

0649

BOX:

133

FOLDER:

1385

DESCRIPTION:

Reeka, Francesco

DATE:

03/25/84



1385

Witnesses:

Fernando Vittoria

23rd J.H.K.
Counsel,
Filed *25* day of *March* 188*4*
Pleads *Not guilty*

THE PEOPLE
vs.
Francesco Richa
Grand Larceny *2nd* degree
[Sections 528, 58, Penal Code].

PETER B. OLNEY,

2nd Apr 1884 District Attorney.

Shed & acquitted.
A True Bill.

Charles D. Kunkle

Foreman.

John H. ...

0650

0651

First

District Police Court..

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK } ss.of No. 130 Greenwich Street,Ferrmani Vittorio 29 years

Mordant

being duly sworn, deposes and says, that on the 22 day of March 188 4in at the day time at the City of New York,

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

of deponent with intent to deprive the true owner of the use and benefit thereof

the following property, viz:

Good and lawful money of the
United States consisting four gold
coins of the denomination and value of
twenty dollars each and in all
of the value of eighty dollars

Sworn before me this

day of

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 Franky Recha (now here)

from the fact that deponent and said
defendant were stopping at a hotel at
premises 130 Greenwich Street in said city
and defendant offered his services to show
deponent and deponents wife the city. on said
day about the hour of ten o'clock in the
morning deponent and his wife went
out with said defendant and when
deponent was in the General Post Office

Forfeited Justice,

188

0652

Building said defendant disappeared. Subsequently deponent was informed by William Winterstein that at or about eleven o'clock he saw said defendant standing in the office of said hotel by ^{and on} deponent's trunk which contained the aforesaid property. deponent being a stranger ~~and~~ he was delayed by not knowing the way from said Post Office Building to said hotel and upon inquiring from several person deponent reached said hotel about the hour of twelve o'clock and deponent found that said trunk had been broken open and the aforesaid property was missing.

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

Sworn to before me this 24 day of March 1884

A. J. Jernigan

my com

Police Justice

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFFIDAVIT—Larceny.

vs.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0653

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 43 years, occupation William Winterstein
Hotel Keeper of No.
141 Cedar Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Fermani Vittonio
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 24
day of March 1884 Wm Winterstein

ay Casey

Police Justice.

0654

Sec. 198—200

CITY AND COUNTY }
OF NEW YORK, } ss.

13 District Police Court.

Fanny Recka 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.

Fanny Recka

Question. How old are you?

Answer.

27 year

Question. Where were you born?

Answer.

Austria

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

Answer.

141 Cedar St. one day

Question. What is your business or profession?

Answer.

Brick Layer

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

Recka Francesco

Taken before me this
day of

March
188*8*

Police Justice.

0655

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 Harry Reska

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 he legally discharged

Dated 24 March 188 any town 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.

0656

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

Germani Vittorio
130 Greenwich St.

1 *Franz Recka*
2 _____
3 _____
4 _____

Grand Larceny
Offence

Dated *24 March* 188 *4*

M. J. Power Magistrate.

Nathan Putnam Officer.

27 Precinct.

Witnesses *William W. Haster*

No. *141 Cedar* Street.

Anton Reznicek

No. *157 Bloomfield* Street.

W. J. Haster

No. _____ Street.

\$ *1000* to answer _____ Sessions.

Call

Charles J. Brady

0657

Vittoria
Reika
District Police Court,
New York, 1888
Synopsis of testimony
taken orally -

defendant advised complainant
who he saw place \$80 in
gold coin in his valise to
lay it among the baggage
in the public room of the
Emigrant Dining House kept
by the wife Winterstein; and
not up stairs to his wife as
~~the~~ the complainant wished
them to do - saying - "it will
be perfectly safe there";
then he took the complainant
for a walk to the P.O. -
where he was missed -
The wife Winterstein, saw the
defendant shortly afterwards

0658

examining the baggage of Complaint
before his return at 12 noon.

Defendant has old clothes, then
had new suit on when arrested
& told Officer making arrest
that it was purchased by
himself at Zurich, Switzerland.

Officer found it was made
here, and found threads
whose ~~tailor~~ tailor, Markle
were torn from it.

W. J. Owens

29.

0659

Fernand Vittorio

0660

Victoria
v
Neeka

District Police Court,
New York, March 24 1884

In the District Ct.

This Complainant ~~Complainant~~
her property (except \$40
worth of tickets to take
himself & wife to the work)
by a Larceny Committed
as set forth in the
accompanying Complaint.
He is destitute. I do not
wish to commit him to
the H. of Detention for
the reason that it would
be a very great punishment
for his wife. With this
will be presented the Landlord

0661

of the house where they
are looking — and
probably you will make
arrangements for their
support ~~there~~ with him —
pending the trial of this
Case — if you think
from the evidence that
there is a probability of
obtaining a conviction.

I am quite satisfied
as I understand the
defendant has offered
to procure them \$20.

to enable them to proceed
to their destination. That
unless this arrangement
is made — they will
accept the offer & go their
way to the west at once.

0662

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Francisco Becka

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

Francisco Becka

of the CRIME OF GRAND LARCENY in the Second degree, committed as follows:

The said

Francisco Becka

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
twenty second day of March in the year of our Lord one thousand
eight hundred and eighty-four, at the Ward, City and County aforesaid, with force and arms,

four gold coins of the
United States of America
of the kind commonly
called double eagles
of the value of twenty
dollars each

of the goods, chattels and personal property of one

Friman Vitorio

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.

Peter B. Carey

District Attorney.

0663

BOX:

133

FOLDER:

1385

DESCRIPTION:

Reid, James E.

DATE:

03/25/84



1385

Witnesses

Boh. Sorensen,
off Thos Murray.

22/1

Day of Trial,

Counsel,

Filed 25 day of

March 1884

Pleads

Chiquita.

THE PEOPLE

vs.

B

James E. Reid

BURGALARY—Third Degree,
NOTHING STOLEN.

(898)

PETER B. OLNEY,

JOHN MCKEON

District Attorney.

A True Bill.

Walter B. Kimmel

Foreman.

Any other person
offending

0664

0665

Police Court—2d District.

City and County } ss.:
of New York

and having charge
of No.

346 Hudson

Joseph Sorensen

residing at No. 326 7th
St. N. Y. City

Street, aged 35 years,

occupation

lower floor of Chemist

being duly sworn.

deposes and says, that the premises No

346 Hudson Street

in the City and County aforesaid, the said being a

Drug Store, in the

Ward of the City of New York

and which was occupied by deponent as a

storage room for drugs

and in which there was at the time no human being, by name

were BURGLARIOUSLY entered by means of forcibly

breaking

a pane of glass in the door leading

from the street into said premises

on the

2 day of

March

1884

in the

night

time, and the

following property attempted to be

Drugs & Medicines of the value
of One Hundred Dollars

the property of

Wm. G. Lewis

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

James C. Reed, (nowhere)

for the reasons following, to wit:

That Deponent is informed
by Josiah Jackson, that he (Jackson)
found said Reed in said premises
at about 8 o'clock on the night

0666

of the day ~~about~~ above set forth, and
After said premises had been carefully
looked - and that said Jackson
also found the glass of the door
above described broken as set
forth

James Lawrence

I have been me this 22
day of March 1884
James Lawrence
Phewman

Police Court	District.
THE PEOPLE, &c.,	
ON THE COMPLAINT OF	
vs.	Burglary
Dated	188
Magistrate.	Officer.
Clerk.	Witnesses:
Committed in default of \$	Bail.
Bailed by	No.
Street.	

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 57 years, occupation Laborer of No. 1

aged 27 years, occupation Student
364 Henderson Street, being duly sworn, deposes and says that John Beren

says, that he has heard read the foregoing affidavit of Joseph J. [illegible]
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this
day of Mar.

158.

Police Justice.

0558

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK } ss.

26 District Police Court.

James E. Reid 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty
James E. Reid

Taken before me this

day of

March 1918

Charles J. Smith
Police Justice.

0669

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

Dated March 28th 1887 Samuel J. Webb 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.

0670

BAILED,

No. 1, by Patrick Skelly
Residence 137 West 15th Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court 2d District.

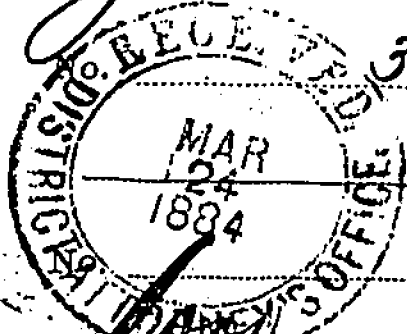
THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Boren Drug Store
346 W. 17th St.
James E Reid

1 _____
2 _____
3 _____
4 _____
Dated March 22 1884

A. J. White Magistrate.
Wm. S. Murray Officer.
pk Precinct.

Witnesses John Bobel
89 Charetton Street.
Josiah Jackson
346 W. 17th St. Street.



General Street.
to answer General Sessions.
Done

0671

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

James E. Reid

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

James E. Reid

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

The said *James E. Reid*

late of the *Eighth* Ward of the City of New York, in the County of
New York aforesaid, on the *2nd* day of *March* in the year of our
Lord one thousand eight hundred and eighty *four* with force and arms, at the Ward, City and
County aforesaid, the *store* of *William E.*

W. Lewis
there situate, feloniously and burglariously did break into and enter, the said *store*
being then and there a building in which divers goods, merchandise, and valuable things
were then and there kept for use, sale and deposit; the same being the goods, chattels,
and personal property of *the said William E.*

W. Lewis with intent the said
goods, merchandise and valuable things in the said *store* 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.

PETER B. OLNEY,

~~JOHN MCKEON~~, District Attorney.

