

0085

**BOX:**

527

**FOLDER:**

4799

**DESCRIPTION:**

Caccia, Charles W.

**DATE:**

07/21/93



4799

Witnesses:

*Wm. C. ...*  
*Chas. ...*  
*Officer*

*The Charge against the ...*  
*Embroider in White (4) ...*  
*is now 44 years old, and*  
*they relate to the ...*  
*of money by him as agent and*  
*Salesman of the ...*  
*Unexplained by ...*  
*had got name to him the*  
*Charge of ...*  
*dependent ...*  
*name to ...*  
*Commit a Crime, and ...*  
*his ...*  
*supported by the ...*  
*testimonials ...*  
*Who ...*  
*Res ...*  
*The ...*  
*in a ...*  
*Employment - As ...*  
*is ...*  
*also ...*  
*of the ...*  
*Pl. 3, ...*

Counsel

Filed

*B. J. Morgan*

1898

*Pleas, Not Guilty*

THE PEOPLE

vs.

*Charles W. Caccia*  
*(et al.)*

Grand Larceny, [Sections 828, 831, Penal Code.]

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*J. ...*

*Part 3, June 24, 1898.*

*Indictments returned*  
*on motion of ...*  
*W. M. ...*  
*June 24, 1898*

Court of General Sessions  
City and County of New York.

The People of the  
State of New York  
against  
Charles W. Caccia

To the District Attorney  
of the City and County of New York:-

Richard Caccia, residing at  
627 Marcy Avenue, in the City of Brooklyn,  
states that he is the father of the above  
defendant. Prior to his son becoming involved  
in this case, he had always been a good,  
well-behaved boy, which will be seen by  
the affidavits hereto annexed. His former  
employers, Messrs. Fonn Bros, on whose  
complaint he was arrested, also commenced a  
civil action, in the Supreme Court for the  
amount of shortage that appeared in his  
account for moneys that he had formerly handled  
for them.

The said suit was settled by me upon  
the payment of the amount of money acceptable  
to them. As the firm have treated this  
matter as a civil action, I would respectfully  
ask that the defendant herein be discharged.

on his own recognizance, as my son, the said  
defendant, has an opportunity to go to  
California and be employed by his uncle,  
who has a large business, and who is anxious  
to give him a new start in life, and thus  
enable him to provide for me in my old  
age, as the settlement of the civil suit  
has taken the savings of a life-time.

Hoping that my prayer will be granted,

Very respectfully submitted

Richard Accia



Court of General Sessions  
City and County of New York

The People of the  
State of New York }  
Charles W. Baccia. }

City and County of New York fo:

Francis A. Goelty  
being duly sworn deposes and says: that  
he resides at 76 3rd Third Avenue  
New York City, where he carries on the  
Jewelry business; that he has known  
the defendant for more than two years  
both as a boy and young man and  
know him to be upright and  
honest; and likewise acquainted  
with defendant's family and knows  
them to be honest respectable  
people

Subscribed before me this 29<sup>th</sup> day of January 1895  
William P. Titus

Edw. Goelty

Court of General Sessions

People  
vs.  
Charles W. Caccia

City and County of New York, ss:-  
Frederick Leshorn, Sr., being duly sworn,  
deposes and says, That he carries on the cloak  
and trimmings business at ~~21~~<sup>21</sup> Howard  
Street, in this City. That he has known  
the defendant in the above entitled action  
for about ten years and has always believed  
him to be an honest industrious young lad,  
never having heard any other accusation  
made against his character except the  
above matter.

Sworn to before me this } Frederick Leshorn  
3<sup>rd</sup> day of January, 1895 }  
William D. Titus

Court of General Sessions  
City and County of New York

The People of the  
State of New York

vs.  
Charles W. Caccia

John Isaacs  
being duly sworn deposes and says: that  
he resides at No 302 East 30th Street  
New York City; that he has carried on  
the business of Cigar Manufacturing in  
this City for years and is now retired  
That he has known the Defendant  
for the past five years and has always  
known him to be an honest and  
well behaved man and know his  
family to be highly respectable per-  
sons

I now to before me this

29th day of January 1895

William J. Fitzgibbon

John Isaacs

302. E. 30 St

Court of General Sessions  
City and County of New York

The People of the  
State of New York

vs.  
Charles W. Caccia

City and County of New York for

Sigmund Hauser  
being duly sworn deposes and says: that he  
resides at No 329 East 30th Street in the  
City of New York and carries on a Butcher  
business at the corner of Second Avenue  
and Thirty first Street in said City; that  
he is acquainted with the above named  
defendant and has known him intimately  
for the past two years and that up  
to the charge in the above action he  
has always held the defendant in  
high esteem, knowing him to be up-  
right and honest and is likewise acquaint-  
ed with his family whom deponent  
knows to be honest and respectable  
people.

Shown to before me this Sigmund Hauser  
23<sup>rd</sup> day of January 1895.

Jacobs Cook Jr.  
Commissioner  
N.Y. City

Court of General Sessions  
City and County of New York

The People of the  
State of New York

Charles W. Baccia

City and County of New York:

Herbert A. Roberts  
being duly sworn deposes and says:  
that he carries on the Shoe business  
at No 16 Tenth Avenue in this City;  
that he has known defendant for  
over ten years as an honest, in-  
dustrious boy and young man and  
any leniency that this Court may  
extend to him will be thoroughly  
appreciated.

Sworn to before me this 1st day of February 1890  
Herbert A. Roberts  
Comm. of Peace.  
N.Y. City.

Court of General Sessions  
City and County of New York

The People of the  
State of New York

vs.  
Charles W. Caccia

City and County of New York:

Otto Leinz  
being duly sworn deposes and says that  
he has been for several years and  
is now engaged in the Dry business  
at No 498 Second Avenue said  
City; that he has known the de-  
fendant for more than five years  
and during all that time he was  
honest, well-behaved and an up-  
right young lad; that defendant  
enjoys the acquaintance of many  
others who all speak of the de-  
fendant in the highest terms.

Sworn to before me this  
30<sup>th</sup> day of January 1895.  
William L. Titus

Otto Leinz

Court of General Sessions

People  
vs.

Charles W. Baccia

City and County of New York, ss:-  
Herman F. Kanenbley being duly sworn deposes  
and says, that he carries on the business of  
pork packing and provision dealer, at 35 Columbia  
Street and resides at 315 East 17<sup>th</sup> Street in  
this City. That he has known the defendant  
herein since his birth. That he was always  
a well-behaved, honest boy and young man.

That he has never heard any other charge  
preferred against him, and his acquaintance with  
the family has been such that he would have  
heard, had any other charges been made.

Sworn to before me this } Herman F. Kanenbley  
31<sup>st</sup> day of January, 1895

William L. Titus

Notary Public  
for New York

District.

1912

Affidavit—Larceny.

of No. 365 Washington Street, aged 42 years.

occupation Yracer being duly sworn,  
deposes and says, that on the 22<sup>d</sup> day of June 1893 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in day time, the following property, viz:

Good and lawful money of  
the United States consisting  
of Paper notes and bills together  
of the value of

Three hundred <sup>4</sup> & twenty six  
Dollars (\$ 336 <sup>00</sup>)

*the property of.*

\_\_\_\_\_ and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Charles M. Quinn et al.

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Charles H. Caccia for the reasons following to wit. On said day defendant was employed by deponent as a cashier, and said money was in the money drawer in the cashier's office in charge of defendant, and said defendant suddenly disappeared from deponent's employment on said day and has failed to return to deponent's employ, and immediately after defendant disappeared said money was missing and deponent further says that no other person had access to the drawer where said money was



excepting defendant and deponent  
thereof charges said defendant  
with the conspiracy aforesaid

Sworn to before me }  
this 24th day of June 1893 }  
Herman form  
J. M. M. M. M.  
S. J. M. M. M.

Sec. 198-200.

1883  
District Police Court.

City and County of New York, ss:

*Charles Maccia* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is h<sup>is</sup> right to make a statement in relation to the charge against h<sup>im</sup>; that the statement is designed to enable h<sup>im</sup>, if he see fit, to answer the charge and explain the facts alleged against h<sup>im</sup>; that he is at liberty to waive making a statement, and that h<sup>is</sup> waiver cannot be used against h<sup>im</sup> 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.

Taken before me this

day of

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Police Justice.

Sec. 151.

Police Court \_\_\_\_\_ District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*  
OF NEW YORK, } *of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by Rayman Sam  
of No. 365 Washington Street, that on the 22 day of June  
1889 at the City of New York, in the County of New York, the following article to wit:

Legal and lawful money of  
the United States consisting  
of Bank notes and bills  
of the value of Three hundred and thirty six Dollars,  
the property of Complainant  
w as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by Charles M. Casca

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and every of you, to apprehend the bod y of the said Defendant  
and forthwith bring him before me, at the \_\_\_\_\_ DISTRICT POLICE COURT, in the said City, or in  
case of my absence or inability to act, before the nearest of 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 23 day of June 1889  
Edward M. Casca POLICE JUSTICE.

Police Court ..... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated ..... 188

Magistrate

*Heidelberg* Officer.

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

*Heidelberg & McInnis* Officer.

Dated ..... 188

This Warrant may be executed on Sunday or at  
night.

Police Justice.

Dated ..... 188

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

The within named

Police Justice.

BAILED,  
No. 1, by on other indictment  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court---  
District---

THE PEOPLE, &c.,  
VS THE COMPLAINT OF

Stephen David  
Charles M. Davis  
2  
3  
4  
Offense \_\_\_\_\_  
Date \_\_\_\_\_  
189

St. Martin  
Magistrate.  
W. H. H. H.  
Officer.  
Precinct.

Witnesses  
No. \_\_\_\_\_ Street \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_

Committed to the City Prison  
June 30 at 10:30 P.M.  
1893

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.  
Dated, June 30 189 3 Police Justice.

I have admitted the above-named \_\_\_\_\_  
to bail to answer by the undertaking hereto annexed.  
Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_  
guilty of the offense within mentioned, I order he to be discharged.  
Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

Court of General Sessions  
City and County of New York

The People of the State of  
New York

vs.

Charles W. Baccia

City and County of New York. ss:—

William H. Wills, being duly sworn deposes and says that he resides at No. 161 East 31<sup>st</sup> Street in said City, and carries on a roofing business in said City. That he has known the defendant in the above entitled action for about twelve years and he was a Sunday-school scholar in his class at Rose Hill M. E. Church in East 27<sup>th</sup> Street in this City. The defendant was also librarian when this deponent was superintendent of the Sunday-school. That he always knew him to be an exemplary boy, honest and industrious, and he never heard ~~any~~ other charge made against him other than the above entitled action. I know many other who speak in the same favorable terms of him.

Sworn to before me this

7<sup>th</sup> day of February, 1895.

William L. Tetris

Commissioner of Deeds

William H. Wills.

Court of General Sessions

People

vs.  
Charles W. Laccia

City and County of New York ss:-

Charles Hass, being duly sworn,  
deposes and says, that he carries on the Coal  
business at 546 Second Avenue, in this City.

That he has known the defendant  
herein for about ten years and he always  
knew him to be honest and respectable,  
never heard any other charge made against  
him, and he knows many others that know  
him, and they all speak in the highest  
terms as to his honesty and respectability.

Sworn to before me this } Chas. F. Haiss  
28<sup>th</sup> day of January. 1895 }  
William L. Titus

Court of General Sessions  
City and County of New York

The People of the  
State of New York

vs  
Charles W. Caccia

City and County of New York fo:

Henry Carey M.D.

being duly sworn, deposes and says: that  
he is a practising Physician in this  
City and resides at No 543 Second Ave-  
nue in said City; that he has known  
the above named defendant for  
the past fifteen years and have  
ever known him to be an honest  
industrious and well behaved boy  
and man and that outside of this  
case he has never heard any other  
accusation touching his honesty  
integrity &c; that he has known  
the defendant's family for years  
and know them to be honest res-  
pectable people. And know of many  
other citizens who are intimately  
acquainted with the defendant and  
his family who speak in the high-  
est terms of both.



Now to before me this  
23. day of January 1895. J. Henry Carey, M.D.  
J. Henry Carey, Jr. 34  
Mayor of New York City.

Court of General Sessions

People

vs.

Charles W. Caccia.

City and County of New York, ss:-

Moritz Koppe, being duly sworn, deposes and says, that he resides at 308 East 30<sup>th</sup> Street in the City of New York. That he carried on the hardware and house furnishing business in the City of New York for many years and is now retired from business.

That he has known the defendant herein for the last sixteen years, and as boy and young man knew him to be honest, sober and industrious, never heard any other charge made against him, and that he knows many other people who know defendant and his family, and they all speak in the highest terms as to their respectability.

Sworn to before me this

28<sup>th</sup> day of January, 1895

William L. Titus

} Mr. Koppe.

Court of General Sessions

People  
vs.  
Charles W. Caccia

City and County of New York ss:—

Alexander Mulholland being duly sworn deposes and says, that he is sexton and undertaker in connection with the M.E. Church in East 27<sup>th</sup> Street, in this City, and resides at 315 East 25<sup>th</sup> Street, in said City. That he has known the defendant herein from boyhood ~~and~~ as a scholar in Sunday-school of the Church where he was sexton and believes him to be honest, and respectable and many people with whom he is acquainted who know the defendant have always spoken of him in the highest terms.

Sworn to before me this } Alex. Mulholland  
30<sup>th</sup> day of January, 1895  
William L. Titus

4

Court of General Sessions

The People

of the State of New York

— against —

Charles W. Loefer

Affidavits as to Character  
and Petition

Police Court,

District.

(1352)

City and County } ss.  
of New York,

of No. 365 Washington Street, aged 42 years,  
occupation Grocer being duly sworn, deposes and says,  
that on the 30th day of November 1892, at the City of New  
York, in the County of New York,

Charles M. Caccia (now here)  
did evil fully feloniously  
unlawfully, corruptly alter  
erase and make a false entry  
in a book of account belonging  
to and kept by the partnership  
firm of South Brothers then and  
there composed of this deponent  
and Henry South, for the reasons  
following to wit, on the aforesaid  
day said defendant was in  
the employ of deponent as a  
cashier, and on said day  
said defendant had charge of  
the cash books, and cash balance  
books together with the cash  
of deponent's firm, and on  
said day said defendant did  
on page 407 of the cash balance  
book evil fully feloniously  
and corruptly alter erase and  
make the following false  
entry, having erased the  
figures \$26,738.34 dollars  
(which showed an said book  
of account should have been  
the amount in bank to  
deponent's credit on said day)  
and inserting the figures  
\$11,738.34/100 dollars in place  
thereof, making a difference  
of \$15,000 dollars between the  
amount of cash to deponent's

0110

credit in the banks and the said  
cash balance book <sup>and that the said</sup>  
<sup>allegations are grasped so much in the said</sup>  
<sup>or consent of</sup> <sup>deponents firm</sup> <sup>therefore charges said</sup>  
dependant with forgery and  
with appropriating the said  
\$15000 dollars to his own use  
and without the consent of the said  
in violation of the Penal Code  
of the State of Maryland

Sworn to before me  
this 30th day of June 1893  
Symonson  
Police Justice

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Sec. 198-200.

