

0058

BOX:

473

FOLDER:

4331

DESCRIPTION:

Brown, David

DATE:

03/31/92



4331

0059

BOX:

473

FOLDER:

4331

DESCRIPTION:

Parker, John

DATE:

03/31/92



4331

0060

POOR QUALITY ORIGINAL

72-173
Antipolo, Rizal

Counsel,
Filed 21 day of April 1897
Plends, Antipolo

Grand Larceny,
(From the Person.)
[Sections 828, 83, 84, Penal Code.]

vs. THE PEOPLE
John Barker
3rd Ave
Sand
David Brown

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

[Signature]

Foreman.
Park 3 - April 5 1892
Barker plead. Petit Larceny
Barker Pen 1st. PBM,

Witnesses:
[Signature]
Off - Mark SP.

0061

POOR QUALITY ORIGINAL

CITY AND COUNTY } ss.
OF NEW YORK, }

POLICE COURT, 2 DISTRICT.

James A. Hart
of No. 84 Precinct Police Street, aged _____ years,
occupation Police Officer being duly sworn deposes and says
that on the 15 day of March 1889
at the City of New York, in the County of New York, *he arrested John Parker (now here) on the complaint of Thomas Sayers, charging him with having committed a Larceny, in having unlawfully taken a pair of shoes the property of said Sayers - deponent therefore avers that said defendant may be held to enable deponent to procure further evidence of said Larceny*

James A. Hart

Sworn to before me, this 15 day of March 1889
Wm. J. [Signature]
Police Justice.

0062

POOR QUALITY ORIGINAL

Police Court, 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Parke
vs.

AFFIDAVIT.

Dated March 15 1892

Grady Magistrate.

Hart Officer.

Witness, _____

Disposition, _____

\$500 & Mich. 17/92 - 20th.

0063

POOR QUALITY ORIGINAL

(1865)

Police Court— 2 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Thomas Sayers

of No. 25 Clark Street, aged 18 years,

occupation waiter being duly sworn,

deposes and says, that on the 15 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

and person of deponent, in the day time, the following property, viz:

One pair of shoes valued
Five dollars and fifty cents

the property of Deponent

of
Sworn to before me this
189

Justice

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 Parker and David Brown (both now here) who were acting in concert with each other for the reasons following to wit on said date deponent was sitting in a chair in a Bar room at no 56 Thompson Street and had said shoes on his feet— he fell asleep and was aroused by feeling the shoes being unlaced— deponent saw the defendant Parker unlacing his ^{deponent's} shoes and when deponent spoke to him he defendant laughed at him— deponent again fell asleep and when he awoke he missed his shoes, ~~and the defendant was gone~~ deponent demanded the return of said shoes from

0064

POOR QUALITY ORIGINAL

the defendant Parker. he replied that he did not have the shoes, the defendants Parker and Brown then left said store together and in a short period of time returned and the defendant Brown gave deponent a Pawn ticket representing a pair of shoes deponent further says that he visited the Pawn Shop no 403 Canal Street and there saw the shoes represented by said ticket and fully identified them as his property that was feloniously stolen from his possession and person

Thomas Layers

Sworn to before me
this 17th day of March 1892

J. B. Brady

Police Justice

0065

POOR QUALITY ORIGINAL

(1895)

Sec. 198-200:

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

John Parker

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 Parker

Question. How old are you?

Answer. 26 years

Question. Where were you born?

Answer. N. S.

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

Answer. 40 - W - 67 - St 17 years

Question. What is your business or profession?

Answer. House cleaner

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 Parker

Taken before me this 17 day of March 1895
Police Justice.

0066

POOR QUALITY ORIGINAL

(1985)

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

David Brown 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. David Brown

Question. How old are you?

Answer. 35 yrs

Question. Where were you born?

Answer. U.S.

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

Answer. 200 South 5th ave 6 months

Question. What is your business or profession?

Answer. Deck hand

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

David Brown

Taken before me this 17 day of March 1989 by Police Justice.