0672

BOX:
133

FOLDER:
1385

DESCRIPTION:
Reilly, John

DATE:
03/31/84



1385

0673

BOX:

133

FOLDER:

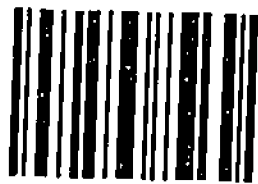
1385

DESCRIPTION:

Divins, Edward

DATE:

03/31/84



1385

0674

BOX:

133

FOLDER:

1385

DESCRIPTION:

Kelly, John

DATE:

03/31/84



1385

0675

Witnesses

Filed 31 day of March 1884
Pleads guilty
Counsel, *W. H. B. B. B.*

THE PEOPLE

vs.

John Reilly
alias James Colgan

Edward Davis

John Kelly
(4 cases)

PETER B. OLNEY,

~~JOHN MCKEON,~~

District Attorney

A True Bill.

Charles B. K. K.

Foreman.

Charged to N.Y. Court of Oyer and Terminer for trial Jan 29, 1885

Feb. 10, 1885

#3 discharged on his verbal recognition

Feb. 20, 1885

#1 Pleads Guilty

June 1-1885

#1 - City Prison 10 days & Fine 100¢
out day for each dollar

0676

2^d District Police Court.

The People and
Francis Osborne

vs.

John Reilly alias
James Blagau

BEFORE HON.

Andrew J. White

Police Justice

February 25th 1884

STENOGRAPHER'S MINUTES.

INDEX.

WITNESSES.

Direct Ex.

Cross Ex.

R. D. Ex.

R. C. Ex.

Andrew E. Jones
Joseph M. Dorsey
Francis Osborne

David S. Seltman

Stenographer.

0677

Second District
James Faust

The People and
Francis Osborne

vs
John Reilly alias
James B. Polgan

Before Hon.
Andrew J. White
Justice

Feb'y 21st 84

Andrew E. Lins called on
behalf of the people bearing
duel sworn deposes vs. vs.

By the Court

Where do you reside?
At 111th Street and 6th Avenue.

What is your age?
A 45 years.

What is your occupation?
A Hotel Keeper

Direct Examination

Do you know John Reilly alias
Polgan?

Answer I know this gentleman
(pointing out Reilly alias Polgan)

0678

2

Q. Do you recognize him here present
A. Yes sir

Q. How long have you known
this defendant?

A. I think its about a couple
of months, some thing in that
neighborhood.

Q. Where did you first see him
A. He came into my place.

Q. Where?

A. December 21st I think it
was.

Q. You think it was the 21st of
December last?

A. Yes sir

Q. What took place at that time
between you and him?

A. Well he came in my place
and asked me to have a
drink and then he said he
saw Mr Freeman - and
Mr Freeman sent him over
to sell me some pipe Red-
pick; And I asked him how
much he asked for it and
he said he paid seventeen
dollars and fifty cents a
bucket And I told him if it

0679

19

I came back and was there about
3 hours at least I should think
Q who did you arrest first?
A Mr Colgan I spoke to him the
other officers took charge of the
other two men.

Q Did you keep Mr Colgan there
during all this time?
Answer I took him to Headquarters
and then took him to court

Q Did you arrest Mr Colgan the
first time you were there?
Answer

Q How long were you there the
first time?

A I don't think over five minutes
probably ten not more than
that

Q Was Champion there at that
time?

Answer

Q Why did you bring Mr Colgan
back to the place?

A I brought him to Police Headquar-
ters.

Q Then all this conversation that
you have testified to took

0580

20

please during that five or ten minutes that you made the arrest?

Answer

Q How then?

A While going from there to Headquarters and from Headquarters over to court. It was when he was admitted to bail and came back to the place again?

Q That was when?

A That was in the evening part of it if not at it was then and part when he came back in the evening to the basement.

Re Direct

Q Do you know this man's name?

A I know the name that he has been known by.

Q How long?

A About 2 years I think.

Q What name has he been known by for 2 years?

A He has been known to me by the name of Colgan.

Q What reason have you to

0681

21

suppose that his name is Colgan
A well in a matter that I had
he appeared as Colgan in that
matter. And I understood that
that was his name. And the people
who appeared who knew him
very well they knew what his
name was.

Defendants Counsel admit that
the prisoners name is James B.
Colgan.

Sworn to before me } Joseph M. Dorey
this 23 day of February 1894 }
Andrew Smith } Police Justice

0682

12

Francis Pares Osborn the
complainant being duly sworn
deposes & says

Q By the Court

Where do you reside?

A 101 Park Avenue.

Q What is your age?

A 44 years.

Q What is your occupation?

A Merchant

Solemn Examination

Q Mr Osborn you are a member
of the firm of Joseph Osborn
Son & Company?

A I am.

Q And the senior partner of the firm
A Yes sir

Q And your firm is the sole agents
for the United States and Canada
for the paper Reid sick wine

A are are.

Q Look at the bottle marked plain
tiffs Exhibit A and examine the
labels on it and tell me whether
those are genuine labels or
counterfeit?

A The caps the labels and all are

0683

23

are counterfeit

Q Can you tell without opening the bottles whether the contents of it is paper leaden wire?

A I cannot tell what the contents of it is without opening it.

Q Look at the bottle marked plain tips Exhibit 4. And tell me whether the caps and labels on that bottle or genuine or counterfeit?

A The caps and both the labels are counterfeit.

Q Look at the 3 metal caps Exhibits 3 and tell me whether they are genuine or counterfeit?

A They are all counterfeit.

Q Look at the small labels marked exhibit and tell me whether they are genuine or counterfeit?

A They are all counterfeit.

Q Look at the large labels Exhibits and tell me if they are genuine or counterfeit?

A They are counterfeit.

Q Are any of the genuine labels in this country?

0684

24

Ayesen

Q Are there any genuine labels coming to this country except affixed to the bottles.

Ayesen

Q Are any of the genuine made in this country?

Ayesen

Q Do any of them come to this country except affixed to bottles

Ayesen.

Q Can you tell me whether these labels are registered as trade marks?

A They are labels because we have been doing business with them for a number of years and they are registered and recorded in the United States.

Q In the United States office?

Ayesen.

James Hannin

Q Why do you say that these labels and caps are counterfeit?

A Because having had so many years experience and knowing

0685

25-

our own labels, so well we know
that these are not ours. and that
they are counterfeit. the raise
is different and that is no like
ours. and they are struck off from
a different stone. probably a
better way to show it would be
to put our label along side of
it, there are many different

0686

Q Are there many differences?

A Yes sir the raisins are different ^{the word a has an} the 4 is different and the ~~crosses~~ paper Leidsick are in french over ~~Jaeger's~~ ~~are not being in french~~ ~~meant to be~~ ~~at in french~~ ~~the and suppose~~ that would be sufficient for the court at present. And man who deals in wines at hotels bars or restaurants would know an wine. And they would pay that this is a colored imitation.

Q Now what is the difference in the labels.

A The raisins in the stor are different. The cup is made from a slightly different metal than ours. And the stamp is different than ours. And the makers name is very badly imitated its a forgery and the maker of the cup. all our rays are true, that is all movement.

Revinet

Q Is any paper Leidsick bottled in this country?

A No sir

Q That is a well known fact is it?

0687

2
Ayessin we import the wine and
sell about 50,000 baskets from
hundred stores a year.

Q That is a well known fact in this
country?

Ayessin is well known by every
body in the United States. I speak
of those who are in the wine trade.

Sworn to before me
this 23 day of Feby 1884

Aurora J. Smith

Thos. M. Mory
Justice

0688

Joseph Dorsey Recalled.
Q You say you know Mr Colgan
two years? now what business
was he in prior to this time?
A when I was first knew him he
was an agent for the wine house
of Gault, he had been in there
employment?
Q when was he agent for Gault
A I am not positive of the day
I can get it at home if its a
matter of record about the
time,

Taken before me } Joseph M. Dorsey
this 23^d day of Febry 1884 }
Andrew M. White Police Justice

The further hearing was
adjourned to Febry 23^d 5 PM.

0689

March 1st Examination resumed.

Philip Nathaway Esq. Informs the Court, that he is counsel to the defendant, and that he desires to cross Examine Mr. Osborn.

Mr Lewis, counsel for Mr Osborn

Objects, on the ground. that Mr Osborn has once been examined and exhausted.

By the Court.

Objection Overruled.

Counsel. Exception

Mr Osborn recalled for further cross Examination

Q Mr Osborn who compose the firm of J. Osborn, Sons & Son Perry?

A myself and three brothers and my mother as special partner.

Q where and when was this trade mark in this case filed if you know of your own knowledge

A I don't remember, but we have the certificates?

Q you have the certificates?
A yes sir

Q I have you them here?
A yes sir

0690

Q Where are they?

A Either in Messrs. Convent Brothers office or our own office?

Dependants counsel moves to strike out the answer of the witness relative to the trade mark for the reason that better evidence to wit! the certificates themselves of the trade mark are in existence!

By the Court.

Motion Denied

Counsel Exception

Dependants counsel, I except upon the ground that it appears in evidence that the certificates of the existence of the trade marks in question are in existence within the purview of the court. and the control of the witness and are the best evidence

Q Does the firm of Johns. Osborn. & Co. consist of the same and identical persons to day, or upon the day that this prosecution was commenced, and at the time that the

0691

trade mark in question was
filed?

Objected to as being immaterial
By the Court, Objection Sustained
Counsel Except, upon the ground
that it is necessary to file the trade
mark from time to time and
discuss therein the identical
persons who compose the firm
who claim such trade mark
as their right.

Q Did you file the certificate in
question in person?

A Our attorneys did I believe they
had charge of it

Q Answer the question Mr Osborn

A Not in person! No sir

Q Did you file the trade mark in
question in person?