City and County of New York, ss:

1882  
District Police Court.

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

Question. What is your name?

Answer.

*Charles M Maccia*

Question. How old are you?

Answer.

*31 years*

Question. Where were you born?

Answer.

*United States*

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

Answer.

*300 East 30th Street 15 years*

Question. What is your business or profession?

Answer.

*clean*

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*

*Charles Maccia*

Taken before me this

day of

1882

at

Police Justice.

Police Justice.

0112

BAILED,  
No. 1, *Richard Lancia*  
Residence *200 E 30th*  
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

*James J. McLaughlin*  
*James J. McLaughlin*  
*James J. McLaughlin*  
1  
2  
3  
4  
Offense *Robbery*

Dated, *June 30* 189*3*

*James J. McLaughlin*  
Magistrate.

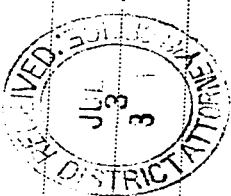
*James J. McLaughlin*  
Precinct.

Witnesses

No. Street.

No. Street.

No. Street.



No. Street.

*Chy*

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 J. McLaughlin*  
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, *June 30* 189*3*

*James J. McLaughlin*  
Police Justice.

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

Dated, 189

Police Justice.

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

Dated, 189

Police Justice.



Sec. 198—200.

1883  
District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer.

*Charles Maccia*

Question. How old are you?

Answer.

*31 years*

Question. Where were you born?

Answer.

*United States*

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

Answer.

*300 East 30th Street 15 years*

Question. What is your business or profession?

Answer.

*Clerk*

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

Answer.

*I am not guilty*

*Charles Maccia*

Taken before me this

*23rd*  
day of *March* 1883

Police Justice.

Police Court, / District.

(1352)

City and County } ss.  
of New York,

of No. 36 1/2 Washington Street, aged 42 years,  
occupation Grocer being duly sworn, deposes and says,  
that on the 14th day of April 1893, at the City of New  
York, in the County of New York,

Charles W. Paccia (nowhere)  
did willfully feloniously  
unlawfully and corruptly make  
a false entry in a book of account  
belonging to and kept by  
the partnership firm of Louis  
Bruckner then and there composed  
of this deponent and Henry Stern  
for the reasons following to  
wit, on the aforesaid day said  
defendant was in the employ  
of deponent as cashier, and  
had charge of the cash books  
and cash balance book together  
with the cash of deponent's  
firm, and that on said day  
said defendant willfully and  
feloniously unlawfully and  
corruptly on page 11 of the  
cash balance book of  
deponent's firm make the  
false entry of cash paid out  
\$46,111.10<sup>3</sup>/<sub>10</sub> dollars. While the  
correct amount as entered  
by defendant in the cash  
books of deponent's firm as  
Cash paid out is \$45,111.4<sup>3</sup>/<sub>10</sub>  
dollars, making a difference  
of cash paid out between  
the cash books and cash balance  
book of deponent's firm of  
One thousand dollars (\$1,000.00)  
Deponent therefore charges paid

defendant with forgery and  
with appropriating the sum of  
One thousand and no dollars to his  
said alterations with intent to cheat and defraud deponents firm  
and ensues a use, in violation of the  
penal Code of the State of New York  
do make as the  
said Co. porting  
ship books  
were made  
without the  
knowledge  
of deponents  
firm

I swear to before me  
this 30th day of June 1895 } Hyman Sorn  
Hyman Sorn  
Justice

BAILED,  
No. 1, by *on order with*  
Residence \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles M. ...*

Offense \_\_\_\_\_

Dated, *June 30* 189*3*

*Justice* Magistrate.

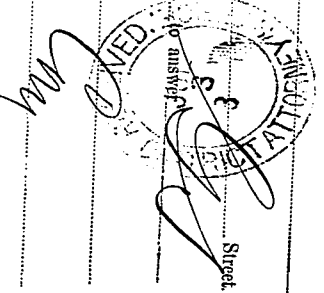
*Decker & Co*

Witnesses \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_



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

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

Dated, *June 30* 189*3* *Police Justice.*

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

Police Court, District.

(1352)

City and County } ss.  
of New York,

of No. 365 Washington Street, aged 45 years,  
occupation Grocer being duly sworn, deposes and says,  
that on the 13th day of September 1892, at the City of New  
York, in the County of New York,

Charles M. Paccia (nowhere)  
did willfully, feloniously  
unlawfully, and corruptly  
make a false entry in a book  
of account belonging to and  
kept by the partnership firm  
of Town Brothers, then and  
there composed of this deponent  
and Henry Town, for the reasons  
following to wit, on the afore-  
said day. Said deponent was  
in the employ of deponent  
as cashier and had charge of  
the cash books, and cash  
balance book together with  
the cash of deponents firm  
and that on said day said  
defendant willfully feloniously  
unlawfully and corruptly  
on page 376 of the cash  
balance book of deponents  
firm make the false entry of  
cash paid out \$64.32<sup>90</sup> dollars  
whilst the correct amount  
as entered by deponent in  
the cash books of deponents  
firm as cash paid out \$609.77<sup>90</sup>  
dollars. meaning a difference  
of cash paid out between  
the cash books and cash  
balance book of deponents  
firm of \$33.50 dollars.  
Deponent therefore charges

said defendant with forgery  
 and with appropriating the  
 sum of \$3350<sup>00</sup> to his  
 own use with intent to cheat  
 and that the said alteration and erasures were made in  
 the presence of the said defendant and without the  
 knowledge of the said complainant  
 violation of the penal code  
 of the State of New York

Sworn to before me this 30th day of Aug 1913 }  
 Hyman form  
 [Signature]  
 Secy of Justice

Sec. 198-200.

1682  
District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer.

*Charles Muccia*

Question. How old are you?

Answer.

*31 years*

Question. Where were you born?

Answer.

*United States*

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

Answer.

*300 East 30th Street 15 years*

Question. What is your business or profession?

Answer.

*None*

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

Answer.

*I am not guilty*

*Chas Muccia*

Taken before me this

*30th*

Police Justice.

Police Court... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

BATED,

No. 1, by *on action within*

Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street \_\_\_\_\_

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Offense \_\_\_\_\_

Dated, *June 30* 189*3*

*Magistrate*

*McClellery*

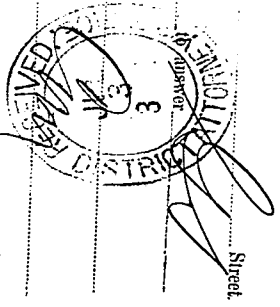
Witnesses \_\_\_\_\_ Precinct \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

No. *500* Street \_\_\_\_\_



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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of \_\_\_\_\_ 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, *June 30* 189*3*

*Police Justice*

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_

Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_

Police Justice.



(455)

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Charles W. Raccia.*

The Grand Jury of the City and County of New York, by this indictment accuse *Charles W. Raccia* —

of the crime of *Forgery in the Third Degree,* —

committed as follows:

The said *Charles W. Raccia*, —

late of the City of New York, in the County of New York aforesaid, on the  
*fourth* day of *April*, in the year of our Lord one thousand  
eight hundred and ninety- *three*, — at the City and County aforesaid,  
with intent to defraud, and to conceal  
a certain *harmony and misappropriation of*  
the money of *Stephen Down* and  
*Henry Down*, co-partners then and  
there carrying on business in and  
by the firm name and style of  
*Down Brothers*, by him the said  
*Charles W. Raccia* then lately before  
committed, did feloniously make  
a certain *false entry* in a certain

books of accounts belonging to and appertaining to the business of the said partnership, called the "cash balance book", which said balance entry is as follows:

" 46 " 13

which said entry then and there purported to set forth and indicate and did in substance and effect signify and declare that the amount of cash paid out by the said partnership and there purported to be entered in the said cash balance book was the sum of forty six thousand one hundred and eleven dollars and thirteen cents; whereas in truth and in fact the amount of cash paid out by the said partnership and there purported to be entered in the said cash book was the sum of forty five thousand one hundred and eleven dollars and thirteen cents and no more, as he the said Charles W. Faccia then and there well knew; 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  
signatures.

Deane's Mill,

Attorneys

Witnesses:

*Hyman Korn*  
*Chas. V. ...*  
*officer*

*Copy sent to ...*

Counsel, *B. J. Morgan*  
Filed *27* day of *July* 189*3*  
Pleads, *Not Guilty*

ENTERED  
T. J. W.

THE PEOPLE

vs.

*B*

*Charles W. Caccia*  
*(Exoner)*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*James McKee*

Foreman.

*Part 3, June 24, 1893.*  
*Ind. Ct. dismissed - see*  
*rec. in order in other*  
*Ind. Ct.*

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

538

THE PEOPLE OF THE STATE OF NEW YORK

against

*Charles W. Raccia*

The Grand Jury of the City and County of New York, by this indictment, accuse  
— *Charles W. Raccia* —  
of the CRIME OF *Grand* LARCENY, in the *first* degree, committed  
as follows:

The said *Charles W. Raccia*, —

late of the City of New York, in the County of New York aforesaid, on the *13th*  
day of *September*, in the year of our Lord one thousand eight hundred and  
ninety-*three*, at the City and County aforesaid, being then and there the *servant*  
and *servant* of *Hyman Sam* and *Henry Sam*,  
*Sons, partners,* —

and as such *servant* then and there having in his  
possession, custody and control certain goods, chattels and personal property of the said  
*Hyman Sam* and *Henry Sam*

the true owners thereof, to wit: *the sum of thirty three*  
*hundred and fifty dollars in*  
*money, lawful money of the*  
*United States of America, and of*  
*the value of thirty three hundred*  
*and fifty dollars,* —

the said *Charles W. Raccia* afterwards, to wit:  
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,  
did feloniously appropriate the said *sum of money* —

to his own use, with intent to deprive and defraud the said *Hyman Sam*  
and *Henry Sam*, —  
of the same, and of the use and benefit thereof; and the same goods, chattels and personal  
property of the said *Hyman Sam* and *Henry Sam*, —

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

DE LANCEY NICOLL,  
District Attorney.

Witnesses:

Wynum Corin  
Chas. V. Keck  
officer

Counsel, B. S. Morgan

Filed, 21 July 1893

Pleads, no entry

ENTERED  
J. J. W.

THE PEOPLE

vs.

D

Charles W. Caccia

(ex parte)

DE LANCEY NICOLL,

District Attorney.

Felony LARCENY, (Sections 528 and 530 of the Penal Code.)  
(MISAPPROPRIATION.)

A TRUE BILL.

*James W. McCarry*

Part 3, June 24, 1893.  
Sub. to Dismissal. See  
rec. & order in other sub.

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

523

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Charles W. Raccia*

The Grand Jury of the City and County of New York, by this indictment, accuse  
of the CRIME OF *Charles W. Raccia* LARCENY, in the first degree, committed  
as follows:

The said *Charles W. Raccia*,

late of the City of New York, in the County of New York aforesaid, on the 30th  
day of *November*, in the year of our Lord one thousand eight hundred and  
ninety-*Three*, at the City and County aforesaid, being then and there the *servant*  
and servant of *Hyman Sam* and  
*Henry Sam*, partners.

and as such *servant* then and there having in his  
possession, custody and control certain goods, chattels and personal property of the said  
*Hyman Sam* and *Henry Sam*,  
the true owners thereof, to wit: *the sum of fifteen*  
*thousand dollars in money, lawful*  
*money of the United States of*  
*America*, and of the value of  
*fifteen thousand dollars*,

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

to his own use, with intent to deprive and defraud the said *Hyman*  
*Sam* and *Henry Sam*,  
of the same, and of the use and benefit thereof; and the same goods, chattels and personal  
property of the said *Hyman Sam* and *Henry Sam*,

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

DE LANCEY NICOLL,  
District Attorney.

Witnesses:

*Hyman Korn*  
*Chas. V. Krasinsky*  
*affirm*

Counsel,

*B. J. Morgan*  
*21* day of *July* 189*3*

Pleds,

*Not Guilty*

ENTERED  
T. J. W.

THE PEOPLE

vs.

*B*

*Charles W. Caccia*  
*(accused)*

*Grand LARCENY, (MISAPPROPRIATION)*  
(Sections 528 and 530 of the Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Lawrence W. Moore*

Foreman.

*Part 3 June 24 / 1893.*  
*Indict. dismissed - see*  
*rec. com. & order another Indict.*  
*Scapp*



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

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Charles W. Raccia*

The Grand Jury of the City and County of New York, by this indictment, accuse  
— *Charles W. Raccia* —

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

The said *Charles W. Raccia*,

late of the City of New York, in the County of New York aforesaid, on the *twenty second*  
day of *June*, — in the year of our Lord one thousand eight hundred and  
ninety- *three* at the City and County aforesaid, with force and arms,

*the sum of three hundred and  
thirty six dollars in money, lawful  
money of the United States of  
America, and of the value of  
three hundred and thirty six  
dollars.*

of the goods, chattels and personal property of one *Stephen Sam*, —

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.

*Edmund Nicole,*  
*District Attorney.*

0130

**BOX:**

527

**FOLDER:**

4799

**DESCRIPTION:**

Campan, Jacob

**DATE:**

07/06/93



4799

32

Wolfe

Witnesses:

Lester Campen

Counsel,

Filed

day of

1893

Plenue,

Equity

THE PEOPLE

vs.

P

Jacob Campen.

Assault in the First Degree, Etc.  
(Extraneous.)  
(Sections 217 and 218, Penal Code.)

no 8/8

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

James McKeever

Foreman.

July 18/93

Frederick Campbell  
County Clerk  
S.P. H. years.

Police Court— 5 District.

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

of No. 301 E. 88th Leisner Campen  
Street, aged 33 years,  
occupation Keep house being duly sworn  
deposes and says, that on the 1 day of July 1893 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Jacob  
Campen. (now here) who wilfully  
and maliciously pointed and  
aimed a revolving pistol, loaded  
with powder and ball, which he  
then and there held in his hand,  
at deponent.  
Deponent further says that such  
assault was committed

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

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

Sworn to before me, this 2 day }  
of July 1893. } Joseph Campen  
Chas. F. Leisner Police Justice.

Sec. 198-200.

City and County of New York, ss:

1882  
District Police Court.

*Jacob Campen* 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 a 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.

*Jacob Campen*

Question. How old are you?

Answer.

*36 years old*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*301 East 88<sup>th</sup> Street Two years*

Question. What is your business or profession?

Answer.

*Driver*

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

Answer.

*I Am Not Guilty*  
*Jacob Campen*

Taken before me this

day of

189

Police Justice.

