

BOX:

45

FOLDER:

528

DESCRIPTION:

Paiseley, Berkeley

DATE:

08/03/81



528

2

Counsel, *W. H. P.*
Filed *3* day of *August* 1851
Pleads *Not guilty*

THE PEOPLE
vs. *Berkeley C. Pauley*
INDICTMENT.
FORGERY in the Third Degree

DANIEL C ROLLINS,
~~BERKELEY C. PAULEY~~
District Attorney.

A True Bill.

Geo. H. Moore
Foreman.
Aug 5. 1851.
Spec. J. Connister and
Reuben Connick
A. M. G. M. as Clerk
ES

The People
vs. Berkeley E. Paisley
County of General Sessions, Part 7
Before Recorder ~~Harry~~ ^{Harry} The, Aug. 5, 1881
Indictment for perjury in the third degree.
Richard S. Scott, sworn and examined, testified:
I am the paying Teller of the Manhattan Co, doing
banking business at 40 Wall St. I recognize the
prisoner. I have seen the check now handed
to me before; the prisoner presented it to me for
payment. I did not pay it. The check looked sus-
picious to me and I took my first impression
that it was not all right and sent him with
an officer down to Colgate & Co and they pro-
nounced it a forgery. Colgate & Co keep an account
with our bank. Cross Examined. When he pres-
ented the check did he say anything to you?
He did. What did he say? He asked me to give
him twenty dollar bills. You suspected something
was wrong and called an officer to go with him
to Colgate & Co? I did. He did not offer resistance,
he went willingly? He did not. Richard M.
Colgate, sworn. I am one of the firm of Colgate
& Co of this city. Does your firm keep an account
with the Manhattan Co? They do. Look at the
check which I show you and state whether that
is one of the genuine ~~checks~~ ^{blanks} of your firm's
checks upon that bank? Yes, it is one of our
blanks. State whether the signature of Colgate &
or, indeed, the filling in of the check is in the

handwriting of that firm or anyone authorized by it? It is not; it is a forgery. Do you know the prisoner? I have not seen him before he was arrested. [Mr. Bell. That is the case.]

John J. Spies sworn. I am a dramatic agent connected with C. R. Gardner, 12 Union Square. I know the prisoner for six or seven months. The people with whom I am employed speak ^{very} well of him; his business is dramatic author and playwright. By Mr. Bell. You do not know of his having taken any part in any dramas of this kind before? No sir, never heard of it.

Clarence Gibson sworn. I am an actor by profession. I know the prisoner for over a year and know many people who know him; he is a perfectly honest and upright gentleman in every respect. I know nothing of this transaction. Elice Ryland sworn. I know the prisoner most all my life. I know a great many who know him. I never heard his reputation for honesty questioned. He is distantly connected with my family.

Berkley E. Paisley sworn. I am a journalist and dramatic writer. I have been connected with the London Daily Chronicle and Lloyd's Weekly Union. I have acted as foreign correspondent for them. I have lived in America about eighteen months. Have you ever been

arrested before charged with any offence whatever? Never in my life. I presented this check to the Manhattan bank. I received it from Mr. Morrison. Mr. Morrison I knew nearly twelve months ago. I had not seen him for some months until I met him the very day he gave me the check. Morrison owed me a little money. He asked me if I would take the check to the bank and get it cashed and he would pay me the money that he owed me. This was in Ann St.; and he said he would wait for me till I came out. I went into the bank suspecting nothing. I tendered the check, the bank teller took it and went away with it, and after I had been there two or three minutes the officer of the bank came round and arrested me. You went with the officer willingly? Perfectly. At the time you presented that check did you know it was a forgery? I had not the slightest knowledge. When I was arrested I was much surprised and I asked the officer immediately to take me ^{to the} place where I had left this man, but he would not listen to me; he prejudged me and he discredited the story, he would not take me there at all and insisted that he should take me down to the station house. Did you tell the officer who gave you the check? I told him, yes sir. I am not sure whether or not I gave him his name.

