

0337

**BOX:**

475

**FOLDER:**

4350

**DESCRIPTION:**

Farrell, Alexander

**DATE:**

04/01/92



4350

0338

POOR QUALITY  
ORIGINAL

Witnesses:

*James J. McQuade*  
*Martha Louise Brothman*  
*Off. No. 28 P.*

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

*Alexander Farrell*

*Grand Larceny, Second Degree,*  
*[Sections 528, 534, Penal Code.]*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Off. in Cap.*

*Forman.*

*April 4, 1992*

*Pleads H. S. 2 dy*

*Pen bond.*

0339

POOR QUALITY  
ORIGINAL

(1865)

Police Court—2 District.

Affidavit—Larceny.

City and County } ss.  
of New York,

Edward J. McQuade  
 of No. 129 West 19<sup>th</sup> Street, aged 42 years,  
 occupation Matchman being duly sworn,  
 deposes and says, that on the 17<sup>th</sup> day of March 1892 at the City of New  
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
 of deponent, in the day time, the following property, viz:

A hoghead, containing Burton  
Ale. of the amount and value  
of Forty nine dollars

(\$ 49 <sup>00</sup>/<sub>100</sub>)

the property of McMullen and Company, and  
in deponent's care and 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 Alexander Farrell (now here)

from the following facts to wit: That the  
 aforesaid property was lying on the South side  
 of the National Pier at the foot of King Street,  
 and North River, and that about the hour of  
 4 o'clock P.M. of the aforesaid date, deponent  
 was informed that the said property was  
 missing, and that the defendant had taken  
 and rolled the same away from said Pier,  
 and that deponent followed the defendant  
 and saw him roll the aforesaid property from  
 the corner of Charlton and West Streets to the  
 corner of Charlton and Washington Streets, where  
 said defendant rolled the aforesaid property in  
 the gutter and then ran away. Deponent therefore  
 asks that the defendant may be held to answer

Edward J. McQuade

Sworn to before me, this  
18<sup>th</sup> day of March 1892

of McQuade  
 Police Justice.

POOR QUALITY  
ORIGINAL

0340

(1895)

Sec. 198-200.

2

District Police Court

CITY AND COUNTY { ss.  
OF NEW YORK,

*Alexander Farrell*, 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. *Alexander Farrell*

Question. How old are you?

Answer. *22 years -*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *595 Greenwich Street - 9 months*

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 was Intoxicated - and did  
not know what I was doing  
his  
Alexander Farrell  
Mark*

Taken before me this  
day of *March*

189 *5*

Police Justice.



0341

POOR QUALITY ORIGINAL

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

Police Court... District. 336

THE PEOPLE &c.  
ON THE COMPLAINT OF

*Michael J. McNamee*  
*March 19 1948*  
*Michael J. McNamee*

Dated *March 21 1948*  
*Grady* Magistrate.  
*Hagan* Officer.  
*Robertson Snodgrass* Precinct.  
*Qui 39 York Ave.* Street.  
*Michael J. McNamee* Street.  
*Qui 39 York Ave.* Street.

No. *572*  
\$ *572* to District Attorney  
RECEIVED  
MAR 21 1948  
DISTRICT ATTORNEY

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 *Respondant*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Five* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.  
Dated *March 21 1948* *Grady* 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.

0342

505

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Alexander Farrell*

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

*Alexander Farrell*

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

The said

*Alexander Farrell*

late of the City of New York, in the County of New York aforesaid, on the *17th*  
day of *March* in the year of our Lord one thousand eight hundred and  
ninety-*two*, at the City and County aforesaid, with force and arms,

*one hoghead of ale of the  
value of forty-nine dollars*

of the goods, chattels and personal property of one

*Thomas McMullen*

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.

0343

SECOND COUNT—

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

*Alexander Farrell*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

*Alexander Farrell*

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 Hogshead of ale of the  
value of forty-nine dollars*

of the goods, chattels and personal property of one

*Thomas McMullen*

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

*Thomas McMullen*

unlawfully and unjustly did feloniously receive and have; the said

*Alexander Farrell*

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.*

0344

**BOX:**

475

**FOLDER:**

4350

**DESCRIPTION:**

Farrell, Frank

**DATE:**

04/12/92



4350

0345

POOR QUALITY  
ORIGINAL

~~#57~~ ~~131.~~

Counsel,  
Filed, *12* day of *April* 189*9*  
Pleads, *for* *Quincy*

THE PEOPLE  
*43* *here*  
*165* *vs.* *B*  
*Frank Farrell*  
*Part 2 Dec. 1893*  
*Pleads Dist.*

POLICY.  
[SS 343 and 344, Penal Code.]

DE LANCEY NICOLL,  
District Attorney.

*Wm H. W.*  
*(this part in open court)*  
A TRUE BILL.

*Wm H. W.*  
*Shawman*

Witnesses:  
*Wm H. W.*  
*Shawman*

0346

Part 2 Court of General Sessions  
of the Peace City and County of  
New York

City & County of New York

Frank Ferrell, the defendant  
herein who pleaded guilty to a Misde-  
-meanor to wit, keeping a place for  
the sale of Pahey tickets, on the 15th  
day of Dec<sup>r</sup> 1893, before said Court  
being duly sworn says, that since  
the time of his arrest now some two  
years since he abandoned the said policy  
writing business and has worked at  
various occupations honestly - that  
his last employment was at the  
Express Office No 101 Mercer St. in  
this City, and that he will not  
in any manner again enter into  
said business or in any occupation  
in violation of law.

Sworn before me this ~~Frank Ferrell~~  
15<sup>th</sup> day of December 1893

Wm. McLean Commissioner of Courts  
N.Y.C.



0347

City & County of New York

Thomas Silva being  
 duly sworn says that he is in  
 the Express business at No 101  
 Muren Street in said City and has  
 been so for thirteen years past  
 that he knows Frank Harrell  
 who is charged with Obdian Selling  
 before the Court of Gen. Session Part 2  
 that said Harrell up to six  
 weeks ago, as well as deponent  
 can recollect was engaged  
 by deponent working around  
 deponent's Express office, taking  
 care of the same. Receiving freight  
 and doing such other jobs around  
 place as deponent had to do -  
 I always found him trustworthy  
 and honest. His son works for  
 me now permanently and is a  
 good honest boy

Sworn before me this  
 15th of Decr 1893 }  
 Annie R. Angus  
 Notary Public  
 New York Co.

