

0062

BOX:

71

FOLDER:

788

DESCRIPTION:

Padula, Louis

DATE:

06/08/82



788

WITNESSES.

13th
~~10th~~
Day of Trial,
Counsel,
Filed 8 day of June 1882
Pleads *Not Guilty (G)*

THE PEOPLE
vs.
Louise Padula P.
By [Signature] Foreman
JOHN McKEON,
District Attorney.

Felonious Assault and Battery.

A True Bill.

Wm. H. [Signature] Foreman.
July 12th
Chief of Convicted and
Received County Jail July 14th
S.P. 5 years. 1/4

0063

0064

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

THE PEOPLE OF THE STATE OF NEW YORK
against
Louis Padula

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

Louis Padula
of the CRIME OF "Assault and Battery upon another with a deadly weapon with intent to kill," committed as follows:

The said *Louis Padula*

late of the City of New York, in the County of New York, aforesaid, on the
Twenty Sixth day of *May* in the year of our Lord
one thousand eight hundred and eighty *two* with force and arms, at the City and
County aforesaid, in and upon the body of *John Lorenzo*
in the peace of the said people then and there being, feloniously did make an assault
and *him* the said *John Lorenzo*
with a certain *knife*
which the said *Louis Padula*

in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound with
intent *him* the said *John Lorenzo*
then and there feloniously and wilfully to kill, against the form of the Statute in such
case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT.

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

Louis Padula
of the CRIME OF "Assault upon another, without justifiable or excusable cause, with a
sharp dangerous weapon, with intent to do bodily harm," committed as follows:

The said *Louis Padula*

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid,
with force and arms, in and upon the body of the said *John Lorenzo*
then and there being, wilfully and feloniously did make an
assault and *him* the said *John Lorenzo*
with a certain *knife* which the said *Louis Padula*

in *his* right hand then and there
had and held, the same being then and there a sharp, dangerous weapon, wilfully and
feloniously, and without justifiable and excusable cause, did then and there beat, strike,
stab, cut and wound, with intent to then and there wilfully and feloniously do bodily
harm unto *him* the said *John Lorenzo*
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 McKEON, District Attorney.

0065

Testimony in the case

of
Louis Padula

filed June

1982

41
 The People } Court of General Sessions, Part I
 vs Louis Padula } Before Judge Lewis. July 12. 1882
 Indictment for felonious assault and battery.

John Lorenzo, sworn and examined through the interpreter testified as follows:

Now ask him where he lives? No 174 Mulberry st. Ask him if Padula cut him upon the 26th of May in this city? Yes sir, I do not know the date exactly. Was it in the month of May? He says he does not recollect what day it was; it is in the paper; the police took the date and everything. Ask him how long ago was it, a month or two? About two months ago. Now ask him how he cut him, to tell the facts? He cut him in the wrist, in the finger and on the head; he owed him four dollars for rent for four months.

What did he cut him with? With a knife, the policeman has the knife. By the Court. Cut him in the head and cut him in the wrist? Yes sir. By Mr. O'Byrne. Is that the knife? (Knife produced) Yes sir, that is the knife. He owed him four dollars rent; he lived in my place, and we agreed that he should pay a dollar a month rent and he owed me for four months, and I asked him for

the money and he would not pay me; he commenced quarreling and then ^{he} cut me. Cross Examined. How long have you been acquainted with this man? I knew this man for nine years. [Counsel: I cannot get at the facts to enable me to cross examine the witness.] By Mr. O'Byrne. Ask him if there was a witness that saw this? A woman. Lucy Lopardo, sworn and examined through the interpreter testified as follows. By Mr. O'Byrne. Now ask her if she saw this stabbing? Yes sir. Now let her tell what she saw? First she said the old man hit this man twice in the face. By Counsel. Who is the old man? The complainant hit this man twice in the face. They had a quarrel first and they called names to each other and then the old man hit him in the face twice. By Mr. O'Byrne. With his fist? With his fist slapped him in the face and then they quarreled again and the old man was about to strike him again and all at once and then he came with a knife and hit the old man. Cross Examined. Where were they at the time? It was in the evening in the room where they lived. In the room

where the prisoner lived? The prisoner and the other; they all lived in the same room. That is what he owed him a dollar for sleeping in the room.