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court, 5

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*William Campbell*  
301 E. 88th St.  
*East Campbell*

Offense

*Assault*

Dated

*July 2nd*  
189

Magistrate

*John J. Shannahan*  
Officer

Precinct

Witnesses

No. \_\_\_\_\_

Street

No. \_\_\_\_\_

Street

No. \_\_\_\_\_

Street

*500*  
to mag  
3  
JUL 3 189  
DISTRICT

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

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

Dated *July 2nd* 189 *John J. Shannahan* Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

COURT OF GENERAL SESSIONS.

P a r t I .

-----X  
The People of the State of New York,  
                    against

J A C O B           C A M P E N .....

: Before Hon.  
: Rufus B. Cowing,  
: and a Jury.  
:  
: X

-----X  
Indictment filed July 6th, 1893.

Indicted for Assault in the First Degree.

New York, July, 18th, 1893.

APPEARANCES, for the People; Assistant District  
Attorney George G. Battle.

For the Defendant, Mr. J. W. McLough-  
lin.

GEISINE CAMPEN, a witness for the People, sworn,  
testified:

I live at 301 East 88th Street in the City of  
New York. I am the wife of the Defendant at the Bar:  
I have been married to him for seven years. I have  
two children by him. I remember the first day of  
July 1893; I was in my home No. 301 East 88th, Street;  
He asked me for some money to go and get beer and I  
wouldn't give it to him. I have to work all the time and  
he does nothing. The defendant went out and when he  
came back he said to me; "You won't give me any money".  
I said, "No, I will not, you have had enough". He said  
then, "I am going to shoot you and the child and then sho  
shoot myself". Then he took a pistol out of his pocket

and pointed it at me. Then I shouted and ran out in the hall. He snapped the pistol but it wouldn't go off. The pistol shown me is the one which he fired.  
Cross examination:

I heard the pistol snap. I am certain it was pointed directly at me at the time he snapped it. I don't know how many barrels there were to the pistol. I don't know why it didn't go off.

John J. SHANNON, a witness for the People, sworn,  
testified:

I am a police officer connected with the 27th precinct. On the first day of July my attention was attracted to this complainant running out of the house No. 301 East 88th Street. I went to her and asked her what the trouble was and she said her husband had tried to shoot her. I went up into the house and I found him in a corner with a table cover over him. I asked him where the pistol was and he said he threw it on the floor. I looked around and picked up the revolver. I found five cartridges in it. The reason the pistol wouldn't go off is that the cartridges were centre fire cartridges, and the revolver was a rim fire revolver.

The pistol and revolver were then offered in evidence.

Cross examination:

The <sup>bullets</sup> ~~pads~~ which I produce were in the pistol at the time I picked it up from the floor. I asked the prisoner if he knew anything about cartridges and he said



he did not know, that if he had the right cartridges he wouldn't have known the difference. These cartridges wouldn't go off in that pistol.

D E F E N S E .

JACOB CAMPEN, the defendant, sworn in his own behalf, testified:

I reside at 301 East 88th Street. I remember the day of my arrest. I didn't intend to shoot my wife on that day. I had no intention of shooting my child or myself. I just took that pistol out in order to scare my wife. Some weeks ago I got out of work and one day to my wife came to me while I was in bed, with a broom stick and began to beat me. She struck me so hard that I bled from the effects of the blows. A few days afterwards the same thing occurred again and so I got this pistol for the purpose of scaring her if she hit me with the broom stick again. I had tried this pistol before and knew it wouldn't go off. Had I thought it would have gone off I wouldn't have shot it at my wife. I do not remember whether I said I would shoot my wife my child and myself. I was drunk on that day.

Cross examination:

I have not done any work for the last four or five months. My wife has supported me and the family by washing. I had been working in the coal yard before that. My doctor advised me to stop as the coal dust was going into my lungs and there was danger of my

getting sick. I am not a very bad man. I was convicted but one time and sent to the Island for four months for assaulting my wife. If I found that the pistol would go off, when I tried it, I would not have used it on my wife. I snapped the pistol when I had it pointed at my wife, but I knew then that it wouldn't go off.

THE JURY RETURNED A VERDICT OF GUILTY  
OF ASSAULT IN THE SECOND DEGREE.

Indictment filed July 6<sup>th</sup> 1893

Charles Howard Pearson  
Printed

The People etc.

vs  
Jacob L. Campbell

Assistant Attorney  
General, New York

July 18<sup>th</sup> 1893

It is ordered by the Court, that the said Jacob L. Campbell, do appear and answer to the indictment filed against him, on or before the 25th day of July, 1893. And that he do appear and answer to the indictment filed against him, on or before the 25th day of July, 1893. And that he do appear and answer to the indictment filed against him, on or before the 25th day of July, 1893. And that he do appear and answer to the indictment filed against him, on or before the 25th day of July, 1893.

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

473

THE PEOPLE OF THE STATE OF NEW YORK

against

*Jacob Campen*

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

*Jacob Campen*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

*Jacob Campen*

late of the City of New York, in the County of New York aforesaid, on the *first* day of *July* in the year of our Lord one thousand eight hundred and ninety-*three*, with force and arms, at the City and County aforesaid, in and upon the body of one *Geisena Campen* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *her* the said *Geisena Campen* a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said

*Jacob Campen* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, *aim point and present with intent to* wilfully and feloniously did then and there shoot off and discharge *the same* with intent *her* the said *Geisena Campen* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

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

The said

*Jacob Campen*

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

*Geisena Campen*

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

*Jacob Campen* in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge *the same* against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0141

**BOX:**

527

**FOLDER:**

4799

**DESCRIPTION:**

Carlos, Salvato

**DATE:**

07/21/93



4799

Witnesses:

Mareca Carmela

Counsel

Filed

day of

189

Pleads,

not guilty (26)

THE PEOPLE

vs.

Salvato Carlos

Second Degree.

[Pennl Code.]

Grand Larceny, 2nd

[Sections 528, 534]

DE LANCEY NICOLL,

District Attorney.

Aug 25/93

Aug 11<sup>th</sup> Port Y.  
Off Comm. Indg.

A TRUE BILL.

James McKee

Foreman.

Part 2 Sept 7, 1893

Bail Discharged

after an examination  
-tion of this case  
and reading the  
withdrawal -  
do not think a  
motion could  
be had and  
recommend that the  
defendant be discharged  
on his own recogni-  
-tance G.L.D.  
Sept 7<sup>th</sup> 93 a Dr

Police Court 5 District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

of No. 305 E. 113th Street, aged 23 years,  
occupation Florist being duly sworn,

deposes and says, that on the 4 day of July 1893 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the Day time, the following property, viz:

Good and lawful money  
of the United States to the  
amount of two hundred  
dollars.

the property of Deponent.

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Salvatore Cilentano

from the fact that on the 3<sup>rd</sup> day of July this defendant pretended to go through a marriage ceremony with deponent and on the 4<sup>th</sup> day of July he suddenly left deponent and immediately after he left, deponent discovered that said sum of money which deponent had before she went through the ceremony with the defendant and which deponent wore in her own right, was missing. Wherefore deponent charges the said defendant with feloniously taking, stealing and carrying away said property.

Maria Carmela Lammara

Sworn to before me, this 14 day

of July 1893

Joseph P. Feltz Police Justice.

Sec. 198-200.

1882  
District Police Court.

City and County of New York, ss:

*Salvatore Cilentano* 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 a 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.

*Salvatore Cilentano*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*115 Summit St. Bklyn 4 days*

Question. What is your business or profession?

Answer.

*Labourer*

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 -  
Salvatore Cilentano*

Taken before me this

day of

*July 16 1937*

*Robert J. [Signature]*

Police Justice.



POOR QUALITY  
ORIGINAL

0145

Sec. 151.

CITY AND COUNTY  
OF NEW YORK, } ss.

Police Court District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Maria Camela of No. 335 East 113 Street, that on the 4 day of July 1893 at the City of New York, in the County of New York, the following article, to wit:

Good and lawful money of the  
United States  
of the value of Two hundred Dollars,  
the property of no person  
was taken, stolen and carried away, and as the said Complainant has cause to suspect and does suspect and believe, by Salvatore Ciliberto

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

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

Dated at the City of New York, this 14 day of July 1893.

Thos. F. Tine POLICE JUSTICE.

For 18th/19th/20th  
1900 Ave.

Q139

Police Court,

District,

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Maria Darnida  
335 9113  
335 9113  
Offense, Arcany  
clony

Dated,

July 16 1893

Justice  
Arcany  
clony

Witnesses

No.

Street

No.

Street

No.

Street

\$2000

to answer

Lea

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

Dated, July 18 1893. Thomas L. L. L. Police Justice.

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

Dated, 1893 Police Justice.

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

Dated, 1893 Police Justice.

13 Form 11.

New York, *Sept 5*

1894

**A Transcript from the Records of the Marriages Reported to the Health  
Department of the City of New York.**

COUNTY OF NEW YORK.

STATE OF NEW YORK.

CITY OF NEW YORK

No. of Certificate,

*9825*

I Herby Certify, that *Carlo Salvato*  
*Maria C. Rannanna*

and

by me in accordance with the laws of the State of New York, in the City of New York,  
this *9* day of *July*, 189*3*

Witnesses  
to the  
Marriage,

*Emilio Capozzuto*  
*Francesco Savato*

Signature of  
person performing  
the Ceremony,

*Joseph Henry Donovan*

Date of Marriage.	Groom's Full Name.	Residence.	Age.	Color.	Single or Widowed.	Birthplace.	Father's Name.	Mother's Name.	Number of Marriage.	Bride's Full Name.	Residence.	Age.	Color.	Single or Widowed.	Birthplace.	Father's Name.	Mother's Name.	Number of Marriage.	Married Name.	Number of Bride's Marriage.	Name of Per- son performing Ceremony.	Official Station.	Residence.	Date of Record.
<i>July 3, 1893</i>	<i>Carlo Salvato</i>	<i>173 Mulberry St</i>	<i>23 yrs.</i>	<i>white</i>	<i>Single</i>	<i>Italy</i>	<i>Carlo</i>	<i>Maria C. Rannanna</i>	<i>1</i>	<i>Maria C. Rannanna</i>	<i>173 Mulberry St</i>	<i>23 yrs.</i>	<i>white</i>	<i>Single</i>	<i>Italy</i>	<i>Carlo</i>	<i>Maria C. Rannanna</i>	<i>1</i>	<i>Maria C. Rannanna</i>	<i>1</i>	<i>Emilio Capozzuto</i>	<i>Minister of the Gospel</i>	<i>173 Mulberry St</i>	<i>Aug 12 1893</i>

A True Copy.

*C. Erdmann*

Clerk.

NOTICE.—In issuing this transcript of record, the Health Department of the City of New York does not certify to the truth of the record transcribed.  
The seal of the Board of Health attests only the correctness of the transcript, and no inquiry as to the facts reported has been provided for by law.

New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

Salvatore Carlow.

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

As complainant in the above case, I desire to withdraw the complaint, and ask for the discharge of the defendant.

When I made the complaint <sup>and was told</sup> I supposed that the defendant was not my husband, one Dominico Gallo compelled me to make the complaint, saying, that the marriage ceremony entered into was not a binding one. I have since learned that these statements were untrue as will appear by annexed certificate.

The money given to my husband by me was expended to go house keeping.

Maria Carmela Samanng

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

\_\_\_\_\_ being duly  
sworn, says that he resides at No. \_\_\_\_\_ Street, in the City of  
New York; that he is \_\_\_\_\_ years of age; that on the \_\_\_\_\_ day of \_\_\_\_\_  
18 \_\_\_\_\_, at Number \_\_\_\_\_ in the City of  
New York, he served the within \_\_\_\_\_ on \_\_\_\_\_  
the \_\_\_\_\_ by leaving a copy thereof with \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sworn to before me this  
day of \_\_\_\_\_ 189 \_\_\_\_\_ }

*J. J. General Services*

*The People*

Plaintiff

against

*Salvatore Carlor*

Defendant

*Withdrawal Certificate*

*JAMES MCLAUGHLIN,*  
*Attorney for Defendant*

No. 280 BROADWAY, New York City

Due and timely service of cop of the  
within hereby admitted  
this day of \_\_\_\_\_ 18 \_\_\_\_\_

Attorney.

To \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Salvato Carlos*

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

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

The said

*Salvato Carlos*

late of the City of New York, in the County of New York aforesaid, on the *fourth*  
day of *July* in the year of our Lord one thousand eight hundred and  
ninety-*three*, at the City and County aforesaid, with force and arms,

*the sum of two hundred dollars  
in money, lawful money of the  
United States of America, and  
of the value of two hundred dollars*

of the goods, chattels and personal property of one

*Maria Carmela Lammara*

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.

*De Lancey Nicoll*  
*District Attorney*

0 15 1

**BOX:**

527

**FOLDER:**

4799

**DESCRIPTION:**

Cingolani, Pacifico

**DATE:**

07/18/93



4799

0 152

**BOX:**

527

**FOLDER:**

4799

**DESCRIPTION:**

Marchi, John

**DATE:**

07/18/93



4799



0153

**BOX:**

527

**FOLDER:**

4799

**DESCRIPTION:**

Marrone, Antonio

**DATE:**

07/18/93



4799

Witnesses:

Michael Carroll

Officer

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

20

Sacramento

John Harlan,

20 and

Antonio Harlan

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

James W. Keene

Foreman.

Sept. 2 August 8, 1893

No. 1 trial and convicted

Ch. 1 S.P. 9 yrs & 5 mo.

No. 2 & 3 Read

Ch. 2 2nd Degree

No. 2 & 3 - S.P. 4 yrs & 3 mo.

Read

Grand Larceny,  
(From the Person),  
[Sections 228, 229,  
Penal Code.]

Court of General Sessions of the Peace  
In and for the City and County  
of New York, Part II.

----- x  
THE PEOPLE

v s .

Pacirico Cingolani.  
----- x

*Indictment  
Filed July 18 1893*

Before Hon. Randolph B. Martine  
and a Jury.

New York, August 8th, 1893.

A p p e a r a n c e s .

Assistant District Attorney Battle,  
For the People.

Mr. Arthur W. Birkins  
For the Defendant.