0348

POOR QUALITY  
ORIGINAL

Chief of General Services  
City of New York  
Paul L.

Frank Farrell

Policy

Applicants

Dec 15, 1993

0349

POOR QUALITY  
ORIGINAL

Sec. 151.

CITY OF New York COUNTY OF New York } ss.  
AND STATE OF NEW YORK.

Police Court, 12 District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Audrey B. McCully of No. 41 Park Row Street, charging that on the 18<sup>th</sup> day of January 1892 at the City of New York, in the County of New York that the crime of selling what are commonly called lottery policies

has been committed, and accusing William White whose real name unknown but who can be identified by thereof.

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, Deputy Sheriffs, Peace Officers, Marshals, Constables and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 12<sup>th</sup> 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 26<sup>th</sup> day of January 1892.  
R. B. McCully POLICE JUSTICE.

POLICE COURT, 12 DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Audrey B. McCully  
vs.

Wm. White

Warrant-General.

Dated

Jan 26<sup>th</sup> 1892

Magistrate.

[Signature] Officer.

The Defendant

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

Officer.

Dated

1888

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest.

Native of

Age.

Sex.

Complexion.

Color.

Profession.

Married.

Single.

Read.

Write.

0350

POOR QUALITY  
ORIGINAL

City and County of New York, ss:

In the name of the People of the State of New York:

To any Peace Officer in the City and County of New York:

Proof by affidavit having been this day made before me, by Anthony Bountock & R. B. McCue of 41 Bush Row Street, New York City, that there is probable cause for believing that William White

has in his possession, at, in and upon certain premises occupied by him and situated and known number 173 Prince St. first floor in said City of New York certain and divers device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, blackboards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day a night time to make immediate search on the person of the said William White

and in the building situate and known as number 173 Prince St. first floor aforesaid, for the following property, to wit: all Faro layouts, all Roulette Wheels and layouts, all Rouge et Noir, or Red and Black layouts, all gaming tables, all chips, all packs of cards, all dice, all deal boxes, all lottery policies, all lottery tickets, all circulars, all writings, all papers, all documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, all books, all documents for the purpose of enabling others to gamble or sell lottery policies, all blackboards, all slips or drawn numbers of a lottery, all money to gamble with, and all device, establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the First District Police Court at Bombas & Centre Street in the City of New York.

Dated at the City of New York, the 28<sup>th</sup> day of January 1892

PA Bountock

POLICE JUSTICE



0351

POOR QUALITY  
ORIGINAL

Inventory of property taken by \_\_\_\_\_ the Peace Officer by whom this warrant was executed :  
\_\_\_\_\_  
Faro layouts, \_\_\_\_\_ Roulette Wheels, \_\_\_\_\_ Roulette layouts, \_\_\_\_\_ Rouge et Noir lay-  
outs, \_\_\_\_\_ gaming tables, \_\_\_\_\_ chips, \_\_\_\_\_ packs of cards, \_\_\_\_\_ dice, \_\_\_\_\_ deal  
boxes, \_\_\_\_\_ deal trays for holding chips, \_\_\_\_\_ cue boxes, \_\_\_\_\_ markers, or tally cards, \_\_\_\_\_  
ivory balls, \_\_\_\_\_ lottery policies, \_\_\_\_\_ lottery tickets, \_\_\_\_\_ circulars, \_\_\_\_\_ writings, \_\_\_\_\_  
papers, \_\_\_\_\_ black boards, \_\_\_\_\_ slips, or drawn numbers in policy, \_\_\_\_\_ money, \_\_\_\_\_  
manifold books, \_\_\_\_\_ slates, \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

City of \_\_\_\_\_ and County of \_\_\_\_\_ ss :

I, \_\_\_\_\_ the Officer by whom this warrant was executed,  
do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this \_\_\_\_\_ }  
day of \_\_\_\_\_ 188 \_\_\_\_\_ }

Police Justice.

Police Court--- First District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Search Warrant.  
Anthony Brunet et al  
vs.  
William White

Dated January 28<sup>th</sup> 1882

Justice.

Officer.

0352

GLUED PAGE

POOR QUALITY  
ORIGINALCITY OF New York COUNTY OF New York } ss.  
AND STATE OF NEW YORK.Anthony Comstock of 41 Park Row New York,  
that he has just cause to believe and does believe that Williamdid, on or about the 18<sup>th</sup> day of January, 1892,  
street, in the City of New York and County of New York,  
knowingly sell, furnish, vend and procure, and cause to be furnished  
instrument, purporting to be a ticket or part of a ticket in a lottery, w  
is hereto annexed, and which said paper or instrument hereto annexed  
or are called lottery policies and further that the said,has in his possession, within and upon certain premises, occupied by him and situated and  
known as number 173 Prince street, in the City of  
New York and County of New York aforesaid, certain others, what are commonly known as, or  
are called lottery policies or lottery tickets, and also certain writings, cards, books, documents, personal  
property, tables, devices, and apparatus, for the purpose of enabling others to sell or vend lottery poli-  
cies or lottery tickets, and at, within and upon said premises, sells, vends, furnishes and procures, and  
has in his possession, the aforesaid articles in violation of the laws of the State of New York, in  
such case made and provided, and with intent to use the same as  
a means to commit a public offense.Subscribed and sworn to before me,  
this 28<sup>th</sup> day of January, 1892.J. J. Keefe  
Police JusticeAnthony ComstockCITY OF New York COUNTY OF New York } ss.R. B. McCully of 41 Park Row being duly sworn further deposes and says, that on the  
18<sup>th</sup> day of January, 1892, aforesaid, he called at the place of business of  
the said William Whitepremises number 173 Prince and there purchased the said paper, ticket and instrument,  
purporting to be what is commonly called a lottery policies as annexed to foregoing affidavit,  
under the following circumstances to wit: Deponent there saw the said William White  
and had conversation with him in substance as follows.Deponent ~~xxx~~, saw said WILLIAM WHITE ENTER said premises, 173 Prince  
Street and sell to colored men and women what are commonly called  
"Lottery Policies." The said WHITE wrote papers for said persons, and  
recorded numbers on paper kept and used by him for that purpose. Depo-  
nent said: "I want to play my gig over again, 36 45 54." The said  
WILLIAM WHITE said: "I'll take his play" (pointing to one JACOB  
KIRCHHOFF,) "I can't take yours. You can put your play with his."  
Deponent said: "All right." The said KIRCHHOFF laid five pennies on  
the table and said: "Give me 28 30 33 for five cents." The said  
WILLIAM WHITE then wrote the numbers on a paper with the other plays  
which he had already recorded, and KIRCHHOFF then said to Deponent:  
"What is yours?" Deponent said: "36 45 54." The said WILLIAM WHITE  
then wrote these numbers on paper hereto annexed, and copied the same  
also upon paper which he then and there kept; then wrote "B N Jan 18"  
on the top of the paper containing Deponent's numbers, and handed the  
same to the said KIRCHHOFF in Deponent's presence, and the said  
KIRCHHOFF paid the said WILLIAM WHITE five cents for his play, and De-



0353

GLUED PAGE

POOR QUALITY  
ORIGINAL

CITY OF New York COUNTY OF New York } SS.  
AND STATE OF NEW YORK.

