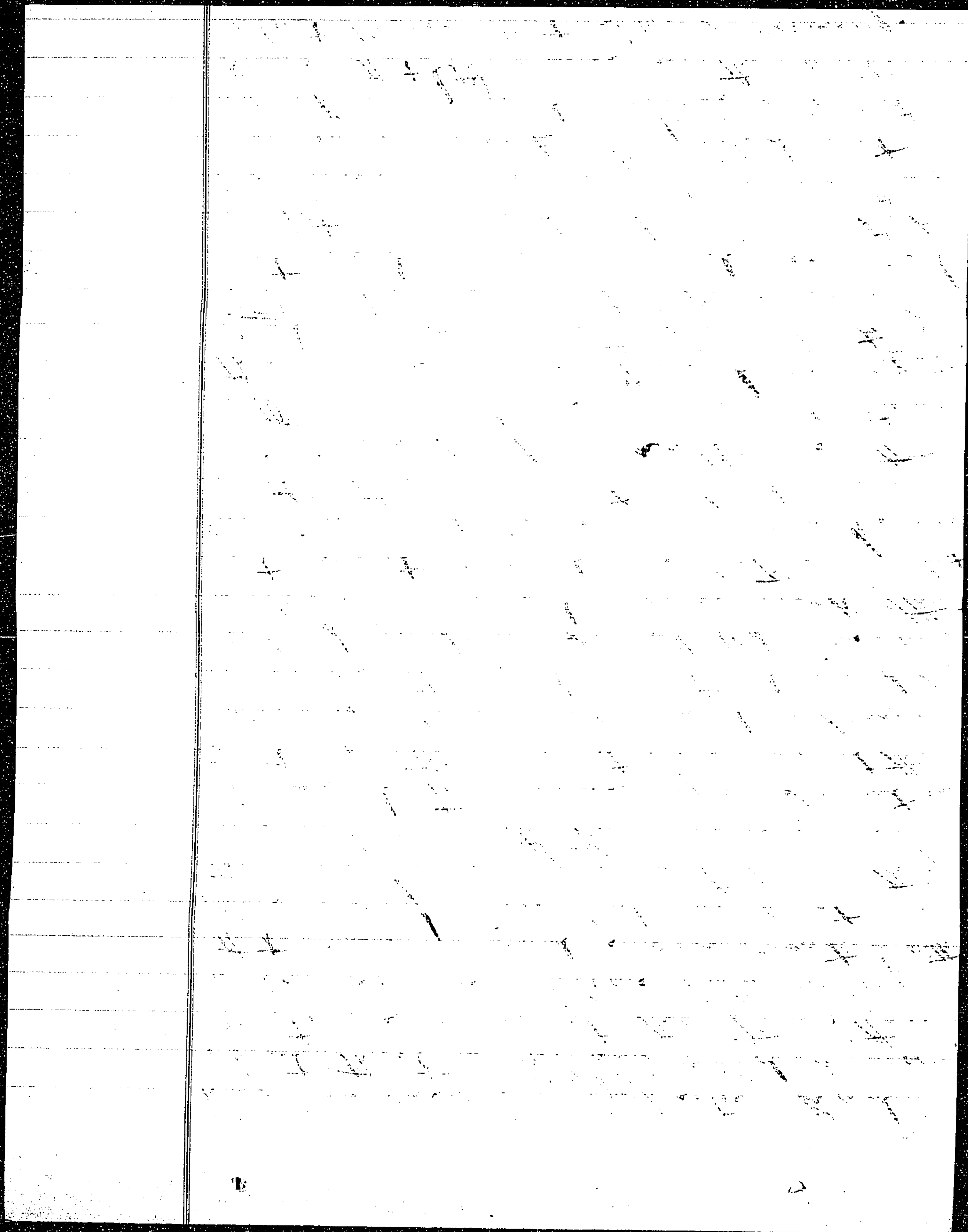
0048

Zabruskie H. Mullin sworn. I am an
officer of the Fourth Precinct and arrested
the defendants on complaint of Barbara
Betts on the 17th of August. She came
into the Oak St. station house with her
dress all torn on the arm and the
buttons ripped off the front of it. I heard
the substance of her complaint and went
with her and she took me to No. 94
New Chamber St. corner of Cherry St.;
it is a restaurant. I went inside and
saw the tallest one, the proprietor
of the place, and the other one was hid
in the water closet. There was a lady
in there, who professed to be his wife.
I asked the defendants what they had
been doing to the woman and they
said, 'nothing'. I told them she made
a complaint of their robbing her; they
understood me. The proprietor said
it was a damned lie. I took them
both to the station house. I searched
the little one and found three quar-
ters, a ten cent piece and four
pennies, in his pocket, making 89
cents. The complainant had told
me previous to that how much
money she had lost. He said it

0099

I
was his own. The proprietor had about thirteen dollars and a few cents on him at the time; there were no one dollar bills among that money. I had a conversation with them. They said that she went in the room herself; she told me they pushed her into the room; she described the room before I went in just exactly how it was - about the window and shoes and a knife lying on it and a cot bed, and I found just as she stated. This was a three-cornered room back of the restaurant. I heard her testimony about the ten cent piece being under her plate; there was a ten cent piece lying on the table right near the little room door. The defendants were there when I saw this. Cross Examined. I saw one of the defendants go to the drawer and take some money out and some he had in his pocket. They did not tell me that the woman was acting as though she was drunk. They did not speak very good English. I do not know that the man in the water closet knew that I was coming.

0100



0101

The Case for the Defence.

Nicholas Aragnostopoulos, sworn. I live in 28 Christie St. and am a pedlar. I was ~~not~~ in the restaurant the morning that the complainant came in. I saw her in there before she came in with the policeman. As soon as she came in she asked for drinks. I told her, "There is no drink here for sale, we only have a restaurant, something to eat." Then she ordered a beef stew. I did not bring her anything. I did not have anything to do with her eating and I did not take the money. A