A No not in person.

Q By whom was it done?

A By Messrs Condit Brothers.

Q What knowledge have you ^{that} the
trade mark was filed in the
office of the proper bureau of
the United States Government
by which you get the right to
use the trade mark in question?

0692

Objected to, on two grounds
First its immaterial whether any
trade mark was filed or not
And the ground second, the question
assumes that John Osborne & Sons
& Company got the right to use
the trade mark from filing it
is not true; at all events it does not
appear so in the evidence?

By the Court, Objection Sustained
General Exception

Q Now after have you firm re-
moved the trade mark in question
since you have been in business

Objected to as being immaterial
By the Court, Motion Sustained.

Q How long has the present trade
mark;— How long have you
had the right under the United
States Government to use the trade
mark?

A I really don't know, but a great
number of years.

Q Under the United States law?
Answer a great many years.

Q Have you ever filed or has any
one for and in behalf of the firm
of John Osborne & Sons & Comp-
any. filed a statement with

0693

the secretary of state of the state of new-york or with the county clerk of the city and county of new-york, that you claim the right to hold and use the trade mark in question as the trade mark of your business?

Objected to as being immaterial
By the Court. Sustained
Counsel. Exception

Q How many certificates of the existence of this trade mark have you had since the firm has been in business?

Objected to, as being immaterial
By the Court. Sustained
Counsel. Exception

Q What is your trade mark?

A Every portion, the trade mark is every portion, separately, on the label. on the cap and the stamps thereon; and on the small label and the marks and numbers and words on the neck labels; besides ^{the words} pipe heads and on the cans as well, we have about forty certificates concerning them.

0694

6
75
Dependants Counsel, I call for the
production of the certificate
Complainants Counsel.

Are refuse to produce them
unless the court requires us
to produce them.

Dependants Counsel.

I call for them in order
that I may be required to perfect
my defence

By the Court.

It does not need to be pro-
duced before this court at all
It can be produced before the
court, if I send it below.

Dependants Counsel, Exception
I will you swear, that the same
same article of merchandise
is contained in the bottles that
you sell, with this alleged trade
mark upon it, that you sold
from the time that you first
obtained the trade mark from
the United States Government
to protect you in your sales

Objected to as being immaterial
By the Court Sustained
Counsel Exception

0695

Q Is the decoration or liquid which
you sell in the bottles to which
this alleged trade-mark is
attached is wine?

A Professor J. Ogden Bonner.
J. Effie Farnell, are unable to
answer the question.

Q Is it a pure wine from the grape
A Yes.

Q Has it any other ingredients
in it except that which is
purely from the grape.

Answered to

By the Court Sustained!

Farnell Exception

Q You say your firm are the sole
importers of this wine, of this
brand of liquor for both
the United States and Canada.
A My firm are the sole agents
for the United States and Canada
of the importations from
Canada also through the
port of New York.

Answered to

By the Court Sustained.

Farnell. Exception

0696

3

was all straight and in a good condition I wanted buy ten baskets and pay for it and delivery and he said he would send them right up.

Q Did he send it?

A He did not, I got a telegraph the next day.

Q Did he send it at any time?

A Yes sir

Q When?

A The next day but one, well a couple of days afterwards.

Q Did you see him the day it was delivered?

A Yes sir

Q Where?

A At my place

Q What day was it? Have you got that receipt, you can tell from that I suppose?

A Yes.

Q When was it?

A December 24th.

Q What took place at that time?

A There was an expressman who brought the wine and he

0697

4

waited until this gentleman
came (meaning really also
Colgan ^{and} when he came he
unloaded it and I paid him
for it

Q What did you pay him?
A One hundred and seventy five
dollars.

Q How much did he bring how
much wine I mean; did he
bring you?

A Ten baskets?

Q Have you any of that wine
here?

A Yes sir there is a bottle here
Q Produce it please?

A Witness (produces a bottle of
the wine)

Plffs Counsel offers the
wine in evidence and marked

Exhibit A

Q Is that in the same condition
it was when he delivered it
to you?

A Yes sir it is

Q As to labels and cap?
A Yes sir

0698

Q And it has never been opened?
A Yes sir, it was never unwrapped
and never had the paper off of
it until I took it off now?

Q And you recognize the prisoner
there, the defendant as the per-
son who paid you that wine?
A Yes sir.

Cross Examined

Q Did you take a receipt for
the one hundred and seventy
five dollars or did you get
a bill?

A He brought a receipt.

Q Have you got the bill or the
receipt?

A I have.

Q Show you it with you?
A Yes sir.

Q Allow me to look at it?

A Yes sir (showing counsel)

Q Have you stated all the corner
evidence that took place at that
first interview that first meet-
ing?

A That's about all that was said

0699

6

I told him if this wine was genuine and all in good shape I would take it and I would pay for it on delivery. And I told him I would open a bottle of it and if there was too much bad corkage or if it was not genuine good wine good genuine proper Leidsick wine in every shape and manner And I would not keep it but return it to him.

Q Did he introduce himself to you as an agent for the wine or as the owner of it?

A He introduced himself that a gentleman by the name of Freeman, - that he sold Mr Freeman some wine and that the Mr Freeman had sent him to me.

Q Did he mention his name - Did you ask him his name?

A No. I didn't ask him his name; there was one thing that was said that I didn't state I guess. I said that the

0700

7

minie was below the market price and I says if it isn't genuine I don't want it, and he said it belonged to a whole sale house that had gone into bankruptcy and they wanted to settle up with the creditors and that they wanted to sell it off for cash; to make returns it was some thing to that effect I don't recollect the exact words

Q And he mention who the house was?

A Yes sir

Q He did not?

A Yes sir he said Mr Freeman had sent him to me.

Q What time of day was this conversation?

A I should think it was about three or four o'clock.

Q In the afternoon?

A Yes sir

Q How long did it last?

A Not but a few minutes; he just took a drink and there

0701

8

was quite a number in there
and I was talking to some other
gentlemen when he called
me away and he called me
by name, he seemed to know
me.

Q Did you see Mr Freeman between
the time he was there and the
time you got the wire?

Answered to as hearing
Irrelevant

Objection sustained
Counsel Exception

Q Then you remember nothing
more that was said or that
took place at that time?

Answer:

Q About what time of day
were the goods delivered?
A Well I should say about
3 o'clock.

Q Did this defendant come with
the goods?

Answer:

Q When did he come?

A I should think about half an
hour after the expressman

0702

9

came there after the goods were there he came, the expressman came first and wanted to know whether that was the place to deliver them and I told him yes he could unload them and he didn't want to unload them he didn't seem to want to unload them until this man came. And this gentleman meaning the defendant came pretty soon and he was waiting for him, and when he came he unloaded them.

Q Did you have any conversation with the expressman?
A Yes I did.

Q What was it?

Answered to

Q What conversation took place between you and this expressman, I mean between you and the defendant when the goods were delivered when he came there?

Nothing more than to pay

him for them. And I told him there was a dispatch come there for thirty five cents and it was not paid and I paid it. But I didn't think it belonged to me to pay it and I ^{would} talk about the bill.

Q. How did you get that dispatch with you?

A. Yes sir I have.

Q. Allow me to look at it.

A. Yes sir (showing counsel the dispatch)

Q. What was said?

A. That was all, then he paid me the thirty five cents. And asked me to have a drink and I took a drink with him and a cigar and he went away. And that was the last I saw of him that day.

Q. How soon after this did you open any of this wine?

A. I never opened any of it but one bottle.

Q. When?

A. After the people went away?

0704

Q why do you say you never opened
any?

A I never sold a bottle, I opened
a bottle to show to a man
that I thought was a judge of
it.

Q Of this wine?
Answer.

Reverend

Q Did you show Mr Reilly that
despatch?

A I did yes sir.

Q The same one?

Answer.

Q What did he say about it?
A He said he would have paid
for it only he didn't know
how much it would be?

Plaintiff Counsel offers the
despatch in evidence which
is as follows.

Bankers and Merchants, Telegraph
Company.

Dated 9/40 Broadway,

Recd at 1439 Boulevard.

To Mr Lins,

0705

12

Dec 22nd 1883.

Point Villa House.

110th Street and 6th Avenue.

Cart deliver wine until
Monday.

John Reilly.

Marked Plaintiffs Exhibit 2.

Complainant Connors offers
the bill and receipt in evidence

Ex Dec. 24th /83.

Mr Limer

Bought of John Reilly
10 Baskets of Thine \$175.00
Paid

John Reilly

328 E 42nd St.

Marked Plff Exhibit 3.

Given to before me
this 23rd day of January 1884 } A C Limer

Andrew White

Police Justice

0706

18.

Joseph M Dorsey called by
the people being duly sworn
deposes & says:
By the Court

Q Where do you reside?

A 203 East 109th Street.

Q What is your age?

A 40 years.

Q What is your occupation?

A Sergeant Detective of the Central
office.

Direct Examination

Q Mr Dorsey do you know Reilly
alias Colgate?

A Yes sir.

Q How long have you known him?

A I have known him for two
years I think some thing like
it.

Q Do you recognize Reilly alias
Colgate now here in Court?

A Yes sir.

Q You made the arrest in this
case?

A Yes sir.

Q Just state what you know
you know about it?

A In speaking of the arrest -
 In company with Detectives
 Handy and Connor and Husebury
 we went to the basement
 of 238 - 7th Avenue and found
 the prisoner there and also
 found a workman and a boy
 the workman gave his name
 as Devine and the boy gave
 the name of John Kelly.

Q What did you find there?
 A We found seven buckets
 all filled with a dozen
 bottles all filled with some
 kind of fluid and the bottles
 had caps on purporting to
 be pepper sprinklers

Q Have you got one of the bottles
 with you?