POOR QUALITY ORIGINAL

0067

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

Police Court... 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas Searles
25 West 87 St
John Parker
David Brown

Offence Larceny from the Person

8
4

Dated March 17 1892

Magistrate

Officer

Witnesses

No. _____ Street,
No. _____ Street,
No. _____ Street,



No. _____ Street,
\$ 500 TO ANSWER

Signature of the 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

Defendants

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, each 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 17 1892 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 h to be discharged.

Dated 18 Police Justice.

0068

POOR QUALITY ORIGINAL

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 Parker and David Brown

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

John Parker and David Brown of the CRIME of GRAND LARCENY in the second degree, committed as follows:

The said John Parker and David Brown, both

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

one pair of shoes of the value of five dollars and fifty cents

of the goods, chattels and personal property of one Thomas Sayers on the person of the said Thomas Sayers then and there being found, from the person of the said Thomas Sayers 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.

0069

POOR QUALITY ORIGINAL

SECOND COUNT—

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

John Parker and David Brown
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *John Parker and David Brown, 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,

one pair of shoes of the value of five dollars and fifty cents

[Large flourish]

of the goods, chattels and personal property of one *Thomas Sayers*

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 Sayers*

unlawfully and unjustly, did feloniously receive and have; the said *John Parker and David Brown*

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.

0070

BOX:

473

FOLDER:

4331

DESCRIPTION:

Paul, Frederick

DATE:

03/01/92



4331

0072

POOR QUALITY ORIGINAL

Police Court ^{to} District.

City and County } ss.:
of New York,

Frank Rubino

of No. 1420 2nd Avenue Street, aged 19 years,
occupation Barber being duly sworn

deposes and says, that the premises No. 1420 2nd Avenue Street, 19th Ward

in the City and County aforesaid the said being a four story brick tenement
the basement of said premises
and which was occupied by deponent as a Barber Shop.

and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking the
door leading into said Barber Shop.

on the 18th day of February 1891 in the Nighttime, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of Bag rum of the
value of about twenty five cents
- 25 ¢

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

Frederick Paul (Nowhere)

for the reasons following, to wit: Deponent securely locked
the door of said premises at the hour
of 9 p.m. on said date. That at
the hour of 7 A.M. on the 19th day of
February 1891. Deponent found the door
had been forcibly broken open and
said property was missing. Officer
Powers arrested the defendant.
Defendant being informed of his rights

0073

POOR QUALITY ORIGINAL

Says that he is guilty Dependant
therefore prays that he be held to
answer

Frank Huber

Sworn to before me
this 24th Day of February 1892

[Signature]

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 1888
Police Justice

I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
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 1888
Police Justice

Police Court, _____ District, _____

THE PEOPLE, &c.,
on the complaint of _____

vs.

1 _____
2 _____
3 _____
4 _____

Offence—BURGLARY.

Dated _____ 1888
Magistrate, _____
Officer, _____
Clerk, _____

Witness, _____
No. _____ Street, _____
No. _____ Street, _____
No. _____ Street, _____
§ _____ to answer General Sessions.

POOR QUALITY ORIGINAL

0074

Sec. 198-200.

4th District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Frederick Paul 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. *Frederick Paul*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *201 E 74th Street 4 months*

Question. What is your business or profession?

Answer. *Painter*

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*
Freddie Paul

Taken before me this *24th* day of *February* 189*4*
[Signature]
Police Justice.

0075

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. 1894

THE PEOPLE, etc.,
ON THE COMPLAINT OF
Frank Ruben
77 20th St. Manhattan
Frank Paul.

Offense... Burglary

Dated, Feb 24th 1892
Magistrate: H. S. ...
Officer: ...
Precinct: ...
Witness: ...
No. 1498 ...
No. 507 ...
Street: ...
RECEIVED FEB 25 1892 DISTRICT ATTORNEY
Can't pay

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 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 24 1892
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.