friend of the man who keeps the restaurant brought her a plate of stew. I was sitting far away from the woman; she was sitting ~~far away~~ ^{on one} side of the store and I was sitting on the other side, and I was preparing mustard holders at that time; the owner of the place told me to fill up the mustard holders. The man who brought the meal for the woman left and went away. Then she said that she lost some money in the place and she tried to go into the little room and I told her she has no business to go in the little room; then the

woman left the restaurant. She was drunk, I saw her, she acted like a drunken woman. About an hour later she came back with a policeman. I took no money from her. I had some money in my pocket. At four o'clock in the morning I was at the Thirty Ninth St. ferry. I sell fern leaves to make bouquets and I earned that money in the morning there. I did not see any one take money from the woman in the restaurant, nobody bolted the door or locked it while I was there. Cross Examined. She was drunk but not very; she could walk straight.

Emanuel Flardake, sworn and examined. I am a partner in that restaurant and have kept it about three or four months. I live at No 28 Christie St. I was not in when this woman came in there first. It was half past eleven or twelve o'clock when I went to the restaurant. I do not remember what hour I am not sure about what time I came to the restaurant. I had been there in the morning about ~~nine~~ or half past nine o'clock. I went to buy provisions for the

0103

restaurant. It might have been eleven
a half past eleven when I came back
to the restaurant. Then I came back
she was outside in the street hallooing
and making a noise in front of
the restaurant and a crowd gathered
there. I went up to her and said, "What
do you make such a noise for,
gathering a crowd in front of the res-
taurant? you are injuring my business."
Then she did not say anything. I
entered the restaurant and she came
in behind me. Then she came in
I asked her why she made such a
noise? She did not answer me; she
sat down on a chair and remained
quiet for about five minutes. Then
there were four or five persons in the
restaurant, and she commenced to
halloo again and make a noise.
Then she left the restaurant after
being there for a short while and she
made a noise in the street; then
she came back with a policeman.
The policeman came in and I told
him that I had nothing to do with the
woman. He said, "You will have to
come along. I asked him to wait
till my partner came to the restaurant."