Anthony Comstock of 41 Park Row New York, being duly sworn, deposes and says that he has just cause to believe and does believe that William White

did, on or about the 18<sup>th</sup> day of January, 1892, at number 173 Prince street, in the City of New York and County of New York unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto annexed, and which said paper or instrument hereto annexed is what is commonly known as, or are called lottery policies and further that the said,

William White has in his possession, within and upon certain premises, occupied by him and situated and known as number 173 Prince street, in the City of New York and County of New York aforesaid, certain others, what are commonly known as, or are called lottery policies or lottery tickets, and also certain writings, cards, books, documents, personal property, tables, devices, and apparatus, for the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at, within and upon said premises, sells, vends, furnishes and procures, and has in his possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided, and with intent to use the same as a means to commit a public offense.

Subscribed and sworn to before me,  
this 28<sup>th</sup> day of January, 1892.

P. J. Keefe  
Police Justice.

Anthony Comstock

CITY OF New York COUNTY OF New York } SS.

R. B. McCully of 41 Park Row being duly sworn further deposes and says, that on the 18<sup>th</sup> day of January, 1892, aforesaid, he called at the place of business of the said William White aforesaid, at the said premises number 173 Prince street and there purchased the said paper, ticket and instrument, purporting to be what is commonly called a lottery policies as annexed to foregoing affidavit, under the following circumstances to wit: Deponent there saw the said William White and had conversation with him in substance as follows.

Deponent ~~saw~~ saw said WILLIAM WHITE ENTER said premises, 173 Prince Street and sell to colored men and women what are commonly called "Lottery Policies." The said WHITE wrote papers for said persons, and recorded numbers on paper kept and used by him for that purpose. Deponent said: "I want to play my gig over again, 36 45 54." The said WILLIAM WHITE said: "I'll take his play" (pointing to one JACOB KIRCHHOFF,) "I can't take yours. You can put your play with his." Deponent said: "All right." The said KIRCHHOFF laid five pennies on the table and said: "Give me 28 30 33 for five cents." The said WILLIAM WHITE then wrote the numbers on a paper with the other plays which he had already recorded, and KIRCHHOFF then said to Deponent: "What is yours?" Deponent said: "36 45 54." The said WILLIAM WHITE then wrote these numbers on paper hereto annexed, and copied the same also upon paper which he then and there kept; then wrote "B N Jan 18" on the top of the paper containing Deponent's numbers, and handed the same to the said KIRCHHOFF in Deponent's presence, and the said KIRCHHOFF paid the said WILLIAM WHITE five cents for his play, and De-

173 Prince Jan, 1892  
Wm White, Pl. 5 each  
4-55 Pm R.B.M.C.  
J.R.K.

0354

POOR QUALITY  
ORIGINAL

ponent paid the said WHITE five cents for Deponent's play. Paper annexed aforesaid to the foregoing Affidavit was written and sold in Deponent's presence and was handed by the said KIRCHHOFF to Deponent, and is now in the same condition that it was in when it left the said WHITE'S hands, with the exception of the memorandum placed upon the back.

Subscribed, and sworn to before:  
this 28th. day of January 1892 .....

*Robert B. McLeally*

*[Signature]*  
Police Justice.

POLICE COURT— DISTRICT.

THE PEOPLE, ETC.

ON THE COMPLAINT OF

*Anthony Lombroek*

VS.

*William White.*

LOTTERY AND POLICY.

Dated *January 28th* 1892

Magistrate.

Clerk.

Officer.

WITNESSES:

*Anthony Lombroek &  
R. B. McLeally*

Bailed, \$

to answer

Sessions.

By

Street.

*Feb. 4. 9.30*

0355

POOR QUALITY  
ORIGINAL

Sec. 193-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK.

*Frank Farrell* 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.

*Frank Farrell*

Question. How old are you?

Answer.

*41 years*

Question. Where were you born?

Answer.

*MS.*

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

Answer.

*14, 1st Ave*

Question. What is your business or profession?

Answer.

*Cooper*

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 Farrell*

Taken before me this

day of

*Michael*

1895

Police Justice

0356

POOR QUALITY  
ORIGINAL

BAILLED,  
No. 1, by Elmer Schaefer  
Residence 149 Suffolk Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court...

District...

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Robert H. J. [unclear]  
Wm. H. [unclear]  
Frank T. [unclear]

Offence

Robbery

Deed

Wm. H. [unclear]

Elmer Schaefer

Frank T. [unclear]

Witnesses

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 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 Feb 4 18 1892 Wm. H. [unclear] Police Justice.

I have admitted the above-named \_\_\_\_\_  
to bail to answer by the undertaking hereto annexed.  
Dated \_\_\_\_\_ 18 Wm. H. [unclear] 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.

0357

POOR QUALITY  
ORIGINAL

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Patrick G. Ruffin a Police Justice  
of the City of New York, charging Frank Farrell Defendant with  
the offence of Selling Lottery Tickets

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

We Frank Farrell Defendant of No. 14  
14 1st any Street; by occupation a Cooper  
and Charles Schaeffer of No. 149 Duffolk  
Street, by occupation a Saloon Surety, hereby jointly and severally undertake  
that the above named Frank Farrell Defendant  
shall personally appear before the said Justice, at the 1 District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of 50  
Hundred Dollars.

Taken and acknowledged before me, this 48

day of January 18 92

Charles Schaeffer  
Andrew White POLICE JUSTICE.

0358

POOR QUALITY  
ORIGINAL

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Joseph H. Schaefer*  
1893  
Police Justice.

