

05 10

BOX:

345

FOLDER:

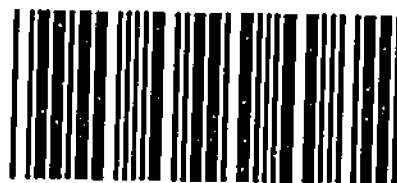
3256

DESCRIPTION:

Gaertner, Leopold

DATE:

03/15/89



3256

0511

Witnesses:

W. Markis

Counsel,

Filed 15th day of March 1889

Pleads,

THE PEOPLE

vs.

Grand Larceny Second degree.

Leopold Gartner

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

March 19/89
Charles Booth Foreman.

Edw. G. Gray
S. P. Free press.

05 12

Police Court- 3 District.

Affidavit-Larceny.

City and County } ss.:
of New York,

Nathan Marks

of No. 20 2nd Street, aged 33 years,

occupation Mechanic Tailor being duly sworn

deposes and says, that on the 25 day of February 1889 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 of Bank
Notes of various denominations
of the amount and value of
One hundred and a twenty four dollars
the property of deponent and his copartner's Marks
and wife

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 Leopold Gaestner (Kurtz) from his fact. That previous to said day the said money was in a drawer of deponent's office and the said deponent was in the employment of deponent as a book keeper and saw the day in question the deponent suddenly disappeared from deponent's employ and failed to return and the said deponent has admitted and confessed to this deponent in the presence of officer Michael J. Reap that he did take the above money and run away with it in his possession Nathan Marks

Sworn before me, this 18 day of February 1889
of New York
Police Justice.

05 13

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 40 years, occupation Police Officer of No.

11 Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Nathan Marks

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

Sworn to before me, this 6
day of March 188

Michael J. Reap
[Signature]
Police Justice.

05 14

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Leopold Gaertner 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.

Leopold Gaertner

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

Berlin

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

Answer.

41 Delancey

Question. What is your business or profession?

Answer.

Book Keeper

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.

The money was left in my care and I do swear it for my own use

L. Gaertner

Taken before me this

day of March 1889

Police Justice.

05 15

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.....

Alfred A. Smith
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 6* 188..... *J. P. Duffy* Police Justice.

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

Dated..... 188..... Police Justice.

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

Dated..... 188..... Police Justice.

05 16

Police Court---3348 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Nathan Marks
2002 1/2 Broadway
Leopold Garstner

Office of the
Clerk

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated March 6 1889
Leupp Magistrate.

Reap Officer.
11 Precinct.

Witnesses Michael Reap
No. 11 Precinct Street.

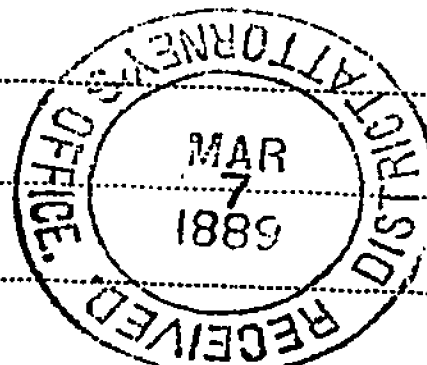
No. _____ Street.

No. _____ Street.

\$ 500 to answer G.S.

Lam

922
morse



05 17

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Leopold Gaertner

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by
this indictment, accuse *Leopold Gaertner*

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

The said

Leopold Gaertner

late of the City of New York, in the County of New York aforesaid, on the *twenty-fifth*
day of *February* in the year of our Lord one thousand eight hundred and
eighty-*nine*, at the City and County aforesaid, with force and arms, in the
day-time of the same day, divers promissory notes for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the
payment of and of the value of *one hundred and twenty-four*
dollars; divers other promissory notes for the payment of money, being then and there due
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination
to the Grand Jury aforesaid unknown, for the payment of and of the value of
one hundred and twenty-four
dollars; divers United States Silver Certificates of a number and denomination to the Grand
Jury aforesaid unknown, of the value of *one hundred and twenty-four*
dollars; divers United States Gold Certificates of a number and denomination to the
Grand Jury aforesaid unknown, of the value of *one hundred and twenty-four*
dollars; ~~divers coins of a number, kind and denomination to the Grand Jury aforesaid~~
~~unknown, of the value of~~

~~of the goods, chattels and personal property of one~~

Nathan Marks
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.

JOHN R. FELLOWS, *District Attorney.*

05 18

BOX:

345

FOLDER:

3256

DESCRIPTION:

Galuskey, William

DATE:

03/15/89



3256

05 19

Witnesses:

G. Conners.

Counsel

Filed

Pleads,

15/ day of March 1889

THE PEOPLE

vs.

William Galusky

Grand Larceny Second degree.

[Sections 528, 537, 538, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Char. H. Webb Foreman.

March 19/89

Charles H. Webb

E. J. Conners

0520

Police Court—

District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Fritz Sommer
of No. *372 1/2 3rd Avenue* ~~Street~~, aged *44* years,
occupation *Saloon & Boarding House* being duly sworn
deposes and says, that on the *11* day of *January* 188*9* at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the *day* time, the following property viz:

*One trunk containing clothing
of the value of Seventy dollars*

the property of *Andrew Vetter* but in deponent's
charge and care

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by *William Galuskey* (and *Andrew
Smith* arrested arraigned and
convicted of said offense) (now
here) from the fact that deponent
detected said *Galuskey* and one
Smith in the act of carrying
said property from said
premises, but at the time
believing they had a right
to remove the same did not
at the time intercept them.
That deponent has since learned
that they had no right to have
said property in their possession
and therefore charges said *Galuskey*
with the Larceny of said property
Exhibiting Evidence

Sworn to before me, this

day

of *March*
Police Justice.

0521

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

William Galuskey

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

Question. What is your name?

Answer.

William Galuskey

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

MS

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

Answer.

1304 Washington Ave. 27 years

Question. What is your business or profession?

Answer.

Horse shaver

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

Answer.

I am not guilty

William Galuskey

Taken before me this

day of *March* 188*8*

Police Justice.

0522

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 Agueda

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 9 188 A. J. Smith 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.

0523

Police Court--- *366* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Fritz Sommer
937 21 13th ave
William Galuskey

2

3

4

Offence

felony

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *March 6* 188 *9*

Whit Magistrate.

Brady Officer.

304 Precinct.

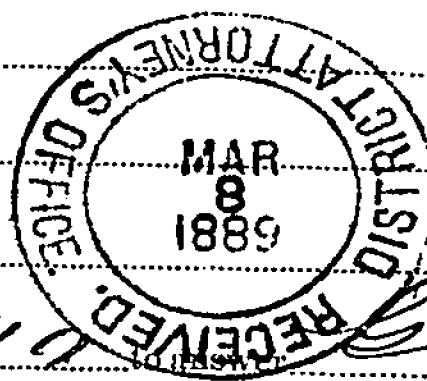
Witnesses

No. Street.

No. Street.

No. Street.

\$ *1000*



Com

0524

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William Galuskey

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

William Galuskey

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

The said

William Galuskey

late of the City of New York, in the County of New York aforesaid, on the eleventh day of January in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with force and arms,

one trunk of the value of ten dollars, and divers articles of clothing and a number and description to the Grand Jury aforesaid unknown, of wearing apparel of the value of sixty dollars

of the goods, chattels and personal property of one

Andrew Vetter

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.

0525

SECOND COUNT—

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

William Galuskey

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

William Galuskey

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

of the goods, chattels and personal property of one

Andrew Vetter

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

Andrew Vetter

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

William Galuskey

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.

JOHN R. FELLOWS,

District Attorney.

0526

BOX:

345

FOLDER:

3256

DESCRIPTION:

Gannon, Michael

DATE:

03/22/89



3256

Witnesses:

Off Levens

Counsel,

Filed

Pleads,

1889

THE PEOPLE

vs.

17. 357 E. 17
10/10/89

Michael Gammon

Grand Larceny Second degree.
[Sections 528, 531, Penal Code].

JOHN R. FELLOWS,

District Attorney.

P. 2 Apr 10/89
pleads p. 2.

A True Bill

Chaas Scott Foreman.

Levi One year.

0528

Police Court—

District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Morris Solomon
of No. *937* *2nd* Avenue Street, aged *60* years,
occupation *Commission Merchant* being duly sworn
deposes and says, that on the *13* day of *March* 188*9* 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 quantity of dry goods
of the value of Fifty
Dollars

the property of

deponent

and that this deponent
has a probable cause to suspect and does suspect, that the said property was feloniously taken, stolen,
and carried away by *Michael Gammow* (now here)

from the fact that the defendant
was in the employ of deponent
as a servant and had
in his possession said property
(deponent being blind and
nearly unable to take charge
of it himself), that deponent
was riding with said defendant
in a *2nd* Avenue Rail Road Car
and that between *86th* Street Station
and *23rd* Street Station said defendant
left the train carrying said
property with him that at
23rd Street deponent discovered

Sworn to before me, this

188

day

Police Justice.

0529

that the defendant had departed
and notified the Police, that
defendant was subsequently informed
by Officer Joseph A. Lewis of the
127th Precinct that he arrested
the defendant at 100th Street &
Avenue in the act of opening a
quantity of dry goods for sale
that defendant has since identified
said prospect found in the possession
of the defendant as that stolen
from him.

Suorn placed me this
14th day of March 1889

A. J. White
Police Justice

Wm. J. Sullivan

0530

Sec. 198—200.

District Police Court.

CITY AND COUNTY
OF NEW YORK } ss.

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

Question. What is your name?

Answer.

Michael Gannon

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

351 E. 17th Street.

Question. What is your business or profession?

Answer.

Printer

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

Answer.

I have not guilty

Michael Gannon

Taken before me this

day of *March* 188*8*

John H. White

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 Agueda

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 27 1889 J. J. Smith Police Justice.

Dated March 27 1889 J. H. Sturtevant Police Justice.

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

Dated.....188.....*Police Justice.*

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

Dated.....188.....*Police Justice.*

0532

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Morris Solomon
997 2nd Ave
Michael Friedman
1
2
3
4
Office

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated *March 14* 188*9*
White Magistrate.
Lewis Officer.
97 Precinct.

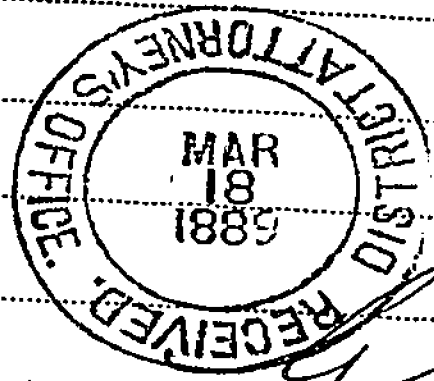
Witnesses
No. Street.

No. Street.

No. Street.

\$ *3700* to answer

Q. M. 17/11. m



0533

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Michael Hannon

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

Michael Hannon

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

The said

Michael Hannon,

late of the City of New York, in the County of New York aforesaid, on the 12th day of March, in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with force and arms,

a quantity of drug goods, (a more particular description whereof is to the Grand Jury aforesaid unknown, and can not now be given) of the value of fifty dollars,

of the goods, chattels and personal property of one Morris Solomon

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.

John R. Kellom,
District Attorney

0534

BOX:

345

FOLDER:

3256

DESCRIPTION:

Garbarino, Amelio

DATE:

03/11/89



3256

0535

BOX:

345

FOLDER:

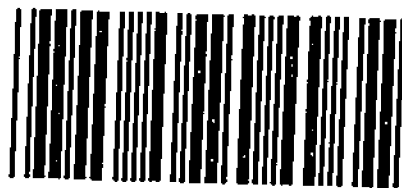
3256

DESCRIPTION:

Garbarino, John

DATE:

03/11/89



3256

0536

BOX:

345

FOLDER:

3256

DESCRIPTION:

Rapato, August

DATE:

03/11/89



3256

Counsel,

Counsel,

Filed

Plead

THE PEOPLE

25-

Amelio Garbano

John Garbani

August Rapato

JOHN R. FELLOWS,

District Attorney.

A True Bill

Foreman.