Cross Examined - I have been wrong for a living since I came to this country. I know very little of Morrison beyond I met him about twelve months ago. I don't know exactly where I met him, some place in the city in the neighborhood of the City Hall in a restaurant. I was writing a political article and he volunteered to give me information on matters which I was then collecting. I saw him three weeks after that; he came to my house on two occasions. The last time I saw him he told me he was going to Albany and asked me if I would lend him twenty dollars. I had the money and I loaned it to him. I met him near the City Hall when he gave me the check, I think it was near Nassau St. near the Tribune building in the street. I asked him for the money that he owed me. He says, "I can pay you." I went through some streets with him that I am not familiar with. We went into a saloon in Ann St; he asked me if I would go round and get it cashed. I said to him, Is this right? He said, 'yes.' he told me where the bank was in Wall St; he said he would wait for me. I did not think it strange that a man should give me a check for \$375 in a saloon and tell me to go to the bank with it. I did not know what Morrison's business was or where he lived. The jury rendered a verdict of guilty with a recommendation to mercy. Penitentiary eighteen months.

Testimony in case of
Berkeley & Paisley
filed Aug. 1887



State of New York.
Executive Chamber.

Albany, Jan'y 12, 1887.

Sir: Application having been made to the Governor for the Pardon of Berkely C. Puseley who was sentenced on August — 1881, in your County, for the crime of Forgery — for the term of 2 years and — to the State Prison

You are respectfully requested (in pursuance of Chapter 310, Laws 1849) to furnish the Governor with a concise statement of the case as proven on the trial, together with any other facts or circumstances which may have a bearing on the question of granting or refusing a pardon. Be pleased also to state the previous character of the convict.

Each letter of inquiry from this Department should be answered on a separate sheet.

Very respectfully,
Yours,

Edward Miggall

Pardon Clerk.

To Daniel G. Rollins,

District Attorney, &c.

Richard S. Scott

of No. *40 Wall*

Street, being duly sworn, deposes and

says that on the *22nd*

day of *July*

188*7*

at the City of New York, in the County of New York, *Berkeley B. Paisley*

now here, called at the Manhattan Bank in said city, and at the desk of deponent who is the paying teller of said Bank, presented for payment the check hereto annexed which check deponent detected to be a forgery, and then and there caused the arrest of said Paisley. Wherefore deponent charges said Paisley with having feloniously made forged and uttered the said check with intent to cheat and defraud the said Bank and "Colgate & Company" the firm whose purported signature appears upon said check.

Sworn to before me this 22nd

day of July 1887.

Michael J. O'Leary
Police Justice.

Richard S. Scott

City and County of }
New York S. D. }

Richard M. Colgate of No 55 John St in said city being duly sworn says that the signature of the firm name of "Colgate & Co" upon the check hereto annexed, is a forgery of deponent's own knowledge.

Sworn to before me this 22nd

day of July 1887.

Michael J. O'Leary R.M. Colgate
Police Justice

COLGATE & CO.

No. 13029

New York

July 21st 1881

Manhattan Company

Pay to the order of James Harrison

Three hundred & twenty five

Dollars

\$ 375.00/100

Colgate & Co.

V.M. Houten Jr. 56 Pine St. N.Y.

POLICE COURT—FIFTH DISTRICT.

CITY AND COUNTY
OF NEW YORK, } ss.

Berkley Parsley being duly examined before the undersigned, according to law, on the annexed charges and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer.

Berkley E. Parsley

Question. How old are you?

Answer.

30 years

Question. Where were you born?

Answer.

London, England

Question. Where do you live?

Answer.

25 Stuyvesant St

Question. What is your occupation?

Answer.

Journalist

Question. Have you anything to say, and if so, what,—relative to the charge here preferred against you?

Answer.

*I plead not guilty
& reserve my defense*

Berkley E. Parsley

Taken before me, this

22^d

day of

July

18*87*

Maxwell Ottobruner

Police Justice.