0104

He said, I cannot. I went to the till and took the money out and put it in my pocket and went to the station house; it was all the money I had. I don't recollect how much, I did not count it, I believe it was about thirteen dollars; the police took the money. I took no money from the woman and I did not see any with her. This restaurant is a corner store; there are four doors and four windows. Two doors are always closed and two are open night and day; the restaurant is always open. When I saw this woman the doors were open as usual.

Cross Examined. I cannot tell the exact time when I first saw the woman, it was past eleven o'clock, between eleven and twelve, it was not one o'clock. I saw her five or ten minutes in the restaurant, I don't know how long she had been in before; she was well intoxicated. When I told her not to make a noise she made no answer. Where was the first place you saw her, on the outside or inside the first time? Outside; then she came in behind me.

Nellie Mandakie sworn. I live at 28
 Christie St. and remember the day
 Emanuel was arrested. Have you
 any idea what time he was ar-
 rested, can you remember? It was
 about half past twelve. Did you see this
 woman (the complainant) there? Yes.
 Between ten o'clock and half past eleven
 where was Emanuel? He was home
 with me in Christie St. It was bet-
 ween half past eleven and twelve
 o'clock when we left the house to go
 down to Cherry street. How long does
 it take you to go down there? About
 twenty minutes. What was the first
 thing you saw when you went down
 to the restaurant? I seen a crowd
 around the door and this woman
 was standing outside making a
 noise. I asked my husband what
 was the matter. I went inside with
 my husband; she came in after
 us, and she sat down a little while.
 People were coming into the store
 to eat, and she came in again
 and halloed to the people how
 they stole the money. That is all
 I know about it till the detective
 came and arrested my husband.

0106

Between ten and half past eleven o'clock my husband was not at the Restaurant, he was in my company all the time. How did you get in the restaurant, was the door open or closed? It was open, and people were going in and out eating all the time. About four persons were eating at the time the woman was there. I was present when my husband was arrested. I did not go to the station house, he sent me after his partner, but I went to the station house after. I was there when the woman was in the station house; while she was there she acted like as if she was intoxicated. First she said the little fellow stole the money and then she turned around again and said how my husband took her money. Then when the detective searched my husband and took thirteen dollars out of his pocket, "that is my money." Then when he took the money out of the other fellow's pocket she said that was her money. Then they got locked

0107

down and she was kept there two
Cross Examined I am the wife of
Emanuel, married to him I got to the
restaurant that morning five minutes
to twelve; there were two or three people
in there eating, and the woman
was outside making a noise. My
husband came in with me and
did not speak to her. She came in
and sat down and did not eat
anything; she went out again and
made a noise which attracted a
crowd. I have known the other pris-
oner since I have known my hus-
band, he always comes up to visit
him, about two years, he comes
into the restaurant to eat and he
sometimes minds the place; he does
not own any part of the restaurant.
That day my husband left him
in charge of the place. When the officer
came in I and my husband were
there; the other fellow was in the
water closet. There was a man in
the saloon but I don't know his
name. I was in the police Court
when Mrs. Betts charged my hus-
band with stealing; she charged
the little fellow first and then my husband

0108

George Bass sworn. I was barkeeper
in Ansonia, Conn. I was in the
restaurant the day the defendants
were arrested. I went in there at
10 1/2 to get a plate of stew. The woman
was not there yet, but she came
along afterward and sat down and
an Italian fellow came in and
sat down and asked for a plate
of stew; the woman asked him
if he would not pay for her plate
of stew and he said, "Tomorrow, not
today." Peter Johnson fetched her
the plate and asked her who was
going to pay for it. She had 15 cents
in her hand, a ten cent piece and
five pennies; she gave the ten
cent piece to Johnson. She then moved
chairs from one side to the other
Johnson asked her the matter and
she said, "I lost the money - half a
dollar." Then she said, "a dollar"
and then, "two dollars" and "five dol
lars." Asked Nicholas where was
Emmanuel and he said he was
in the market. The woman went
into the room; she was looking
all around; she was hallooing

24
7
196

0109

all the time, and Nicholas wanted to pull her out from the room. She said to Nicholas, to Johnson and to me, "Give me my money." I said, "Leave me alone", pushing her. I got as far as the door and saw Emmanuel and his wife coming in. He asked what was the matter, and had a market basket in his arm. I said, "I don't know what is the matter. There is a woman hal-
loving that she lost some money. I don't know whether she has lost it or not. I left the restaurant then."