Edward Perry Foley

W2. State Ref. Bureau

3. Horse of Repose

0538

Police Court—1st District.City and County }
of New York, } ss.of No. 79 Chamber Street, aged 38 years,occupation Hardware being duly sworndeposes and says, that the premises No 79 Chamber Street,in the City and County aforesaid, the said being a five story Granite andbrick building in the 5th Wardand which was occupied by deponent as a wholesale Hardware & Armory store~~and in which there was at the time a human being, by name~~were BURGLARIOUSLY entered by means of forcibly breaking of the
lock and breaking out one of the panels of the
door leading into said store from the hallway
on the second floor and entering thereinon the 17th day of February 1889 in the day time, and the

following property feloniously taken, stolen, and carried away, viz:

A large number of Revolving pistols
of about the value of Eleven
Hundred dollarsthe property of Deponent

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

Amelio Garbarino John Garbarino andAugust Chapato all known and

for the reasons following, to wit:

the doors of said store were securely fastenedand fifteen minutes P.M. on the 16th dayof February 1889 and at about the hourof eight o'clock P.M. on the day followingdeponent discovered saidproperty had been committed and saidproperty taken stolen and carried awayDeponent is informed by Officer Joseph B

0539

Depones of the 5th Precinct Police that
 he found the defendants on the roof of said
 building and gave chase across a number
 of roofs of other houses and arrested
 the defendants and found a loaded pistol
 in each ^{of their} possession and said Officer
 found a number of pistols scattered on the
 roof of said building which deponent
 was ~~then~~ seen some of the property
 and identified the same as a portion
 of the proceeds of said burglary
 sworn to before me

this 18th day of Aug 1889 Marcus W. Robinson
 J. M. M. J. M. J.

Police Justice

Police Court — District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

vs.

Degree. Burglary

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0540

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 27 years, occupation Police Officer

of No. 100

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Marcus W. Robinson

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

Sworn to before me, this 18

day of July

1889

John L. Donohue
Police Justice.

0541

Sec. 198-200.

150
District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

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

Question. What is your name?

Answer. *John Garbarino*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *35 Baxter St - 6 weeks*

Question. What is your business or profession?

Answer. *Bricklayer*

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 waive
examination through Counsel
John Garbarino*

Taken before me this
Day of *July* 19*18*

John Garbarino
Police Justice

0542

Sec. 198-200.

15
District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty - waive
examination through Counsel
Emilio Garbarino*

Taken before me this 16
day of July 1889

J. M. Murphy
Police Justice.

0543

Sec. 198—200.

CITY AND COUNTY
OF NEW YORK

1st District Police Court.

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

Question. What is your name?

Answer. *August Rapato*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *25 Mulberry St 3 years*

Question. What is your business or profession?

Answer. *Book binder*

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 waive*
examination through Counsel
Augusto Raffelli

Taken before me this

day of

188

Police Justice.

0544

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 *Feb 18* 188 *J. Thompson* Police Justice.

I have admitted the above-named.....

to bail to answer by the undertaking hereto annexed.

Dated.....188.....Police Justice.

There being no sufficient cause to believe the within named.....

.....guilty of the offence within mentioned. I order h to be discharged.

Dated.....188.....Police Justice.

0545

284 SL

Police Court---District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Marcus W Robinson
79 Chamber St
John Garbarino
Amelia Garbarino
Angela Capato

Offence

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

witness
Marcio Marzop
83 Reade St

Dated Feb 18 1889

Magistrate.

John J Donohue
Precinct.

Witnesses

Daniel W Dietrich
No. 63 Reade St

No. 79 Chamber St

No. 79 Chamber St

No. 79 Chamber St

No. 79 Chamber St

No. 79 Chamber St

No. 79 Chamber St

No. 79 Chamber St

No. 79 Chamber St

No. 79 Chamber St

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No. 79 Chamber St

No. 79 Chamber St

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No. 79 Chamber St

No. 79 Chamber St

No. 79 Chamber St

No. 79 Chamber St

0546

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

Amelio Garbarino ^{against}
John Garbarino and
August Rapato

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

Amelio Garbarino, John
Garbarino and August Rapato

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

The said

Amelio Garbarino, John
Garbarino and August Rapato, all

late of the *Fifth* Ward of the City of New York, in the County of
New York, aforesaid, on the *seventeenth* day of *February* in the year of
our Lord one thousand eight hundred and eighty*nine*, with force and arms, at the Ward,
City and County aforesaid, a certain building there situate, to wit: the *store* of one

Marcus W. Robinson

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

Marcus W. Robinson

in the said *store* then and there being, then and there feloniously and burglariously
to steal, take and carry away, against the form of the statute in such case made and provided, and
against the peace of the People of the State of New York and their dignity.

0547

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said
Amelio Garbarino, John Gar-
barino and August Rapato
of the CRIME OF *Grand* LARCENY *in the first degree* committed as follows:

The said

Amelio Garbarino,

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 *day* time of the said day, with force and arms,

five hundred revolving pistols
of the value of two Dollars
each

of the goods, chattels and personal property of one

Marcus W. Robinson

in the *store* of the said

Marcus W. Robinson

there situate, then and there being found, *in the store* 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.

0548

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said *Amelio Garbarino, John Garbarino and August Rapato* of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Amelio Garbarino, John Garbarino and August Rapato*, all 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,

five hundred revolving pistols of the value of two dollars each

of the goods, chattels and personal property of one

Marcus W. Robinson

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

Marcus W. Robinson

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

Amelio Garbarino, John Garbarino and August Rapato 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.

JOHN R. FELLOWS,

District Attorney.

0549

BOX:

345

FOLDER:

3256

DESCRIPTION:

Garms, Richard

DATE:

03/22/89



3256

0550

Witnesses;

G. G. Girdick

Counsel,

Filed

Pleads,

22 day of March 1889

Atty. Gen. Wm. A. Gilman

THE PEOPLE

vs.

R

Richard Gams

VIOLATION OF EXCISE LAW.
(Selling without License.)
[III, R. S. (7th Ed.), page 1981, § 13, and
of 1888, Chap. 340, § 5].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. A. Gilman
22

Charles Scott Foreman.

Complaint sent to the Court
of Special Sessions,

Part III, March 1889.

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

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

Richard Garms

(III. Revised
Statutes, [7th
edition] p. 1981
Section 13.)

The Grand Jury of the City and County of New York; by this indictment, accuse
Richard Garms
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES
WITHOUT A LICENSE, committed as follows:

The said

Richard Garms

late of the City of New York, in the County of New York aforesaid, on the *twenty ninth*,
day of *January* in the year of our Lord one thousand eight hundred and
eighty *three*, at the City and County aforesaid, certain strong and spirituous
liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one
gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong
and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in
quantity less than five gallons at a time, to

one Frank Gulick and to
certain *other* persons whose names are to the Grand Jury aforesaid unknown, without
having a license therefor, as required by law, contrary to the form of the Statute in such case
made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1883,
chapter 340 sec-
tion 5)

SECOND COUNT—

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

Richard Garms

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND
BEER WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said

Richard Garms

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, and at the premises there situate, known as
number *sixty-three Madison Avenue*

certain strong and spirituous liquors, and certain ales, wines and beer, to wit: one gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury
aforesaid unknown, unlawfully did sell to

one Frank Gulick and to
certain *other* persons whose names are to the Grand Jury aforesaid unknown, to be
drank upon the premises aforesaid, without having a license therefor, as required by law,
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.

0552

(Laws of 1883,
chapter 840 sec-
tion 5.)

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said
— *Richard Garms* —
of the CRIME OF GIVING AWAY STRONG AND SPIRITUOUS LIQUORS, ALES,
WINE AND BEER WITHOUT A LICENSE, to be drank upon the premises, committed
as follows:

The said

Richard Garms

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, and at the premises there situate, known as
number *Sixty three Madison Avenue*

certain strong and spirituous liquors, and certain ales, wine and beer, to wit: one gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury
aforesaid unknown, unlawfully did give away to

certain — persons whose names are to the Grand Jury aforesaid unknown, to be
drank upon the premises aforesaid, without having a license therefor, as required by law,
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.

JOHN R. FELLOWS,

District Attorney.

0553

BOX:

345

FOLDER:

3257

DESCRIPTION:

Garvey, Peter

DATE:

03/29/89



3256

Witnesses:

Ed. H. H. H.

Upon the facts
stated in my Brief

I have come to the
conclusion that the
defendant was at the
time of the commission
of the act charged against
him herein, incapable
of distinguishing between
his right and wrong
and that he did not
intend to steal the
said horse and re-
sponsibility therefore re-
sults. I therefore re-
commend the dismissal
of the within indictment
dated N. Y., April 10, 1889.

Edw. and Grace
Dep. Secy.
The Comptroller makes the
same statement, & appears of
above - John W. Goff
Apr 10/89
Clerk of the Court

Counsel,
Filed
Pleads,

day of March 1889

THE PEOPLE

vs.

Peter J. J.

Grand Larceny (Second degree)
[Sections 528, 529 Penal Code]

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL

Chaot & Co.

Foreman.

Part III April 10/89.

Indictment dismissed

0554

0555

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Peter Garvey

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. I left the horse and wagon in front of No. 108 West Houston to supply a customer. I was in the place about ten minutes, when I came out the horse and wagon were gone. I was told that a drunken man had driven off with it. Someone in the crowd had dared him to do it.

While at Station house defendant was brought in very much intoxicated.

Upon inquiry I find that the defendant has never been arrested before, always works for a living and I do not think he had any intention of stealing said horse and wagon. My Employer also joins in my request to withdraw the complaint, and he told me he didn't believe the defendant intended stealing said horse and wagon.

For these reasons I respectfully ask that I be allowed to withdraw the complaint made by me herein.

April 10/1889

Edward Ditch

0556

People

to

Peter Gansky

with-drawal

0557

Court of General Sessions.

The People

vs.
Peter January

Indictment

Grand Larceny, 2^d degree
in having on the 20th of March, 1889,
taken from the complainant a
horse and wagon of the value of
\$300, with intent to keep the same.

Edward Hotel, 8 Goerck Street, Driver
in the employ of the Eagle Catering Co.
on the 20th of March, 1889, while
I was in a store in Thompson Street,
near Horstman, soliciting customers,
the defendant drove off with my
horse and wagon, which I had left
standing in the street. When I
came out of the ^{said} store, I missed my
horse and wagon. Mr. James
O'Neil informed me, that a drunk
or man had jumped on the
wagon and gone off with the same.
Officer Bernard H. Buryth told me
to report my loss at the Station House.

0558

I was
While there, the said officer brought
in the defendant, the said horse
and wagon standing out side
of the Station House. The defendant
was heavily intoxicated at the
time. I do not think that he was
in a condition to distinguish
between right and wrong. He
could hardly tell his name. Upon
examination by the Sergeant he
stated that a man had told him
to get on the said wagon and
drive away with it. I do not be-
lieve that the defendant intended
to steal the said horse and wagon
and neither my employer nor I
myself are desirous to prosecute
the defendant herein.

Seen & before me
this 10th of April 1889

Edward Dixie

Edward Grosse
Notary Public

City and County of New York

James O'Neil, 2d Counties Dep.
Deputy in Bonded Warehouse, on
the 20th of March, 1889, I saw the

0559

defendant being expelled from the saloon at No. 108 West Houston Street. He was stupidly drunk and was hosted by the boys that were standing around in the neighborhood. A man, who was unknown to me, suggested to the defendant to get on a complaint wagon and take a drive. The defendant managed to get on the said wagon and drove off. I did not know at the time that the wagon did not belong to him. After he had driven away, I did not pay any more attention to him.

Known to before me }
 this 10th of April 1889 } James O'Neill
Edward Gross
 Notary Public
 City, and county of New York.

William Conner, 108 West Houston Street, Liquor Saloon, On the 20th of March, 1889, the defendant came into my saloon, and demanded a drink, but as he was helplessly drunk, I refused to

0560

sell him any thing. He was
so drunk that he fell on the
floor, and I put him out in
the street.

Proven to before me
this 10th of April 1889 } J. H. Cowan

Edmund Grosse
Notary Public
City and county of New York

Barnard H. Dwyth, patrolman,
8th precinct. On the 20th of April
1889, I arrested the defendant in
Spring Street, on the corner of Clark
Street, while he was driving
Crimplinger's horse and wagon.
He was intoxicated. It is my
opinion that the defendant did
not intend to steal the said horse
and wagon.