0076

POOR QUALITY ORIGINAL

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Frederick Paul

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

Frederick Paul

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

The said *Frederick Paul*

late of the *19th* Ward of the City of New York, in the County of New York aforesaid, on the *eighteenth* day of *February* in the year of our Lord one thousand eight hundred and ninety-*two* in the *night*-time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the *shop* of one *Frank Rubins*

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said *Frank Rubins* in the said *shop* then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

POOR QUALITY
ORIGINAL

0077

SECOND COUNT—

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

Frederick Paul

of the CRIME OF *Petit* LARCENY

committed as follows:

The said

Frederick Paul

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

*one quart of bay rum of the
value of twenty-five cents*

of the goods, chattels and personal property of one

Frank Rubins

in the

shop

of the said

Frank Rubins

there situate, then and there being found, in the

shop

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

*De Lancey Nicoll,
District Attorney.*

0078

BOX:

473

FOLDER:

4331

DESCRIPTION:

Peters, Joseph

DATE:

03/02/92



4331

0079

POOR QUALITY ORIGINAL

Justice before convicted
P.S.M.

Witnesses:
[Signature]
[Signature]

356

Counsel,
Filed *[Signature]* 189
day of *March*
Pleads,

[Mirrored text from reverse side]
Supremacy in the *First* degree.
Section 40, 508, 528, 532, 535, 539.

THE PEOPLE
vs.
Z

Joseph Peters

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

[Signature]
Foreman.
[Signature]

Charles Dwyer 2069
S.P. 10 yrs. P.S.M.

0080

Police Court— 3 District.

City and County } ss.:
of New York,

of No. 52 Division Street, aged 38 years,

occupation Keep a Soda water stand being duly sworn

deposes and says, that the premises No. 52 Division Street, 7th Ward

in the City and County aforesaid the said being a dwelling house; the

apartment on the first floor of

and which was occupied by deponent as a dwelling

and in which there was at the time a human being to wit, deponent his

wife, four children and three boarders

were **BURGLARIOUSLY** entered by means of forcibly opening the

window leading into said apartment

on the 27th day of February 1892 on the night time, and the following property feloniously taken, stolen, and carried away, viz:

A quantity of wearing apparel of the value of Fifteen dollars

the property of deponent and his boarders and deponent further says, that he has great cause to believe, and does believe, that the aforesaid **BURGLARY** was committed and the aforesaid property taken, stolen and carried away by

Joseph Peters (now here) and a man not arrested who were acting in concert

for the reasons following, to wit: that the doors and windows

leading to said apartments were securely

locked and fastened and deponent

and the members of his family were

therein asleep. Deponent awoke about

the hour of two a.m. and deponent

found the window had been broken

and the apartment entered and the

property stolen. Deponent is informed

0081

by Louis Salter (now here) that at about the hour of two a.m. he found the defendants and the unknown man in the hallway of 54 Division Street, the adjoining building and found a quantity of wearing apparel in their possession which property defendant has since seen and identified as the property stolen as aforesaid by such break and entry. That he Salter arrested said Peter but the unknown man escaped.

Sworn to before me this 27th day of February 1893
Solomon J. Firewell
Charles J. Laurator
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 _____
Police Justice.

I have admitted the above named _____
to bail to answer by the undertaking hereto annexed.
Dated _____ 188 _____
Police Justice.

There being no sufficient cause to believe the within named _____
guilty of the offence within mentioned, I order he to be discharged.
Dated _____ 188 _____
Police Justice.

Police Court, _____ District,

THE PEOPLE, &c.,
on the complaint of _____
vs. _____
1 _____
2 _____
3 _____
4 _____

Dated _____ 188 _____

Magistrate.

Officer.

Clerk.

Witnesses.

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ to answer General Sessions.

POOR QUALITY ORIGINAL

0082



CITY AND COUNTY }
OF NEW YORK, } ss.

aged 30 years, occupation Louis Salter of No. Machine operator
54 Division Street, being duly sworn, deposes and

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

Sworn to before me, this 27th day of February 1892, Louis Salter
mark

Charles W. Lantieri
Police Justice.



POOR QUALITY ORIGINAL

0003

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Joseph Petrus 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.

Joseph Petrus

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

Russia

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

Answer.

95 Allen Street; 9 weeks

Question. What is your business or profession?

Answer.

Laborer

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

Answer.

I am guilty
Joseph Petrus

Taken before me this 29 day of February 1897
Charles W. Fairbank
Police Justice.