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I n d i c t e d     f o r  
Grand Larceny in the First Degree.  
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S T E P H A N O   C A B A N A G R O , being  
called as a witness on the part of the People and

duly sworn, testified that he resided at 161 White street, and that his business was the keeping of a bar-room at No. 45 Baxter street. On the night of July 10th, 1893, he testified, he was asleep in front of his bar-room. He was in front of his door, outside, seated on the walk or stoop. Was seated on a chair. Had about \$148 in money with him. The money was in the forms of silver and greenbacks. He kept the bills in one place and the silver in another. Had the paper money in the right-hand pants pocket. Can't tell exactly how much the paper money was. Would think there was about \$100 in paper money. The silver money was in an outside coat pocket, and the coat was on his arm; it was hanging there. There were all kinds of silver coin, about \$35 or \$41 in amount. Went to sleep sitting there about half-past three in the morning. Was about a quarter to 4 when he awoke. Had a pipe in his mouth when he fell asleep, and was awakened by the pipe falling from his mouth; he then picked up his pipe. Then noticed three or four men near him, and the prisoner was among them. Complainant did not feel any one pull at his

clothes, but when he woke up his money was gone, also his jacket, and likewise the money from his trousers pocket. When complainant saw the prisoner he was about 45 or 50 feet away; he was standing there talking to the others. When complainant found that his money was missing he got up; the men saw him getting up from his chair and commenced to walk away, and the complainant followed to see where they were going. They were walking away very quickly. Complainant followed until about in front of the house 58 Baxter street. Then saw that he could not catch them, and therefore remained standing. The men then turned around the corner and walked into Franklin street. When they had turned the corner the complainant could not see them any more.

Then an Italian came up to the complainant, one Louis Ezola, and spoke to him about the affair. Ezola left the complainant after he had talked to him. Then complainant went to the corner of Baxter and White streets. Then a policeman came with two men, and Ezola was also with the policeman. The defendant was one of the two men.

Complainant did not say anything to the de-

Complainant did not say anything to the defendant. The policeman showed complainant his (complainant's) pocket-book. The defendant was present when the policeman took complainant's pocket-bag out of his (the defendant's) pocket. The policeman asked complainant, "Do you know this article?" Complainant replied, "Yes, that is mine." At the time another man came up who spoke English, and through him the conversation went on. The defendant was present at the time complainant identified his pocket-bag. It was the same pocket-bag which complainant had on his person in front of his bar-room. Complainant saw the policeman counting the money; he took it out of the bag and counted it. It contained about \$64 or \$65. The money was counted in the presence of the defendant. The bag which complainant recognized was the same that he had when asleep in front of his store. It contained about \$65.

CROSS- EXAMINED: Had about \$148 or \$150 on that night. Made the money in his bar-room; they were the receipts from his bar-room. Always carried the receipts of the bar-room in his pocket in

that way since he opened the place -- always carried the money with him. Don't know exactly what the denominations of the money were, but thinks that of the paper money he had five 5-dollar bills, two 10-dollar bills; as to the remaining bills cannot recollect what the denominations were, but clearly recollects the five 5-dollar and two 10-dollar bills.

Complainant exhibits his right-hand pants pocket, and states that it was cut while he was asleep. When he fell asleep complainant's pocket was not cut, but it was in its present condition (cut) when he awoke on that evening. Complainant did not cut the pocket himself. He showed it to the policeman at the time. The cutting did not waken complainant. His pocket was cut, but he did not see it done or feel it being done.

Complainant did not see the defendant or any other man take anything from him. Knows defendant by sight -- used to see him passing his place two or three times a day. The only persons complainant saw when he awoke were the defendant and his two companions; they were standing around. They were

talking together, and there no others around. They were on the same side where complainant was asleep, about the same distance from him as from where he now sat to the outer railing in the court room. When complainant awoke all his money--the entire \$148-- was gone. His coat, containing his silver money, was also gone.

TO THE COURT: Complainant did not count his money that evening. Had last counted it Saturday, and put it away in his pocket. Then did not look after it again till it was lost. It was Monday morning that he lost it. When complainant counted the money on the Saturday previously he had \$145, but after that received some more money; received about \$6 from one man, in bills. This last was put with the rest of complainant's money. May have afterwards, before Monday morning, have taken out a dollar or two to spend in the meantime. Does not think he spent as much as \$3; certainly did not spend as much as \$5. It was midnight on Saturday when complainant counted his money, and this occurred on Sunday night, or rather Monday morning, early.



All day Sunday, from 12 o'clock, midnight, on Saturday, complainant was at home; he went to see some relations and was in the bar-room in the meantime. His relations live at 37 Baxter street. Was with them about an hour and a half. Went there about midnight, from Sunday to Monday. Stayed till about half-past one. Complainant then left his relations and went home. Complainant had his money then. He knows he had it because he saw that no one touched him. He did not, however, take it out of his pocket, but felt that he had the money in the package in his pocket.

Complainant also felt the silver money, because it was heavy. He did not put his hand in, but the weight was there in the pocket. While at his relatives, complainant always kept his jacket on his arm. While at his relatives' place deponent took some money out. He was treating there and took out 10 or 25 cents, something like that. Took said money from his jacket. Did not take out any bills.

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M I C H A E L    H .    C A R R O L L , called  
as a witness on the part of the People, being duly  
sworn, testified as follows:

To Asst. Dist. Atty Battle: I am attached to  
the Punicipal Police Force, 6th precinct. On the  
night of the 10th of July, 1893, my post was on  
White street, from Broadway to Baxter street, from  
12 o'clock midnight till 6 o'clock in the morning  
of the 10th.

I saw this defendant here that night. I heard  
an alarm and a cry, and the defendant ran through  
Franklin street, and I halted him. While the other  
man was pursued by the young man here (Ezola) I took  
this one back, and on our return I saw the other  
prisoner and Ezola in an altercation at Franklin  
and Allen streets. The taller of the two prisoners  
was trying to break away from Ezola.

His name is John Marchi, I think, and they  
had a struggle there. I halted this defendant  
and took him into custody, returning with him down  
Fraklin street towards Baxter street; it was then  
I saw Ezola in an altercation with Marchi; that was  
at the corner of Franklin and Allen Streets. Marchi

had Ezola by the throat, trying to break away from him. I brought the defendant up to that group, then all of us went on up to Baxter street, Ezola, myself and the two prisoners. Arrived there, I saw the complainant, the man who has just testified.

When I arrested this defendant I asked him where he was running to, and he told me to market. I said it was a curious way to be getting to market --running--at that hour of the morning. He said, "Well, we were fooling, running away from each other." He said that with a shrug of the shoulders, and I brought him back again -- brought him down till we met the complainant, whom I asked what was the matter, to which he replied that he had been robbed.

I asked him by whom he had been robbed, and he pointed out this defendant and the other fellow, Marchi -- the other tall one. I then searched the prisoner in front of the complainant, and also searched yhe other prispner, and took out of the inside breast pocket of the defendant this bag, made of a piece of ticking. The property clerk

has it now. It was on the inside pocket of the defendant that I found this bag. On finding it I pulled it out and the complainant at once said, "That is mine." I then pulled the bills out of the defendant's pocket -- his pants pocket.

We then proceeded to the station. The bag, made of ticking, I found on the defendant's inside vest pocket. It contained silver, and the bills were found in his pants pocket -- \$39 of them. I didn't count the money in the street. That was done in the station house. The complainant was present and said it was his money; as soon as I took out the bag the complainant said, "That is my bag." In the station house I arraigned the prisoners before the desk, and the sergeant took the bag and counted the money. There was \$29.75 in silver in the bag, and \$39 in bills. The complainant also identified the bag as his at the station house, and likewise the money; he said that was the way he had it rolled up. The other prisoner came around afterwards to the corner of Bayard and Mulberry streets, and talked about how easy he had

got away, after robbing a man.

An officer heard him making his brags and arrested him; that is the way he was caught.

Cross-Examined: I counted the money myself. In silver there was \$29.75, and in bills \$39. I did not see the defendant rob the complainant, or did not see him commit any crime. Did not see anything of a coat around there--could not find a coat.

To the Court: I did not make any examination of the complainant. I did, however, observe his trousers. I observed that slit in them. He said the pants pocket was cut by one of the men. He spoke in Italian. I heard the talk in English. Ezola asked who cut his pants. He said he didn't know; that he felt a tugging at his pants, and when he woke up the pants were cut. The defendant then said he was guilty of it; he said this both in the station house and in the police court; and when asked by the clerk of the police court if he knew what he was doing he answered yes.

Re-Direct Examination: I did not find any-

thing on the person of the defendant save the money. I also searched the persons of the other two prisoners, the complainant being present. On the one named Marrone I found a razor and two pawn tickets, and on the prisoner known as Marchi I found one pawn ticket.

To the Court: The arrest was made at 10 minutes to 4, and the arraignment was made at about 5 minutes past 4. At the sergeant's desk this prisoner Pacifico was the first one who was questioned. The sergeant asked him where he got the money, and then he said that the money was not his. The defendant said that in the station house.

He was then asked by Mr. Ezola why he had robbed the complainant, and he shrugged his shoulders, but wouldn't give any answer. He was then asked if he took the money from the complainant, and he answered yes. The other prisoners, in his presence, denied it--denied that they had anything to do with it.

That is all that I recollect as occurring at the station house. The arraignment in the police

court was at about half-past 9 the same morning. The sergeant at the police station was Sergeant Mead. I took the defendant to the police court, and heard what transpired there. In the police court the clerk, through the interpreter, asked what the prisoner had to say in regards to the case. He then said, this defendant did, after being told about his rights, "We three are guilty."

I heard what the clerk at the police court said to the interpreter; he said, "Ask this prisoner what he has got to say in reference to the charge of larceny against him, or robbing this man." He also said something about his rights; he said to the interpreter to tell him, the prisoner, what his rights were,--that anything he said could not be used against him. I also heard the clerk ask his name, to which he replied "Pacifi-co." Then he asked his age; he answered 26, I believe. He then asked where he lived, and the prisoner replied 39 Baxter street; I believe he said he was living there about two years; that is my recollection. The clerk also asked where he was

born, and the answer was, "Italy."

I believe he also asked him in reference to his occupation. I hardly remember what the prisoner said in regards to that; I recollect hearing the question put, and the fact that he made an answer, but nothing else. After these questions were put and answered I heard the clerk ask what he had to say in reference to the charge against him, as to being guilty. His answer was, "We three are guilty." Those things I heard.

After those questions were put and answers made the tall one of the prisoners spoke a word in Italian to this defendant, at which the court officer shoved him away, and said, "Officer, take care of your prisoners." I then saw the clerk write on a paper and hand it to the defendant to sign. He made his mark on it, as near as I can recollect. I saw the defendant write; he signed the indictment papers.

After the clerk made all the inquiries he wrote a paper. I was there and saw it, but did not observe the writing on it very closely.



L O U I S       E S O L A , called as a witness  
on behalf of the People, being duly sworn, testifies  
as follows:

TO MR. BATTLE: I live at 81 Baxter street,  
and was living there on the 10th of July last. Early  
in the morning of the 10th of July last I was  
coming down through Baxter street; it was about a  
quarter to 4. I was coming down through the street;  
I came down Leonard street. In doing so I passed  
the premises No. 45 Baxter street. I saw the com-  
plainant there and asked this man here, "What is the  
matter?" and he told me "Nothing." The complain-  
ant was standing near No. 45 at the time, and I  
had a conversation with him. After talking I ran  
after the three men. They were near Broadway then.  
What attracted my attention then was that I saw  
them turn around the corner. I saw this defendant  
there; he was one of the three men. I pursued them;  
I ran after them and told them to stop, and they  
wouldn't; the first man--the big one--ran away, and  
I caught him and held him till the cop came. He  
resisted and struggled with me. That is the offi-

cer (designating). Marchi said to me, "Let go or I will choke you."

To the Court: The complainant wasn't there at the time.

To Mr. Battle: There was another fellow with the officer. The officer had then arrested this defendant and had him in custody. As I came up the defendant said, "I didn't steal." I didn't hear anything else said at that time; that is all I heard.

I then went with the policeman back to No. 45, and also went along to the station house. There were present there this defendant and the other two prisoners. At the station house I heard the defendant say, "I didn't do anything;" then he pleaded guilty; he said they took it. In his presence the other prisoners said they didn't do it, but he said they did. I saw the officer search the men; he found a bag of money. He didn't find anything else, but in the station house he found bills on him.

I heard the complainant say that the bag was

his. I also heard him say that the money was his. I noticed his pocket that night and observed that it was cut. I also saw the other two prisoners searched. One of them had a pawn ticket and a laundry ticket, and the other one had, I think, two pawn tickets and a razor.

To the Court: The small fellow had the razor.

(The remaining two prisoners are brought into the presence of the Court.)

That (indicating) is the one who had the razor.

The Court (to the prisoner indicated). What is your name?

The Prisoner Indicated by Witness: Marroni.

To Mr Battle. That is the one I arrested; he is the one who caught me by the throat. I went to the police court next morning. There the prisoner at bar said he was guilty; I heard him.

Mr. BIRKINS (Deft's Counsel). I move that the testimony concerning the admissions of this defendant at the police court be stricken out, on the ground that he was not there advised that he

was not obliged to say anything that would incriminate him.

Motion denied.

Deft. excepts.

Cross-Examined: What took me on the street at that hour in the morning was the fact that I was working a milk route. I was not driving a milk wagon, but was going with the man. I had finished my route at the time. I told the driver I was going home; I was merely a helper.

I know the defendant. I never had any trouble with him, and personally did not see him take anything from the complainant.

P E O P L E      R E S T .

D E F E N C E .

Mr. Birkins opens for defendant.

P A C I F I C O C I N G O L A N I , the defendant, called as a witness in his own behalf, testified as follows:

To Mr. BIRKINS: I reside at 39 Baxter street. I know the complainant in this case. I have been many a time in his bar room and had drinks there. Think I was last there some four or five days before I was arrested -- I can't tell exactly when I was last in his bar room. On the night of this alleged theft of his money I did not see him until I was arrested. I was not near his bar room. That night I wasn't near his place, but that morning I was going to the market and passed his store.

I did not take any money from his pocket or person. The way I account for money being found on me is that the other man gave it to me.

To the Court: The other man is the smaller one of the other two prisoners; I don't know his name. He gave me the money. I didn't know where

ge got it at the time, didn't know of whom he received the money. When we were in Mott street, however, then he said to me, "You must say that you are guilty, because the money was found with you."

To Mr. BIRKINS: I was never in trouble before, and this man he told me, "They will let you go immediately if you say you are guilty, and so I said, "I am guilty."

I did not cut the complainant's pocket. I was not near his place at all. I was in front of my house.

To the Court: My house is No. 39 Baxter street.

Cross-Examination: I am a fruit peddler. I peddle in different markets, sometimes in one and sometimes in another.

To the Court: I was going to Washington market that night, to see what I could find there.

To Mr. Battle: Yes, I live at 39 Baxter street. In going to Washington market I always go either through Leonard street or through Franklin street. I don't know exactly where I met Marchi

and Marrani that night; I think it was Leonard street--that street in the rear of the Tombs; they came after me. I did not see the complainant that morning until after I was arrested. I know that he has a place in Baxter street; he has a bar-room there. I did not see the complainant before my arrest. After leaving my house that morning I did not walk by his place; I passed by a grocery store; a man named Alexander keeps a grocery store there; I passed by that. That is in Leonard or Lenardo street. I positively did not go near this place on Baxter street in the company of Marchi and Marroni that night. The complainant may have seen me that night, but I didn't know anything about him, I was going up the street.