Proven to before me
this 10th of April 1889 } Barnard H. Dwyth

Edmund Grosse
Notary Public
City and county of New York

J. Henry Curtis, 1629 Madison Avenue

0561

Bookkeeper, have known the defendant for over two years and for over a year he was in my employ. He is an honest and industrious boy. Drink is his only fault.

0562

Telephone Call, 848 Spring.

WARREN
Boarding and Livery Stable,
118 & 120 SULLIVAN ST.

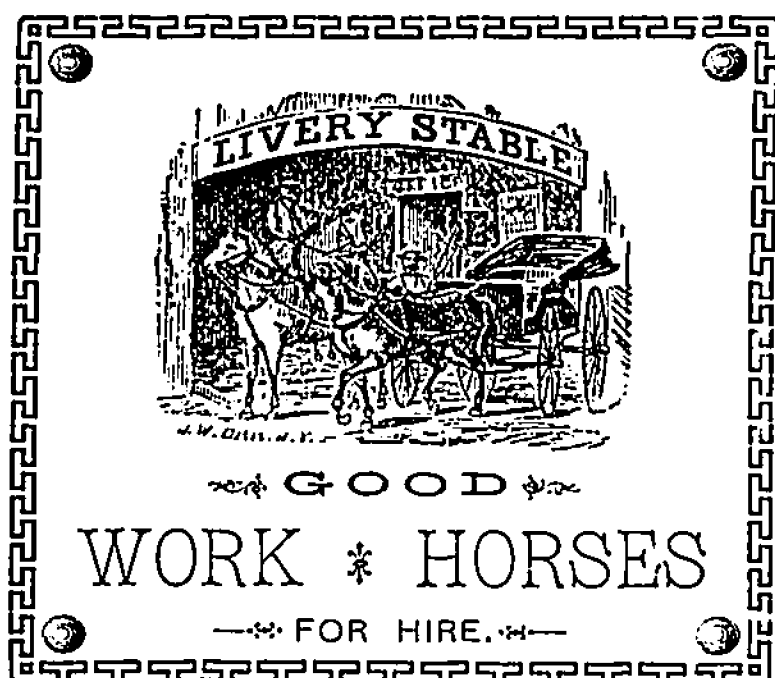
New York, April 9th 1889
Hon Judge Coving
Dear Sir

My Business
will not allow me to attend your Court,
+ testify in behalf of Peter Garvey
he has had charge of my Stable,
at night time + I have always found
him to be an Honest + upright man
while in my employ +
I remain

Respectfully Yours

James J. Quiley
No. 118 Sullivan St.

0563



New York, *April 10* 188*7*
To
JAMES DILLON, Dr.
LIVERY STABLES,
STABLES, 441 and 443 EAST 19th STREET,
And 1090 FIRST AVE., bet. 59th & 60th Sts.
Select Carriages at all hours. Carriages, &c., for Hire by the Day, Week or Month.

For whom it may concern

the bearer
Peter Garvey has been in my employment
from February 1st to March the 1st 1887
I always found him to be sober and honest young
man. I cheerfully recommend him to you.

Yours Truly
James Dillon
441 & 443 E 19th
City

0564

COURT OF GENERAL SESSIONS.

THE PEOPLE &c.

John Garvey

BRIEF OF FACTS.

For the District Attorney.

Dated *April 10* 1888
Edward Passer
Deputy Assistant.

0565

District Attorney's Office,
City & County of
New York.

People vs.

188

Peter Garvey -

Larceny 2nd Degree -
Receiving Stolen Goods.

1. Edward Dist. Ct. State Mach 20/89 - Daytime 2:30 PM
Horse & wagon 300^{ft} - in procession
of defendants belonging to Eagle Lumber
Co. from Thompson & Hensland

2 - Officer B. H. Smith 8th Precinct.

Found Garvey driving away
with horse & wagon - 2:40 PM -
What was
Def's condition? -
Defence drunk at time -

How drunk was he

By sec 2nd - jury may
take into consideration in
determining intent &c.

0566

Police Court

2

District.

Affidavit—Larceny.

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

Edward Distil

of No. 8 Gaerck
occupation Driver

Street, aged 22 years,

deposes and says, that on the 20 day of March 1889 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property, viz:One horse and
wagon of the value of three hundred
dollars (\$300—),the property of Deponent, The Eagle Catering
Company and then in deponent
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 Peter Garvey now here,
under the following circumstances. Deponent
left the said horse and wagon standing
in Thompson street on the corner of Houston
street while deponent went to solicit
custom. In deponent's absence the said
horse and wagon were taken away about
2.30 p.m. Deponent is informed by
Policeman Bernard H. Smyth (now here) that
on said date about 2.40 o'clock p.m.
he found the defendant in possession of the
said property in Spring street driving away
and the defendant had no right to take the
said property and deponent asks that he
be dealt with as the law directs Edward
DistilSworn to before me, this
of March 21
1889 day

Police Justice.

0567

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 21 years, occupation Policeman of No. 5th Precinct

Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Edward Roth

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

Sworn to before me, this 21
day of March 1885

James C. Sullivan
Police Justice.

Bernard H. Smyth

0568

Sec. 198—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Peter Garvey 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.

Peter Garvey

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

267 Mry St — 2 months

Question. What is your business or profession?

Answer.

Livery Stable

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 did not know who the wagon belonged to — a fellow asked me to ride and I got in. I was drunk at the time.

Peter Garvey

Taken before me this
day of *March* 188*5*

So. J. H. Kelly Police Justice.

0569

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.....

Peter Garvey

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

Dated *March 21* 188*9* *Police Justice.*

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

Dated.....188.....*Police Justice.*

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

Dated.....188.....*Police Justice.*

0570

Police Court--- 2 442 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward Drotel
& Correck
Peter Garvey

Larceny
felony

Offence

Dated March 21 1889

O'Reilly

Magistrate.

Smith

Officer.

fd

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$10000 to answer

COMMITTED.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0571

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Peter Garvey

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

Peter Garvey

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

The said

Peter Garvey

late of the City of New York, in the County of New York aforesaid, on the *twentieth* day of *March* in the year of our Lord one thousand eight hundred and eighty-*nine*, at the City and County aforesaid, with force and arms,

*one horse of the value of
two hundred dollars, and
one wagon of the value of
one hundred dollars,*

of the goods, chattels and personal property of one *Edward Distel*

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.

0572

SECOND COUNT—

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

— *Peter Garvey* —

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

Peter Garvey

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 horse of the value of
two hundred dollars, and
one wagon of the value of
one hundred dollars,*

of the goods, chattels and personal property of one

Edward Distel

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

Edward Distel

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

Peter Garvey —

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.

JOHN R. FELLOWS,

District Attorney.

0573

BOX:

345

FOLDER:

3256

DESCRIPTION:

Gleason, John

DATE:

03/13/89



3256

0574

Witnesses:

Counsel,

Filed

day of

1889

Pleads,

THE PEOPLE

vs.

P

John Gleason

Grand Larceny Second degree.

[Sections 528, 534, 535 Penal Code].

JOHN R. FEELEY

District Attorney.

A True Bill.

Foreman.

Chas. H. Scott
Jan 13/89.
Hear. C. J. P.
Cen. Mr. Gleason

0575

Police Court—District.

Affidavit—Larceny.

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

of No. 165 Bleeker
occupation Actor

William Browne

Street, aged 19 years,

being duly sworn
deposes and says, that on the 16th day of February 1889 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the night time, the following property, viz:

One bag containing stage
Costumes, &c. together of the value
fifty dollars.

\$50.00

the property of

Deponent.

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

from the fact that said property was
missed from deponent's house at the
above address. at about the hour of
11 O'clock P.M. said date.

Deponent is informed by Officer Edward
Gilgan of the 15th Precinct Police that
he arrested the said defendant at the
corner of Browne & Thompson Sts
at about the hour of 12 O'clock noon
February 19th. and at that time he
the defendant had in his possession
three juggler knives.

Deponent further says that he has
since seen the juggler knives which

Sworn to before me this

Police Justice.

0576

were found in the possession of the
defendant and fully identifies them
as his property and as a portion of
the property aforesaid.

Wherefore defendant charges the said
defendant with feloniously taking
stealing and carrying away said
property

Sworn to before me
this 1st day of Feb 1899

J. J. Claffey

Police Justice

William Elmore

0577

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation _____ of No. _____

15th Prec Police

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Wm Shroune

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

Sworn to before me, this

day of

18
July
188

Edward Gulgar

PLP Deffy
Police Justice.

0578

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty

John Gleason
Munk

Taken before me this

day of

188

Police Justice.

0579

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 15* 188.....

[Signature] Police Justice

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

Dated..... 188.....

..... Police Justice.

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

Dated..... 188.....

..... Police Justice.

0580

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 Couronne

166th St. Bleeker St

John Leason

2.....

3.....

4.....

Dated *Feb 18* 188

Reaffy Magistrate.

Edward Gilgan Officer.

11th Precinct.

Witnesses *Edward Gilgan*

No. *15th Precinct* Street.

.....

No. Street.

.....

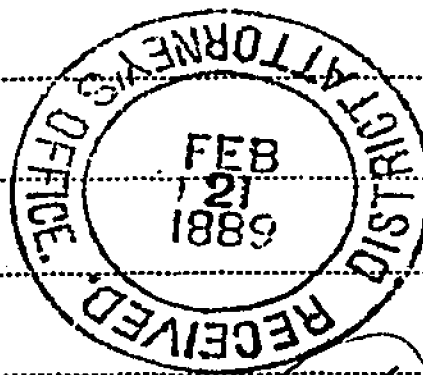
No. Street.

.....

\$ *5.00* to answer

Com.

9



0581

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 Gleason

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

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

The said

John Gleason

late of the City of New York, in the County of New York aforesaid, on the sixteenth day of February in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with force and arms, two costumes of the value of nine dollars each, two sets of tights of the value of eight dollars each set, three knives of the value of two dollars each, four balls of the value of one dollar each, one belt of the value of two dollars, one wig of the value of four dollars thirty feet of wire of the value of ten cents a foot, two slippers of the value of seventy-five cents each, one shirt of the value of one dollar, one flute of the value of one dollar and fifty cents, twenty-five sheets of paper of the value of one cent each, sheet twenty-five envelopes of the value of one cent each, one electrotype of the value of four dollars and one bag of the value of twenty-five cents of the goods, chattels and personal property of one William Emmons

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.

0582

SECOND COUNT—

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

John Gleason

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

John Gleason

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,

two costumes of the value of nine dollars each, two sets of tights of the value of eight dollars each set, three knives of the value of two dollars each, four balls of the value of one dollar each, one belt of the value of two dollars, one wig of the value of four dollars, thirty feet of wire of the value of ten cents a foot, two slippers of the value of seventy-five cents each, one shirt of the value of one dollar, one flute of the value of one dollar and fifty cents, twenty-five sheets of paper of the value of one cent each, ~~direct~~, twenty-five envelopes of the value of one cent each, one electrotipe of the value of four dollars, and one bag of the value of twenty-five cents

of the goods, chattels and personal property of one

William Elmore

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

William Elmore

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

John Gleason

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.

JOHN R. FELLOWS,

District Attorney.

0583

BOX:

345

FOLDER:

3256

DESCRIPTION:

Glover, John M.

DATE:

03/28/89



3256

0584

BOX:

345

FOLDER:

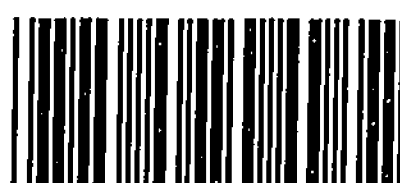
3256

DESCRIPTION:

Lowenstein, Fanny

DATE:

03/28/89



3256

0585

Witnesses:

E. J. Earle

John H. Glavin
Confessionary

E. J. Glavin
Deputy Chief

Deputy Chief

This criminal action was commenced
proper and there was no complaint
for complaint against the Dept.
since its commencement the truth
of this has been replaced with the
Chamberlain (an elaborate) by the
Dept. Government while the Dept.
Government as a voluntary trust
became responsible for the
of the first year she held office
the Dept. Glavin and in my opinion
there was an order of discharge of
which intent was to make a transfer
deem it proper to recommend the
as to Government this instruction
be dismissed

As to the defendant Glavin
more that he be discharged
in his own recognition
May 26/89 John H. Glavin
I appear to the above
J. H. Glavin
Deputy Chief

Counsel

28 Feb 9

Chapman, Chas. H.