Sworn to before me, this

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

149 Suffolk Street of the  
full value of Five thousand  
Dollars Charles Schaefer

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Undertaking to appear  
during the Examination.

vs.

Taken the ..... day of ..... 18

Justice.



POOR QUALITY  
ORIGINAL

0359

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

Robert B. McEugly

of No. 41 Park Row Street, being duly sworn, deposes and says,  
that Frank Farrell (now present) is the person of the name of  
William White mentioned in deponent's affidavit of the 28<sup>th</sup>  
day of January 1892, hereunto annexed.

Sworn to before me, this 29<sup>th</sup>  
day of January 1892 }

Robert B. McEugly

*[Signature]*  
POLICE JUSTICE

0360

POOR QUALITY  
ORIGINAL

493

**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 Farrell*

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

*Frank Farrell*  
of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES, committed  
as follows:

The said

*Frank Farrell*  
late of the *8th* Ward of the City of New York in the County of New  
York aforesaid, on the *eighteenth* day of *January* in the year of our  
Lord one thousand eight hundred and ninety-*two*, at the Ward, City and County aforesaid,  
with force and arms, unlawfully did keep a certain room in a certain building there situate, to be  
used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambl-  
ing game commonly called "Policy," where money and property was dependent upon the result,  
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 Farrell*  
of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING  
LOTTERY POLICIES THEREIN, committed as follows:

The said

*Frank Farrell*  
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the Ward, City and County aforesaid, unlawfully did keep a certain room in a certain building there  
situate, to be used for the purpose of therein selling and offering to sell what are commonly called  
Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and in-  
surances upon the drawing or drawn numbers of certain public and private lotteries, and of therein  
endorsing and using books and other documents for the purpose of enabling divers persons to sell  
and offer to sell lottery policies and other such writings, papers and documents, 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.

0361

THIRD COUNT:

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

*Frank Farrell*

of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A LOTTERY POLICY, committed as follows:

The said

*Frank Farrell*

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

*Robert B. Mc Cully*

a certain paper, instrument and writing, commonly called a Lottery Policy, which said paper, instrument and writing, called a Lottery Policy, is as follows, that is to say:

*Bet Jan 18*

28 - 31 - 33 / 5  
36 - 45 - 54 / 5

(a more particular description of which said instrument and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT:

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

*Frank Farrell*

of the CRIME OF SELLING A PAPER AND WRITING, IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said

*Frank Farrell*

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

*Robert B. Mc Cully*

a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of

POOR QUALITY  
ORIGINAL

0362

which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say :

B C V Jan 18  
28-31-33 7 5  
36-45-54 7 5

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FIFTH COUNT:

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

Frank Farrell  
of the CRIME OF SELLING A WRITING PAPER AND DOCUMENT IN THE NATURE OF  
AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows :

The said

Frank Farrell  
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year afore-  
said, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

Robert B. Mc Cully  
a certain paper, writing and document in the nature of an insurance upon the drawing of a certain  
lottery, the same being a scheme for the distribution of property by chance among certain persons  
who had paid or agreed to pay a valuable consideration for such chance (a more particular descrip-  
tion of which said lottery is to the Grand Jury aforesaid unknown and cannot now be given), which  
said paper, writing and document is as follows, that is to say :

B C V Jan 18  
28-31-33 7 5  
36-45-54 7 5

(a more particular description of which said paper, writing and document is to the Grand Jury afore-  
said unknown, and cannot now be given), 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.

0363

**BOX:**

475

**FOLDER:**

4350

**DESCRIPTION:**

Fisher, Harry J.

**DATE:**

04/14/92



4350

0364

POOR QUALITY ORIGINAL

Witnesses:  
Edward Stokes  
Matthew Fisher

Counsel,  
Filed 14 day of April 1892  
Pleads, *Not guilty*

THE PEOPLE  
vs.  
*april 26th*  
*Henry J. Fisher*  
*George, this degree*  
*Section 514 Criminal Code*

DE LANCEY NICOLL,  
District Attorney.  
*Part 2 Sec 2892 13845.*

A TRUE BILL.

*Wm. H. Johnson*  
Foreman.  
*Part 2 - April 28, 1892*  
*True and acquitted.*



0365

POOR QUALITY  
ORIGINAL

Police Court

1 District.

City and County } ss.  
of New York.

of No. Mathias Fisher Street, aged 46 years,  
 occupation Manager being duly sworn, deposes and says,  
 that on the 30 day of October 1891 at the City of New  
 York, in the County of New York, one Harry J. Fisher

did commit the crime of Forgery  
 in the 3<sup>d</sup> degree in the manner  
 following to wit: That on said  
 date said Harry J. Fisher was  
 employed at the Restaurant Clayman  
 in the capacity of cashier that  
 deponent was and is the  
 manager of said Restaurant  
 and is informed by Paul Mamorow  
 a waiter in said Restaurant that  
 on said date he served a customer  
 in said Restaurant and that said  
 customer paid him the sum of \$11.<sup>00</sup>/<sub>100</sub>  
 the total being written upon a  
 check (Receipts attached) and numbered  
 D. 2364 that he Mamorow paid  
 over said amount of money  
 accompanied by said check to  
 said Harry J. Fisher.  
 Deponent then says that the stat  
 and check after passing into  
 the hands of said Fisher the figures  
 were erased showing that only  
 \$7.80 was received by said Harry  
 J. Fisher he appropriated the  
 difference between the check \$11.<sup>00</sup>/<sub>100</sub>  
 and the actual one \$7.80 to wit \$3.<sup>20</sup>/<sub>100</sub>.  
 Deponent further says that no other  
 person could have altered said  
 check or appropriated said sum  
 of money.

Mathias Fisher

Sworn before me this  
 6<sup>th</sup> day of January 1892

Wm. M. Fisher Police Justice

0366

POOR QUALITY  
ORIGINAL

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Henry J. Fisher* 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. *Henry J. Fisher*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *1997. 7th Avenue. 1 year*

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*Taken before this  
day of *July* 189*7*

Police Justice.

0367

BAILED,

No. 1, by Charles F. Kelly

Residence 458 Adams St. Street

No. 2, by Edmund R. Maline

Residence 747 So. 9th Street

No. 3, by Barclay

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

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

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

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Offence *Forgery*

1  
Mr. Chapman  
Magistrate.  
Deacons' Office.  
20,  
Pine Street.

Witnesses *Edward Stokes*

No. 1 *Admiral Howard Street*

No. *44* *1892* Street

No. .... Street

to answer *4.2*

Journal of Feb 19 1922

March 2, 1930

*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.....*

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 March 6 1892 Wm. W. W. Police Justice.