A Yes sir

Q Produce it please?

A (Witness producing a bottle)

Plffs Counsel, offers the bottle
 in evidence, and marked Plffs
 Exhibit 4.

Q Go on?

A I found beside that three hundred

0708

15
1
and sixty five labels. small ones.
with a cornet on them. they
were an imitation of the piper
Heidsieck label.

Q what else?

A And thirty two large labels.

Q what else?

A And seven metal caps.

Q did you find any corks?

A There was a lot of corks there.
I didn't find any new ones.

Q have you any corks that you
found there that day?

A yes I have not

Q you say you found seven
cases or baskets containing
bottles. were those labels on
them?

A yes.

Q were those baskets marked in
any way?

A They were marked as being
piper Heidsieck

Q what else was there in that
place.

A well there was a large lot
of bottles filled with some
liquid and there were labels

0709

16

and boxes and baskets and apparently
all the apparatus of a bottling
establishment

Q Any machinery?
A Yes sir machinery for bottling
and -

Q Did the defendant at any time
tell you he owned the articles
there?

A He told me, that he and another
man were in partnership in
the concern and that they inten-
ded to get rid of all this stuff

Q Did he tell you owned it?

A He claimed the ownership
of it, at right and -

Q Never mind that, that is enough? -
Q What did he say to claim the
ownership?

A Well in answer to my question
about removing any property
in taking charge of the base-
ment I told him I would not
deliver it to anybody except
the person to whom it be-
longed and the judge told me
in removing any evidence

0710

17

I wanted find there to deliver it
to the owner or any one who
claimed ownership of it. And
he claimed he was the owner.
Q Did he say he was the owner?
A He said he had charge of the
place and a friend of his who
was there said well yes! And
he was the owner.

objected to! to the point
well yes.

Q who said that?

A a man by the name of Thompson
who was with him?

Q Did he say it in his presence?
A yes sir

Q Did he deny it?

A no sir I said I wanted not
have any other man claiming
ownership excepting himself
because I wanted not lease
the things with anybody except
the owner And he said it belonged
to him And I left him in charge
of all the property And he said
you only want the evidence
of the paper Leidsick And I said

0711

18

yes.

Q And you found other labels then
caps in there was other labels
there and a lot of old stuff scattered
around.

Q Do you know what they were?
A They looked to me like a lot of
old labels I didn't bother
with them because they didn't
have anything to do with me
except what the search warrant
called for.

Labels offered in evidence
Large size labels marked
Ex 5. and small labels marked
Exhibit 6, Metal Caps marked
Exhibit 7,
I afterwards showed these labels
and caps to Mr Osborne?

Q Never mind that sergeant.
Now Examine

Q How long were you there in the
place?

A I was there about, - I was there
there twice I was there first
when I arrested him Mr Colgan
with the other officers and then

0712

Q Have you tasted of the liquor that was contained in the bottle or bottles upon which you gave the false and spurious and counterfeit trade-mark label found on them?

A Yes, sir.

Question: How many?

A Three or four.

Q Then you don't know that it didn't contain real Piper Heidsieck wine?

A I think I am sure I didn't know what the contents were.

Q Then you do not know that it didn't contain real Piper Heidsieck wine of your own knowledge?

A I am quite sure that it didn't contain real Piper Heidsieck wine, not the bottles that I seized.

Q And you swear upon your promise or your knowledge?

A Which bottles do you refer to?

Q The exhibits in the case.

A I know of my own knowledge.

0713

as far as I could possibly judge
I didn't taste it;

Q Just answer my question;
A I didn't open any bottles, I can-
not tell without opening any
bottles

Q Which is the best wine from
grape wine or this decoction
which you call Piper Reddick

The Court objects to the question
General Exception

Reddick

Q Mr Osborn, the exhibits in the
case the bottles which were
exhibited can you tell by hol-
-ding them up to the light whether
or not they contain genuine
Piper Reddick wine?

A Some of them Sir

Q I mean the exhibits which were
shown you?

A I don't remember now.

Q Defendants Counsel.

I ask that the exhibits be
produced to the witness, and ^{and so} he can
answer the questions, on the
ground that I am entitled to

0714

an answer. That its a matter
material to the defendant and
that the fact of its being drawn
out by the prosecution, is
material to the defendant?
Q Now Mr Osborn, the exhibits in
this case, the bottles which were
exhibited, can you tell by
holding them up to the light
whether or not they contain genuine
peppermint wine.
A Cannot tell without seeing it
Depts Pennock

I ask that the exhibit be pro-
duced in order that I may be enabled
to cross examine the witness

From the foreman }
this 3 day of March 1884 }
Andrew White }
Clerk of Court }
H. P. M. }
Depts Justice

The further hearing was ad-
journed to March 3^d 1884.
H. P. M.

0715

Q will you be kind enough to take
the bottles and hand them up to
the light and tell me if of course
is paper headed or wine?

A I will swear to the best of my
knowledge ^{and opinion} they are not paper
headed or wine.

Q I want your judgment will
you swear that they do not con-
tain paper headed wine or any
other?

A I cannot swear to it without taking
off the corkage & taking off the
cap and probably have to open the
wine and probably not.

Q I have the caps upon the bottles that
contain the so called paper headed
wine, and for the information of
which your firm are the sole
agents in the United States of
America, been changed in form
or substance within the last 6
months?

Objected to as being Incompetent
By the Court. Objections sustained. Except
(from to before me) *J. H. W. W.*
(this 3^d day of February 1884)
Andrew M. M. Police Justice

0716

POOR QUALITY
ORIGINAL

FORM 2.

Bankers and Merchants Telegraph Company.

This Company TRANSMITS and DELIVERS messages only on conditions, limiting its liability which have been assented to by the sender of the following message. Errors can be guarded against by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of UNREPEATED MESSAGES.

This message is an UNREPEATED MESSAGE, and is delivered by request of the sender under the conditions named above.

A. W. DIMOCK, President.

G. S. MOTT, Gen'l Supt.

J. G. CASE, Sec'y.

NUMBER 110	SENT BY ✓	TIME 11:45	RECEIVED BY JH	CHECK 6 (Kell 25)
---------------	--------------	---------------	-------------------	----------------------

Dated, 9:40 Bway Rec'd at 12:39 Bway

To Mr Lines Rec'd at 12:39 Bway

Point View House

110 St + 6 Ave

Wine, until Monday

John Reilly

American Rapid Telegraph Co.

NO CHARGES ON THIS MESSAGE UNLESS THE AMOUNT IS DENOTED THEREON BY THE COMPANY'S STAMP.

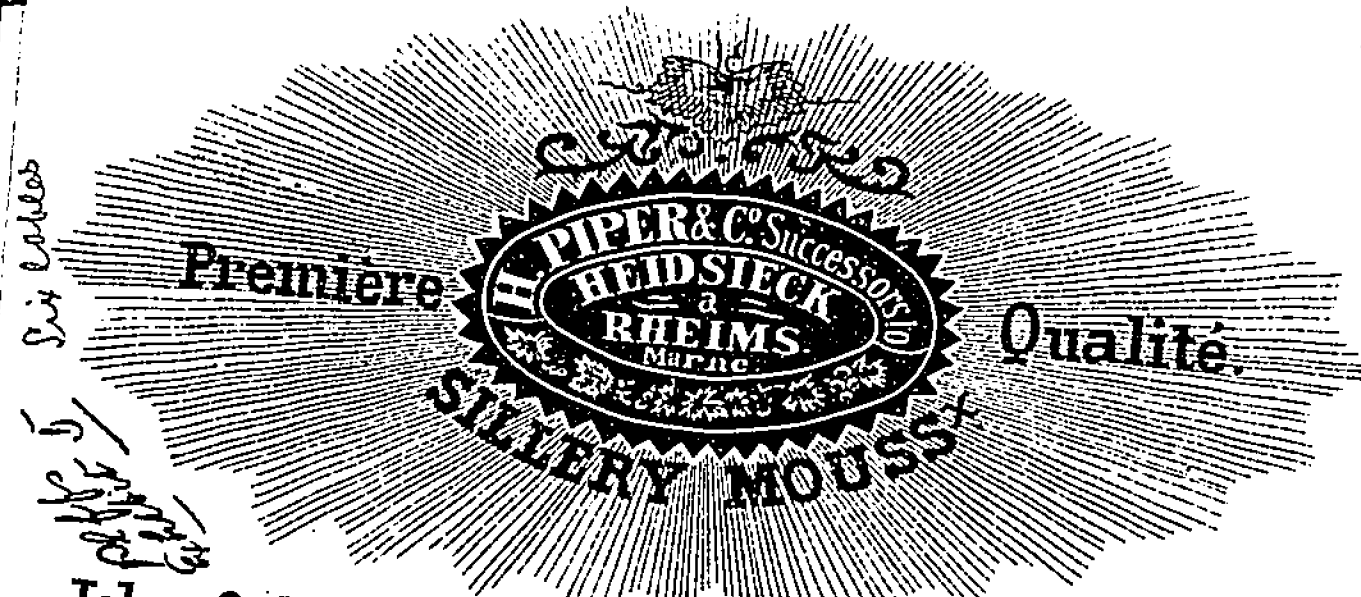
Mr Lines

Point View House

110 St + 6 Ave

Wine, until Monday

John Reilly



John Osborn Son & Co., New York & Montreal,
General Agents for the United States & Canada.