2

Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Richard J. Scott

40 Wall St.

Berkley Paisley

1

2

3

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BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

Dated

July 22nd 1887.

Sturtevant Magistrate.

Diagale Officer.

Special Service Squad

Witnesses,

R. M. Colgate

55 John St.



\$ *2500*

General

Received in Dist. Atty's Office,

CITY AND COUNTY }
OF NEW YORK, } s.:

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Berkeley E. Paisley

late of the First Ward of the City of New York, in the County of New York, afore-
said on the *twenty first* day of *July* in the year of our Lord
one thousand eight hundred and ~~seventy eight~~ *eighty one* with force and arms, at the Ward,
City, and County aforesaid, feloniously ~~did~~ falsely make, forge, and counterfeit, and
cause and procure to be falsely made, forged and counterfeited, and willingly act and
assist in the false making, forging and counterfeiting a certain instrument and writing
to wit: of the kind commonly called a bank
check
which said false, forged and counterfeited *bank check.*
is as follows, that is to say:

No. 13029

New York July 21st 1881

Manhattan company

Colgate & Co.

Pay to the order of James Morrison

Three hundred & seventy five

Dollars

\$375 ⁰⁰/₁₀₀

Colgate & Co.

with intent to injure and defraud

Colgate and company.
Richard W. Colgate. *Manhattan company.*

and divers other persons; to the jurors aforesaid unknown
against the form of the statute in such case made and provided, and against the peace
of the People of the State of New York and their dignity

And the Jurors aforesaid, upon their Oath aforesaid, do further present :

THAT the said

Berkeley E. Paiseley

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

*Colgate and Company, Richard M. Colgate,
Manhattan Company*

and divers other persons, to the jurors aforesaid unknown, a certain false, forged, and counterfeited instrument and writing. *to wit : of the kind*

commonly called a bank check

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

No. 13029

New York July 21st 1881

Manhattan Company

*Pay to the order of James Morrison
Three hundred seventy five Dollars*

\$ 375 ⁰⁰/₁₀₀

Colgate & Co

Colgate & Co.

the said

Berkeley E. Paiseley

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

bank check

as aforesaid, then and there well knowing the same to be false, forged and counterfeited, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DANIEL G. ROLLINS,
~~RENT & CHURCH~~, District Attorney.

BOX:

45

FOLDER:

528

DESCRIPTION:

Payne, Charles

DATE:

08/10/81



528

Sept. endeavoring to
get a large amount
of dry goods —
from a wholesale
store in the City.

12th
Counsel, *Wm. H. Aug* 1881
Filed 10 day of
Pleads *for guilty*

THE PEOPLE
vs.

Larceny, and Receiving Stolen Goods.

Charles A. Payne

DANIEL C ROLLINS,

District Attorney.

A True Bill.

Emmanuel M. M. M.

Foreman.

Aug 11. 1881.

Wm. H. Aug

2. 4. 6 Mess Ben

L. L.

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

Police Court--Second District.

of No 124 West 15th Street, being duly sworn, deposes
and says, that on the 3rd day of August 1881,
at the City of New York in the County of New York, was feloniously taken, stolen and carried
away, from the possession of deponent,

the following property, to wit:

One gold watch.
and gold chain.
together.

of the value of Fifty 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 Charles H. Payne

(now here), from the fact
that said Payne boarded
in the same house with
deponent at the above address.
Deponent missed said property
from his room. Deponent
is informed by John A. Linher
of No 143, 6th Avenue that
said Payne brought to
his store and sold to him
said Linher the watch
aforementioned. (now here showing)
and said Linher fully

identifies said Charles A. Payne
(now here) as the person who
brought said watch to
him for sale.

Deponent fully
identifies said watch
as a portion of the property
taken, stolen, and carried
away as aforesaid and
the aforesaid chain was
with the watch when
it was stolen.