I have admitted the above-named W. J. G. G. G. G.  
to bail to answer by the undertaking hereto annexed. b

Dated March 1 1892 W. W. W. W. W. Police Justice.

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

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

0364

**PART II.**

BEFORE THE  
HON. FREDERICK SMYTH,  
AND A JURY.

**INDICTED FOR FORGERY IN THE THIRD DEGREE.**

INDICTMENT FILED APRIL 14TH, 1892.

**TRIED APRIL 28TH, 1892.**

**APPEARANCES:**

**Assistant District-Attorney Weeks for the People.**

F. W. Angel, Esquire, for the Defense.

P A U L M A M O N O W, called by the People, being duly sworn, testified that his business was that of a waiter and he was in the employ of the Hoffman House. On the 30th of October last, he was employed at the Clairmont restaurant. The defendant, Fisher, was employed there as cashier. He, the witness, was serving guests

0369

2

with food at table 10. The witness identified a slip of paper, handed to him, as a slip that he received from the cashier, the defendant, for the purpose of collecting the amount of money due for the things served to the guests at table 10. The slip was not in the condition in which it was when it was handed to him, the witness, on the day in question. It was then \$11.00. He, the witness, collected from the guests he was serving at table 10, \$12. He, the witness, brought the money to the cashier, the defendant, and paid the cashier, and brought back 20 cents changes. The slip, or check, he, the witness, left the check on the desk in front of the cashier. It was customary to show the check to the customer, and then to pay the check to the cashier. The cashier would then stamp the check, and the waiter would then drop it in the box. He, the witness, did not see the defendant stamp the check, and he, the witness, did not drop the check in the box. He left the check on the desk, and went to work, and came back again and wanted to drop the check into the box. There was something the matter with the stamp, and the defendant said, "It is all right, Paul." He,



the witness, did not say anything. He, the witness, on the day in question, had been employed at the ClairmontHouse two weeks and eight days. The defendant was cashier there when he, the witness, went there. The defendant went away for a short time, and then came back again. He, the witness, was familiar with the hand-writing of the defendant. The defendant wrote on the bottom of the check "Paul". He, the witness, saw the defendant make out the figures, " \$11.80", when he, the witness, received the check from the defendant, and he, the witness, was sure that the amount of the check, when he received it, from the defendant, and handed it to the customer, was \$11.80.

IN CROSS-EXAMINATION, the witness testified that he had been a waiter for the thirteen years. He started as a waiter in Russia. He had been in the United States for four years and nine months. On the day in question he, the witness, was not angry because he was assigned to the table he was waiting on, nor was he put out. He left that night at about three minutes to eight o'clock. He had often seen Head-Waiter Fisher in charge of the desk when the defendant was out. The



0371

head waiter, Fisher, and the defendant, Fisher, were not very friendly, it was one against the other. It was the rule for the cashier to examine the restaurant checks before the waiters dropped the checks into the box, and also the rule for the waiters to, themselves, deposit the checks in the box. He, the witness, was not discharged once, for neglecting to put the check in the box, but there was one check missing, and the money was found afterwards in the drawer. The check was lost, but he, the witness, did not know who lost it. He, the witness, did not see the defendant alter the check for \$11.80, but he saw afterwards that the defendant had changed the items at the bottom of the check.

MATHIAS FISHER, testified that he was manager of the Clairmont. On the 30th of October, he was manager there, and the defendant, Harry J. Fisher, was cashier there. It was not only the rule for the waiter to put the checks in the box, but it was the particular duty of the cashier to make the waiter do it, if he should forget. He, the witness, had the key of the box. The defendant closed his desk, and left it, on the evening

in question, at the time that he, the witness, closed up, about 11 o'clock. He, the witness, was always in the habit of being near the cashier's desk, and had a right to look at the checks, and the defendant had the right to look his papers up, or call him, the witness, in his, the defendant's, place, if he, the defendant, wanted to go anywhere. He, the witness, did not have the right to go behind his, the defendant's, desk, unless the defendant called him. He, the witness, first saw the check in evidence, before the waiter took it to the customer. As he, the witness, passed the cashier's desk, he took the check in his hand and dropped it back on the desk. He next saw the check on the following morning, about eight o'clock, when he opened the box and looked all the checks over, and saw that the check in evidence was not correct in addition. He saw that the figure "1" was scratched out, and the other "1" was changed to a "7". The witness identified the stub from which the check was torn. The handwriting on the top of the check was the defendant's handwriting, but not on the bottom. He, the witness, had often seen the defendant's handwriting

0373

6

1 and was familiar with it. When he, the witness, discovered there had been an erasure on the check, he took it down to Mr. Stokes, the proprietor, and showed it to him. Mr. Stokes kept the check.

IN CROSS-EXAMINATION, the witness testified that he examined all the checks, but did not count them. No other check attracted his suspicion. He examined the checks every day as soon as the defendant arrived. He, the witness, had authority from Mr. Stokes to look the checks over, because he had cause to. A. L. Miller, the controller came up to the Clairmont to see if everything was all right. He, the witness had the key to the box, and would unlock it and pass the checks to the controller who would examine them, and add them up, and then take them down to the Hoffman House, and Mr. Cornish would take the money, and deposit in the bank. Mr. Miller and Mr. Cornish called October 31st, in the morning and took the checks and money from the defendant. He, the witness, did not know whether the check in evidence was among the rest taken by Mr. Miller and Mr. Cornish, but he, the witness, knew the check was taken to the Hoffman House and given to Mr.

POOR QUALITY  
ORIGINAL

0374

7

Stokes. On the night in question, he, the witness, and the defendant and the bookkeeper all left together. He, the witness, walked home with the defendant. He, the witness, had nothing particular against the defendant, except that he, the witness, was told that the defendant could not be trusted. They, the parties, told him when he went away that Fisher, the defendant, was dishonest. He, the witness, never made the assertion in the police court that he would not work with the defendant once he was manager. Mr. Stokes sent him, the witness, down to the police court as a witness against the defendant. He, the witness, did not see the complaint. It was read to him by the clerk, so quick, that he could not understand it. The cashier, and he, the witness, always left the Clairmont at night together. He, the witness, arrived at the Clairmont on the morning of October 31st, at about eight o'clock in the morning. The defendant got there between 11 and 12 o'clock. He was positive that nobody but himself had a key to the box. The defendant never complained of him, the witness for being intoxicated or for improper actions when waiting on guests. To his knowledge the

0375

3

defendant, and he, the witness, never had any trouble.