Peter Johnson sworn. I live 142 Cherry St. and keep a restaurant at 109 Cherry St. I remember the day that the ^{not} defendants were arrested. I was ^{not} in the restaurant when they were arrested, but I was there when the woman made trouble about 10 1/2 or 11 o'clock. She came in and a man after her, an Italian barber; the woman was stiff, paralyzed drunk. She asked the Italian to pay for the stew; he said, "Not today, tomorrow I will pay for the stew." I gave her the stew and she gave me ten cents

0110

She ate the stew; she was drunk and made trouble and I tried to put her out; she looked all around and said, "He stole my money." I asked her how much she lost, and she said, fifty cents. The little fellow (one of the prisoners) who was putting mustard in the cups asked her how much she lost, and she said, "a dollar." The other fellow asked her how much she lost and she said - two dollars, five dollars. The little fellow put her out. He could not speak English, I spoke for him. Emmanuel was not there the time the woman was there; he came in afterwards with his wife, having a basket on his arm.

Louis Revansali sworn. I live in Brooklyn but do business in New York. I sell bananas wholesale. I remember the day Nicholas was arrested. I was in the restaurant at half past eleven o'clock. I saw the woman there - the complainant. I went in to get something to eat. I asked for a stew and the woman came up to me and

asked me to pay for something to eat for her. I said, "Not today, tomorrow I will pay." The woman had 15 cents in her hand and she gave ten cents to a man with red hair and put back five cents in her pocket. I finished my meal and went out. The woman was half drunk - a little drunk. Cross Examined. I was a witness in the Tombs. I told the Judge there that the woman asked me to pay for her dinner. I spoke in Italian through an Interpreter. I have known the defendants about three or four months. I keep my stand about a block away from them. Every day I get my meals there. midday and in the evening. In the morning I do not eat anything. It was half past ten or eleven o'clock when I first went to the Restaurant. I saw the woman eat there, and then I went away. When I was there the boss was not there, but the other one was. I did not see the boss' wife, but there was an Englishman there. I do not know his name.

0112

Zabriskie H. Mullen recalled by Mr. Davis: The complainant came to the station house about 10 minutes past twelve; her clothing was torn; she was not under the influence of liquor more than she is now. I talked with her; she stood in front of me and I did not smell liquor on her breath. I can swear that the woman was as sober as she is now. I heard the witness swear here today that the complainant asked him to pay for her dinner. I was present when he was making his statement in the Police Court; he said nothing at that time about Mrs. Betty asked him to pay for her dinner not a word. The woman was very much excited. I have been a police officer a great many years.

The jury rendered a verdict of guilty of robbery in the third degree. The prisoners were remanded for sentence.

Q

0113

~~The People~~
Testimony in the
case of
Emmanuel Mandak
and

Rich. Augustopulo

filed Sept.

1899

0114

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Emanuel Brandstein
and
Nicholas Aragnostopoulos

The Grand Jury of the City and County of New York, by this indictment, accuse *Emanuel Brandstein* and *Nicholas Aragnostopoulos* of the CRIME OF ROBBERY in the *first* degree, committed as follows:

The said *Emanuel Brandstein* and *Nicholas Aragnostopoulos*, both late of the City of New York, in the County of New York aforesaid, on the *seventh* day of *August*, in the year of our Lord one thousand eight hundred and eighty-*nine*, in the *time of the said day*, at the City and County aforesaid, with force and arms, in and upon one *Barbara Betz*, in the peace of the said People, then and there being, feloniously did make an assault, and

one handkerchief of the value of ten cents, and the sum of five dollars and eighty nine cents in money, lawful money of the United States and of the value of five dollars and eighty nine cents,

of the goods, chattels and personal property of the said *Barbara Betz*, from the person of the said *Barbara Betz*, against the will, and by violence to the person of the said *Barbara Betz*, then and there violently and feloniously did rob, steal, take and carry away, *the*

said Emanuel Brandstein and Nicholas Aragnostopoulos, and each of them, being then and there aided by an accomplice actually present, to wit: each by the other,