I was not in Baxter street with Marchi and Marroni; it was in Franklin street that they came up to me. I heard the complainant testify that he saw me in Baxter street with the other two men; but it is not so; I would say so if I had been near there.

To the Court: No. 39 Baxter street is quite near his place, only a few doors away, but I did

not think of the complainant when I went out of my house to go to market.

When Marchi and Marroni came up to me all that was said to me was, "Here take this money; let us go; let us walk;" and we walked. I took the money; yes, sir; he gave it to me and I took it. I didn't know what he meant by giving it to me; I just came out of my sleep, and so I didn't think much when he gave me the money. I didn't think much when he gave me \$38 in silver.

Afterwards I saw that there was trouble about it. First I saw the policeman coming, then one of them ran in one direction, and the other in another direction. I did not run away and the policeman arrested me. I didn't run down Franklin street. I was on the corner of Broadway and did not run.

To a Juror: I put the money that they gave me in the bag on the inside of my coat pocket. I had \$4 in my pocket, and they gave me that money and I put it in here (indicating). The money that was in bills I put in here (indicating left-hand coat pocket).



To Mr. Battle: I was not running away when arrested. I was nearly standing still; was walking a little; did not think about anything wrong and the policeman took me. At the time the policeman took me I was walking immediately on the corner of Broadway; then the policeman stopped me. It was on the corner of Broadway and Franklin street.

I don't know all the names of the streets. They took me from Franklin street, and they took me there down on the corner of Baxter street. I don't know the names of the streets. I didn't make any resistance, but just went along with the officer. He took me to where Mr. Ezola was.

Ezola said to me, "Did you do it?" I said, "No; I am innocent; I didn't steal the money."

The officer searched me then and found the money with me, and found the bag of money. I understood then that the complainant said the money was his. I knew that the money was not mine. I was thoughtless at the time it was given to me, and so I took it. If I had known that it was stolen money I would not have taken it.

I have known Mr. Cabanagro, the complainant, two or three years. The other men I only knew a couple of days before.

To the Court. I got acquainted with them one day in front of my house.

To Mr. Battle: I don't know their names. I took the money from them for instance. (INTERPRETER: He always says "for instance.")

After I saw Ezola they took me from there, for instance, inside Baxter street. Then they took me to the station. There they searched me and they found the bills in my pocket. I was half crazy; I never happened to be in such circumstances before. I was all confused. I was not sure that that was the complainant's money; he said that it was, but I was not sure of it.

Q Did you offer to give up the bills then? A. I did not say anything, because I was confused, all confused.

THE COURT: Q Did you offer to give up the bills? Answer yes or no. A. I did not say anything, because I was all confused; the police had me.

To Mr. Battle: I kept the bills until they took them from me in the station house. Possibly they may have asked me in the station house if I had stolen that money, but I didn't understand them. If they asked me I didn't answer them, because I didn't understand them.

To the Court: There was an interpreter at the station house, and Ezola also talked in Italian; I understood him.

To Mr. Battle: I think he asked me something like whether I had stolen that money. For instance, I said, "I don't know anything about it; I didn't steal that money." Then one of the other prisoners commenced to talk to me, and told me to say I was guilty. Then I said I was guilty; he told me to; he made me say a lie, the one who is cut through the face.

To Mr. Battle: I was obliged to tell a lie, because I was told that they would let me go if I did; it was the smaller one of the two prisoners who told me so; he told me I would be let go if I would say I was guilty.

It was the next morning that they took me to

the police court, and they asked me there if I did not steal the money. Then I said that I did not steal it, because, for instance, I commenced to understand what was going on. I afterwards said that I was guilty because I was under the impression that I would be let go immediately if I said so; and that is what I said in the police court. There I said so for the same reason--that I expected to be let go.

To the Court (who shows witness a paper). That is my signature; I put my name there; I signed that in the police court, and when I did so I knew it was a declaration that I was guilty of this offence.

I first saw the two men Marchi and Marroni in front of my house about two days before this occurrence. It was, for instance, in the evening, when work is done, about 5 or half-past 5 o'clock. I don't know where they live, and don't know whether they work at all. I got acquainted with them through their talking Italian to me in front of my house. They talked about business; they saw

that I was selling fruit, and they commenced to talk. I was standing there.

I was not selling fruit just then; I had just finished. The way they came to speak to me was that they saw me in the street; I know this because, being a man who goes through the street, they must have seen me.

Q (By the Court). You swore a moment ago that the first time you saw them in your life was on the occasion, a couple of days before, when they spoke to you in front of your house; I understand you to say now that you saw them before; which is right?

A. I say that possibly they must have seen me before. I never saw those men in my life till I saw them, about two days before, in front of my house. I don't know whether they ever saw me before that. I was standing in front of my house, talking to other persons, at the time they came up; in fact there were several persons standing there when they commenced to talk to me. The little one (Marrohi) came and talked first.

Q (By the Court). How do you expect us to as-

cer ain the truth if you make such varying statements? A. I am telling now that I don't know those two people. The little one(Marroni) I met about two days before -- the one who has a cut to his face.

Q. Was he alone when he spoke to you? A. Yes, he was alone; I don't know the other man; I first saw the big one that morning when I was arrested.

Q. Then it is not the truth that you had ever seen Marroni before that night? A No, sir; he was an absolute stranger to me that morning when I met him on Leonard street; I never had seen him in my life before; and the little one (Marroni) I had never seen before except on this one occasion that I have told about. I can't tell how long I talked with Marroni on this occasion, but it was only a short time, about 10 minutes; then he left, and I didn't see him again till that morning. During the 10 minutes we were talking he just asked me how was business, how I got along, &c. It was in Italian he spoke to me, about 5 or half-past 5, still daylight, as 5 o'clock is daylight yet.

Q. (By the Court). Did it surprise you, then, when these two men, one of whom you had never seen before and the other of whom you had only seen once, for a few minutes, came up to you in the night time and handed you a bag of money and a roll of bills? A. I was half asleep yet, because I had just got out of bed, and for instance my mind was not awake yet, and so I took the money. I met the men in Franklin street, when I was on the corner; that was about a block away from home; I had walked that block in a half-asleep condition; I was not entirely waked up yet.

Q Weren't you awake enough to know that this money was not yours? A. I didn't think anything about it.

Q. You were wide awake enough to know where to put it? A yes, sir, I put it in my pocket.

Q Why did you put some of the money in a separate pocket? A I don't know; I can't tell. He said, "Take it," and I just put one part in one pocket and the other in another pocket.

I don't know how much the bag of silver weighed;

but it is, for instance, a purse, about that big (indicating). It was a metal and heavy. I put it in my pocket because I didn't imagine anything wrong. We walked about near Broadway after I got the money, about two or three blocks. The other men walked with me. First I didn't know what the other man had to do with it. After the other two men came up we all three walked together. We didn't talk as we walked along; he always said, "Walk, walk, walk."

They walked fast, and I kept along with them. There was no talk at all between us except this one saying "Walk, walk," till we saw the policeman. Yes, these men were strangers to me except that I saw one of them for 10 minutes once before; the other one I had never seen before; and they had given me what I knew to be money, yet I didn't ask them anything about it, because I didn't think about it. I didn't have any curiosity about it, because I didn't think about it; I was out of my thoughts. I never had any such experience before-- nothing like it.



Q. Ask him if what he says is the truth. A. If it would not be that I had to swear--if it should be, instead of swearing, that I had to take poison, I would take poison on that.

Q. Ask him if it is the truth that he met two men, one of whom was an absolute stranger and the other almost a stranger, at 4 o'clock in the morning, and walked with them two blocks, or whatever the distance is, and received money from them and walked along without any explanation, and that he did that as an innocent act. A. That is the truth.

Afterwards I learned that the money was stolen. Afterwards I discovered the person who claimed the money. When I saw him I had this \$25 in silver and \$39 in bills upon my person, as well as \$4 of my own money. The silver money was taken from me in the presence of the person who claimed it; and it is true that I then knew that I had this money in bills, but I did not tell the policeman of it, because I was so scared and so confused.

Q. What scared you? A. I never had such trouble.

le in my life before; never before was arrested.

Q. Were you scared by reason of the fact that you knew you had stolen money in your possession? A No; I didn't know that that was stolen money.

Q But you had information of the fact when the owner claimed it? A Yes, sir, when I saw the man who claimed it.

Q And didn't you then consider the circumstances under which you had received it suspicious circumstances? A No, sir.

TO MR. BATTLE: I wrote a letter in the Tombs to the complainant.

Q Didn't you state in that letter that you would restore his coat and the rest of his money if he would withdraw his complaint?

Objected to. Sustained.

Q Didn't you also state in such letter that if he would go to 11th street and Third avenue he could obtain a pass to come and see you?

Objected to. Sustained.

BY A JUROR: Q Ask him what he intended to

do with the money. A. I didn't think anything about it. I was just indifferent when I received the money; didn't think what to do with it, or what it was.

BY THE COURT: Q Under the same circumstances if they had put anything else into his hands he would have taken it? A yes, sir, I would.

To a Juror: When the policeman took the bag of silver out of my pocket the reason I didn't tell him of the bills or show them to him was because, as I said, I was confused; I couldn't; I didn't think what to say.

DEFENDANT RESTS.

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Found guilty of grand larceny in the first degree, and sentenced to State's Prison for 9 years and five months.

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Police Court— / District.

1912

Affidavit—Larceny.

City and County of New York, } ss.

of No. 45 Bayter Street, aged 40 years,

occupation Palom Kuper being duly sworn,

deposes and says, that on the 10 day of July 1893 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property, viz:

About One hundred and forty dollars good and lawful money of the United states—

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 ~~his firm~~ Pacifico Ingolani, John Marcher and Antonio Marone - all three now here who were acting in concert one with the other. For the following reasons that on said date deponent had the above described property in different pockets of his clothes on his person and in his lap - deponent felt a pull at his clothes and on waking up these three defendants ran away. Deponent is informed by Michael H. Carroll of the 6<sup>th</sup> Precinct that after arresting defendant Ingolani he found upon his person a bag containing about fifty five dollars which deponent identifies as his property and stolen from him while he was asleep as aforesaid. Deponent is further informed by

Sworn to before me, this 189 }  
of }  
189 }  
any }

Police Justice.

Louis Isola of 31 Baxter street, that he saw the three defendants on the said date run away from defendant and that he positively identifies them as the men he saw running away.

Wherefore defendant charge all three defendants (with acting in concert one with other) with Larceny from the person.

his  
Stephanos Leabanago  
mark

Spurn to take me the  
10th day of July 1898 }

Wm. M. E.  
Police Justice

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

aged 36 years, occupation Policeman of No. 6th Precinct

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

Sworn to before me, this July 10 day of 1893 } Michael H. Carroll

Carroll  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

aged 19 years, occupation Tim Can Maker of No. 21 Baxter

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

Sworn to before me, this July 10 day of 1893 } Louis Isola

Isola  
Police Justice.

0191

Sec. 198-200.

1882  
District Police Court.

City and County of New York, ss:

*Pacifico Lingolani* 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.

*Pacifico. Lingolani*

Question. How old are you?

Answer.

*26 years*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*39 Madison Street Butts street 2 years*

Question. What is your business or profession?

Answer.

*Peader*

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.  
Yes we are guilty.*

*Pacifico Lingolani*

Taken before me this

day of

1892

Police Justice.

Sec. 198—200.

1882  
District Police Court.

City and County of New York, ss:

*John Marcher* 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 Marcher*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*46. Carmine Street. 2 Weeks*

Question. What is your business or profession?

Answer.

*Waiter*

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 Marcher*

Taken before me this

*16*

day of

*July*

*189*

*2*

Police Justice.



Sec. 198-200.

1882  
District Police Court.

City and County of New York, ss:

*Antnio Marone* 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. *Antnio Marone*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *64 Mulberry Street 3 Months*

Question. What is your business or profession?

Answer. *Driver*

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

Answer. *I am not guilty.*

*his.  
John + Marone  
mark*

Taken before me this

day of

1893

Police Justice.

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

*William L. B. ...*  
*P. J. ...*  
*James ...*  
*John ...*  
*Antonio ...*  
Offense *Larceny from*  
*the Person*

Dated *July 10* 189 *3*

Magistrate *Frank ...*

Officer *Canal ...*

Witnesses *Michael T. ...*

No. *...* Street *...*

No. *...* Street *...*

No. *...* Street *...*

No. *...* Street *...*

No. *...* Street *...*

No. *...* Street *...*

No. *...* Street *...*

No. *...* Street *...*

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

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

Dated *July 10* 189 *3* *...* Police Justice

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against  
Sacrifico Cangolani, John  
Marchi and Antonio Marrone

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

Sacrifico Cangolani, John Marchi and Antonio Marrone  
of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said Sacrifico Cangolani, John Marchi  
and Antonio Marrone, all —  
late of the City of New York, in the County of New York aforesaid, on the tenth  
day of July in the year of our Lord one thousand eight hundred and  
ninety-three, in the night-time of the said day, at the City and County aforesaid,  
with force and arms,

the sum of one hundred and  
forty dollars in money, lawful  
money of the United States of  
America and of the value of  
one hundred and forty dollars, and  
one bag of the value of one dollar

of the goods, chattels and personal property of one Stephano Cabanero  
on the person of the said Stephano Cabanero  
then and there being found, from the person of the said Stephano Cabanero  
then and there feloniously did steal, take and carry away, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

De Lacey Nicoll,  
District Attorney

0196

**BOX:**

527

**FOLDER:**

4799

**DESCRIPTION:**

Cocurello, Vincenzo

**DATE:**

07/13/93



4799

0197

**BOX:**

527

**FOLDER:**

4799

**DESCRIPTION:**

Cocurello, Giovanni

**DATE:**

07/13/93



4799

Witnesses:

Frank Mueller

I have inquired into the facts of this case, & find that both complainant & defendant had been drinking together & became quarrelsome. They clinched, & the complainant was hurt. I do not believe that any knife was used, & I fail to find any arms wound upon complainant. I think both parties were equally to blame. I therefore recommend the dismissal of this indictment.

Sept 13/93.

Vernon M. Davis,

See affidavit filed by complainant.

Counsel,  
Filed  
Pleads,  
day of  
189

THE PEOPLE

vs. B

Vincenzo Coccurullo,  
and B  
Giovanni Coccurullo.

DE LANCEY NICOLL,  
District Attorney.

Off. Aug. 30th 93

A TRUE BILL.

Lawrence McKeever

Foreman.

Butler - Sept 11/93 - Complaint not received -

Part of Sept 13, 1893, ind.

Sept 13/93

Indictment by  
D. J. McKeever

Assault in the First Degree, etc.  
(Sections 217 and 218, Penal Code.)

Police Court—Fourth District.

1931

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

of No. 306 East 45 Street, aged 41 years,  
occupation Fruit Dealer being duly sworn,  
deposes and says, that on the 29 day of June 1893 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Francisco Conillo and John Conillo  
both men here, while passing in  
concern who each of them struck  
deponent with his clenched fist  
and the defendant John Conillo  
stabbed deponent four times  
on the head and body with some  
sharp instrument which he  
then and then held in his  
hand.