Sworn to before me ^{John Shepherd}
this 4th day of August
1881. ^{R. L. Morgan}
Police Justice

City of New York
County of New York
John A. Linker
of No 193. 6th Avenue. being duly
sworn says that the facts
stated in the foregoing Complaint
or information given by
deponent are true of his
deponents own knowledge
Sworn to before me John A. Linker
this 4th day of August
1881. ^{R. L. Morgan}
Police Justice

POLICE COURT—FIFTH DISTRICT.

CITY AND COUNTY }
OF NEW YORK, { ss.

Charles A. Payne being duly examined before the under-
signed, according to law, on the annexed charge: and being informed that he was at
liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer.

Charles A. Payne

Question. How old are you?

Answer.

20 years.

Question. Where were you born?

Answer.

Chicago, Illinois.

Question. Where do you live?

Answer.

129 West 15th St.

Question. What is your occupation?

Answer.

Clerk & Bookkeeper.

Question. Have you anything to say, and if so, what,—relative to the charge here
preferred against you?

Answer.

*I am guilty as charged
in the complaint. Chas. A. Payne*

Taken before me, this

4th

day of

August

18*81*

B. L. Morgan

Police Justice.

75-5

Form 891.

Police Court-Second District.

THE PEOPLE, &c
ON THE COMPLAINT OF

John Shepherd
129 W 15th St

Affidavit-Larceny.

Charles Payne

DATE *Aug 4th* 188

Mary MAGISTRATE.

Remondy OFFICER

WITNESS:

Myrdan B Remondy with watch
29th Precinct
John W. Linher
No 143. E. Avenue

W.D. TO ANS.

BAILED BY

No.



CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
*in and for the body of the City and County of New York, upon
their Oath, present:*

That

Charles A. Payne

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

*One watch of the value of thirty
dollars*

*One chain of the value of twenty
dollars*

of the goods, chattels, and personal property of one

John Shephers

then and

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

And the Jurors aforesaid, upon their oath aforesaid, do further present

That the said

Charles A Payne

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

One watch of the value of
thirty dollars
One chain of the value of twenty
dollars

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

John Shepherd
by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously
stolen ~~of the said~~ taken and carried away from the said

John Shepherd
unlawfully, unjustly, and ~~for the sake of wicked gain~~ did feloniously receive and have (the said

Charles A Payne
then and there well knowing the said goods, chattels, and personal property, to have been feloniously
stolen,) 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.

DANIEL G ROLLINS,

~~BENJ. K. PHELPS~~, District Attorney.

BOX:

45

FOLDER:

528

DESCRIPTION:

Polk, Jerome

DATE:

08/16/81



528

152
Tuesday 13

Filed 16 day of Aug 1881

Pleads Not guilty

THE PEOPLE
vs.
Jerome Dock
(2 cases)

ASSAULT AND BATTERY.

DANIEL G ROLLINS,
Clerk

District Attorney.

Part No: Sept 13-1881

Pleads guilty.
Article Bill.

Emmanuel M. ...
Foreman.

Am as per
of 50 fine
Ld

Police Court— 4th District.

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

Hortense Bean
of No 117 East 12th Street (House of detention) Street,
being duly sworn, deposes and says, that
on Monday the 8th day of August
in the year 1888, at the City of New York, in the County of New York.

She was violently **ASSAULTED** and **BEATEN** by Jerome Polk, (nowhere)
who struck deponent a number of blows on
the face and body with his fist and knocked
deponent down and kicked deponent on the body
and stamped on deponent stomach with his foot
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 10th

day of August 1888

Henry Hursey POLICE JUSTICE.

FORM 11.

Police Court—

4th District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Hortense Bean
House of detention
Bail

Jerome Polk

AFFIDAVIT, A. & B.

Dated August 10th 1881

Murray Justice.

Hirtland Officer.

Witness

Blanch Aubertel

117 E 12th St

Hortense Bean

to testify

induced by James L. Cahill

342 East 58th St

\$ 500 - to Ans. G. Sess.