0717

- N.Y. - Dec 24/83

Mr Lewis

Bought of John Reilly

10 Baskets of Wine \$175.00

Paid

John Reilly

328 60 42 Cts

0718

Sec. 192.

nd
District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.
OF NEW YORK,

An information having been laid before *Andrew J. White Esq* a Police Justice
of the City of New York, charging *John Reilly alias James J. Stedman* Defendant with
the offence of *the offence*

of a *Misdemeanor, counterfeiting a Trade*
Mark

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

We, *John Reilly alias James J. Stedman* Defendant of No. *111 N. 2 St*

and *Peter A. Conway* Street; by occupation a *10.5 Leroy*

Street, by occupation a *Butcher* Surety, hereby jointly and severally undertake that

the above named *John Reilly Defendant* Defendant

shall personally appear before the said Justice at the *2d* District Police Court in the City of New York,

during the said examination, or that we will pay to the People of the State of New York, the sum of *Twenty*

Hundred Dollars.

Taken and acknowledged before me, this *14*

day of *February* 188*4*

Andrew J. White POLICE JUSTICE

Peter A. Conway

0719

CITY AND COUNTY
OF NEW YORK, } ss,

Sworn to before me, this
day of February, 1881
Police Justice.

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

Leased, of premises 454, 3d Avenue, valued at Three Thousand Dollars

Peter A Conway

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs,

Undertaking to appear during
the Examination.

Taken the day of 188

Justice,

0720

Sec. 192.

District Police Court

CITY AND COUNTY OF NEW YORK, ss.

An information having been laid before me, a Police Justice

of the City of New York, charging

the offence of

William J. ...

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

William J. ... Defendant of

33-37 ... Street, by occupation a

and *William J. ...* of No. ...

Street, by occupation a

the above named *William J. ...* Defendant

shall personally appear before the said Justice at the

during the said examination, or that we will pay to the People of the State of New York, the sum of

Hundred Dollars.

Taken and acknowledged before me, this

188

William J. ... Police Justice.

Undertaking to appear during the examination.

0721

CITY AND COUNTY
OF NEW YORK, } ss,

Sworn to before me this
day of
188
Police Justice.

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

Patrick Cunningham
Deu
Building situated and
known as Number 82 5th Avenue valued
Twenty Thousand Dollars free and
clear of all encumbrances in said city
P. Cunningham

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Undertaking to appear during
the Examination.

vs,

Taken the _____ day of _____ 188

Justice,

0722

Sec. 151.

Police Court 2d 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, GREETING :

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by Francis P. Osborn
of No. 3 Beaver Street, that on the 9 day of February
1888 at the City of New York, in the County of New York,

John Kelly alias James
Goldau, John Doe, whose real
name is unknown, and John Kelly, did
commit a Misdemeanor, viz having affixed
false and counterfeit labels to a bottle purporting
to contain Champagne Wine

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 them
forthwith before me, at the 2d 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 14 day of February 1888
Andrew Smith POLICE JUSTICE.

Police Court 2d District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs

Warrant-General.

Dated 1888

Magistrate.

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 1888

This Warrant may be executed on Sunday or at
night.

Andrew Smith Police Justice.

REMARKS.

Time of Arrest,

Native of

Age,

Sex,

Complexion,

Color,

Profession,

Married,

Single,

Read,

Write,

0723

City and County of New York, Jo:

Francis F. Osborn being duly sworn says that he is 44 years of age and resides at No. 101 Park Avenue ~~street~~ in the City of New York.

That he is a member of the firm of John Osborn, Son & Co., merchants, doing business at No. 45 Beaver Street in said City.

That ~~said~~ said firm are the general agents for the United States and Canada for the sale of the Champagne wine known as Piper-Heidsieck.

Deponent further says that on or about the 3rd day of January 1884 he was informed by Andrew C. Lewis, of the Pont Neuf House, corner of 111th Street and 6th Avenue in this City, ^{that} a man calling himself John Reilly had sold him ten cases of what purported to be Piper-Heidsieck, which, upon examination, proved to be an imitation or spurious article. Said Lewis delivered to me ^{one of} the bottles of the ~~same~~ sold to him by said Reilly which I examined and found to contain a spurious article, not champagne wine. On the bottle were a metallic cap and two paper labels, printed in imitation of those

0724

affixed to bottles containing the Piper
Heidsieck imported and sold by my
said firm, which metal cap and
two labels I at once recognized to
be counterfeit.

Deponent therefore
charges that said said John Reilly
& said James Horgan, did affix
to said pretended bottle of Wine, knowing
the same to be false, a Counterfeit trade
mark, to wit, the two paper labels and
Metallic Cap, on said alleged
Bottle of Champagne.

Wherefore
deponent prays that said, John Reilly
& James Horgan, and also one John
Doc, ^{whose name is unknown}, and
one John Kelly, whom deponent charges
as aiding and assisting said John
Reilly alias James Horgan, may
be apprehended and dealt with as the
law directs.

Worn before me this
14 day of February 1884

J. M. O'Rourke

Sworn before me
Police Justice

0725

City and County of New York, ss:

John Donnelly being duly sworn says that he is 34 years of age and resides at No. 1189 Third Avenue in this city.

That on the 9th day of February 1884, he was informed by John Kelly who resides at No. 346 Sixth Avenue that he was ^{then} employed ^{by the} by James B. Colgan at No. 238 Seventh Avenue, in washing and filling champagne bottles and putting on labels furnished by Colgan. That all the wine was taken from the same cask but that different labels were put upon the bottles. That some of the labels were Piper Heidsieck, some of them Cliquot and some Carte Blanche. Said Kelly also told ~~him~~ deponent that a man ^{whose} name ~~he~~ deponent does not remember was also employed at the same work and place by said Colgan and deponent has seen said man coming and going out in said place.

That said Kelly on the evening of the 13th of February 1884, informed deponent that during that day, he and said man were employed in putting up Piper Heidsieck and would be so doing today, February 14th.

John Donnelly.

I certify for me this 14 day of
 February 1884
 Charles J. Smith
 Notary Public

City and County of New York, ss:

Andrew E. Lines being duly sworn says that he is 45 years of age and resides at the Print View House, corner of 111th Street and 6th Avenue in this city of which House he is the proprietor.

That on the 24th day of December 1883, he purchased of a man who said his name was John Reilly, ten ~~bottles~~ of what ~~he supposed~~ ^{he supposed} to be Piper Heidsieck wine. That when he came to examine such purchase he found it to be a spurious article. That thereupon and on or about the 30th day of January 1884, he reported the matter to Messrs. John Osborn, Son & Co., and delivered to Mr. Francis P. Osborn of that firm some of the bottles which he had purchased from said Reilly, which said Osborn examined and pronounced the caps and labels affixed thereto to be counterfeit and the liquid contained therein to be spurious and not Piper Heidsieck wine.

That ^{or about} on the 29th day of January 1884 when deponent was walking on Eighth Avenue near 23rd Street in this city in company with Mr. Thomas

0727

Craig, he saw the man who sold him
the said two baskets of spurious wine,
and that he was then and there informed
by said Craig that the real name of
the said man was James B. Colgan
and not John Reilly.

Andrew E. Limer

Shown before me this
14 day of February 1884 }

Andrew J. [Signature]
Police Justice

0728

Sec. 198-200

CITY AND COUNTY } ss.
OF NEW YORK,

12 District Police Court.

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

Question. What is your name?

Answer. *John Kelly*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *245 6th Avenue three months*

Question. What is your business or profession?

Answer. *Washing and labelling bottles*

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.*

John Kelly

Taken before me this

day of

1888

Charles J. Smith
Police Justice.

0729

Sec. 198-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *John Kelly*

Question. How old are you?

Answer. *24 Years*

Question. Where were you born?

Answer. *Long Island*

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

Answer. *111 West 13th St. 9 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. *Not Guilty*

John Kelly

Taken before me this
day of *March* 188*8*

Police Justice.

0730

Sec. 198-200

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Edward Devin*

Question. How old are you?

Answer. *49 Years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *337 First Avenue Two years*

Question. What is your business or profession?

Answer. *Wine Bottler*

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 I was working
for Colgan I did not know he was doing
anything wrong*
E Devin

Taken before me this

day of

188

Police Justice.

0731

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

and that there is sufficient cause to believe the within named

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

Dated March 3d 1884 Andrew J. Smith Police Justice.

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

Dated March 6th 1884, Andrew J. Smith 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.

0732

...has been committed,

0733

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Reilly, otherwise
called James Colgan,
Edward Quinn, and
John Kelly.

The Grand Jury of the City and County of New York, by this indictment, accuse John Reilly, otherwise called James Colgan, Edward Quinn, and John Kelly, of the CRIME OF keeping for sale goods, to wit: one bottle of wine, which was affixed a false and counterfeit trade-mark, committed as follows:

The said John Reilly, otherwise called James Colgan, Edward Quinn, and John Kelly, each, on the twenty-fourth day of December in the year of our Lord one thousand eight hundred and eighty-three with force and arms, at the City and County aforesaid, with intent

to defraud, unlawfully did then and there keep for sale goods, to wit: one bottle of wine, to which was then on there affixed a certain false and counterfeit trade-mark and label in the similitude of the trade-mark lawfully adopted by Ferdinand and Ferdinand and Paul Delino, doing business as manufacturers of wine under the name and style of Ferdinand and Company, and by the said Ferdinand and Company usually affixed to bottles containing merchandise, to wit: wine of the kind commonly known in trade as Finesse-Hendrickson: saying wine to denote that such wine was manufactured by them: against the form of the Statute

0734

in such case made and pro-
vided and against the peace
of the People of the State of
New York, and their dignity.

Peter B. Olney

District Attorney.

000 000 7

129/227

Filed 31 day of March 188 4

Pls. notify Apr 1

२१३

John Reilly
Chairman Colgan

Edward Davis, Jr.

John Kelly
(4 cases)

PETER B. OLNEY

JOHN MAKEON.

District Attorney

A True Bill.

Conrad Krueger

Foreman.