Edward S. Stokes testified that he was president of the Hoffman House corporation, and the Clairmont restaurant was one of its places of business. He, the witness, engaged the defendant in 1882 or 1883. The check in question was shown to him on October 31st, by Matthias Fisher, the waiter. As soon as he saw it he, the witness, sent for the defendant to come down to the Hoffman House to see him, and requested the Hoffman House cashier to settle up the Clairmont restaurant accounts. The defendant came down to see him, the witness, that day. He, the witness, handed the defendant the check in question, and asked him, the defendant, if he noticed anything wrong in the check. The defendant said he did. He, the witness, asked the defendant to examine the check very closely, and say whether he was quite positive. After looking at it a moment, he, the defendant said, yes, the check had been altered. He, the witness, asked the defendant if he, the defendant knew that the stub in his check book had been altered. He, the defendant, said that he had found it out. He, the witness, asked for an explan-



0376

9

ation of it. The defendant said, "I disclaim all connection with it." He, the witness, asked the defendant if he could tell him, the witness, how he could make out a check for \$11.80, and hand it to the waiter, and immediately get the check back, and not discover that it had been altered \$4, worth. The defendant said, "Well, I suppose there was a rush of business, and I did not see it." He, the witness, told the defendant that he could not allow the falsifying of his, the witness's, books, to pass by, for his, the witness's, own protection. The defendant went away and that was the last that he, the witness, saw of the defendant. He, the witness, immediately after the defendant left went to Police Headquarters and placed the case in the Inspector's hands.

IN CROSS-EXAMINATION, the witness testified that the defendant came to him recommended by Cephus Brainerd, the executor of the Stokes estate. He, the witness, gave the check to Detectives Heidelberg and Jacobs. The defendant had no handling of money at all, until he went to the Clairmont; when the defendant was at the Hoffman House he checked off the bills and goods as



0377

10

they were received. The position was of some responsibility. He, the witness, knew that there was something wrong at the Clairmont, and he gave the head-waiter, Fisher, the key and told him to keep a watch on the checks, and end his, the witness's, suspicions.

RE-DIRECT EXAMINATION. He, the witness, did not discharge Paul Mamonow because he did not deposit the checks in the box.

GEORGE W. CORNISH. being duly sworn, testified that he was secretary of the Hoffman House. He first heard of the alteration of the check on the morning of October 31st, from Mr. Stokes. He went up to the Clairmont. He, the witness, received the checks either from Mathias Fisher or Mr. Miller. Then he, the witness, took the totals of the checks and asked the defendant for that amount of money, and the defendant, after admitting the correctness of the totals turned over to the witness the amount of money with the exception of about \$2.25 or \$2.50. When his, the witness's attention was called to the discrepancy, he spoke to the defendant who took the amount from his pocket, and gave it to the witness. The amount put in by the witness for

0378

POOR QUALITY  
ORIGINAL

II

the check in evidence was \$7.80. He, the witness, got that amount from the stub book from which the check had been taken, which called for \$7.80. The witness identified the stub in question and three others adjoining it, as being in the defendant's handwriting, which he was familiar with. He, the witness, knew of no one who had a key to the check box, except the head-waiter, Fisher.

EDWARD S. STOKES, being recalled by the People, testified that in his, the witness's interview with the defendant, the defendant said that the amount he, the defendant, received with the check in question was \$7.80.

CHARLES HEIDELBERG, being duly sworn, testified that he was a detective-sergeant attached to the Central office. He first learned of the charge against the defendant on the afternoon of October 31st. He searched for the defendant at his, the defendant's, house, but did not find the defendant until February, when Detective Jacobs found the defendant in a bar room, corner of 87th street and First avenue, and placed him under arrest, and brought him to the 88th street station house, and handed him over to the witness, who had the war-

0379

12

rant.

In cross-examination, the witness testified that the first time he, the witness, had the warrant, was on the 6th of January. He, the witness, had frequently seen the defendant. He, the witness, had met him at the Hoffman House and different places. He had heard other people speak of the defendant and they were all surprised to learn that he, the defendant, was in trouble. The present was the first time the witness had heard anything against the defendant.

FREDERICK KERN, testified that he was a waiter at the Clairmont, and lived at No. 338 East Third street. He knew Mathias Fisher and the defendant, Harry Fisher. The relations between the defendant and Mathias Fisher were not friendly. He, the witness, heard Mathias Fisher make a threat against the defendant. Mathias Fisher told him, the witness, that he would try to put the defendant out. Mathias Fisher said he wanted to see who was boss there. Mathias Fisher invited him, the witness into a saloon and they talked there. Mathias Fisher said that the defendant had taken his, Mathias Fisher's good place away and put him uptown. The con-

0380

12

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0381

13

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versation took place in the middle of September. Mathias Fisher said, "I will fix him." He, the witness, knew the general reputation of Mathias Fisher, and it was not good, and he would not believe Mathias Fisher under oath. It was the strict rule of the Hoffman House that no waiter should leave the check for the cashier to drop in the box. The waiter was to hand the money to the cashier and receive his check, and then drop it in the slot as it was the only protection the house had.

In cross-examination, the witness testified that he left the employ of the Hoffman House on the last day of September, because Mathias Fisher sent him away. The storeroom girl insulted his, the witness's wife, and he slapped the store room girl's face, and she ran up and told the story to Mathias Fisher who sent him, the witness, right away.

Isiah Sample, testified that he was manager of the Clairmont from April 16th, to October 1st, when he, the witness, was succeeded by Mathias Fisher. The witness was now at the Hoffman House. The defendant was cashier at the time that he, the witness, was manager. When



0382

14

there was a difference in the cash the defendant would make it up. One day in August there was a dispute between the defendant and another man who was on the cash, over a shortage of \$6. He, the witness, could not make either the defendant or the other man make it up. Sometimes there would be a little cash over and sometimes a little shortage. He, the witness, and Mr. Miller the controller, were the only persons who had keys to the check box. He had known the defendant since 1885 and had never heard anything against him.