POOR QUALITY ORIGINAL

0004

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 Smith
52, St. Annin

Joseph Peter

1

2

3

4

Offense

Burglary

241

Dated

July 27 1892

Magistrate

Mary M. Murray

Prothonotary

Witness

Louis Dalton
St. Division

Street

No.

Street

No.

Street

\$

1000

to answer



[Signature]

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

defendant

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

Dated July 27 1892 Charles A. Stanton 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.

POOR QUALITY ORIGINAL

0085

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

THE PEOPLE OF THE STATE OF NEW YORK
against
Joseph Peters

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

Joseph Peters

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

The said *Joseph Peters*,

late of the *Seventh* Ward of the City of New York, in the County of New York aforesaid, on the *fourteenth* day of *December*, in the year of our Lord one thousand eight hundred and ninety-*two*, in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *Adoniam Simonds*,

there situate, feloniously and burglariously did break into and enter, there being then and there a human being within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said *Adoniam Simonds*,

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, *the said Joseph Peters* *himself* *then and there assisted by a confederate,* *actually present, whose name is to the Grand Jury aforesaid as yet unknown.*

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

POOR QUALITY ORIGINAL

00006

SECOND COUNT—

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

of the CRIME OF *Joseph Peters* — committed as follows:
Petit LARCENY, —

The said *Joseph Peters*,

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

divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of fifteen dollars,

[Large wavy scribble]

of the goods, chattels and personal property of one *Edmond Smith*,

in the dwelling house of the said *Edmond Smith*, —

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

POOR QUALITY ORIGINAL

0087

THIRD COUNT:

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

Joseph Peters

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Joseph Peters*

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,

divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of fifteen dollars.

of the goods, chattels and personal property of one *Edmond S. ...*

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

unlawfully and unjustly did feloniously receive and have; the said

Joseph Peters

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.

0088

BOX:

473

FOLDER:

4331

DESCRIPTION:

Phillips, Marcus L.

DATE:

03/08/92



4331

0089

POOR QUALITY ORIGINAL

Witnesses:

~~George H. Justice~~
~~James A. [unclear]~~
~~Wm. [unclear]~~
Charles M. Lang
Norman Troch

After an examination of this case & after hearing Mr. Holme representing the complainant I recommend defendant's discharge upon his own recognizance. The complainant recommends the case be removed to defendant's excellent character & the fact that William Elam there was against the defendant has been satisfied -

Mar. 14. 1892
Wm. M. Davis -
Clerk.

Wm. Anthony Dwyer
Counsel.
Filed, 1892
Pleads, guilty to

MISAPPROPRIATION,
(Sections 528 and 587 of the Penal Code.)

THE PEOPLE

vs.

Marcius S. Phillips

Melroy DE LANCEY NICOLL,
District Attorney,
for Geo. of DeLong

A TRUE BILL.

Wm. M. Davis
Foreman.

Of any application
notify by person
Register Holme
James Day

POOR QUALITY ORIGINAL

0090

(1865)

Police Court 4 District. Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 138 East 57th Street, aged 38 years,

occupation Plow being duly sworn,

deposes and says, that on the 28 day of December 1891 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 amount
to the amount of Forty-Four
Dollars

\$ 44.00/100

the property of Lang & Co 30 Moore Street
of which firm deponent is a member

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 Marcus L. Phillips

from the fact said Phillips was in the employ of the above firm as Salveman and Collector on said date.

Deponent is informed by Herman Grosch of 27 First Avenue that he paid to said Phillips the above sum of money.

Said Phillips has failed to return the deponent any part thereof to said firm. Deponent therefore asks that said Phillips may be apprehended and dealt with as the law directs.

Chas W. Lang

Sworn to before me this 1891 day of December at New York Police Justice.

POOR QUALITY ORIGINAL

0091

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Marcus L Phillips 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. *Marcus L Phillips*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *27 Broadway*

Question. What is your business or profession?

Answer. *Palisman*

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*
Marcus L Phillips

Taken before me this *21* day of *March* 189*7*
Police Justice.

0092

POOR QUALITY ORIGINAL

Sec. 151.