Bailed by

No.

Am

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
*in and for the body of the City and County of New York, upon
their Oath, present:*

That

Jerome Rock

late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the *eight* day of *August* in the year of our Lord
one thousand eight hundred and eighty *one* at the Ward, City and County
aforesaid, in and upon the body of *Hortense Bean*
in the peace of the said people then and there being, with force and arms, unlawfully
did make an assault and *her* the said *Hortense Bean*
did then and there unlawfully beat, wound and ill-treat, to the great damage of the
said *Hortense Bean* and against the peace of the
People of the State of New York, and their dignity.

DANIEL G. ROLLINS,

~~BENJ. K. PRELPS~~, District Attorney.

BOX:

45

FOLDER:

528

DESCRIPTION:

Polk, Jerome

DATE:

08/16/81



528

153 C. Davis
1881

Counsel,

Filed 16 day of Aug 1881

Pleads *Not guilty (17)*

THE PEOPLE

vs.

Jerome Lee
(2 cases)

INDICTMENT—Larceny from
the Person.

David S. Collins
Aug 19
~~BENJ. V. PHILLIPS~~

Dist. Atty.
Aug 13, 1881.
and requested
A True Bill.

Samuel W. [Signature]
Foreman.

14th District Police Court—

CITY AND COUNTY } ss. Hortense Beau.
OF NEW YORK, }
of No. 117 East 12th Street, 8th day of August 1887
being duly sworn, depose and saith, that on the
at the 18th Ward of the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent,

the following property viz.:

One Gold Ring with two Diamonds
and one Garnet Stone set in it. and
of the value fifty dollars - \$50.00

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 Jerome Polk (nowhere)
from the fact that previous to said
larceny the said ring was on a bureau
in a room in premises 336 14th Avenue
and deponent saw the said Polk take
steal and carry away the said ring
from the possession of deponent.
Hortense Beau

Sworn before me this 19th day of August 1887
J. J. Brown
Police Justice.

44

DISTRICT POLICE COURT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Wortner Bear

VS.

James Polk

DATED August 10th 1887

Murray MAGISTRATE.

Wittland OFFICER.
1887

WITNESSES :

AFFIDAVIT—Larceny.

Police Court, Fourth District.

CITY AND COUNTY }
OF NEW YORK, } ss.

Jerome Polk being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer. *Jerome Polk*

Question. How old are you?

Answer. *36 years*

Question. Where were you born?

Answer. *New York*

Question. Where do you live?

Answer. *24th Avenue*

Question. What is your occupation?

Answer. *Sailor*

Question. Have you anything to say, and if so what,—relative to the charge here preferred against you?

Answer.

I am not guilty of the charge of larceny

J. Polk

Taken before me this

10th day of August 1879

Wm. B. Justice
Police Justice.

Police Court--Fourth District

THE PEOPLE, &c.
ON THE COMPLAINT OF

Hortense Beary
vs. *Jerome Beary*

1 *Jerome*
2
3
4
5
6

BAILED :

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

Dated *August 10th* 188*1*

Murray Magistrate.

Hirtland Officer.

18th
Clerk.

Witnesses *Hortense Beary*

in House of 100 Lake St.

Detention

induced by Jerome &

McCabe 342 & 55 St.

58th St.

1000

Spaid to and

Received in District Att'y's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That *Jerome Rock*

late of the First Ward of the City of New York, in the County of New York, aforesaid,

on the *eight* day of *August* in the year of our Lord one
thousand eight hundred and eighty *one* at the Ward, City, and County aforesaid,
with force and arms

*One ring of the value of fifty
dollars*

of the goods, chattels, and personal property of one *Hortense Beau*
on the person of said *Hortense Beau* then and there being found,
from the person of said *Hortense Beau* 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.

Daniel S. Rollins
BENJ. K. PHELPS, District Attorney.