THE PEOPLE

vs.

John M. Glavin

and

James O. Glavin

JOHN R. FELLOWS

District Attorney

summoned April 9/89
rebailed

A TRUE BILL

J. H. Glavin

Apr 11/89
Heck on his own recogni-
and that of Glavin
Glavin and on the 10
May 22/89
May 22/89

0586

Office of
CITY CHAMBERLAIN
Stewart Building, 280 B'way.

New York March 15th, 1889.

Surrogate's Court

In the matter
of
the Estate of Wm. H. Sibley,
deceased.

This certifies that
Fannie A. Lowenstein has this day paid to the Chamberlain of
the City of New York to the credit of the above estate the
sum of Eleven thousand ninety-five 75-100 dollars which pay-
ment is made pursuant to an order made herein and dated in
its caption, March 12th 1889.

\$11095, 75-100.

W. W. Ladd
Deputy Chamberlain.

0587

At a Surrogate's Court held in
and for the City and County of
New York at the Surrogate's of-
fice in the City of New York, on
the 12th day of March 1889.

Present:

H o n . R A S T U S S . R A N S O M ,
Surrogate.

In the Matter of the Estate
of
WILLIAM H. SIBLEY, deceased.

On reading and filing the petition of Fannie A. Lowenstein, one of the sureties of Emily J. Earle, as the administratrix of all and singular, the goods, chattels and credits of William H. Sibley, late of the City of New York, deceased, and which said petition bears date the 26th day of February, 1889, and sets forth, that the said Petitioner is desirous of being released from all responsibility on account of any future breach of the condition of the bond of the said administratrix and praying for relief pursuant to the statute; and the Surrogate having thereupon issued a citation requiring the said Emily J. Earle, the administratrix as aforesaid to show cause, why she should not give new sureties on her official bond as administratrix pursuant to statute, and the said Emily J. Earle having appeared in compliance

0588

2

with the said citation; and on reading and filing the affidavit of Fannie A. Lowenstein in further support of said petition and after hearing Bernard Metzger, the Attorney for said petitioner, in favor of said application, and on reading and filing the affidavit of Emily J. Earle, and on hearing W. Chas. B. Thornton, Esq., Attorney for said administratrix in opposition thereto.

N O W on motion of Bernard Metzger, the Attorney for said Petitioner,

IT IS ORDERED, ADJUDGED and DECREED, that the said surety Fannie A. Lowenstein shall not be liable on the bond bearing date on the 9th day of May in the year 1887, executed to the people of the State of New York, by the said Emily J. Earle as principal, and the said Fannie A. Lowenstein and one J. P. Johnson Howard, as sureties on the granting of the letters of administration of all and singular the goods, chattels and credits of the said William H. Sibley to the said Emily J. Earle, by the said Surrogate, for any breach of the condition of the said bond occurring after the date of this Decree, upon the ~~said~~ administratrix giving new sureties upon her said bond, as administratrix of said William H. Sibley, deceased, within five days from the date of this Decree.

AND IT IS FURTHER ADJUDGED AND DECREED, that it appearing to the satisfaction of the Surrogate, that

0589

Form 61.

STATE OF NEW YORK,
City and County of New York, } ss.

I, JAMES F. McLAUGHLIN, Clerk of the Surrogate's Court of said County, do hereby certify that I have compared the foregoing copy of the instrument propounded as the last Will and Testament of *deceased* in the matter of the estate of William H. Sibley deceased,

with the original record thereof, now remaining in this office, and have found the same to be a correct transcript therefrom and of the whole of such original record.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of the Surrogate's Court, this 14th day of March in the year of our Lord one thousand eight hundred and eighty-nine -

James F. McLaughlin
Clerk of the Surrogate's Court.

GLUED PAGE

0590

3

the said Fannie A. Lowenstein, the surety of said Emily J. Earle, administratrix as aforesaid, is willing to deposit in the hands of the City Chamberlain of the City of New York, the full amount comprising the Estate of said decedent as heretofore received from said City Chamberlain pursuant to the order made herein.

IT IS THEREFORE ORDERED and ADJUDGED, that upon said Fannie A. Lowenstein, the petitioner herein, depositing the sum of 11,095.75 dollars with the Chamberlain of the City ~~and County~~ of New York, subject to be retained by him to the credit of said Estate and further subject to the order of this Court, and that upon her filing a certificate from the City Chamberlain showing a compliance with this order, and to the effect that such moneys have been so deposited by her the said Fannie A. Lowenstein be released and discharged from all and every liability as surety herein for any breach of the condition of said bond accruing after the date hereof in case new sureties are given as aforesaid, and in default thereof that the said letters of administration be revoked.

(Signed)

Rastus S. Ransom,
Surrogate &c.,

SURROGATE'S COURT

In the Matter of the Estate
of

William H. Sibley, deceased

DECREE *to file new bonds*
to appoint my wife as executrix

Bernard Metzger,
Atty for Petitioner,
261 Broadway,
N. Y. City.

Filed Dec 12/1889.

0591

0592

At a Surrogate's Court held in
and for the City and County of
New York at the Surrogate's of-
fice in the City of New York, on
the 12th day of March 1889.

Present:

H o n . R A S T U S S . R A N S O M ,
Surrogate.

In the Matter of the Estate
of
WILLIAM H. SIBLEY, deceased.

On reading and filing the petition of Fannie A. Lowenstein, one of the sureties of Emily J. Earle, as the administratrix of all and singular, the goods, chattels and credits of William H. Sibley, late of the City of New York, deceased, and which said petition bears date the 26th day of February, 1889, and sets forth, that the said Petitioner is desirous of being released from all responsibility on account of any future breach of the condition of the bond of the said administratrix and praying for relief pursuant to the statute; and the Surrogate having thereupon issued a citation requiring the said Emily J. Earle, the administratrix as aforesaid to show cause, why she should not give new sureties on her official bond as administratrix pursuant to statute, and the said Emily J. Earle having appeared in compliance

0593

2

with the said citation; and on reading and filing the affidavit of Fannie A. Lowenstein in further support of said petition and after hearing Bernard Metzger, the Attorney for said petitioner, in favor of said application, and on reading and filing the affidavit of Emily J. Earle, and on hearing W. Chas. B. Thornton, Esq., Attorney for said administratrix in opposition thereto.

N O W on motion of Bernard Metzger, the Attorney for said Petitioner,

IT IS ORDERED, ADJUDGED and DECREED, that the said surety Fannie A. Lowenstein shall not be liable on the bond bearing date on the 9th day of May in the year 1887, executed to the people of the State of New York, by the said Emily J. Earle as principal, and the said Fannie A. Lowenstein and one J. P. Johnson Howard, as sureties on the granting of the letters of administration of all and singular the goods, chattels and credits of the said William H. Sibley to the said Emily J. Earle, by the said Surrogate, for any breach of the condition of the said bond occurring after the date of this Decree, upon the ~~said~~ administratrix giving new sureties upon her said bond, as administratrix of said William H. Sibley, deceased, within five days from the date of this Decree.

AND IT IS FURTHER ADJUDGED AND DECREED, that it appearing to the satisfaction of the Surrogate, that

0594

Form 61.

STATE OF NEW YORK,
City and County of New York, } ss.

I, JAMES F. McLAUGHLIN, Clerk of the Surrogate's Court of said County, do hereby certify that I have compared the foregoing copy of the instrument ~~propounded as the last Will and Testament~~ *deceased* in the matter of the estate of William H. Sibley - deceased,

with the original record thereof, now remaining in this office, and have found the same to be a correct transcript therefrom and of the whole of such original record.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of the Surrogate's Court, this 14th day of March in the year of our Lord one thousand eight hundred and eighty-nine -

James F. McLaughlin
Clerk of the Surrogate's Court.

the said Fannie A. Lowenstein, the surety of said Emily J. Earle, administratrix as aforesaid, is willing to deposit in the hands of the City Chamberlain of the City of New York, the full amount comprising the Estate of said decedent as heretofore received from said City Chamberlain pursuant to the order made herein.

IT IS THEREFORE ORDERED and ADJUDGED, that upon said Fannie A. Lowenstein, the petitioner herein, depositing the sum of 11,095.75 dollars with the Chamberlain of the City ~~and County~~ of New York, subject to be retained by him to the credit of said Estate and further subject to the order of this Court, and that upon her filing a certificate from the City Chamberlain showing compliance with this order, and to the effect that such moneys have been so deposited by her, the said Fannie A. Lowenstein be released and discharged from all and every liability as surety herein for any breach of the condition of said bond accruing after the date hereof in case new sureties are given as aforesaid, and in default thereof that the said letters of administration be revoked.

(Signed) Rastus S. Ransom,
Surrogate &c.

Served on H. P. B.

Thornton by

leaving copy hereby

at his office he

being absent at the

time at 3-45 P.M.

March 15/89

H. G. H.

SURROGATE'S COURT

In the Matter of the Estate

of

William H. Sibley, deceased

DECREE AND to file new bond
and deposit money with clerk

Bernard Metzger,
Atty for Petitioner,
261 Broadway,
N. Y. City.

Served a copy of within
decree to hereby appointed
my March 15/89

0596

0597

Feb 19/89

John W. Goff. Esq. Asst Dist Atty
N.Y. County.

Confidential
Dr Sir.

Your attention is called to the Bail
given by John M. Glover and Fannie A. Lowenstein held for
Grand Jurors,

Anna Lowenstein swore that she was the owner of
Nos 10 and 12 Rutgers Place New York City, and that the same were free
and clear,

She is not and never was the owner of said premises, and
the said premises with adjoining property is now Mortgaged for \$66,000
and upon Nos 10 and 12 Rutgers Place there is now due about \$2,400 for
Taxes and Water Rates, and No 10 was sold to the City for unpaid Water Rates.
Immediate action should be taken in the premises.

Mus & C

W. CHAS. B. THORNTON,
COUNSELLOR AT LAW
50 COURT ST.
BROOKLYN, N.Y.

0598

Carrie Lowenstein
to

Anna Lowenstein

Feb 23rd 1930

left for record at 11 O'clock
30 mins AM

J. Hoyle
Reader

0599

Estate of
Wm. H. Sibley

The amount of this estate as per order of the Surrogate of May 1887, is \$11,095.

The parties entitled as heirs and next of Kin of the decedent and the fees agreed to be paid are as follows:

Wm. E. Wilson Brooklyn, N.Y.	$\frac{1}{12}$	924.58	- fees $\frac{1}{4}$	231.15
Emily J. Earle New Durham, N.J.	$\frac{1}{12}$	924.58	"	200.00
Wm. B. Wilson Martindale, N.Y.	$\frac{1}{12}$	924.58	" $\frac{1}{2}$	463.29
	$\frac{1}{4}$	2,773.74		894.44

Alexander S. Forshay:				
James F. Forshay :together				
heirs at law of :	$\frac{1}{4}$			
Lucinda Forshay, :	4	2,773.74	" $\frac{1}{2}$	1,386.87
N. Y. City. :				

Eliza Boxer				
devisee of Wm. Boxer	$\frac{1}{4}$	2,773.74	" $\frac{1}{2}$	1,386.87
Parkville, L.I.				

Eliza Spaulding	1		1	
Medford, Mass.	$\frac{1}{4}$	2,773.74	" $\frac{1}{2}$	1,386.87
		\$11,094.96		\$5,055.05

Total Estate

Total fees agreed
to be paid

Emily J. Earle, qualified as administratrix in May 1887.

Fannie A. Lowenstein, qualified as one of her sureties.

In December 1888, Wm. H. Sibley claiming as a creditor of the Estate on a note of the decedent commenced suit in the Supreme Court to recover his claim. This suit if successful will absorb the Estate. This suit is at issue.