Went to N. Y. Court of Sycamore & Semmes
for trial Jan 29, 1885

Feb 10, 1885

#3 discharged on his verbal recognition

0735

0736

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

THE PEOPLE OF THE STATE OF NEW YORK

against

John Reilly, otherwise
called James Colgan,
Edward Dinnis, and
John Kelly

The Grand Jury of the City and County of New York by this indictment accuse
John Reilly, otherwise called James
Colgan, Edward Dinnis and John Kelly,
of the crime of Grand Larceny in the Second Degree,
committed as follows:

The said John Reilly, otherwise called
James Colgan, Edward Dinnis, and
John Kelly, —————

late of the First Ward of the City of New York, in the County of New York aforesaid,
on the twenty-fourth day of December in the year of our Lord
one thousand eight hundred and eighty-three at the Ward, City and County
aforesaid, with force and arms, with intent feloniously to cheat and defraud one ———

————— Andrew E. Dinnis, —————

did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend
and represent to the said Andrew E. Dinnis, ———

That then certain baskets, which they then
and there exhibited to and delivered to the
said Andrew E. Dinnis, then contained nine
of the kind commonly called Piper-Heidsieck
champagne wine, of the first quality. That
the same was genuine Piper-Heidsieck
champagne. That the labels and trade
marks then and there on the said baskets
and on the bottles then and there contain-
ing the said wine, in the said baskets,
were genuine and true labels and trade
marks, adopted by and commonly
used by the proprietors and manufacturers
of Piper-Heidsieck champagne. That the
said baskets, and the bottles therein, contained
champagne wine of the first quality, which
had been manufactured in France by the
proprietors and manufacturers of the wine
commonly known as Piper-Heidsieck, and
that the same had been duly imported from
France into the United States, and that
the said ten baskets, and their contents
were part of a lot of Piper-Heidsieck cham-
pagne wine delivered to a person whose name
they had engaged in the wine business, and
selling out this stock with the intention of getting out
of the trade; and that the said ten baskets and

0737

Their contents were then of the value of one hundred and seventy dollars. ---

And the said Andrew E. Sines

then and their believing the said false pretences and representations
so made as aforesaid by the said John Reilly, otherwise
called James Colgan, Edward Davis
and John Kelly — — — — —
and being deceived thereby, was induced, by reason of the false pretences and represen-
tations so made as aforesaid, to deliver, and did then and there deliver to the said
John Reilly, otherwise called
James Colgan, Edward Davis
and John Kelly, a sum of money,
to wit: the sum of one hundred
and seventy nine dollars in
money, lawful money of the
United States of America, and
of the value of one hundred
and seventy nine dollars, —

of the proper moneys, valuable things, goods, chattels, personal property and effects
of the said Andrew E. Quier, —————

of the said Andrew C. Smith,
and the said John Reilly, otherwise called James Coleman
Edward Davis and John Kelly did then
and there designedly receive and obtain the said sum of money

of the said Andrew E. Linder

of the proper moneys, valuable things, goods, chattels, personal property and effects
of the said Andrew E. Jones;

of the false pretences and representations aforesaid, and with intent feloniously to cheat and defraud the said Andrew E. Lurie, by means

[illegible]

0738

These labels and trade marks adopted and commonly used by the proprietors and manufacturers of Paper Champagne, and were then and there sold and represented as labels and trade marks, and were imitations of the genuine trade marks and labels, so far resembling the genuine trade marks and labels, as to be likely to induce the belief that they were genuine.

And whereas in truth and in fact the said bottles, and the said bottles, did not contain Champagne of the quality which had been represented in France by the proprietors and manufacturers of the wine commonly known as Paper Champagne, and the same had not been duly imported from France into the United States: And whereas in truth and in fact the said ten bottles, and their contents, were not part of a box of Paper Champagne, and were not sold by a person who was then and there operating in the wine business, and was not acting out his trade with the intention of obtaining the trade. And whereas in truth and in fact the said ten bottles and their contents were not then of the value of one hundred and seventy five dollars, but were of no value whatever,

And whereas, in truth and in fact, the pretences and representations so made as aforesaid, by the said John Kelly otherwise called James Colgan, Edward Quinn and John Kelly to the said Andrew E. Quinn — was and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City, and County aforesaid.

And whereas, in fact and in truth the said John Kelly otherwise called James Colgan, Edward Quinn and John Kelly well knew the said pretences and representations so by them made as aforesaid to the said Andrew E. Quinn to be utterly false and untrue at the time of making the same.

And so the Grand Jury aforesaid, do say, that the said John Kelly otherwise called James Colgan, Edward Quinn and John Kelly by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City and County aforesaid, the sum of money aforesaid, to wit: the sum of one hundred and seventy five dollars in money, lawful money of the United States and of the value of one hundred and seventy five dollars, of the proper moneys, valuable things, goods, chattels, personal property, and effects of the said Andrew E. Quinn, then and there feloniously did steal: against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

PETER B. OLNEY,

JOHN MORTON, District Attorney.

Witnesses

124/31
Filed 31 day of March 1884
all
Pleadings - July 1st 1884

THE PEOPLE

vs.

John Reilly
Salvatore Colgan
Edward Dwyer
John Hickey
(4 cases)

PETER B. O'NEIL,
JOHN McKEON,

District Attorney.

A True Bill.

Charles B. Kinnel

Foreman.

Sent to N.Y. Court of Exchequer and Terminals
for trial Jan 29. 1885

Feb. 10. 1885

#3 discharged on his verbal recognition

10th

0739

0740

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Reilly, otherwise
called James Colgan,
Edward Davis, and
John Kelly.

The Grand Jury of the City and County of New York, by this indictment, accuse John Reilly, otherwise called James Colgan, Edward Davis, and John Kelly, of the CRIME OF Perjury in their possession of Perjury in their possession of committed as follows:

The said John Reilly, otherwise called James Colgan, Edward Davis, and John Kelly, — — — — — late of the City and County of New York, on the twenty-fourth day of December in the year of our Lord one thousand eight hundred and eighty, with with force and arms, at the City and County aforesaid, with intent to defraud, unlawfully did have in their possession a counterfeit trade mark and label, in the similitude of the trade mark lawfully adopted by Ferdinand Hundelmann and Paul Delius, doing business as manufacturers of wine, under the name and style of Hundelmann and Company, and by the said Hundelmann and Company usually affixed to articles of merchandise, to wit: upon bottles containing wine of the kind commonly known in trade as Piper Heidsieck Champagne wine, to denote that such wine was manufactured by them: whereby the said John Reilly, otherwise called James Colgan, Edward Davis, and John

0741

Telling them and there well know-
ing the said trade mark, and
label to be counterfeit: 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.

Peter B. Olney,

District Attorney.

129
Counsel,

Counsel,

Filed 31 day of March 1884

Call
Pleas

Pleads *Not Guilty* Apr 12

THE PEOPLE

25.

John Reilly
John James Colgan

Edward Davis and

John Kelly +
(4 cases)

PETER B. OLNEY,

JOHN CRATON

District Attorney

A True Bill.

True Bill.
Charles B. Kinnick.

Foreman.

Ordered to N.Y. Court of Sess. and
Termmer for trial Jan. 29, 1885

Feb. 10, 1885

#3 discharged on his verbal recognition.

0742

0743

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Reilly, otherwise
called James Colgan,
Edward Davis, and
John Kelly.

The Grand Jury of the City and County of New York, by this indictment, accuse
Reilly, otherwise called James Colgan,
Edward Davis and John Kelly
of the CRIME OF knowingly affixing a false and coun-
terfeit trade mark to an article of merchandise
committed as follows:

The said John Reilly, otherwise called
James Colgan, Edward Davis and
John Kelly, each
late of the City and County of New York, on the twenty second day of
December, in the year of our Lord one thousand eight hundred and eighty two
with force and arms, at the City and County aforesaid, with intent
to defraud, unlawfully and
affix to a certain bottle containing an
article of merchandise, to wit: wine, a
certain false and counterfeit trade-mark
and label in the similitude of the
trade mark lawfully adopted by Ferdi-
nand Hundtman and Paul Delius
doing business as manufacturers of
wine, under the name and style of
Hundtman and Company, and
usually affixed by them to bottles
containing merchandise, to wit: wine
of the kind commonly known as
as Cuvée de Reims Champagne wine
to denote that such wine was man-
ufactured by them: that the said
John Reilly, otherwise called James
Colgan, Edward Davis, and John
Kelly, then and there well knowing
the said trade mark and label

0744

to the false and counterfeit: 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.

Peter B. Olney,

District Attorney.

0745

BOX:

133

FOLDER:

1385

DESCRIPTION:

Reilly, Patrick

DATE:

03/10/84



1385

W. J. Cunningham

W. J. Cunningham

97 Thursday
Counsel, R. S. Vell

Filed 10 day of March 1884

Pleads (Property H. H.)

19. THE PEOPLE
vs. P
607 1144

Patrick Reilly

PETER B. OLNEY,
JOHN McKEON,

District Attorney

23 Ma. 17/84

A True Bill.

Charles H. H. H.

Foreman.

Wm. G. G. G.

W. J.

W. J. G. G. G.

0746

0747

Police Court

District.

CITY AND COUNTY }
OF NEW YORK. } ss.

Olate Cunningham

of No 239 Bleeker Street, aged 36 years
being duly sworn, deposeseth and saith, that on the 4th day of March
1884, at the 2nd Ward of the City of New York, in the County
of New York, ~~was~~ ^{attempted to be} feloniously taken, stolen, and carried away, from the person of deponent
by force and violence, without his consent and against his will, the FOLLOWING PROPERTY, VIZ:

one leather satchel containing good
and lawful money of the value of Twenty
five cents one linen handkerchief
of the value of Fifty cents three
brass keys of the value of Seventy
five cents all

of the value of \$50 DOLLARS,
the property of deponent who is a widow

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

Patrick Reilly (now free)

That about the hour of 2 1/2 P.M.
on said date deponent was walking
up 9th Avenue at 66th Street when
said defendant came along and
caught hold of the satchel con-
taining said property that was
in deponent's hand and attempted
to take it from her that while
said defendant was pulling
said satchel said deponent fell
on the sidewalk and while down he
said defendant struck and choked

day of March
1884
Sumner before me this

Police Justice.