Deponent further says  
that said assault was committed

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

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

Sworn to before me, this July day  
of 1893

Frank X. Munn  
Police Justice.

Sec. 198-200.

CITY AND COUNTY } ss:  
OF NEW YORK,

       District Police Court.

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

Question. What is your name?

Answer.

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.

day of

Taken before me this

1897

Police Justice.

I am not guilty  
Vincenzo Cornillo



Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, } ss:

*cf* District Police Court.

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

Question. What is your name?

Answer. *John Camillo*

Question. How old are you?

Answer. *24 yrs*

Question. Where were you born?

Answer. *Italy*

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

Answer. *W 306 East 45 St - 2 mos*

Question. What is your business or profession?

Answer. *Brothel*

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 innocent*

*Giovanni Esposito*

Taken before me this

day of

189

Police Justice.

BAILED,  
No. 1, by *Geo. Smith*  
Residence *306 E. 10th*  
Street  
No. 2, by *Geo. Smith*  
Residence *306 E. 10th*  
Street  
No. 3, by *Geo. Smith*  
Residence *306 E. 10th*  
Street  
No. 4, by *Geo. Smith*  
Residence *306 E. 10th*  
Street

Police Court... District...

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Smith*  
*306 E. 10th*  
*St. Louis*  
*St. Louis*  
Offense *Felony Assault*

Dated, *July 6* 189

*John Smith*  
Magistrate,  
Officer,  
Precinct,

Witnesses,  
No. *1*  
Street  
No. *2*  
Street

No. *3*  
Street  
No. *4*  
Street

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

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, *July 6* 189 *Geo. H. Burke* Police Justice.

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

Dated, *July 6* 189 *Geo. H. Burke* Police Justice.

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

Dated, *July 6* 189 *Geo. H. Burke* Police Justice.

New York General Sessions.

-----p-----x  
The People,

-against-

Vincenzo Cocurello and Giovanni Cocurello.  
-----x

City and County of New York, S. S.

Frank Manello being duly sworn says: That he is the complainant herein. Deponent further says that he has been informed that the defendants are charged with using a knife and stabbing deponent with said knife. Deponent says that there was a quarrel between him and the defendants but that no knife had been used during the said quarrel and that he was not stabbed by the defendants. Deponent further says that he does not desire to prosecute the defendants and if allowed to would withdraw his complaint. herein.

Sworn to before me, this  
12th day of September, 1893.

*his*  
*Frank Manello.*  
*George W. Gibbons* *More*  
*Commissioner of Beeds*  
*N.Y.C.*

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

1723

THE PEOPLE OF THE STATE OF NEW YORK

against

*Vincenzo Cocurullo*  
and *Giovanni Cocurullo*

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

*Vincenzo Cocurullo and Giovanni Cocurullo*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Vincenzo Cocurullo and Giovanni Cocurullo*, both

late of the City of New York, in the County of New York aforesaid, on the *twenty-ninth*  
day of *June* in the year of our Lord one thousand eight hundred and  
ninety-*three*, with force and arms, at the City and County aforesaid, in and upon  
the body of one *Frank Manello* in the peace of the said People  
then and there being, feloniously did make an assault, and *him* the said

*Frank Manello* with a certain *sharp instrument*  
to the Grand Jury aforesaid unknown

which the said *Vincenzo Cocurullo and Giovanni Cocurullo*  
in *their* right hands then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent *him* the said *Frank Manello*  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York and  
their dignity.

SECOND COUNT—

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

*Vincenzo Cocurullo and Giovanni Cocurullo*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Vincenzo Cocurullo and Giovanni Cocurullo*, both

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

and *him* the said *Frank Manello*

with a certain *sharp instrument* to the Grand Jury aforesaid unknown  
which the said *Vincenzo Cocurullo and Giovanni Cocurullo*  
in *their* right hands then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully  
and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case  
made and provided, and against the peace of the People of the State of New York and their  
dignity.

THIRD COUNT—

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

— Vincenzo Cocurullo and Giovanni Cocurullo —

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

The said Vincenzo Cocurullo and Giovanni Cocurullo —

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said Frank Manello in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and him the said

with a certain sharp instrument to the Grand Jury aforesaid unknown

which they the said Vincenzo Cocurullo and Giovanni Cocurullo —

in their right hand then and there had and held, in and upon the head and body of him the said

Frank Manello then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, ~~bruise~~ and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

— Frank Manello —

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

DE LANCEY NICOLL,  
District Attorney.

0206

**BOX:**

527

**FOLDER:**

4799

**DESCRIPTION:**

Connors, John

**DATE:**

07/12/93



4799

0207

**BOX:**

527

**FOLDER:**

4799

**DESCRIPTION:**

Connors, John

**DATE:**

07/12/93



4799

0208

Witnesses:

*C. H. Taylor*

Counsel,

Filed

189

Plends,

THE PEOPLE

vs.

*John Connors*

DE LANCEY NICOLL,

District Attorney.

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

A TRUE BILL.

*James McKee*  
*July 13/93*  
Foreman.

*James G. Mear*

*S. P. 4 years.*



Police Court—1st District.

1912

Affidavit—Larceny.

City and County of New York, ss.

of No. 171 Broadway Street, aged 53 years, occupation Jeweller being duly sworn, deposes and says, that on the 7th day of July 1893 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One Gold cased watch of the value of Fifty Dollars

the property of P. S. Ward and in the care and custody 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 John Cammoss (nowhere)

for the reasons following to wit: Deponent said said property was together with a number of other watches hanging on a rack and was in the show window on the corner of Street and Street of said premises when said deponent broke the glass in the said show window and took said property from said rack when deponent is informed by Alfred Taylor a servant in deponent's employ that he saw said deponent take said property and caught him with said property in his possession and took the same from him. Deponent thereupon charged said defendant with the larceny of the same.

Edwin P. Benedict

Sworn to before me, this 7th day of July 1893 at New York City, before Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Alfred H Taylor  
aged 44 years, occupation Deacon of No. 171 Broadway Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Edwin P. Buedier  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me this, 7 day of July 1893 } AH Taylor

Wm. [Signature]  
Police Justice.

[Empty lined area for additional text]

Sec. 198-200.

1882  
District Police Court.

City and County of New York, ss:

*John Connors* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is *h<sup>b</sup>* right to make a statement in relation to the charge against *h<sup>4</sup>*; that the statement is designed to enable *h<sup>o</sup>*, if he see fit, to answer the charge and explain the facts alleged against *h<sup>4</sup>*; that he is at liberty to waive making a statement, and that *h<sup>b</sup>* waiver cannot be used against *h<sup>4</sup>* 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 guilty*

*John Connors*

Taken before me this

day of *July* 189

*Police Justice*

0212

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

274 83 304  
Police Court District.

THIS PEOPLE, etc.  
ON THE COMPLAINT OF

*James P. O'Sullivan*  
*John C. O'Sullivan*  
Offense *Grand Juror*

Dated *July 7* 189 *3*

*John Woodard*  
Magistrate.

WITNESSES  
*John Woodard*  
No. *17* Precinct.  
*141 Broadway*  
No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

No. *2000* Street \_\_\_\_\_  
to answer *BY*

*Car* *City*

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

*Defendant*  
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *Twenty* 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, *July 7* 189 *3* *Woodard* Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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 Connors*

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

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

The said

*John Connors*

late of the City of New York, in the County of New York aforesaid, on the *seventh*  
day of *July* in the year of our Lord one thousand eight hundred and  
ninety-*three*, at the City and County aforesaid, with force and arms,

*one watch of the value of  
fifty dollars*

of the goods, chattels and personal property of one *Edwin P. Benedict*

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.

*De Lancey Nicoll*  
*District Attorney*

02 14

**BOX:**

527

**FOLDER:**

4799

**DESCRIPTION:**

Coyle, Patrick

**DATE:**

07/21/93



4799

02 15

**BOX:**

527

**FOLDER:**

4799

**DESCRIPTION:**

Rodgers, Christopher

**DATE:**

07/21/93



4799

02 16

**BOX:**

527

**FOLDER:**

4799

**DESCRIPTION:**

Maguire, John

**DATE:**

07/21/93



4799



#243 34 July 21/93

200

Counsel,

Filed

189

Pleaded

THE PEOPLE

vs.

DEGREE

Sections 224 and 225 Penal Code.

Patrick Coyle

Christopher Rodgers

and

John Maguire

DE LANCEY NICOLL,

District Attorney.

Part III

Oct 26/93

Chas. J. Connel

A TRUE BILL

clay 25/94

Frederick J. Maguire

Part 3 Oct 30/93

Foreman.

Not. def. discharged on his

personal recognizance

No 3 Nov 21/99.

Paul Discharged

July 26/94. V. ob. neg. of def.

July 27/94. " " " "

Witnesses:

Frederick J. Maguire

21 July 1893

21 July 1893

Part 3 October 30 1893

On the within affidavit  
that the complainant  
can not be found,  
(frequent efforts having  
been made during  
this term, to find him)  
I recommend that he  
be discharged on  
his own recognizance

See Remonstrance of

James J. Maguire

Nov. 21/99. Remonstrance

Not. def. discharged on his

personal recognizance

No 3 Nov 21/99.

Paul Discharged

July 26/94. V. ob. neg. of def.

McNamee the  
discharge of the Defunct.  
John Maguire upon  
the Report and Remonstrance  
of case on city block.  
attached to his papers  
see file number.

Nov. 21/99.  
H. J. McNamee  
as witness

7243 34 July 21/93

200

Counsel,

Filed

21

189

Pleader

3

THE PEOPLE

vs.

Degree

(Sections 224 and 225 Penal Code)

Patrick Coyle

Christopher Rodgers

and

John Maguire

DE LANCEY NICOLL,

District Attorney.

Part III

Oct 26/93

Chas. Powell

A TRUE BILL

clay 25/94

James J. McLean

Part 3 Oct 30/93

Foreman.

Not def. discharged on his

personal recognizance

No 3 Nov 21/94

Paul Discharged

July 26 94. abneg. of duty

July 27/94 " " "

Maguire \$500

Witnesses:

Fredrick Seligman

10-10-10-10-10

10-10-10-10-10

Part 3 October 30 1893

On the within affidavit  
that the complainant  
can not be found,  
(frequent efforts having  
been made during  
this term, to find him)  
I recommend that he  
be discharged and  
his name recognized

See Rem. of A.D. Macdonald

from New York

filed in New York

Nov. 21/94. Translated

from French into English

by

Wm. H. H. H. H.

Wm. H. H. H. H.

McComas the  
discharge of the Defendant.  
John Maguire upon  
the Report and Recommendation  
of the District Attorney.  
Attaches to these papers  
are the following:

Nov. 21/94.  
M. J. McComas  
as witness

Police Court— 2<sup>nd</sup> District. —

CITY AND COUNTY } ss  
OF NEW YORK,

Frederick Telgheder  
of No. 219 Hudson Street, Aged 23 Years  
Occupation Bar tender being duly sworn, deposes and says, that on the  
15<sup>th</sup> day of July 1883, at the 2<sup>nd</sup> Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful money of the  
United States of the amount and

of the value of Sixty-eight  $\frac{95}{100}$  (\$68  $\frac{95}{100}$ ) DOLLARS,  
the property of Frederick Pond, and in deponent's care + custody -  
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 Coyle (now here), Christopher Rogers-  
and John Maguire (not yet arrested and while  
acting in concert with each other - from the  
following facts to wit; that about the hour  
of 4.45 o'clock A.M. of the aforesaid date, said  
Defendant Coyle in company with said Rogers,  
entered the Liquor Shop situated at the above  
mentioned premises, and at the time said  
Coyle and Rogers entered said Shop, said  
Maguire was standing alongside the bar in  
said Shop, and as deponent was standing on  
the outside of said bar, said Coyle in company  
with said Rogers took hold of deponent and

1883

Police Justice

threw him down on the floor of said Liquor  
store, and that said Maguire then went  
behind the bar in said store, and feloniously  
took, stole, and carried away the aforesaid  
property from the Cash Register, behind said  
bar, and that after said Maguire took and  
stole said property - said defendant Coyle in  
company with said Rogers and Maguire  
then left said store with the aforesaid  
property in their possession - Defendant  
therefore asks that said defendant  
may be held to answer

Worn to before me } Frederick Delgader.  
this 17 day of July 1893 }  
H. J. W. Police Justice

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

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—ROBBERY.

1  
2  
3  
4

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *Patrick Boyle*

Question. How old are you?

Answer. *22 years -*

Question. Where were you born?

Answer. *New York*

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

Answer. *333 West 17th Street; 14 years -*

Question. What is your business or profession?

Answer. *Class Printer*

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 -*

*Patrick Boyle*

Taken before me this

day of

188

Police Justice.

PAIDED.  
A. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court--- District.

THE PEOPLE vs.  
ON THE COMPLAINT OF

*Medwell Charles*  
*Patrick Boyle*

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Offence \_\_\_\_\_

Dated *July 17* 18*93*

*Charles J. Brown* Magistrate.

*John J. Brown* Precinct.

No. 197 *Pack & Dece* Street.

No. *George Costinors* Street.

No. *Frank Pond* Street.

No. *Offing Thome* Street.

*1000 5th Street*

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

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

Dated *July 17* 18*93* *J. J. Brown* Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

0223

**PART III.**

**THE COURT ROOM IS IN THE FIRST STORY.**  
 If this Subpoena is disobeyed, an attachment will immediately issue.  
 Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

## SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To Fredman Telegraph  
 of No. 219 Nassau Street,

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the

October 1893 at half-past ten o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Dated at the City of New York, the first Monday of  
 in the year of our Lord, 189 3.

DE LANCEY NICOLL, District Attorney.

0224

**PART III.**

This Court Room is in the First Story.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To: *Frederick T. Delphick*  
of No. *219 Nassau* Street,

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the

*October* 189*3* at half-past ten o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Dated at the City of New York, the first Monday of  
in the year of our Lord, 189 *3*.

DE LANCEY NICOLI, District Attorney.



0225

**PART III.**

This Court Room is in the First Story.  
 If this Subpoena is disobeyed, an attachment will immediately issue.  
 Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

## SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To Fredman Telghide  
 of No. 219 Hudson Street,

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the

October 1893 at half-past ten o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Dated at the City of New York, the first Monday of  
 in the year of our Lord, 1893.

Robert C. Lacey  
October  
 DE LANCEY NICOLL, District Attorney.

Court of General Sessions.

THE PEOPLE

vs.