0600

2

The original estate amounted originally to some \$800. and with the accumulation of interest ran up to \$11,000. It was unclaimed for many years (about 60) until discovered by the Attorney, and therefore the parties interested to pay him liberal fees.

In Matter of the Estate
of
William H. Sibley Dec'd

People re is Glover?

The complaint & testimony of the Complainant Emily J. Earle in this matter leads to the belief that she employed the deft Glover to take out letters of Administration for her in the above matter & that said Glover obtained possession & kept to his own use the entire Estate -

This is not true - and for the better understanding of the case - a short history of this Estate is necessary.

William Sibley doing business as basket maker at 785 Greenwich Street near Robinson N.Y. City died in 1827 leaving one son Wm Henry Sibley an infant. Letters of Administration ad colligendum to Silvanus Miller Nov 22, 1827 - Said letters revoked January 2, 1828 & Letters of Administration in ship to said Silvanus Miller as Public Administrator on same day Libers 23 Letters of admⁿ 208 & 248 - Said letters were also revoked and new Letters to William Wilson January 6, 1828

vol 23 of Letters of admⁿ 266-

This William Wilson was the husband of a maternal Aunt of the infant W^m H. Sibley and is the father of the Complainant Emily J. Earle (formerly Wilson)

The Estate amounted to about \$11,000 and William Wilson got rid of the whole of it, Henry Boxer a maternal ~~relative~~ uncle of said infant petitioned the Surrogate for revocation of said letters & to keep the administrator W^m Wilson from collecting rent of the Greenwich Street Store & said administrator was ordered to account & his letters were revoked
vol 3 of orders p 424 August 27. 1833.

The entire Estate had disappeared & nothing remained for the infant except an unexpired term of two years ^{out of a five years lease} lease of the Greenwich St property;

The Surrogate took charge of said property and collected the two years rent and from that small fund - by accretion of interest grew the \$11090, forming the Estate of W^m H. Sibley -

The young man wandered off before attaining his majority & never was heard of again until I traced him to his death in 1848 near Mobile in Alabama,

The Maternal relations Mrs Earle &c I am informed by W^m E. Wilson had to

get this fund but could not prove the death of their cousin nor give the bond of indemnity required by the Surrogate,

There were two different services rendered in this matter one did not succeed as the surrogate insisted upon administration.

I was occupied in this matter over three years - Finally I got bonds for Mrs. Paul as administratrix & the condition under written agreement was that Mrs. Paul should not have the fund but that it should be held by the bonds woman Louvenstein & myself jointly until settlement of the estate.

Mrs. Paul disputed the interest of Mrs. Boxer to $\frac{1}{4}$ of the Estate & also a claim of another Mrs. H. Libby for the whole of it,

So that the Estate could not be distributed until settlement of these matters. Miss Louvenstein notified the Chamberlain not to pay any money to me - & when I presented the order of the Surrogate I was informed of that notice - She & her Counsel accompanied me to the Chamberlain's Office where I signed the Receipt in the book & then returned the warrant & the same was taken from the Chamberlain's Office by Miss L. & her Counsel - and the account was kept by Miss L. Counsel -

0604

I had earned my fee upwards of five thousand dollars & was entitled to it the moment the money was drawn from the Chamberlain - as to the rest the Trust Company only paid 2 per cent interest and it was thought better that Miss L, who is a shrewd business woman - should have it & pay 5% - This interest would have been paid & the fund always was safe - but the arrest & placed us in a hostile attitude to all concerned and payment of interest was resisted,

The deposit to the Trust Co was not made by order of the Court & was purely voluntary -

Roblee
Glover

Roblee
Glover
L. M. L.

0605

P e o p l e
vs.
Lowenstein and Glover

: Estate of
: W. H. Sibley.
:
:

S T A T E M E N T .

There was ^{as} fund lying in the Chamberlain's office in 1887 which amounted in that year, to about \$11,000 to the credit of the Estate of W. H. Sibley, dec'd. It had been accumulating there for about 40 years, and had never been claimed. John M. Glover, an Attorney, searched for the heirs of said Sibley, discovered them, and arranged with them for the recovery of the money, on a contingent fee of 50 % in all cases except in that of Emily J. Earle, one of the heirs, who was to pay him \$200. for her share. The heirs all renounced in favor of Emily J. Earle and she was appointed Administratrix on filing proper bonds. She could give no bonds herself, and Mr. Glover thro' me (P. A. H.) obtained Miss F. A. Lowenstein No. 133 E. 79th St., as one of the bond. She was the owner of considerable property, and was worth the bond. She assented to go on the bond, on the condition that for her security, the money should be deposited by her and Mr. Glover jointly, so that she ^{could} control the proper expenditure. She did not know the administratrix, who resided out of the State in New Jersey

0606

2

and was apparently a person of no financial responsibility. An order was in due course made by the Surrogate of New York, in May 1887, requiring the City Chamberlain to pay over the funds of the Estate ^G of Emily J. Earle Administratrix or to John M. Glover her attorney. He received the check (\$11,095.00) and deposited it as agreed jointly with Miss Lowenstein in the Mercantile Trust Co. He had come into possession of the money legally by order of the Court, and the deposit in the Trust Co., was purely ^wvoluntary one, and not by virtue of any order. It was simply in pursuance of an agreement between the attorney and bondswoman, and she was abundantly responsible. She is known in business circles, has managed a large Estate personally and has always had a character for responsibility ^{to a high degree} in financial matters. Mrs. Earle the administratrix took no steps to advertise for claims, or to wind up the Estate in any way. Several of the heirs applied to me (P. A. H.) for information about the fund, and I always informed them that it was safe in the custody of Miss Lowenstein. A creditor of the Estate of the same name as the decedent turned up, whose claim, if admitted would absorb the Estate. He made demand upon the administratrix of the Estate for payment of his claim, and after six months commenced suit against her for the amount of claim.

Without any demand having been made on the

0607

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Attorney for the money or on the bondswoman and default made in the payment or of such securing of the fund as could be deemed proper or necessary, on any question raised as to the solvency of the bondswoman, on the application of an attorney in Brooklyn, who had arranged to collect the money for the heirs, on shares, a warrant was issued by Police Justice Welde for the arrest of the attorney and Miss Lowenstein for squandering the fund, and for consequent Grand Larceny - and the only proof^{had} that checks had been drawn on the voluntary deposit in the Mercantile Trust Co., and only about \$50. remained^{of} in that deposit to the credit of the fund. The fact was that the bondswoman had on the production of the written agreement for the attorney's fees, allowed him to draw his fees by way of advance to him having the means to respond for them and to pay them if not allowed, and had then taken charge personally of the whole fund.

On the examination before Judge Welde after it had been commenced the defendants waived further examination and the^{were} papers ~~was~~ sent to the District Attorney. The prisoners were held in five thousand dollars each, which bail was furnished.

The bondswoman F. A. Lowenstein applied then at once before the Surrogate for a release from any further responsibility on her bond and for leave on such release to pay into the hands of the City Chamberlain

0608

the amount she had received viz: (11,095.) Her petition was granted and on the same day that the order was signed she paid that amount in as required and filed a receipt for the same in the Surrogate's office. The order also required the administratrix to file new bonds within five days or else that the Letters of Administration be revoked. This was not done and the Letters was revoked. There is now no administratrix of the Estate. Between the times of the application of the bondswoman for such relief on payment of the money to the City Chamberlain and the hearing and decision of the application (and eight day notice being required by law) the Grand Jury found an indictment against the defendants. This was of course without notice to them on the evidence of Mrs. Earle, the then administratrix, and her attorney W. Charles B. Thornton, and they took care to give no information that such an application was pending.

The application and consequent orders and receipt for the money are on file in the Surrogate's office. This was in the beginning of March 1889.

In this case there has been no wrong done no default in payment made, no demand of payment and inability to pay no insolvency of the bondswoman or imputation of insolvency. The whole matter appears to have been directed by the animus of Thornton the Attorney and by his anxiety to give trouble in the hopes of obtaining a share of the Estate for his fees. The defendants seem to have been unnecessarily and unjustly

0609

5

dealt with, and the indictment ^{should} be dismissed and the defendants honorably discharged. If any one has suffered injury so far it is the bondswoman who without an administrator of the Estate has to wait now for the settlement of the estate to recover the five thousand dollars advanced by her for the Attorney's fees.

If any grievance existed in the mind of the administratrix the proper remedy was under the circumstances of this case by a civil and not by a criminal proceedings.

06 10

Mr Goff

Examine these

papers in the case

of People v

Mrs. Conover

John W. Brown

main in the

Office, & report

what you find

should be made

Confer with Gen

Wain & H. H. Jones

James Building

J. H. Jones

State of New York

City & County of New York s.s. W. Charles B. Thomben
being duly sworn says, he is an Attorney and Counselor at Law
of the Supreme Court of the State of New York and that he resides at
No 85 Cumberland street in the City of Brooklyn in the County of
Kings, that Anna Lowenstein of 133 East 79th street
swore before Justice Welde in the matter of the Bail of
in the matter John M. Glover and James A. Lowenstein
that she was the owner of Nos 10 and 12 Rutgers Place
in the City of New York and that said premises were
clear of any encumbrance, whereupon she was accepted
as Bondswoman and the said Glover and Lowenstein were
released on said Bail to await the action of the
Grand Jury.

Deponent further deposes and says that
at the time said Anna Lowenstein swore she owned said
premises. she was not the Record owner of said premises
and that said premises with adjoining property was subject to
a Mortgage of \$68,000 and that there was about
\$2,400 Taxes and water rates due upon said premises
10 and 12 Rutgers Place and No 10 Rutgers Place had
been sold to the City of New York for unpaid Water Rates.
Sworn to before me this
28th day of February 1889 } W. Charles B. Thomben.
William H. Thomben
Comptroller
City of New York

06 12

W. CHAS. B. THORNTON,
LAWYER,

No. 50 COURT STREET,

NOTARY PUBLIC.

BROOKLYN, N. Y.

0613

Fol.1 Before
a Police Justice of the City of New York.

The People of the State of New
York,

against

John M. Glover and Fannie A. Low-
enstein.

STATE OF NEW YORK,)
City and County of New York,) ss:

Emily J. Earle, being duly sworn,
says: that she resides at New Durham, Hudson County in the
State of New Jersey; that on May 10, 1887 by an order duly
made and entered by the Surrogate of the County of New York,
letters of administration were duly granted to her on the
Estate of William H. Sibley, deceased; and that she duly
qualified as such administratrix and entered upon the dis-
charge of the duties of such office; that about the time
above stated she employed John M. Glover and E. M. Neville
as attorneys to recover and secure for her as such adminis-
tratrix the goods, chattels and credits of said Estate; that
E. M. Neville as deponent is informed, died; that said John
M. Glover thereafter and about May 16, 1887 obtained an
order in the matters of said Estate from the Surrogate of
the County of New York upon the Chamberlain of the City of
New York to pay to this deponent or to him as the attorney
of this deponent as such administratrix aforesaid the sum of
\$11,096 80/100; that said John M. Glover without the knowl-

06 14

edge of deponent presented the said order to the Chamberlain of the City of New York on or about May 16, 1887 and received from the said Chamberlain upon said order the sum of \$11,095 ⁷⁵/₁₀₀ by check.

That said John M. Glover has ever since failed and neglected to inform this deponent that he had received the money above set forth. That on or about the said 16th day of May, 1887, the said John M. Glover, as deponent is informed and believes endorsed the check above set forth and together with one Fannie A. Lowenstine, a person wholly unknown to deponent and without the knowledge or consent of deponent, deposited the said check to their joint account with The Mercantile Trust Company of the City of New York and that thereafter, to wit: between May 16, 1887 and the 13th day of June, 1888, as deponent is informed and believes the said John M. Glover and Fannie A. Lowenstine by their joint checks have wrongfully and feloniously drawn said money so deposited as aforesaid "with the exception of about the sum of Fifty dollars" and have stolen, taken and have wrongfully and feloniously appropriated the same to their own use with intent to cheat, deprive and defraud this deponent and the heirs of the Estate of which deponent is the administratrix as aforesaid out of the moneys above set forth and in violation of Section 528 of the Penal Code.