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Hallowes
District Attorney

0115

BOX:

367

FOLDER:

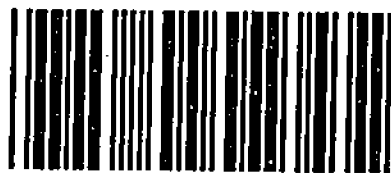
3441

DESCRIPTION:

Vogt, Adolph

DATE:

09/27/89



3441

Witnesses:

Martin Couron

Off Peter Carter

4th Precinct

Counsel,

Filed

day of

1889

Pleads,

THE PEOPLE

vs.

P

Adolph Vogt

JOHN R. FELLOWS,

District Attorney.

Grand Larceny Second degree.
[Sections 528, 529, 53, Penal Code].

A True Bill.

Chas. B. Woodard

Foreman.

Doyle
Pleads
Per: Eighteen

0116

0117

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 24 years, occupation James Connors of No. 3 James

Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Arnold Schmitz

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

Sworn to before me, this 17
day of Aug 188 9

James Connors

Ed J. C. Reilly
Police Justice.

0118

Police Court- District.

Affidavit-Larceny.

City and County } ss.:
of New York,

of No. 330 Pearl Street, aged 23 years,
occupation Clerk

deposes and says, that on the 16 day of August 1889 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:

Eleven printed Books of the value
of Thirty Three dollars

\$33⁰⁰/₁₀₀

the property of Ernest Kaufman in the care and
charge of deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by Adolph Vogt (nowhere) and two
others whose names are unknown
from the fact that deponent is informed by
James Corners that he saw said Vogt
and said unknown persons standing
in the doorway of premises No 330 Pearl
Street in said City and immediately
thereafter he saw said Vogt and
said unknown persons walking down
Pearl Street with books in their
possession

Arnold Schmitz

Sworn to before me, this 16 day
of August 1889

Do J. D. M. M. M. Police Justice.

0119

Sec. 193-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer.

Adolph Vogt

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

New York

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

Answer.

35 Barrer

3 days

Question. What is your business or profession?

Answer.

Bill reaver

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 know nothing about it

Adolph Vogt

Taken before me this

17

day of

Aug

1889

W. A. McNeill Police Justice.

0120

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

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

Dated Aug 17 188 9 *Police Justice.*

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

Dated _____ 188 _____ *Police Justice.*

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

Dated _____ 188 _____ *Police Justice.*

0121

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court--- / District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Arnold Schmitz
330 Pearl
Adolph Vogt

1
2
3
4

Offence Larceny
Felony

Dated Aug 17 1889

Daniel O'Reilly Magistrate.

Peter Carter Officer.

4 Precinct.

Witnesses James Connors

No. 3 James Street.

Martin Conway

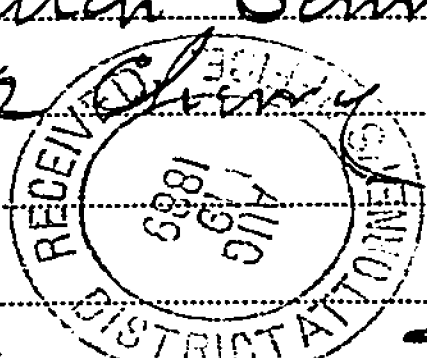
No. 22 Street.

No. Street.

\$ 5.00 to answer

G. S. 2

Committed



0122

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Adolph Vogt

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

Adolph Vogt

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

The said

Adolph Vogt

late of the City of New York, in the County of New York aforesaid, on the *sixteenth* day of *August* in the year of our Lord one thousand eight hundred and eighty-*nine*, at the City and County aforesaid, with force and arms,

eleven books of the value of three dollars each

of the goods, chattels and personal property of one

Ernest Kaufman

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.

0123

SECOND COUNT—

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

Adolph Vogt

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

The said

Adolph Vogt

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,

*eleven books of the value
of three dollars each*

of the goods, chattels and personal property of one

Ernest Kaufman

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

Ernest Kaufman

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

Adolph Vogt

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

JOHN R. FELLOWS,

District Attorney.