*Patrick Coyle*

and County of New York, ss:

*John T. Warner*

being duly

sworn, deposes and says: I am a Police Officer attached to the Precinct, 8<sup>th</sup> Precinct, in the City of New York. On the 27<sup>th</sup> day of October 1893, I called at 219 Hudson Street - in the City of New York - the alleged residence of Frederick Telgheide the complainant herein, to serve him with the annexed subpoena, and was informed by the

man in the Street at that number, that the said Telgheide had gone away from there shortly after the Robbery - and that he had no knowledge of where he had gone or where he was at the present time other inquiries failed to furnish any information of his present whereabouts

*John T. Warner*

Sworn to before me, this

30<sup>th</sup> day of October 1893

of

*October*

1893

*John A. McGuire*

*Commissioner of Courts*

*N.Y.C.*

Court of General Sessions.

THE PEOPLE, on the Complaint of  
*Frederick Delphick*  
vs.  
*Patrick Doyle*  
Offense: *Drunk*

JOHN R. FELLOWS,  
District Attorney.

Affidavit of Police Officer  
*John J. Coleman*  
8<sup>th</sup> Precinct.

Failure to find Witness

0228

COUNTY OF NEW YORK, ss.:

1427

In the Name of the People of the State of New York, To any Sheriff, Constable,  
Marshal or Policeman in this State, GREETING:

An indictment having been found on the 21<sup>st</sup> day of July  
1893, in the Court of General Sessions of the Peace of the County of

New York, charging Christopher Rogers and  
John Maguire  
with the crime of Robbery in the first degree

and **You are therefore Commanded** forthwith to arrest the above named Christopher Rogers  
and John Maguire and bring him before that Court to answer the indictment; or  
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the  
City Prison of the City of New York.

City of New York, the 21<sup>st</sup> day of July 1893

By order of the Court,

John F. Carroll  
Clerk of Court.

New York General Sessions of the Peace.

THE PEOPLE  
OF THE STATE OF NEW YORK,

against

*Christopher Rogers*  
*John Maguire*

BENCH WARRANT FOR FELONY.

Issued

*July 21<sup>st</sup>* 1893

The officer executing this process will  
make his return to the Court forthwith.

THE PEOPLE, ETC.;

vs.

PATRICK COYLE,  
CHRISTOPHER RODGERS  
and  
JOHN MAGUIRE

-----  
In this case the defendants were indicted charged with Robbery in having robbed one Frederick Telgheder of \$68.95 at the premises 219 Hudson Street, City and County of New York. The defendant Patrick Coyle was discharged on his own verbal recognizance October 30th, 1893, the defendant Christopher Rodgers was never arrested; in the case of John Maguire repeated efforts have been made to find the complainant, but from the statement of Detective Sergeant William Brown of the Detective Bureau who was the officer in the case, and from the affidavit of Patrick J. Lyons County Detective attached to the District Attorney's Office it appears that after repeated efforts the complainant cannot be found.

In view of these facts I recommend that the defendant John Maguire be discharged on his own recognizance.

Stephen S. Blake

Assistant District Attorney.

Nov. 5/22/99  
P.T.

Recommen

File No. 2102 49.

Y. C. 1949

UNITED STATES DEPARTMENT OF JUSTICE

TO THE HONORABLE ATTORNEY GENERAL

FROM THE HONORABLE ATTORNEY GENERAL

RE: [illegible]

[illegible]

W. W. Palmer

Boyle 17 il

See 10/11/49

21 93

JOHN HENRI  
AND  
CHARLES ROBERT HODGE  
SUBJECT: [illegible]

AS:

MR. BROOKS, JR.

[illegible]

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 Coyle, Christopher  
Rogers and John Maguire

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

Patrick Coyle, Christopher Rogers and John Maguire  
of the CRIME OF ROBBERY in the first degree, committed as follows:

The said Patrick Coyle, Christopher Rogers and John Maguire, all  
late of the City of New York, in the County of New York aforesaid, on the fifteenth  
day of July in the year of our Lord one thousand eight hundred and  
ninety-three, in the day-time of the said day, at the City and County aforesaid,  
with force and arms, in and upon one Frederick Telgheder  
in the peace of the said People then and there being, feloniously did make an assault; and

the sum of sixty-eight dollars  
and ninety-five cents in money,  
lawful money of the United States  
of America, and of the value of  
sixty-eight dollars and ninety-five cents

of the goods, chattels and personal property of the said one Frederick Pond  
~~from the person of the said~~ in the presence of the said Frederick Telgheder against the will  
and by violence to the person of the said Frederick Telgheder —  
then and there violently and feloniously did rob, steal, take and carry away,

the said Patrick Coyle, Christopher Rogers  
and John Maguire, and each of them being then  
and there aided by an accomplice actually  
present, to wit: each by the other:—

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

Re Laucey Nicoll  
District Attorney



0233

**BOX:**

527

**FOLDER:**

4799

**DESCRIPTION:**

Cregan, Michael

**DATE:**

07/12/93



4799

55

Counsel,

Filed

189

day of

Pleads,

THE PEOPLE

vs.

*P*  
Michael O'Regan.

Assault in the First Degree, etc.  
(Sections 217 and 218, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Samuel McKee*

Foreman.

*July 12/93*

*Heather, Henry, May*

*50 years.*

Witnesses:

*Kate Sullivan*

*John Collins*

*affirm*

New York Hospital,

GEO. P. LUDLAM,  
Superintendent.

West Fifteenth Street,

New York,

July 9 1893

I now believe John  
Duchamain to be practically  
out of danger.

Fielden  
Honeyburg.

New York Hospital,

GEO. P. LUDLAM,  
Superintendent.

West Fifteenth Street,

New York, *July 7<sup>th</sup>* 1893

*John Deuchamjohn*  
*Is much*  
*better this morning*  
*Frank S. Fildes*  
*House Surgeon*

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

of No. 19<sup>th</sup> Precinct Police  
occupation Police Officer Street, aged \_\_\_\_\_ years,  
being duly sworn deposes and says,  
that on the \_\_\_\_\_ day of July 1883

at the City of New York, in the County of New York, while pursuing  
the defendant Michael Bryan (now here) he  
was handed the knife, now here, and  
exhibited in Court by Officer John Curran  
of the 22<sup>nd</sup> Precinct Police, and that  
said Defendant on seeing said knife  
admitted and confessed that said knife  
was his property, and deponent further says  
that at the time said Officer Curran  
handed him said knife, it was covered  
with blood

John Collins

Sworn to before me this

of

1883

day

Police Justice.

0238

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

Patrick Sullivan

of No. 319 West 16<sup>th</sup>

Street, aged 36 years,

occupation Gard. Man.

being duly sworn deposes and says,

that on the 7<sup>th</sup> day of July 1883

at the City of New York, in the County of New York, about the hour of

12.30 o'clock P.M. he saw the defendant  
Michael Grogan (now here) coming out of the  
Employees Dining Room, of the Hotel Metropole  
situated at the corner of West 42<sup>nd</sup> St & Broadway.  
And at the time said defendant was coming  
out of said Dining Room, he saw said  
defendant holding a knife in his hand.

P. Sullivan

Sworn to before me this

of

1883

day

Police Justice

0239

Police Court— 2 District.

City and County { ss.:  
of New York,

of No. Hotel Metropole, Broadway + 42 Street, aged 28 years,  
occupation Waiter being duly sworn  
deposes and says, that on the 7 day of July 1893 at the City of New  
York, in the County of New York, John Roacher

was violently and feloniously ASSAULTED and BEATEN by Michael Regan  
(workman) from the face ~~that~~ deponent  
was employed in the Hotel Metropole  
and at about the hour of One P.M. on said  
date deponent's attention was attracted by loud  
screaming in the servants' dining room and  
went in deponent entering said room  
deponent discovered the said Regan  
on his knees on the floor and the said  
John Roacher lying on the floor. Deponent  
saw the said Regan striking the said  
Roacher and seized hold of the said  
Regan and pulled him off the said  
Roacher. Deponent deemed that the  
said Roacher was bleeding from the cut in  
the face and also from a cut in the neck  
wherefore deponent charges the said  
Regan with having <sup>feloniously</sup> assaulted the  
Roacher and

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

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

Sworn to before me, this 7 day of July 1893 at New York  
of John Roacher  
Michael Regan Police Justice.

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK }

2 District Police Court.

*Michael Cregan* 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.

*Michael Cregan*

Question. How old are you?

Answer.

*32 years.*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*461 West 34th St. N. Y. 18 years*

Question. What is your business or profession?

Answer.

*Reporter man*

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.*

*Michael Cregan*

Taken before me this

day of

189

Police Justice.



*It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named*.....*1*.....

1881

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Michael Cregan*

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

*Michael Cregan*

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

The said

*Michael Cregan*

late of the City of New York, in the County of New York aforesaid, on the *seventh*  
day of *July* in the year of our Lord one thousand eight hundred and  
ninety-*three*, with force and arms, at the City and County aforesaid, in and upon  
the body of one *John Roacher* in the peace of the said People

then and there being, feloniously did make an assault, and

*him* the said

with a certain *sharp instrument*

*to the Grand Jury aforesaid unknown*

which the said

in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent

*him*

the said

*John Roacher*

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

SECOND COUNT—

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

*Michael Cregan*

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

The said

*Michael Cregan*

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

*John Roacher* in the peace of the said  
People then and there being, feloniously did wilfully and wrongfully make another assault,

and *him* the said

*John Roacher*

with a certain *sharp instrument to the Grand Jury aforesaid unknown*

which the said

*Michael Cregan*

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

THIRD COUNT—

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

*Michael Cregan*

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

The said

*Michael Cregan*

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

*John Roacher* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said *John Roacher*

with a certain *sharp instrument to the Grand Jury aforesaid unknown*

which *he* the said *Michael Cregan*

in *his* right hand then and there had and held, in and upon the *face* and *neck* of *him* the said *John Roacher*

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, ~~bruise~~ and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

*John Roacher*

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

DE LANCEY NICOLL,

*District Attorney.*

0244

**BOX:**

527

**FOLDER:**

4799

**DESCRIPTION:**

Crimmins, Frank

**DATE:**

07/10/93



4799

Witnesses

*John O'Hannan*

*Officer Stewart*

Counsel,

Filed

day of

189

Pleads,

*July 11*

THE PEOPLE

vs.

*P*

*Frank Grimmer.*

Assault in the Second Degree.  
(Section 218, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*James McKeen*

*July 20/93*

Foreman.

*Thos D. Linn*

*S. P. H. yard.*

Police Court— 5 District.

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

of No. 315 E. 93rd Street, aged 33 years,  
occupation Laborer being duly sworn  
deposes and says, that on the 23 day of June 1887 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Frank  
Communis (now here) who wilfully  
and maliciously struck deponent  
several violent blows in the face with  
his fists. Knocking deponent down and  
while deponent was lying down he the  
defendant cut and stabbed deponent in  
the face with a knife held in his hand.  
Deponent further says that such  
assault was committed

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

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

Sworn to before me, this 24 day }  
of June 1887 } John. Apperson  
Chas. H. Burke Police Justice.

Sec. 198-200.

1892  
District Police Court.

City and County of New York, ss:

*Frank Cummings* 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 a 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. *Frank Cummings*

Question. How old are you?

Answer. *26 years old*

Question. Where were you born?

Answer. *New York*

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

Answer. *226, 6, 89th St. 2 years*

Question. What is your business or profession?

Answer. *Wood Scurger*

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 Cummings*  
*Wm. H.*

*Schulman Dec 10 7th St. 1st Ave.*

Taken before me this

day of *June*

1892

*John G. Burke*  
Police Justice.

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

Police Court, 5 District, 682

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Williams*  
*318 E 93rd*  
*Frank Williams*  
Offense, *Assault*  
*"felony"*

Dated, *June 24* 1893

*Frank Williams* Magistrate.

*Warner Keyser* Officer.

Witnesses *William Keyser* Precinct.

No. 17 *Frank Williams* Street.

No. *189* Street.

No. *189* Street.

\$ *500* to answer.

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

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

Dated, *June 24* 1893 *McRae* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.



## Part I.

F r a n k                      C r i m m i n s .

This was in my own home. There is a young lady living in the house named Miss Heffernan whom this defendant came to see. I didn't know from anything he said that he wished to see her on this day. I never had

any trouble with this man before and didn't know any reason why he should stab me. He didn't ask me if he could see Miss Heffernan. I am positive that I saw the pen knife in the defendant's hands. It is not true that there was a fight between us and that I got cut by the defendant's fist during that fight. I did not fight with the defendant at all. He threw me down on the ground and as I was getting up he cut me with this knife. It is not true that the first time I saw the knife was when the officer showed it to me some two or three days after the trouble. I have never been in any trouble and have never been arrested for any crime. I saw something in the defendant's hand when he struck me which I thought was a pen knife. I can't tell how long the blade of the knife was. I didn't throw my arms up to ward off the blow. I am certain now that it was a pen knife.

XAVIER KEYSER, a witness for the People, sworn, testified

I am a Police Officer connected with the 28th Precinct. On the 23rd of June I was connected with the 27th Precinct. I arrested the defendant on the complaint of the complainant. When he was put under arrest he resisted and the result was that we inflicted the wound which he has on his forehead with our clubs. He tried to take the club away from one of the officers. We had a struggle with him but finally landed him in the station house. It was nine o'clock at night when we arrested the defendant. The defendant was under the influence of liquor when we arrested him. The assault

was committed in the day time as I was informed. The defendant denied having cut the complainant when charged with it.

JOHN APPMAN, recalled.

This assault upon me took place about three o'clock in the afternoon, and the defendant was arrested about nine o'clock at night. When the defendant asked me for the can to get beer and I refused it to him, he immediately struck out and knocked me down.

D E F E N S E .

FRANK CRIMMINS, the defendant, being sworn testified:

I am 26 years of age, and a wood sawyer by occupation. I am employed at 100th Street and First Avenue. I have been working there for seven years on and off. I ~~was~~ was sent to the penitentiary at one time for assault, for three months. I have been arrested for intoxication several times, but was only sent to the penitentiary once. On the day of this trouble I went to the house in which the complainant lived to see a girl named Mamie Heffernan. She owed me twenty cents and my purpose in going there was to get that money from her. I knocked at the door but no one answered it. I then went downstairs and stood around the front door for a while. I looked up and saw her sitting in the window. I went upstairs again, rapped at the door, and as soon as I knocked at the door, it was slammed in my face, and this gentleman came out and says to me; "What do

you want here?". I says; "I want to see Mamie". He says; "Well, you can't see her, get down out of here". With that he made a motion to catch me and I struck out and hit him. I thought he was going to follow me downstairs, so I struck him. Then we had a tussle and in the tussle he fell down. I then went downstairs and walked away. I didn't have anything in my hand at the time I struck the man. I had no knife and I didn't cut him. If there is any mark on his face it was caused by my fist. I was in a lot at nine o'clock that evening when the officers came and arrested me. I didn't resist arrest as the officers put the nippers on me. I went right along with the officers and was locked up on this charge. I didn't strike any of the officers. I didn't ask the complainant for the loan of a can as he has testified. I am not known as a can rusher or a growler rusher. I had no weapon or any sharp instrument in my hand when I struck the complainant.