That said John M. Glover has failed and neglected to pay over or account for said money after repeated demands made for the same, and the said John M. Glover and Fannie

06 15

A. Lowenstine keep their whereabouts concealed from deponent.

Sworn to before me, this

day of January, 1889

) Emily J. Earle

) John Thomas

Police Justice

06 16

District Attorney's Office,
City & County of
New York.

Jan 16. 1889

Hon J. Henry Swan
Justice

Dear Sir

Emily J Earle has
presented her complaint in
this office and in conformity
with rule it is referred to a
Police Magistrate for exami-
nation

I may say that Charles
B Thornton Counsel for the
complainant is a reputable
member of the bar whom
I take pleasure in introducing
to your Honor

Very Truly Yours

John W. Buff

Asst. Dist. Atty.

06 17

*Sec. 198-200

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty and
demand an examination
John M. Glover*

Taken before me this

day of *January* 1908

Police Justice.

06 18

Sec. 198—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty of the
Charge and demand for summary
Samuel A. Greenstein*

Taken before me this

day of *August* 1889

Police Justice.

06 19

Sec. 151.

Police Court. 11⁵² District.

CITY AND COUNTY
OF NEW YORK, }

ss.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by Emily J. Earle.
of Durham Hudson County New Jersey Street, that on the 16 day of May
1889 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 Eleven Thousand Ninety five 95/100 Dollars,
the property of in charge of Complainant as Administrator
w as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and
believe, by John W. Glover, and Samie A. Lowenstein

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 bodies of the said Defendant
and forthwith bring them before me, at the 1st 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 16 day of January 1889

John W. Glover POLICE JUSTICE.

0620

Police Court 1st District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Emily J Earle
vs.

John M Glover

Fannie Loewenstein

Dated Jan 16 1889

Gorman Magistrate

Walsh Officer.

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

Robt Walsh Officer.

Dated Jan 29 1889

This Warrant may be executed on Sunday or at
night.

Police Justice.

Warrant-Larceny.

Dated

John M Glover

52 yrs

W

US

Sawyer

m

W

120 1/2 m

Fannie A Loewenstein

25 yrs

W

US

H Keeper

S

W

1/3 279

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.

The within named.

0621

Surrogate's Court
County of New York.

-----X
In the matter of the administration
upon the goods, chattels & effects
of

William Henry Sibley dec'd.
-----X

To the Surrogate of the County of New York
The Petition of Emily J. Earle Respectfully shows
That William Sibley basket-maker residing & carrying on business at No. 238 Greenwich Street in the City of New York departed this life in or about the month of November 1827 intestate leaving him surviving one only child a son William Henry Sibley an infant. That Letters of Administration upon the estate of said William Sibley deceased were issued by the Surrogate of the County of New York to William Wilson, the father of your Petitioner on the 6th day of January 1828 Recorded in volume 23 of Letters of Administration page 266. That on Petition of Henry Boxer, an Uncle of your Petitioner & of said infant William Henry Sibley, said Administrator made his accounting and said Letters of Administration were revoked by an order made by said Surrogate on the 27th day of August 1833 Recorded in Volume 3 of orders page 424. That the principal remaining assets of said estate consisted of the unexpired term of a lease of said premises No. 238 Greenwich Street. That the Surrogate thereupon took charge of the said estate for the benefit of said infant William Henry Sibley & collected the rents of said premises And still holds the same as will appear from the books of account of

0622

said Surrogate. That said William Henry Sibley died in the month of April 1848, intestate, unmarried and without issue and that the only next of kin & heirs at law of said William Henry Sibley are his cousins Eliza A. Spaulding daughter of his uncle the above named Henry Boxer deceased, Alexander S. Forshay and James F. Forshay the children of his Aunt Lucinda Forshay deceased, William E. Wilson and your Petitioner children of another deceased Aunt, and William B. Wilson a son of George W. Wilson a deceased brother of your petitioner. All of full age and whose residences are all stated in the Petition for Administration herein to which reference is had. That all parties entitled to administration herein have renounced except Alexander S. Forshay & their renunciations are all on file in this Court.

That a Citation was issued to said Alexander S. Forshay & returned with proof of service thereof and on the return day of said Citation said Alexander S. Forshay failed to appear And an order was made directing Letters of Administration upon the estate of said William Henry Sibley deceased to issue to your Petitioner.

That the entire estate of said William Henry Sibley deceased consists of the said fund in the hands of the Surrogate and which with interest thereon amounts to the sum of Eleven thousand and ninety six 80-100 dollars as appears by the certificate of the Chamberlain of the City of New York also on file and that the same is now held by him.

Wherefore she prays that an order may be made by this Honorable Court directing the Chamberlain of the City of New York to pay to your Petitioner as Administratrix &c. of said William Henry Sibley deceased the entire fund held by him

0623

to the credit of this matter.

Mrs. Emily J. Earle

John M. Glover

Atty. for Petitioner

City & County of New York ss: Emily J. Earle being duly sworn says that she is the above named petitioner. That the foregoing Petition by her subscribed is true of her own knowledge except as to the matters therein alleged to be stated on information and belief and as to those matters she believes it to be true.

Emily J. Earle

Sworn before me this

20th day of April 1887.

Jas. H. Tobin

Notary Public

N.Y. Co.

0624

At a Surrogate's Court held at the
Court House in the City of New York
in and for the County of New York
on the 16th day of May 1887.

Present

Hon. Daniel G. Rollins,
Surrogate.

-----X

In the Matter of the adminis-
tration upon the Goods, Chattels
& effects of
William Henry Sibley dec'd.

-----X

On reading and filing the Petition of Emily J.
Earle whereby it appears among other things that the above
named William Henry Sibley died in the year 1848 intestate
unmarried and without issue and that the only next of kin
& heirs at law of said William Henry Sibley dec'd are his
cousins Eli za Spaulding, Alexander S. Worshay James F. Worshay
William E. Wilson & the above named Emily J. Earle & William
B. Wilson son of a deceased cousin George W. Wilson, and
it appearing by the certificate of the Chamberlain of the
City of New York that there is now in his hands to the credit
of this estate the sum of Eleven thousand and ninety-six
80-100 dollars and Letters of Administration having been
duly issued to said Emily J. Earle upon the goods &c of said
William Henry Sibley deceased- Now on Motion of John M. Glover
attorney for said Emily J. Earle it is Ordered that the
Chamberlain of the City of New York pay to said Emily J.
Earle administratrix of the goods chattels & effects of

0625

Form 61.

STATE OF NEW YORK,
City and County of New York, } ss.

I, JAMES F. McLAUGHLIN, Clerk of the Surrogate's Court of said County, do hereby certify that I have compared the foregoing copy of the instrument propounded as the last Will and Testament of William Henry Sibley deceased, in the matter of the estate of William Henry Sibley deceased,

with the original record thereof, now remaining in this office, and have found the same to be a correct transcript therefrom and of the whole of such original record.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of the Surrogate's Court, this day in the year of our Lord one thousand eight hundred and eighty-

James F. McLaughlin
Clerk of the Surrogate's Court.

0626

William Henry Sibley deceased or to John M. Glover her attorney the said sum of Eleven Thousand and ninety six 80-100 dollars held by him to the credit of the estate of said William Henry Sibley deceased with the interest accumulated thereon to date of such payment.

Dan'l G. Rollins
Surrogate.

No. 30.

SURROGATE'S OFFICE,

County of New York.

IN THE MATTER OF THE

E S T A T E

OF

William Henry Seelye

Deceased.

*Certified copy Return
to Order of*

Filed

of

188

0627

0628

to Mr. J. E. Gale, New York, N.Y.
Mr. J. E. Gale, New York, N.Y.
Mr. J. E. Gale, New York, N.Y.
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Mr. J. E. Gale, New York, N.Y.
Mr. J. E. Gale, New York, N.Y.
Mr. J. E. Gale, New York, N.Y.
Mr. J. E. Gale, New York, N.Y.

of March 7/89, I forward you the following list
of witnesses in the matter of the State
of New York, N.Y.
of March 7/89, I forward you the following list
of witnesses in the matter of the State
of New York, N.Y.

Very
Sincerely,
John D. Conway, Esq.

John D. Conway, Esq.

March 7/89

0629

In the Matter
of
Estate of Wm. H. Sibley, Dec'd

City and County of New York, ss:

Fannie A. Lowenstein of said City being duly sworn says that she is entirely unacquainted with Mrs. Emily J. Earle, the admx. of Wm. H. Sibley, dec'd and that she never saw her before the examination before Justice Welde in this matter. That deponent had known John M. Glover for many years and favorably before she went on the bond of Mrs. Earle in this matter. That she went on said bond at his instigation and request, and understood from him that he was entitled to half of the money received by the Estate as and for his fees. That the money rec'd was deposited by him and her voluntarily and without any order in the Mercantile Trust Co., That subsequently Mr. Glover desired to draw his fees and deponent refused to pay the same until the agreements entitling him to the same were produced. That they were so produced to her Counsel, and on advice therefore and at Mr. Glover's request she signed the checks allowing him to draw his fees. That deponent took charge of the balance of said fund belonging to the Estate, and has retained control of the same ever since, ready to pay

0630

2

the same when ordered to do so by the proper Court.
That no demand was ever made on deponent for said money,
nor anything done to cause her to produce the same, nor
any proceeding taken to her knowledge until the Warrant
was issued in this matter. That deponent is entirely
innocent of any criminal intent in this matter, and was
informed that Mr. Glover was entitled to his fees and
that she as bondswoman was the custodian of the balance
of the fund, which alone belonged to the Estate. That
deponent is informed and believes that Mrs. Earle is not
a resident of the State and is a person of no responsi-
bility whatever, and deponent should not be called upon
to pay the balance to her, unless released from her bond.

Sworn to before me this
7th day of February 1889

: Fannie A. Lowenstein
:

H. W. Allen

Place Justice

First District
Police Court

Emily J. Lane	}	Deputy Sheriff
0901		Theresa L. Lane
John McGowan and		John J. Lane
Fannie A. Loomis		February 4/1889
		Charged with
		Larceny

Emily J. Lane, the complainant being
duly sworn deposes & says

That she resides at

0 New Durham

Direct Examination

Q Do you know McGowan?

A Yes

Q How long have you known him?

A The day I went to the surrogate's court
was the first time I saw him.

Q And did you employ him?

A Yes

Q As what?

A As my attorney in the Abby Case.

Q And you can swear this lady Mrs. Loomis

0632

Q. Not until the other day. I saw her the
other day, my son done all the business
for me, and this man came to his
store every day annoying him and I
was the last one who signed the
paper, and he sent me a paper to
sign by my son as the administra-
tor, and I signed \$5000.00 for
him to do the business, and we made
an engagement to meet him in New
York at his office, and we met him
at Broadway and Bond Street, and
then we walked to the City Hall, and he
said he would get me appointed and
that Miss Truitt daughter of the Corpora-
tor was on Broadway and he was to
go on the bond, and that the surrogate
would order a reference and the money
would be paid to the heirs.

Q. Did you notify you that he had
received the money?

A. No Sir I never saw him since and
never could find him, I sent
postals to this lady and she refused

5

to see them, and I hunted everywhere for him, and could not find him I went myself to Liberty Street, where an uncle of mine the place I had been to, and I went to Mr. Hodge's office 150 Broadway, and they said they did not know where he was, that he left and nobody recognized him as being a lawyer, or having any place, and he would not answer any letters, and I kept repeatedly sending him letters of which you received any part of the money that Mr. Hodge received for the estate. A. M. D. is not a part of it.

Prof. Examination

By Mr. Raley

Q. How many heirs are there to this estate, about how many?

A. 9. seven

Q. You have met all of the people here you? all the heirs

A. Some of them not all, not the one in Boston, her son has been in to represent her.

0634

Q You are met the parties that the claim
is made on behalf, some of them?
A Yes Sir

Q Now about your recollection as a matter of fact
that with the exception of yourself that
all these heirs of this estate have signed
an agreement in writing with you
Glover?

A I am not aware of it

Q About your recollection as a matter of fact that
they did

A Yes Sir

Q Were you not present at such time when
such an agreement was made?