H A R R Y J. F I S H E R, called by the defense, being duly sworn, testified that he lived at No. 1,997 Seventh avenue. His father was not living. He, the defendant, was a married man and had a family. On the 31st of October, 1892, he was cashier of the Claremont, in the employ of the Hoffman House Company. It was the custom in the restaurants for the waiters, when they came up from the kitchen, to announce the articles of food they brought up as a result of an order given by a guest, and also to state the number of the table the dish was for. After the guests had ordered all they desired the waiters would then request him, the defen-



0303

POOR QUALITY  
ORIGINAL

15

dant, to add up the checks, and he would do so and give the checks back to the waiters. The waiters would then present the checks to the guests, and bring the money back to him, the defendant, and he would stamp the check, and the waiter, would put it in the box. He, the defendant, did not deposit the check in question in the box. He remembered about the check, because Mathias Fisher called his attention to the guests at table 10. The amount of the check was \$11.80, and he, the defendant, received that amount from the waiter, and put the money in the drawer with the other cash. He, the defendant, left that night before Mathias Fisher. He, the defendant, stamped the check before he took the money, but after he had stamped it, he did not touch it at all. It was the waiters duty to deposit the check. Before he, the witness, left that night Mathias Fisher came to him and said he wanted a drink. Mathias Fisher and the waiter were both present when the check was brought to him. Mathias Fisher was standing close to the desk at the time the check was deposited. He, the defendant, took the cash out of the drawer and put it into the office bag and put the

0384

POOR QUALITY  
ORIGINAL

16

money into the office safe. He took about \$25 from another compartment in the safe and gave it to Mathias Fisher in order that Mathias Fisher might make change the next morning before he, the defendant, came in, which was the usual custom of the place. After the parties had gone he, the witness, locked up the safe, and went out to take the bar keeper home. He, the defendant, left his checks in the desk and gave the key of the money drawer and change to Mathias Fisher. He, the defendant, left Mathias Fisher there. The reason he, the defendant, was so anxious to get away was that the bar keeper was very much intoxicated. He, the defendant, took the bar keeper home and carried him upstairs. He, the defendant got to the Claremont shortly after 12 o'clock the next day. He took charge of the desk and checks and attended to his business as he always did, any other day. Mr. Cornish and Mr. Miller came up about 2 o'clock and asked him how much money he had in the safe, and he, the defendant, turned it over to them. They first counted the checks. He could not say whether Mathias Fisher or Mr. Miller took out the checks. Mathias Fisher had the key as it was his

0385

POOR QUALITY  
ORIGINAL

17

part of the business generally to take out the checks. He, the defendant, took the money out of the safe and handed it to Mr. Cornish. Mr. Cornish told him that his months receipts, up to the 31st Of October were \$2.03 short. He, the defendant, took a \$5 bill from his pocket and gave it to Mr. Cornish, who gave him back \$3. Then Mr. Cornish told him that Mr. Stokes wanted to see him before he went to work. He, the defendant, accompanied Mr. Cornish to the Hoffman House and had an interview with Mr. Stokes. Mr. Stokes took the check out of his pocket and showed it to him, the defendant, and asked him to explain how the check came to be footed \$7.80 when it added up \$11.80. Mr. Stokes added that the check had been erased. He, the witness, examined the check and said he could see it had been erased. Mr. Stokes said he had had an interview with Mathias Fisher that morning, and Mathias Fisher had told him that he thought that he, the defendant, had made the alteration. He, the defendant, told Mr. Stokes he disclaimed all knowledge of the erasure. Then Mr. Stokes said he was going to have him, the defendant, arrested, and walked away. He, the defendant,

0386

POOR QUALITY  
ORIGINAL

did not change the check. He received \$11.80 for the check. Whenever he went to dinner, he, the defendant, left Mathias Fisher in charge of the cashier's desk. He, the defendant, and Mathias Fisher were not on friendly terms. Mathias Fisher was always making slurring remarks against him, the defendant, and on one occasion said that sooner or later he, Mathias Fisher, would get him, the defendant, out of the hotel. He, the defendant, and Mathias Fisher, frequently had words together. The only time that he, the defendant, ever deposited checks in the box was when an extra waiter, who was not acquainted with the rules of the hotel, was on duty. The waiter, Paul, did not come back and ask him, the defendant, for the check. He, the defendant, did not tell Mr. Stokes that he received \$7.80 for the check. From the time that he was discharged by Mr. Stokes and up to the time of his arrest, he, the witness, was in New York City the greater part of the time. He was in Bridgeport for about ten days. Then he went back to his home. He did not keep out of the way of arrest. There was nothing the matter with the check stamp and he did not tell the waiter, Paul,



0387

POOR QUALITY  
ORIGINAL

that there was anything the matter with it. After he left Mr. Stokes on the 31st of October, he went to his home and remained there until about the 5th or 6th of November. He slept at his home every night up to that time. No one at his home told him that anyone was at his house looking for him. He came back from Bridgeport on the 20th of December.