0748

he and again attempted to take
said property

Mrs Kate Cunningham

Sworn to before me

this 5th day of Mch 1884

Samuel C. Bailey Police Justice

Police Court— District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

vs.

AFFIDAVIT—ROBBERY.

Dated

188

Magistrate.

Officer.

Witnesses:

0749

Sec. 198-200

5 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Patrick Reddy 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. *Patrick Reddy*

Question. How old are you?

Answer. *19*

Question. Where were you born?

Answer. *New York*

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

Answer. *617 W 49th St 4 years*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer.

*I know nothing about it
I was intoxicated at the time*

Taken before me this
day of *March* 188*4*

Samuel C. Reddy
Police Justice.

his
Patrick X Reddy
mark

0750

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 Patrick Reilly

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 Nov 5 188 4 Samuel C. Reilly 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.

0751

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court--

Dist.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Plate Cunningham
239 Blue
Patrick Reilly

1 _____

2 _____

3 _____

4 _____

Dated Mch 5 1884

D. O. Reilly Magistrate.

Thomas O'Connor Officer.

31 Precinct.

Witnesses William Spencer

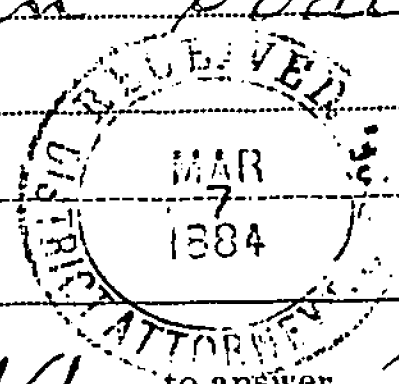
No. Boulevard 8th Street.

William Boulevard

No. _____ Street,

No. _____ Street,

\$ 1000 to answer G. S.



0752

N. Y. General Sessions
The People of the State
of New York
agst-
Walter Cosgrove indicted
as Patrick Reilly

city and County of New York ss.

John Holton
being duly sworn says I reside at
number 415 West 26th Street in the
city of New York. I am a dealer in
merchandise. I have been in business
in the city of New York for the past
twenty years. I know Walter Cosgrove
indicted as Patrick Reilly. I have
known him for eighteen years last
past. I know a great number of people
who know him I know that his charact-
for peace and quietness and for honesty
is very good I never heard of his ever
having been arrested before charged
with any offence. I ^{have always} known him to
be a steady and sober workman. His
trade being a Horse shaver and Blacksmith.

Sworn to before me this

17th day of March 1884

Andrew F. W. Nickle

Notary Public in and for

John Holton

0753

Court of General Sessions

The People vs

vs

Patrick Kelly

Affidavit to Character

0754

New York March 18th
I have known Patrick Feily
Always to be a hard working
young man, his mother is a very
respectable hard working woman and
depended a great deal on her son
for her living. I am sure that he
is not a bad young man, and has
always worked to support his mother
and himself I heartily recommend him
to the Mercy of the Court

Yours Resp^t
John Dougherty
24 Willstst
New York

0755

New York

To whom it may Concern
I have known Patrick Reilly
& his family for a number of
Years & have always found them
to be honest industrious people
& as such I recommend him
knowing that he is in trouble
& feeling interested both in
himself & his family I beg
leave to tender this Recommendation
to your notice

W. J. Cronin
249 E. 35th St.

0756

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Patrick Reilly

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

----- Patrick Reilly -----
of the Crime of Attempting to commit -----
of the CRIME OF ROBBERY IN THE ----- Second ----- DEGREE, committed as follows:

The said Patrick Reilly -----

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
fourth ----- day of ----- March ----- in the year of our Lord one
thousand eight hundred and eighty-four, at the Ward, City and County aforesaid, with force
and arms, in and upon one Kate Cunningham -----
in the peace of the said People then and there being, feloniously did make an assault, and
one satchel of the value of one
dollar, one silver coin of the kind
known as quarter dollars of the
value of twenty five cents, divers
other coins of a number, kind
and denomination to the Grand
Jury aforesaid unknown, of the
value of twenty five cents, one
handkerchief of the value of
fifty cents, and three keys of
the value of ten cents each. -----

of the goods, chattels and personal property of the said -----
----- Kate Cunningham -----
from the person of said Kate Cunningham ----- and against
the will and by violence to the person of the said Kate Cunningham -----
then and there violently and feloniously did rob, 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,

PETER B. OLNEY,

JOHN McKEON, District Attorney.

0757

BOX:

133

FOLDER:

1385

DESCRIPTION:

Rodgers, Frank

DATE:

03/18/84



1385

0750

BOX:

133

FOLDER:

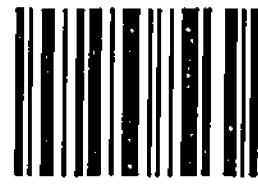
1385

DESCRIPTION:

O'Hara, John

DATE:

03/18/84



1385

Witnesses:

one of Depts has
a Remembrance in
his possession of
the Salento Post

52 Bill

Counsel,

Filed

1884

Pleads

THE PEOPLE

19. 1. 15
344 1. 15

vs.

Frank Rodgers
alias Frank Smith
both defendants
John N. O'Hara

PETER B. OLNEY,
JOHN McKEON

District Attorney.

23 Mar 14/14

Both plead guilty.
A True Bill.

Calder P. Kinnel

57. each J.P.

Mar 24 1884

0759

0760

Police Court—2 District.City and County }
of New York, } ss.:

Hermon B. Boyd
of No. 114 Madison Avenue Street, aged 38 years,
occupation Hotel Keeper being duly sworn.

deposes and says, that the premises No 114 Madison Avenue
in the City and County aforesaid, the said being a Building situated
in the 18th Ward of said City
and which was occupied by deponent as a dwelling and boarding home
and in which there was at the time a human being by name Carrie Boyd
and a number of other persons
were BURGLARIOUSLY ~~attempted to~~ attempted to
be broke and entered by means of forcing
attempting to open the front hall
door of said premises by means of a false
key at about the hour of 6 P.M.
on the 11th day of March 1884 in the night time, and the

~~following property feloniously taken, stolen, and carried away, viz:~~ with the intent
to commit a larceny or some other crime
therein, there being then personal
property of the value of one hundred
dollars (and more) contained within said
premises

the property of deponent

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

Frank Smith, otherwise Frank Rodgers, and
John H. O'Hara, both now in prison.

for the reasons following, to wit: That said front hall door
was closed and secured with a night
lock and said property was within said
premises.

That deponent is informed by Officer
James R. Price, then present, that
the said Officer saw said defendants
walking in company together and
talking to each other, and that he

0761

followed them to dependent said premises
and saw said O'Hara go up the
stair and stoop down with his hand
at the lock of said door, while said
Smith stood on the sidewalk at the
stair looking up and down the
avenue, and when said dependant
was arrested by said officer said
O'Hara dropped from his hand
a skeleton key and other skeleton
key were found in his possession
by said officer; and in the possession
of the dependant Smith said officer
found a revolver and a number
of skeleton keys which are burglar's
instruments, all of which dependant
admits to be true.

Sworn to before me this }
12th day of March 1884 } T. B. Boyd

J. M. Patterson }
Police Justice }

Police Court	District.
THE PEOPLE, &c., ON THE COMPLAINT OF	
vs.	
Burglary	
Dated	188
Magistrate.	
Officer.	
Clerk.	
Witnesses:	
Committed in default of \$	
Bailed by	
No.	Street.

0762

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 36 years, occupation James H. Price
Police officer of No.

29th Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Thomas B. Boyd
and that the facts stated therein on information of deponent are true of deponents' own

knowledge.

Sworn to before me, this 12th

day of March

1888

James H. Price

Wm. Patterson

Police Justice.

0763

Sec. 198-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Frank Rodgers*

Question. How old are you?

Answer. *19 years of age*

Question. Where were you born?

Answer. *New York*

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

Answer. *524 East 25th St., about 2 weeks*

Question. What is your business or profession?

Answer. *Telegrapher*

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.*

Frank Rodgers

Taken before me this

19th

day of

March

188

Police Justice.

0764

Sec. 198-200

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *John H. O'Hara*

Question. How old are you?

Answer. *21 years of age*

Question. Where were you born?

Answer. *Boston, Mass.*

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

Answer. *324 East 25 St. 2 days*

Question. What is your business or profession?

Answer. *Steam Fitter*

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*

John H. O'Hara.

Taken before me this

12 " "

day of *March*

188 *8*

John M. Patterson

Police Justice.

0765

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

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

Dated March 12 188 W. D. 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.

0766

152
Police Court 2 District. 1180

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Theron B. Boyd
44 Madison Ave.

Frank Smith
Frank Rodgers
John H. O'Hara

Offence Attempt at
13 years

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

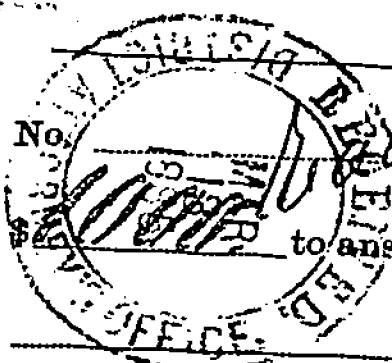
No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated March 12 1888
Pattison Magistrate.
J. H. Pucci Officer.
29 Precinct.