A Yes Sir

Q Was the agreement ever read to you?
A Yes Sir

Q Was it a fact that Mr. Glover was to
receive one half of the money received
from the heirs of this estate?

A Not that I know of

Q You want to say that there was not
such an agreement?

A No Sir I would not like to swear to

anything that we can say.

Q There is no suit pending against the
estate, is there?

A Objected to. By the Court Sustained
Exception.

Q Is there a suit pending against the
estate involving the entire amount?

A Objected to. By the Court Sustained Exception.

Q About you know Mrs Gore that she was
an order received by the surrogate authorizing
Mr Glover to withdraw this money
from the Chamberlain's office?

A No Sir I do not.

Q Did you ever communicate with Miss Bowen-
ston?

A I never saw her today until the other day
and this is the first time I saw her.

Q And that was right in this court?

A Yes Sir.

Q And that was after you made the
affidavit in complaint here?

A Yes Sir.

By Mr Oliver

Q Mr Glover was your attorney in this

0636

6

matter was he mad?

Ayeson said I agreed to give him \$200
dollars.

Q. Of your share with that the agreement?
Ayeson

Q. What percentage share do you get 1/6,
1/4, or 1/2.

A. There is 3. or 4. to it

Q. What share did you represent?

A. My own

Q. How much is it?

A. I think it is about a thousand dollars

Q. You agreed to give him \$200 of your share
didn't you?

Ayeson

Q. Was that out of your ^{retainer} share or not?

A. Out of my share.

Q. And did you make that agreement in
writing?

Ayeson I signed a paper for him that I
would pay him \$200 dollars when
he was all through, of course I
didn't have the money to give him
then!

Grand did you ask him anything about
Bardman?

A. No Sir I never asked him anything about
Bardman, he did he said he was
going to get Miss Smith and her sister to
join the band the day we moved to the
Dunstable house.

Q. You never was spending holidays in
Boston?

A. No is my cousin.

Q. He got the same share as you did?

A. No Sir, he got more.

Q. What arrangement did he make about
what he was to get from her for getting
her share?

A. I don't know anything about it.

Q. Do you know Miss Ransom?

A. She lives in Brooklyn.

Q. Was her share the same as yours?

A. She doesn't get anything her husband is
dead.

Q. And does her husband's representatives
get anything?

A. She has no children she is 70 years old

0638

8

and there are no children

Q. You don't know whether he would be willing
his share to anybody?

A. Very much.

Q. Yes.

A. He only willed his Long Island farm as to
any amount as long as she lives and when
she dies it goes to us.

Q. Mrs. Foster?

A. She is dead but she has two sons.

Q. What share do they get?

A. They get more than I do.

Q. Do you remember when you got those
letters of administration?

A. I never got them, I never saw him.

Q. Where was the money at the time you
were appointed administrator?

A. With the Mr. Chamberlain.

Q. Who gave the order for it?

A. The surrogate.

Q. On whose petition?

A. Mine.

Q. And do you remember what you re-
turned for in that petition?

0639

9

A. The petition is there to show, for itself ? -
to pay more.

The Examination of this witness is suspended
for

John T. Perrin you being duly sworn
deposes and says: Called for the paper
you have in your hands;

A H. Remick Smith

Q. and you are a clerk in the surrogate's
office;

A. Yes Sir.

Q. Do you recognize this petition as one shown
you? (showing witness)

A. Yes Sir I do.

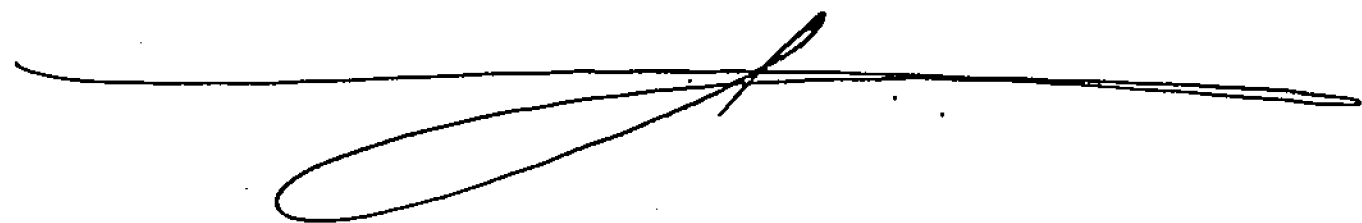
Q. And is that the original copy now
in file in your office?

A. Yes Sir.

Q. Now at this time would you say if that is
the original copy now on file in the
surrogate's office?

A. It is it is dated May 16th 1887

Admitted in evidence and marked
Plaintiff's Exhibit A & B. certified
copies of same to be filed with the
court.



0641

William Lord Jr being duly
sworn deposes & says

That is your account?

A Deputy Chamberlain

Will you produce if you please an order
served upon the Chamberlain from the
surrogate in the matter of the estate
of William Stibley

A It is the same order

Will you also produce the receipt

It is admitted that the money was received
and signed to be Mylons attorney
(without reading) May 17 - 1887

The estate of William Stibley received
May 17 1887 by Order of surrogate
dated May 16 1887 \$11095 $\frac{7}{10}$ dollars
being amount of fund herein less
Chamberlains commissions adjudged
to Emily J. Cook administratrix & to
Mylons attorney

Whereas the check that was received and
paid?

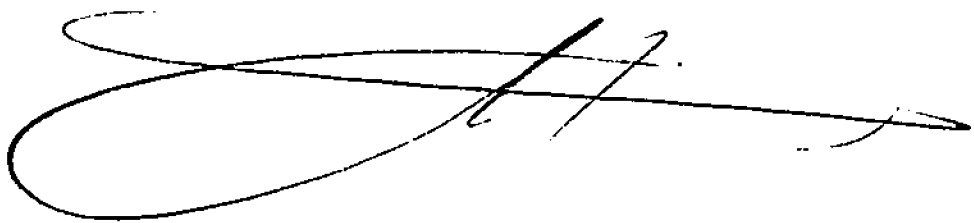
A Yes sir (producing check)

What is the check that was paid over to

0642

12

Given on that receipt is it
Process and returned to the Chamberlain's
office from the mercantile trust com-
pany with its endorsement, ^{deposited} Mercantile
Company to credit of John M. Glover
& Sammie A. Pomeroy, John M. Glover
attorney.



Edward Mason being duly sworn deposes
and says:

By the Court

Gather a very good

A 346 E 412 in Linn

Q/What is your business?

A Bonheur Mercantile Trust Company

St. Edwards

Off Stage as our Mr. Lyman W. Briggs

A. D. 1890. 1891. 1892. 1893. 1894. 1895. 1896. 1897. 1898. 1899. 1900. 1901. 1902. 1903. 1904. 1905. 1906. 1907. 1908. 1909. 1910. 1911. 1912. 1913. 1914. 1915. 1916. 1917. 1918. 1919. 1920. 1921. 1922. 1923. 1924. 1925. 1926. 1927. 1928. 1929. 1930. 1931. 1932. 1933. 1934. 1935. 1936. 1937. 1938. 1939. 1940. 1941. 1942. 1943. 1944. 1945. 1946. 1947. 1948. 1949. 1950. 1951. 1952. 1953. 1954. 1955. 1956. 1957. 1958. 1959. 1960. 1961. 1962. 1963. 1964. 1965. 1966. 1967. 1968. 1969. 1970. 1971. 1972. 1973. 1974. 1975. 1976. 1977. 1978. 1979. 1980. 1981. 1982. 1983. 1984. 1985. 1986. 1987. 1988. 1989. 1990. 1991. 1992. 1993. 1994. 1995. 1996. 1997. 1998. 1999. 2000. 2001. 2002. 2003. 2004. 2005. 2006. 2007. 2008. 2009. 2010. 2011. 2012. 2013. 2014. 2015. 2016. 2017. 2018. 2019. 2020. 2021. 2022. 2023. 2024. 2025. 2026. 2027. 2028. 2029. 2030. 2031. 2032. 2033. 2034. 2035. 2036. 2037. 2038. 2039. 2040. 2041. 2042. 2043. 2044. 2045. 2046. 2047. 2048. 2049. 2050. 2051. 2052. 2053. 2054. 2055. 2056. 2057. 2058. 2059. 2060. 2061. 2062. 2063. 2064. 2065. 2066. 2067. 2068. 2069. 2070. 2071. 2072. 2073. 2074. 2075. 2076. 2077. 2078. 2079. 2080. 2081. 2082. 2083. 2084. 2085. 2086. 2087. 2088. 2089. 2090. 2091. 2092. 2093. 2094. 2095. 2096. 2097. 2098. 2099. 2100. 2101. 2102. 2103. 2104. 2105. 2106. 2107. 2108. 2109. 2110. 2111. 2112. 2113. 2114. 2115. 2116. 2117. 2118. 2119. 2120. 2121. 2122. 2123. 2124. 2125. 2126. 2127. 2128. 2129. 2130. 2131. 2132. 2133. 2134. 2135. 2136. 2137. 2138. 2139. 2140. 2141. 2142. 2143. 2144. 2145. 2146. 2147. 2148. 2149. 2150. 2151. 2152. 2153. 2154. 2155. 2156. 2157. 2158. 2159. 2160. 2161. 2162. 2163. 2164. 2165. 2166. 2167. 2168. 2169. 2170. 2171. 2172. 2173. 2174. 2175. 2176. 2177. 2178. 2179. 2180. 2181. 2182. 2183. 2184. 2185. 2186. 2187. 2188. 2189. 2190. 2191. 2192. 2193. 2194. 2195. 2196. 2197. 2198. 2199. 2200. 2201. 2202. 2203. 2204. 2205. 2206. 2207. 2208. 2209. 2210. 2211. 2212. 2213. 2214. 2215. 2216. 2217. 2218. 2219. 2220. 2221. 2222. 2223. 2224. 2225. 2226. 2227. 2228. 2229. 2230. 2231. 2232. 2233. 2234. 2235. 2236. 2237. 2238. 2239. 2240. 2241. 2242. 2243. 2244. 2245. 2246. 2247. 2248. 2249. 2250. 2251. 2252. 2253. 2254. 2255. 2256. 2257. 2258. 2259. 2260. 2261. 2262. 2263. 2264. 2265. 2266. 2267. 2268. 2269. 2270. 2271. 2272. 2273. 2274. 2275. 2276. 2277. 2278. 2279. 2280. 2281. 2282. 2283. 2284. 2285. 2286. 2287. 2288. 2289. 2290. 2291. 2292. 2293. 2294. 2295. 2296. 2297. 2298. 2299. 2300. 2301. 2302. 2303. 2304. 2305. 2306. 2307. 2308. 2309. 2310. 2311. 2312. 2313. 2314. 2315. 2316. 2317. 2318. 2319. 2320. 2321. 2322. 2323. 2324. 2325. 2326. 2327. 2328. 2329. 2330. 2331. 2332. 2333. 2334. 2335. 2336. 2337. 2338. 2339. 2340. 2341. 2342. 2343. 2344. 2345. 2346. 2347. 2348. 2349. 2350. 2351. 2352. 2353. 2354. 2355. 2356. 2357. 2358. 2359. 2360. 2361. 2362. 2363. 2364. 2365. 2366. 2367. 2368. 2369. 2370. 2371. 2372. 2373. 2374. 2375. 2376. 2377. 2378. 2379. 2380. 2381. 2382. 2383. 2384. 2385. 2386. 2387. 2388. 2389. 2390. 2391. 2392. 2393. 2394. 2395. 2396. 2397. 2398. 2399. 2400. 2401. 2402. 2403. 2404. 2405. 2406. 2407. 2408. 2409. 2410. 2411. 2412. 2413. 2414. 2415. 2416. 2417. 2418. 2419. 2420. 2421. 2422. 2423. 2424. 2425. 2426. 2427. 2428. 2429. 2430. 2431. 2432. 2433. 2434. 2435. 2436. 2437. 2438. 2439. 2440. 2441. 2442. 2443. 2444. 2445. 2446. 2447. 2448. 2449. 2450. 2451. 2452. 2453. 2454. 2455. 2456. 2457. 2458. 2459. 2460. 2461. 2462. 2463. 2464. 2465. 2466. 2467. 2468. 2469. 2470. 2471. 2472. 2473. 2474. 2475. 2476. 2477. 2478. 2479. 2480. 2481. 2482. 2483. 2484. 2485. 2486. 2487. 2488. 2489. 2490. 2491. 2492. 2493. 2494. 2495. 2496. 2497. 2498. 2499. 2500. 2501. 2502. 2503. 2504. 2505. 2506. 2507. 2508. 2509. 2510. 2511. 2512. 2513. 2514. 2515. 2516. 2517. 2518. 2519. 2520. 2521. 2522. 2523. 2524. 2525. 2526. 2527. 2528. 2529. 2530. 2531. 2532. 2533. 2534. 2535. 2536. 2537. 2538. 2539. 2540. 2541. 2542. 2543. 2544. 2545. 2546. 2547. 2548. 2549. 2550. 2551. 2552. 2553. 2554. 2555. 2556. 2557. 2558. 2559. 2560. 2561. 2562. 2563. 2564. 2565. 2566. 2567. 2568. 2569. 2570. 2

Of these on checks in your possession drawn
against the joint account of John &
Gloria and Fannie Lieberstein;

E. J. here there (3)

I wish you could see them!