Police Court 4 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 Charles W. Lang of No. 138 East 159 Street, that on the 28 day of December 1892 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 fourty Dollars, the property of Lang & Co. w. as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Marcus L. Phillips

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... of the said Defendant and forthwith bring him before me, at the 4 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 15 day of January 1892
John Ryan POLICE JUSTICE.

0093

POOR QUALITY ORIGINAL

127 E 60 St

Police Court _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated _____ 188

Magistrate

Phillips Officer.
The Defendant *Marcus L Phillips*

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

Officer.

Dated *February 21* 18*92*

This Warrant may be executed on Sunday or at night.

Police Justice.

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

Dated _____ 188

Police Justice.

Age 30. German. Res. Stevens House

The within named

0095

POOR QUALITY ORIGINAL

On this fifteenth day of January
in the year one thousand eight
hundred and ninety two before
me personally appeared

Herman Froesch
who being duly sworn by me testifies
that on the twenty eighth day of
December 1891.

Marcus L. Phillips,
the collector of Lang & Co. called on
him and demanded payment
of balance due by him to said
Lang & Co. the said Herman Froesch
thereupon paid to the collector Marcus
L. Phillips the sum of forty four
dollars

Sworn to before me
this 15th day of January
in the year one thousand
Eight hundred & ninety two

Herman Froesch

John H. [Signature]

0096

POOR QUALITY ORIGINAL

30 Moore Street,
New York, March , 1892.

Hon. Fred. Smyth, Recorder.

Dear sir:

A few days ago an indictment was found, on our complaint, against Marcus L. Phillips, lately a salesman of ours, for grand larceny in embezzling moneys collected by him from our customers, amounting to \$810. He did not deny receiving the money, but told me that he lost it in speculation, together with his own. He admitted to the undersigned, that he had taken \$810. He has made restitution to that extent and of that amount. He has been in the Tombs for some days. His relatives are highly respectable people; his brother, Jacob L. Phillips being a member of the firm of Phillips & Mayer of 54 White Street, and his sister is the wife of Mr. Aaron Barnett, a merchant, of 48 Leonard Street.

We respectfully submit the foregoing facts to the kindly consideration of the Court.

Yours very respectfully,

Lang & Co
Chas W. Lang

0097

**POOR QUALITY
ORIGINAL**

30 Moore Street,
New York, March . . , 1892.

Hon. Fred. Smyth, Recorder.

Dear sir:

A few days ago an indictment was found, on our complaint, against Marcus L. Phillips, lately a salesman of ours, for grand larceny in embezzling moneys collected by him from our customers, amounting to \$810. He did not deny receiving the money, but told me that he lost it in speculation, together with his own. He admitted to the undersigned, that he had taken \$810. He has made restitution to that extent and of that amount. He has been in the Tombs for some days. His relatives are highly respectable people; his brother, Jacob L. Phillips being a member of the firm of Phillips & Mayer of 54 White Street, and his sister is the wife of Mr. Aaron Barnett, a merchant, of 48 Leonard Street.

We respectfully submit the foregoing facts to the kindly consideration of the Court.

Yours very respectfully,

Lang & Co
Chas W. Lang

0099

POOR QUALITY ORIGINAL

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Marcus L. Phillips

The Grand Jury of the City and County of New York, by this indictment, accuse
of the CRIME OF Grand LARCENY, in the second degree, committed
as follows:

The said Marcus L. Phillips,

late of the City of New York, in the County of New York aforesaid, on the 31st day of December in the year of our Lord one thousand eight hundred and ninety-one, at the City and County aforesaid, being then and there the clerk and servant of Peter Lang, and Charles W. Lang, copartners,

and as such clerk and servant then and there having in his possession, custody and control certain goods, chattels and personal property of the said Peter Lang and Charles W. Lang - the true owner thereof, to wit:

the sum of forty-four dollars in money, lawful money of the United States of America, and of the value of forty-four dollars,

the said Marcus L. Phillips 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 Peter Lang and Charles W. Lang of the same, and of the use and benefit thereof; and the same goods, chattels and personal property of the said Peter Lang and Charles W. Lang

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.