Witnesses James H. Pucci
29 Precinct. Pucci Street.

No. _____ Street,



No. _____ Street.
to answer Gen. Comd Sessions.

0767

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Frank Rodgers
otherwise called
Frank Smith and
John M. O'Hara

The Grand Jury of the City and County of New York, by this indictment, accuse Frank Rodgers, otherwise called Frank Smith, and John M. O'Hara, of the crime of Attempting to commit the CRIME OF BURGLARY IN THE FIRST DEGREE, committed as follows:

The said Frank Rodgers, otherwise called Frank Smith, and John M. O'Hara, each late of the 10th Ward of the City of New York, in the County of New York aforesaid, on the seventh day of March in the year of our Lord one thousand eight hundred and eighty-four with force and arms, about the hour of seven o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of

Theron B. Boyd
there situate, feloniously and burglariously did break into and enter, each of them the said Frank Rodgers, otherwise called Frank Smith, and John M. O'Hara, being then and there assisted by a confederate as usually present

whilst there was then and there some human being, to wit, one Carrie Boyd within the said dwelling house, the said Frank Rodgers, otherwise called Frank Smith and John M. O'Hara then and there intending to commit some crime therein, to wit: the goods chattels and personal property of the said Theron B. Boyd 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.

Peter B. O'Hara
District Attorney

0768

BOX:

133

FOLDER:

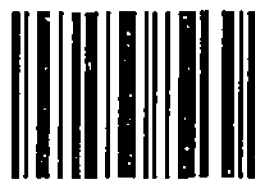
1385

DESCRIPTION:

Rogers, Edwin

DATE:

03/28/84



1385

Witnesses:
J. G. Smith

Edwin Rogers
in Elmina

276

Counsel,

Filed 28 day of March 1884

Pleads

THE PEOPLE

vs.

Edwin Rogers

INDICTMENT.

Grand Larceny in the second degree.

(2452895531)

PETER B. OLNEY,

~~JOHN WICKESON~~

District Attorney.

Sentenced on and ther

Indict March 26, 1884
A True Bill.

Wm. B. Kenna

Elmina

Foreman

0769

0770

First

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, ss.

of No. 105 Reade Street, age 39 years, Book Keeper,
being duly sworn, deposes and says, that on the 25 day of February 1884,
at the Premises No. 105 Reade St City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent with intent to deprive the true owner of
the use and benefit thereof
the following property, viz:

Good and lawful money of the
United States of the Value of
one hundred dollars.

the property of

Nicholas Manges & Charles F. Avery
Co-partners, and doing business under the firm name
of Manges & Avery. And in 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 Edwin Rodgers (now here)

from the fact, that on or about the 20th day
of February 1884, Deponent told said Rodgers
to take a check drawn on the New York National
Exchange Bank to their place of business No 105
Reade street, and to have the same cashed—
That said Rodgers drew said amount of
money from said Bank and failed to return
the same to deponent

Edward J. Wilder

Sworn before me this

22 day of March 1884.

Police Justice.

0771

Sec. 198—200

CITY AND COUNTY }
OF NEW YORK } ss.

District Police Court.

Edwin Rogers 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. *Edwin Rogers*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *114 West 29 St. 17 years*

Question. What is your business or profession?

Answer. *Office Boy*

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

Edwin Rogers

Taken before me this

27th

day of

March

188*4*

Police Justice.

0772

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 Edwin Rogers

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 22 March 1884 Wm. J. Barry 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.

0773

Police Court

1205 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward H. Wilder
155 105 Reade St
Edwin Rodgers

Grand
Larerry
Offence

2
3
4

Dated 22 March 1884
M. J. Power Magistrate.
Mrs Beatty Officer.
25 Precinct.

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

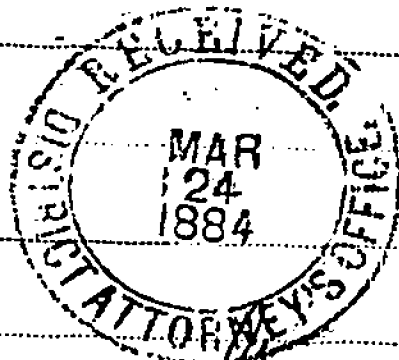
Witnesses
No. Street.

No. Street,

No. Street,

\$ 1000 to answer General Sessions.

Cam



0774

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Edwin Rogers

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

Edwin Rogers
of the crime of GRAND LARCENY IN THE Second DEGREE, committed as follows:
The said Edwin Rogers

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

two promissory notes for the payment of money, being then and there due and unsatisfied (and of the
kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars
each; five promissory notes for the payment of money, being then and there due and
unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value
of ten dollars each; ten promissory notes for the payment of money, being then and there due
and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the
value of five dollars each; ten promissory notes for the payment of money, being then and
there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars,
and of the value of two dollars each; ten promissory notes for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination
of one dollar, and of the value of one dollar each; two promissory notes for the payment of
money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty
dollars each; five promissory notes for the payment of money (and of the kind known as bank
notes), being then and there due and unsatisfied, of the value of ten dollars each; ten promissory
notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of
the value of five dollars each; one promissory note for the payment of money (and of the kind
known as bank notes), being then and there due and unsatisfied, of the value of two dollars; one
promissory note for the payment of money (and of the kind known as bank notes), being then and there due and
unsatisfied, of the value of one dollar, and one instrument
and writing, and evidence of
debt, to wit: an order for the
payment of money of the kind
known as bank checks, the same
being then and there unsatisfied
and for the payment of and of
the value of one hundred dollars,
of the goods, chattels, and personal property of one

Nicholas Manger 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.

PETER B. OLNEY,

JOHN McKEON, District Attorney.

Witnesses:
E. H. Wilder

237

Counsel,

Filed 25th day of April 1884

Pleads

THE PEOPLE

vs.

P

Edwin Rogers

INDICTMENT.
Grand Larceny in the 1st degree.
(MONEY.)
[3528 and 531]

PETER B. OLNEY,

JOHN McKEON

District Attorney.

A True Bill.

Carly B. Knudsen

March 6/84

Foreman

Head Gully
State Reformatory, Columbia

0776

First

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK,

ss.

age 40 years, merchant John G. Smith
of No. 76 & 78 Leonard Street,

being duly sworn, deposes and says, that on the 18 day of July 1883
at the premises 76 & 78 Leonard Street in 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, with intent to deprive the
true owner of the use and benefit thereof.
the following property, viz:

Good and lawful money of the United
States consisting of bills of divers denominations
and values amounting to One Hundred and
eighty five dollars, and Silver Coin consisting
of forty twenty five Cents pieces amounting to
ten dollars; in all of the value of and
amounting to One Hundred and
eighty five dollars (\$195⁰⁰/₁₀₀)

the property of John G. Smith, John A. Churchill, and Charles
R. Scribner, Co-partners, doing business under
the firm name of Smith Churchill & Scribner
and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken,
stolen, and carried away by Edwin Rodgers (now here)

from the fact that on the above date as
deponent is informed by Wallace H. Lockwood
of No 300 West 48th Street who handed to
said Rogers said amount of money for
the purpose of delivering the same to deponent
that said Rogers failed to deliver said
money but withheld and appropriated
the same to his own use without the consent
of deponent.

John G. Smith

Sworn before me this

25

day of March 1884

Police Justice,

0777

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 19 years, occupation Clerk of No.

300 West 48th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this 25
day of March 1888

Wallace H. Lockwood

City Clerk
Police Justice.

0778

Sec. 198—200

7 District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

Edwin Rodgers being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is his ~~to~~ 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.

Edwin Rodgers

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

New York

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

Answer.

144 W 29 St. about one year

Question. What is your business or profession?

Answer.

Office Boy

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

Edwin Rodgers

Taken before me this

day of *March* 188*4*

Out of Court
Police Justice.

0779

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 Edwin Rogers

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

Dated 25 March 1884 Wm. J. [Signature] 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.

0780

Police Court

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John H. Smith
76 & 78 Leonard St

1 Edwin Rogers

2
3
4

Offense Grand Larceny

Dated

25 March

188

4

M. J. Power
Standy & Summ

Magistrate.

Officer.

Precinct.

Witnesses

Wallace H. Lockwood

No.

300 West 48

Street.

No.



Street,

No.

Street,

\$

1000 to answer Ben

Sessions.

Cour

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

0781

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Edwin Rogers

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

Edwin Rogers
of the crime of GRAND LARCENY IN THE Second DEGREE, committed as follows:

The said Edwin Rogers

late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the Eighteenth day of July in the year of our Lord one thousand eight
hundred and eighty-three at the Ward, City and County aforesaid, with force and arms,

four promissory notes for the payment of money, being then and there due and unsatisfied (and of the
kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars
each; eight promissory notes for the payment of money, being then and there due and
unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value
of ten dollars each; ten promissory notes for the payment of money, being then and there due
and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the
value of five dollars each; ten promissory notes for the payment of money, being then and
there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars,
and of the value of two dollars each; ten promissory notes for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination
of one dollar, and of the value of one dollar each; four promissory notes for the payment of
money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty
dollars each; eight promissory notes for the payment of money (and of the kind known as bank
notes), being then and there due and unsatisfied, of the value of ten dollars each; ten promissory
notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of
the value of five dollars each; one promissory note for the payment of money (and of the kind
known as bank notes), being then and there due and unsatisfied, of the value of two dollars; and one
promissory note for the payment of money (and of the kind known as bank notes), being then and there due and
unsatisfied, of the value of one dollar, and forty silver coins
of the United States of the kind
known as quarter dollars,
of the value of twenty five
cents each

of the goods, chattels, and personal property of one

John F. Smith

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.

PETER B. OLNEY,

JOHN McKEON, District Attorney.