Cross examination:

I live at 226 East 89th Street. I have been living there about two years. I have been out of work for a week before this assault. I went to this house to see Mamie Heffernan between twelve and one o'clock. Nobody came out the first time I knocked and the second time the only thing that happened was that the door was slammed in my face. The complainant spoke to me first, saying; "What do you want here?" I had been drinking that day but was not under the influence of liquor at the time I went into this house. I was simply under the in-

5

fluence of liquor at the time the officers arrested me. I was convicted of assault before about three years ago. I have been arrested for disorderly conduct three or four times. But one time I was sent to the Island for six months for being drunk and disorderly.

JAMES MAHONEY, a witness for the defendant, sworn testified:

I am a painter by occupation. I am acquainted with the defendant. I always work for a living. I recollect the day this trouble took place. I was present at the house with this defendant between twelve and one o'clock. I saw the fight between the defendant and the complainant in the hallway of the house. I saw several blows struck by both men. I saw no knife used. If the defendant had a knife in his hand I would have seen it. I didn't see him cut the complainant with the knife. If he had cut him I was in a position to see it.

Cross examination:

I live at 238 East 97th Street. I have known the defendant for five years. I have known him intimately for that time. I don't drink. I happened to be passing the house with a dinner can, at the time this assault took place, and as Crimmins was a friend of mine I stopped to see what happened. When I saw the fight, I went upstairs, and I am certain that the defendant didn't use any knife. I am willing to swear pos-

itively that the defendant didn't have any knife in his hands. I was arrested once for being asleep with a young lady in a stable.

THE JURY RETURNED A VERDICT OF GUILTY  
OF ASSAULT IN THE SECOND DEGREE.

*Handwritten notes in left margin:*  
...  
...  
...

*Handwritten notes in middle margin:*  
...  
...  
...

*Handwritten notes in right margin:*  
...  
...  
...

Indictment filed July 10 - 1893

Count of several persons  
Part I

Shel Proplek  
vs.

Frank J. J. J. J. J.

Abstract of testimony  
on trial New York

July 20<sup>th</sup> 1893

OF ASSAULT IN THE SECOND DEGREE.

THE JURY RECOMMENDS A VERDICT OF GUILTY

1893 to a state.

1893. I was released once for being seized with a woman

1893. I was released once for being seized with a woman

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 Crimmins

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

Frank Crimmins

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

The said Frank Crimmins

late of the City and County of New York, on the Twenty-third day of  
June in the year of our Lord one thousand eight hundred and  
ninety-three, at the City and County aforesaid, in and upon one

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

Frank Crimmins

with a certain knife which he the said

in his right hand — Frank Crimmins —  
a weapon and an instrument likely to produce grievous bodily harm, him, the said  
John Apmann then and there feloniously did wilfully and  
wrongfully strike, beat, cut, stab bruise and wound, against the form of the statute  
in such case made and provided, and against the peace of the People of the State of New York  
and their dignity.



SECOND COUNT—

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

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

The said

*Frank Criminis*

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

*John Apmann*

in the peace of the said People then and there being, feloniously  
did wilfully and wrongfully make another assault; and the said *Frank Criminis*  
the said *John Apmann*  
with a certain *knife*

which

*he*

the said

*Frank Criminis*

in *his* right hand then and there had and held, in and upon the  
*face* of *him* the said *John Apmann*  
then and there feloniously did wilfully and wrongfully strike, beat, *cut, stab*  
~~bruise~~ and wound, and did then and there and by the means aforesaid, feloniously, wilfully  
and wrongfully inflict grievous bodily harm upon the said *John Apmann*  
to the great damage of the said *John Apmann*  
against the form of the statute in such case made and provided, and against the peace of the  
People of the State of New York and their dignity.

DE LANCEY NICOLL, *District Attorney.*

0258

**BOX:**

527

**FOLDER:**

4799

**DESCRIPTION:**

Crowley, William

**DATE:**

07/21/93



4799

Emmanuel Haudecius

~~THE~~ PEOPLE

19 cherry  
417—

William Crowley

DE LANCEY NICOLL,

*District Attorney.*

*Peter  
H. H.  
H. H.*

# A TRUE BILL,

Lawrence Wolfers

Par 3 November 24/3

Foreman.

Pleads Petik Kareem.  
Foreman.

3 Nov 1963

Oct 26 - Part II. - 1968  
31 - " - 1968

Police Court— / District.

1012

Affidavit—Larceny.

City and County {  
of New York, } ss.

of No. 195 North Emanuel Flaudiens  
Street, aged 39 years,  
occupation Restaurant

deposes and says, that on the 11<sup>th</sup> day of July 1893 being duly sworn,  
at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

Money of the value of Seven  
Dollars

the property of Apmunt

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 William Crowley

from the fact that while deponent  
was standing at the junction  
of North and Mulberry Street  
he was approached by the  
defendant who seized said  
account of money which  
deponent held in his hand,  
and then ran away  
Emanuel Flaudiens  
mark

Sworn to before me, this  
of July 1893  
[Signature]

Sec. 198-200.

1882  
District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer.

*William Crowley*

Question. How old are you?

Answer.

*19 years*

Question. Where were you born?

Answer.

*MS*

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

Answer.

*417 Cherry St*

Question. What is your business or profession?

Answer.

*Bath Attendant*

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

Answer.

*I am not guilty*  
*William Crowley*

Taken before me this

*July 189*

*W. J. McLaughlin*  
Police Justice.

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

*William W. ...*

Offense...

Dated July 11 1893

*Michael ...* Magistrate.

*McAndrews ...* Officer.

*George ...* Precinct.

*John ...* Precinct.

*May ...* Precinct.

*137 ...* Precinct.

*100 ...* Precinct.

*100 ...* Precinct.

*100 ...* Precinct.

*100 ...* Precinct.

*100 ...* Precinct.

*100 ...* Precinct.

*100 ...* Precinct.

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

*Defendant*

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

Dated, *July 13* 1893 *Curran* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*William Crowley*

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

*William Crowley*  
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said

*William Crowley*

late of the City of New York, in the County of New York aforesaid, on the *seventh*  
day of *July* in the year of our Lord one thousand eight hundred and  
ninety-*three*, in the *day*-time of the said day, at the City and County aforesaid,  
with force and arms,

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

of the goods, chattels and personal property of one *Emanuel Mandicus*  
on the person of the said *Emanuel Mandicus*  
then and there being found, from the person of the said *Emanuel Mandicus*  
then and there feloniously did steal, take and carry away, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

*De Lancey Nicoll,  
District Attorney*

0264

**BOX:**

527

**FOLDER:**

4799

**DESCRIPTION:**

Curtis, John W.

**DATE:**

07/21/93



4799



Witnesses:

James King

officer

Bernard Biglin

598 Washington St.

Deane Bros.

New York N. 40

Hill Bros.  
Andrew Taylor manager  
Park Place & Broadway

183 Cantor

Counsel,

Filed

day of July

1893

Pleads,

Not guilty (2-4)

THE PEOPLE

23 W. 137 St.

John W. Curtis

H.D.

Grand Larceny,  
From the Person,  
[Sections 828, 840, 842, 843 Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Spencer McKee

Foreman.  
Park 2 July 27/93

Truedy aynd convicted  
with recor. is in my hands

2. 24/93 J. W. S. (S. J. S.)  
Feb 11/93

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT / DISTRICT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

of the James King  
Park Precinct Police, being duly sworn, deposes  
and says that Charles Kasartel  
(now here) is a material witness for the people against  
John W. Austres charged  
with Larceny from the Person. As deponent has  
cause to fear that the said Charles Kasartel  
will not appear in court to testify when wanted, deponent prays  
that the said Charles Kasartel be  
committed to the House of Detention in default of bail for his  
appearance.

James King

Sworn to before me this  
day of July 1933

Police Justice.

Police Court— District.

1912

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 31 Reeper Street, aged 41 years.

occupation Fireman being duly sworn,

deposes and says, that on the 18 day of July 1893 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession and person of deponent, in night time, the following property, viz:

One silver watch and gold chain together  
of the value of about fifty nine  
dollars

\$59

Sworn to before me, this  
of 1893 day

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 John W. Curcio (now here)

and one other person not yet arrested.  
For the reason that on said date said deponent was with this defendant and the other person not yet arrested he had the said watch in the lower left hand pocket of his vest then on his person attached to said chain in deponent missed said watch and chain and called for police and this defendant and the other person not arrested ran away. Deponent is informed by Park Officer James King that he saw the defendant Curcio (now here) throw away a watch and chain which he King picked up. Deponent has seen said watch and chain picked

Police Justice.

up by said King and identifies it  
as the property stolen from him.  
Wherefore defendant charges the defendant  
with larceny from the person.

Sworn to before me this } 6th day of July  
18<sup>th</sup> day of July 1893 }

*Wm. M. H. H. H.*  
Justice

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 30 years, occupation Park Policeman of No. James King  
Park Department Street, being duly sworn, deposes and

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

Sworn to before me this, 18  
day of July 189 3 }

James King  
Police Justice.

Sec. 198-200.

1882  
District Police Court.

City and County of New York, ss:

John Curtis 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 W. Curtis

Question. How old are you?

Answer. 23 years

Question. Where were you born?

Answer. U. S.

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

Answer. 137 Washington Street 23 years

Question. What is your business or profession?

Answer. Loader

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 W. Curtis

Taken before me this

day of

1882

Police Justice.

0271

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

211  
Police Court---  
District. 767

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Charles Kuntz  
H. D.  
John W. Carter

HOUSE OF DETENTION CASE

Offense. Lapsing from  
the Person

Dated, July 18 1893

Magistrate.

Officer.

Witnesses John Price Precinct.

No. 100-1346 Street.

Complainant committed to  
the House of Detention

No. 100-1346 Street.

to answer H. D.

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

Defendant

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

Dated, July 18 1893 Max Martin Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

For THE DEFENCE.



CHARLES KLESATHAL, THE COMPLAINANT, being duly sworn, testified, through the Official Interpreter, that on the 18th of July, 1893, he was not working. He had been laid off from the steamer Orizala. On the night of the 18th of July he met the defendant, on Greenwich street. The defendant was alone at the time he met him. At the time he met the defendant he had a watch and chain in his possession. The watch and chain now shown to him by the District Attorney was his watch and chain. The watch was worth \$34.00, and the chain \$25.00. He had bought them in San Francisco, about five years before the trial.. There was a crowd congregated in the street, and he, the complainant, entered into a conversation with the defendant. Then the defendant said, "Let us go down to Battery Park; we can get whatever we want there." This was about half-past 9 or 10 o'clock in the evening. They went to Battery Park. When they were entering the park a man came up and spoke to the defendant. Then all three sat down on a bench. Then the unknown man took a bottle of whiskey from his pocket and he, the complainant, took some of the

whiskey. After drinking the whiskey he, the complainant, fell asleep. When he, the complainant, woke up he felt dizzy, and he commenced to feel through his pockets, and he missed his watch and chain. He said, in English, "My watch and chain is gone," to both of the men who were sitting beside him. He was kind of afraid of the men, or he would have grabbed them immediately. They then got up and walked about five steps, and he, the complainant, called out, "Police!" Both the men commenced to run. After running a short distance together the men separated. He, the complainant, ran after the defendant, and the defendant ran right into the arms of a policeman. He said to the policeman, "This man stole my watch and chain." The officer then searched the defendant. Officer King, of the Park Police, then went into the park and picked up the watch and chain.

In cross-examination the complainant testified that he was a fireman on a steamship, by occupation. He had six or eight glasses of beer on the day in question, and two or three glasses of

wine. It was dark when they were sitting in the park. He did not know whether the defendant and the other man drank any of the whiskey; they went through the motions, and put the whiskey bottle to their lips.

JAMES KING, being duly sworn, testified that he was an officer of the Park Police. On the morning of the 18th of July he saw the defendant and the complainant coming down one of the walks of Pattery Park. They were accompanied by another man. They walked down as far as "Lookout House," and sat down. He saw the defendant putting his hand towards the complainant, and he thought they were friends. Shortly afterwards he saw the three men get up, and walk a few steps, and then he heard the complainant shout "Police!" and the defendant almost ran into his arms. He told the defendant to stop, and the defendant did stop. The defendant had a watch and chain in his hands at the time, and he threw it into the park. He, the witness, turned the defendant over to his partner, and went in and got the watch

and chain. The complainant identified the watch and chain as his property.

In cross-examination the witness testified that he distinctly saw the defendant throw the watch and chain away.

FOR THE DEFENCE, JOHN W. CURTIS, THE DEFENDANT, being duly sworn, testified, in his own behalf, that he was twenty-three years old. He was born in this city, and had been working, on and off for three years, for Barney Boglin. He had never been arrested nor convicted of any crime. On the way down town he, the defendant, was slightly intoxicated, and he fell asleep in a street-car and did not wake up until he got to South Ferry. He then walked over to Greenwich street, and he there met the complainant. The complainant asked him to go to the Battery with him, and he went. The complainant began to talk about the Bowery, and he told the complainant if he wished to go to the Bowery he could go. In a few minutes a strange man came along and started to entertain the complainant. The strange man took out a bottle

of whiskey and asked him, the defendant, if he would have a drink, and he said he would, and then he passed the bottle to the complainant. The bottle was passed around two or three times, and then he the defendant got up and walked off a few steps and sat down again. In the meantime he noticed that the complainant was completely intoxicated and could hardly walk. He told the complainant that he had better be careful of himself. He walked with the complainant a few steps, and then the complainant began to shout, "Watch." He told the complainant that he did not have his watch, and he, the defendant, saw that the other man was going away and he walked away. The officer ordered him to stop, and he stopped. He did not have the complainant's watch in his hand, as the officer testified, and he did not throw it away.

In cross-examination the defendant testified that he ran after the strange man with the intention of getting the complainant's property back. He did not see the watch in the other man's possession, but he knew that he himself was innocent and

he thought the other man must have taken it. The other man was so close to him, the defendant, that the officer must have seen him. The man was between him, the defendant, and the officer. He told the officer to search for the other man, but the officer did not do it.

IN REBUTTAL, OFFICER KING, being recalled, testified that he did not see any other man running. There was nobody else running towards him but the defendant. He did not see where the strange man went to. He was positive that he saw the defendant throw the watch and chain away.

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 W. Curtis*

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

*John W. Curtis*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:  
The said *John W. Curtis*

late 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  
ninety-*three*, in the *night* time of the said day, at the City and County aforesaid,  
with force and arms,

*one watch of the value  
of twenty-nine dollars and  
one chain of the value of  
thirty dollars*

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

SECOND COUNT—

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

*John W. Curtis*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

*John W. Curtis*

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

*one watch of the value of  
twenty-nine dollars, and one  
chain of the value of thirty  
dollars*

*of the goods, chattels and personal property of one Charles Kleesathal*

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

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

*John W. Curtis*

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

DE LANCEY NICOLL,

*District Attorney.*