(Further enclosing sheets)

Q. when was this account of John & John
and Gamme & Loewenstein opened?

A May 17 - 1883

of said report amount was received from
a \$1109.75 - balance

of Carry on state upon what that was &
Answer

Q How much of that account is still standing to the present?

A By 4th. there was no addition to the deposit a little interest increased the account.

Q How much was they drew out of the bank by these?

A \$11,000 or thereabouts

Q What was the increased interest?

Answer

Q In drawing the money out, was it drawn on the joint order of John McGowan and James A. Greenstein?

A That I cannot tell it should have been done so.

Q And these checks you recognize them?

Answer

Q And they were drawn against this account?

Answer

Q To whom were the checks delivered?

A I don't know, the book was balanced on August 19.

Admitted in Evidence & Found Ex. & W.

0645

15-

Truly I am Released
By Mr. Allen

Q There was never a settlement made of
this estate in the surrogate office
was there?

A Yes Sir

Q You are also a statement in the office
ago in which you said Mr. Allen
provided this security without your
knowledge is correct?

A That is correct and that is in State Prison
and this woman, I don't want her
I wanted Miss Truitt who was the one
I was to love.

Q You didn't provide any bondsmen
yourself?

A Yes Sir

Q And what were you to give him for the
bondsmen?

A \$500 dollars, what I signed the paper.

Q That was for getting the bondsmen?

A And then I gave up bonds, so mostly
that I was wanted get my Truitt
who was worth a hundred thousand

down in the same name. And further
 down doing business.

Q. He did not do it, did he?
 A. Yes.

Q. Had you seen him the next day?
 A. No, I never saw him.

Q. Had you come to the city the next day?
 A. Yes.

Q. How long after you became administrator
 did you come to the city to see him?

A. Not until I found out about the
 money.

Q. When was it?

A. Three months before I knew about the
 money.

Q. And then you came to see him?
 A. Yes, but I never saw him.

Q. Where did you go to?

A. Liberty Street 92 to No. Broadway Fulton
 Street and several other places.

Q. That was three months since?

A. Yes, but he sent me another paper
 then to sign that I was to disavow
 being an administrator after I was

17

one, he invited me to sign that paper
 of which I ever said him in writing or
 otherwise or fill any paper of any
 kind, name or nature whatever that
 you did not desire him to be your
 attorney in this matter any more?
 A I never did

Q And up to this present date he is your
 attorney in this matter?

A No I don't consider he is now.

Q Has he been removed by any order of the
 Court?

A He has removed himself

Q Has any motion been made for his
 removal or substitution as your
 attorney in this matter?

By the Court. It is not necessary for
 you to answer that question
 Exception

Q Do you state your attorney in fact?

By the Court. You don't need to answer.
 Exception

Q Does or ever apply to the Court to have him
 compelled to pay you any money?

0648

18

in this matter, in the surrogate Court.
- I ask you again since the entry of
that order that was produced here today
has any order been made on John
Mellon to pay you that money?
Aressi, my son came to me and
demanded it of him.

John M.

Aressi I never saw him but one day
and we went to the surrogate Court.
and I never saw him since until
I saw him in this surrogate Court.

By Mr. Casey.

Q. Did you ever make any demand on Miss
Lorenstein?

Aressi because she would never see
anybody, people have been there and
could not get in a girl of 14 years of
age came to the door and said she
was not in. I expected to see an
old lady.

Q. Did you go to this lady's house?

Aressi I never did go in.

Q. You went to her house about 4 or 5

0649

19

Answer:

As a matter of fact you were made
any demand on her personally at
all during the war?

Answer:

U

0650

50

William F. Earl bringing duty from
deposits today

Q. Where do you reside?

A. New Haven, Conn.

Q. What is your business?

A. Metropolitan Hardware Company

Q. The company named Quinn & Earl is your
partner?

A. Yes sir.

Q. Do you know John McGowan?

A. I know him well better than my partner
does.

Q. Do you know this body (referring to the defen-
dant) Loewenstein?

A. I never saw him until the other day.

Q. Did you call on John McGowan?

A. Many times.

Q. Where?

A. 125 Broadway. He also offered to see him
going up in the bus and I told him
how he acted and what wrong things
he did. I cannot say how long ago it
was to the best of my knowledge it
was somewhere around a year.

I am not positive about it

Q How often have you seen him since you knew him?

A Probably 50 times in my store.

Q Did you see him after your mother had learned that the money had been stolen from the Chamberlain's office?

A Yes sir was at 191 Broadway

Q Did you have a conversation with him then?

A Yes sir I told him what was the matter

with setting up the money to get it

and showed him settled it up and what

kind of a way he carried that of doing

business and he said there was a note

to be settled up and he wanted me to

compromise it and I said well then

that is on and I wanted to know what

he would give and I said nothing and

I said you might as well look for

a thousand dollars as to have that

note settled

Q Did you get any money from him?

A None received a cent not a penny

Q Did you call at the house of the woman

0652

32

Amosii

By Mr. Miller

Q You say that he came to your store many times?

Amosii

Q Do you remember whether he told you to say to your mother and relations that this estate was a very difficult one to get at?

A No he never the less was not on friendly terms.

Q Didn't tell you that?

A No he never did.

Q Didn't tell you on account of the far relationships of the plaintiffs that it would be difficult to have bonds men? and to get all the parties altogether that it would be a great expense to do it?

Amosii

Q Did you personally make any agreement on behalf of your mother as to the amount that she was to give?

A I did.

0653

23

If you are authorized by your master to
make any arrangement about getting
a bondman and the amount that
was to be paid to your master?

A bymaster never wanted anything to
do with this gentleman and when I
went home with the papers my master
would not sign them or have anything
to do with the man.

If someone should take arrangements for
getting a bondman paying away
money out of the estate for a bondman
planning in New Jersey and not
being able to get \$2000 dollars bonds
was there or at something promised to
him if he could get the bondman?
Answer, he did borrow money to furnish
the bondman without any trouble
all that he had to do was to get the
money

Paula and Marion passed on the porch
after the people being duly sworn deposed
and depose

Q And you are sure of this?

A Yes, well enough by John R. Brown

Q And you are sure of this?

A I am sure of this before.

Q And you are sure that he has been arrested?

A Yes Sir

Q And you are sure of this?

A Yes Sir I do not.

Q And you are sure of this?

A Yes Sir

Q And you are sure of this?

A Yes Sir

Q And you are sure of this?

A Yes Sir

Q And what was your object in coming there?

A To see him

Q And your object in coming there was to demand

the money for my father my aunt

Q And you are sure of this?

A Yes Sir

A Yes Sir

0655

55-

of anyone else more than one

A. J. Reed & Truice

of at the time you passed there were you in
company with anybody else?

A. With you

100 ft to Tammall

No questions to ask

Ex. adj. to Wednesday 3:00 pm Oct 10 am

Wednesday February 6th 10 am

Examination Resumed

Mr. Reedy

I move for the dismissal of
the complaint as against Tammie
A. Lawrence, first on the ground that
there is no privity of contract between
the administration and the defendant
Lawrence.

Secondly because it has been clearly
shown that there has not been any
reconnecting made in the surrogate
office or the estate of Sibley which
is the subject matter of this complaint.
Third That no demand was ever

made on this trip Loewenstein for any
of the moneys or moneys belonging to
the estate, and on the further ground
that by reason of a suit pending against
the estate which if successful would
absorb the entire assets of the estate
and miss Loewenstein being security
for the entire estate she would be
compelled to pay it over, and that the
criminal action was prematurely
brought against Miss Loewenstein
By the Court Motion Denied
Perpetual Exemption
Mr Rosey I want further examination
for the defendant Loewenstein
Mr Miller I want further examination
for the defendant Glover
Jose closed

0657

Bond renewed April 9/89

down entry in
\$500 for each

BAILED

No. 1, by James J. Sullivan
Residence 193 East 99th Street.

No. 2, by James J. Sullivan
Residence 193 East 99th Street.

No. 3, by James J. Sullivan
Residence 193 East 99th Street.

No. 4, by James J. Sullivan
Residence 193 East 99th Street.

No. 5, by James J. Sullivan
Residence 193 East 99th Street.

No. 6, by James J. Sullivan
Residence 193 East 99th Street.

Police Court... 232
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Emily J. Fale
never known
John M. Glover
James J. Sullivan

Offence Larceny
felony

Dated Dec 7 1889

James J. Sullivan
Magistrate.

James J. Sullivan
Officer.

James J. Sullivan
Witnesses.

James J. Sullivan
Witnesses.

James J. Sullivan
Witnesses.

James J. Sullivan
Witnesses.

James J. Sullivan
Witnesses.

James J. Sullivan
Witnesses.

James J. Sullivan
Witnesses.

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

John M. Glover and James J. Sullivan

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of fifty 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 July 6 1889 James J. Sullivan Police Justice.

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

Dated July 9 1889 James J. Sullivan Police Justice.

There being no sufficient cause to believe the within named James J. Sullivan guilty of the offence within mentioned, I order he to be discharged.

Dated July 9 1889 James J. Sullivan Police Justice.

0658

Dated 188 Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 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.

W. 232 District.
Police Court---

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Andy J. Earle.
never Durham
Andrew G. W. G.
John W. Glorvick.
Tammie A. Souther.

Bond renewed April 9/89
same court
\$5000 for each

BAILED
No. 1, James A. Souther
Residence 193 East 99 Street.

No. 2, by James A. Souther
Residence 193 East 99 Street.

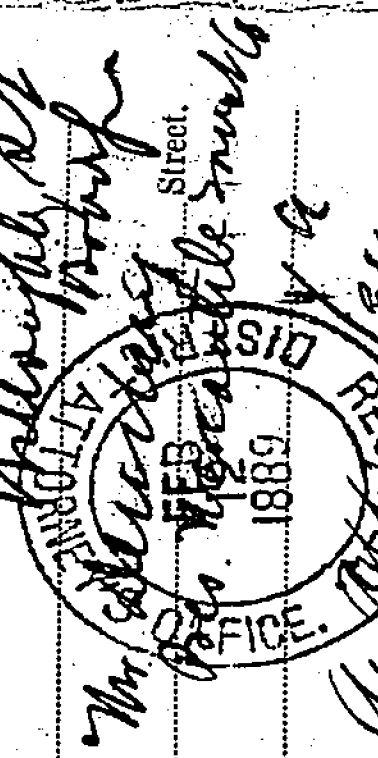
No. 3, by James A. Souther
Residence 193 East 99 Street.

No. 4, by James A. Souther
Residence 193 East 99 Street.

Dated January 1889
Magistrate.
James A. Souther
Officer.

Witnesses
W. E. Earle
W. E. Earle
W. E. Earle

No. 1 Street 193 East 99
No. 2 Street 193 East 99
No. 3 Street 193 East 99
No. 4 Street 193 East 99



RECEIVED
FEB 1889
OFFICE OF THE DISTRICT ATTORNEY
14 Feb. 2 89

0659

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

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

of the crime of *Grand Larceny in the 3rd degree*

committed as follows:

The said

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