=====

0300

POOR QUALITY  
ORIGINAL

April 1892

~~~~~  
bolt on the 30th of December.

His house looking for him. He came back from Bridge-  
time. No one at his home told him that anyone was at  
November. He slept at his home every night up to that  
home and remained there until about the 2nd or 3rd of  
left Mr. Stokes on the 21st of October. He went to his  
that there was something the matter with it. After he



0389

POOR QUALITY  
ORIGINAL

1877.

CITY AND COUNTY } ss.  
OF NEW YORK,aged 27 years, occupation Waiter of No. Paul ManonRestaurant Blauvelt Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Mathias Fisher  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this

day of

1892

6<sup>th</sup> Paul Manon  
January  
W.D. Madala  
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 to any Marshal or Policeman of the City of New York, GREETING :Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by Mathias Fisher  
of No. Restaurant Blauvelt Street, that on the 30 day of October

1892 at the City of New York, in the County of New York,

one Harry J. Fisher did commit  
the crime of ForgeryWherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to  
answer the said complaint.These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant, and bring him  
forthwith before me, at the \_\_\_\_\_ 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

day of

1892

6<sup>th</sup> January  
W.D. Madala  
POLICE JUSTICE.

0390

POOR QUALITY  
ORIGINAL

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

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs

Warrant-General.

Dated \_\_\_\_\_ 188

\_\_\_\_\_  
Magistrate.

*Heidelberg* Officer.  
B.O.

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

\_\_\_\_\_  
Officer.

Dated \_\_\_\_\_ 188

This Warrant may be executed on Sunday or at  
night.

\_\_\_\_\_  
Police Justice.

## REMARKS.

Time of Arrest, \_\_\_\_\_

Native of \_\_\_\_\_

Age, \_\_\_\_\_

Sex, \_\_\_\_\_

Complexion, \_\_\_\_\_

Color, \_\_\_\_\_

Profession, \_\_\_\_\_

Married, \_\_\_\_\_

Single, \_\_\_\_\_

Read, \_\_\_\_\_

Write, \_\_\_\_\_

0391

POOR QUALITY  
ORIGINAL

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Daniel E. McManis a Police Justice  
of the City of New York, charging Harry J. Fisher Defendant with  
the offence of Forgery

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

We, Harry J. Fisher Defendant of No. 1997  
100 Avenue Street; by occupation a Clerk  
and Charles H. Lock of No. 458 Lexington Ave  
Street, by occupation a Real Estate Surety, hereby jointly and severally undertake  
that the above named Harry J. Fisher Defendant  
shall personally appear before the said Justice, at the 1 District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Thirty  
Hundred Dollars.

Taken and acknowledged before me, this 13Day of February1892D. McManis

POLICE JUSTICE.

St. J. Brown  
Chas. H. Lock

0392

POOR QUALITY  
ORIGINAL

CITY AND COUNTY }  
NEW YORK, } ss.

*John*  
1892  
Police Justice.

Sworn to before me, this

13

*Charles H. Lock*  
the within named Bail and Surety being duly sworn, says, that he is a resident and *free*  
holder within the said County and State, and is worth *Twenty* Hundred Dollars,  
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,  
and that his property consists of *Houses and lots 785,*  
*787 and 789 Park Avenue worth thirty*  
*thousand dollars over all encumbrances.*

*Charles H. Lock*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear  
during the Examination.

Taken the ..... day of ..... 18

Justice.



0393

(522)

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Harry J. Fisher*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment, accuse

*Harry J. Fisher* —

of the crime of

*Forgery in the third degree,*—

committed as follows:

The said

*Harry J. Fisher,*

late of the City of New York, in the County of New York aforesaid, on the

*thirtieth* day of *October,* in the year of our Lord one thousand

eight hundred and ninety-*one,* — at the City and County aforesaid,

*being then and there in the employment*

*of one Edward D. Shadock as a clerk and*

*servant, and then and there knowing in this*

*and having a certain writing belonging to and*

0394

POOR QUALITY  
ORIGINAL

appertaining to the business of the said  
Edward D. Haden, in the words and  
figures following, that is to say:

|             |              |
|-------------|--------------|
| "Flaremont" |              |
| 12364       | Table. \$ 10 |
| 15          | 4 30         |
| Bar         |              |
| Exp         | 1 00         |
| Bar         | 1 0          |
| Field       | 60           |
| Colo        | 25           |
| Land        | 1 75         |
| Green       | 60           |
| Boat        | 80           |
| Relish      | 90           |
| Food        | 1 00         |
|             | <hr/>        |
|             | 11 80        |

Water, Land."

Edwards did then and there intending  
and something else and erase the said  
writing, by then and there erasing the  
figure "1" first occurring in the sum "11 80"  
therein, and by changing <sup>other</sup> the figure "0"  
occurring in the same sum to the figure  
"4" so that by reason of such erasure and  
change the said sum "11 80" became and  
was altered to "4 80", which said writing



0395

POOR QUALITY  
ORIGINAL

no altered and crossed as aforesaid, is as follows, that is to say:

"Chancery"

|        |          |
|--------|----------|
| 2364   | Table 10 |
| 364    | 430      |
| Bar    |          |
| ought  | 1 00     |
| Bank   | 70       |
| Xid    | 60       |
| Pxto   | 25       |
| Bind   | 175      |
| 2 Bean | 50       |
| Dalad  | 80       |
| Relid  | 90       |
| Roads  | 100      |
|        | 780      |

Walter, Paul "

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

W. Lawrence Smith, District Attorney.

0396

POOR QUALITY  
ORIGINAL

Witnesses:

William Fisher  
Paul Mannheim  
Off - Heidelberg Co

13-  
Counsel,  
Filed  
Pleads  
1892

THE PEOPLE

George, third degree  
Section 514, Penal Code

Harry J. Fisher

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.

Thursday Mar 29th 1892  
Part III

0397

POOR QUALITY  
ORIGINAL

(522)

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Harry J. Fisher*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment, accuse

*Harry J. Fisher*

of the crime of

*Forgery in the third degree*

committed as follows:

The said

*Harry J. Fisher*

late of the City of New York, in the County of New York aforesaid, on the  
*thirtieth* day of *October* in the year of our Lord one thousand  
eight hundred and ninety- *one*, - at the City and County aforesaid,

*being then and there in the employment of a  
certain corporation known as The Hoffman  
House, as a clerk and servant, and then and  
there having in his custody, a certain writing*

0398

belonging to and appertaining to the business of  
the said corporation in the words and  
figures following, that is to say:

"Claremont  
D 2364 Table 10  
W 361 4 30  
Bar  
Oyster 1 00  
Soup 70  
Fish 60  
Potatoes 25  
Bird 175  
L Bann 50  
Salad 80  
Relish 90  
Coack 100  
11 80

Waiter, Paul "

feloniously did then and there unlawfully  
and corruptly alter and erase the said  
writing by then and there erasing the  
figure "1" first occurring in the item "11 80"  
therein, and by changing the other figure  
"1" in the same item to the figure "7"  
so that by reason of such erasure and  
change the said item "11 80" became  
and was altered to "7 80", which said writing



0399

POOR QUALITY  
ORIGINAL

so altered and erased as aforesaid, as as  
follows, that is to say:

|        |          |
|--------|----------|
| D 2364 | Table 10 |
| W 361  | 430      |
| Bar    |          |
| Oyst   | 100      |
| Soup   | 70       |
| Fish   | 60       |
| Potato | 25       |
| Bird   | 175      |
| L Bann | 50       |
| Salad  | 80       |
| Relish | 90       |
| Coast  | 1.00     |
|        | 780      |

Waiter, Paid "

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.



0400

**BOX:**

475

**FOLDER:**

4350

**DESCRIPTION:**

Fitzgerald, Paul

**DATE:**

04/14/92



4350