Court Louis Padula, sworn and examined in his own behalf testified as follows. By the Court Ask him to explain to this jury all about it? It was in the evening; the old man was drunk. There was no question about the rent, and he hit me twice in the face. With his fist? Yes sir, he hit me once here on the cheek and once on the forehead. I gave him two blows back where he struck me. With the fist? Then he left the room; he said that he commenced to say that he will go for a policeman, and I do not know where he got cut, I did not see anything more. He did not cut him at all? No, he said there are witnesses in the yard who cried out that he is dead. I did not say "dead," some one in the yard. I did not have that knife and I did not cut him. Ask him if that is his knife (knife shown to the witness). There was several knives in the room, I do not know one knife from another. He does not know whether that is his knife or not?

I do not know. There are several knives in the room, I do not know if it is mine or not. By Mr OByrne. Ask him how long he has been out of State prison? About three or four years.

The jury rendered a verdict of guilty of assault and battery with intent to do bodily harm.

The prisoner was remanded for sentence.

0070

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

476 1st 68
Police Court District.
THE PEOPLE, &c.,
ON THE COMPLAINT OF
John V. Jones
Luigio Padulo
1 _____
2 _____
3 _____
4 _____
Dated *May 29* 188 _____
Charles Davis Magistrate.
14 _____
Clerk.
Witnesses, *Lucia Infante*
No. *174 Mulberry* Street,
No. _____ Street,
No. *112* Street,
\$ *1000.* Street,
1882
DISTRICT ATTORNEY
Grand

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 *Luigio Padulo*

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

Dated *May 29* 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0071

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

1st District Police Court.

Luigio Padula

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.

Luigio Padula

Question. How old are you?

Answer.

34 Years

Question. Where were you born?

Answer.

Italy

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

Answer.

174 Mulberry Street & about 8 months

Question. What is your business or profession?

Answer.

Rag picker

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 of the charge
and having nothing more to say
beyond that the Complainant
struck me a couple of times upon
my face*

*Luigio X Padula
made*

Taken before me this

day of May

1887

John J. Patterson

Police Justice.

0072

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK

Form

POLICE COURT—FIRST DISTRICT.

John Lorenzo
of No. 174 Mulberry Street, being duly sworn, deposes and says,
that on the 20th day of May 1882

at the City of New York, in the County of New York, he was violently and feloniously assaulted and
beaten by

Luigi Padula

now present

That said Padula did wilfully
and maliciously cut and
wound deponent upon his
head and left wrist with
and by means of a certain
knife and sharp dangerous
weapon which the Padula
then and there held in his
hand

Deponent believes that said injury, as above set forth, was inflicted by said

Luigi Padula

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

Wherefore this deponent prays that the said assailant may be apprehended, and dealt with accord-
ing to law.

John Lorenzo
May

Sworn to, before me, this

day of

Police Justice.

0073

BOX:

71

FOLDER:

788

DESCRIPTION:

Petit, John

DATE:

06/28/82



788

0074

BOX:

71

FOLDER:

788

DESCRIPTION:

Lord, Edward

DATE:

06/28/82



788

0075

BOX:

71

FOLDER:

788

DESCRIPTION:

Baily, John

DATE:

06/28/82



788

0076

1879
Trial for
Counsel, J. H. Haines
Filed 28 day of June 1882
Pleads Not Guilty - July 13/82

THE PEOPLE
vs.
John J. Petit
Edward C. Dowd
John C. Bailey
L. B. D.

Indictment for Disorderly House.

~~CAMEL C. ROLLINS,~~
~~ATTORNEY AT LAW~~
John McKean
District Attorney.

A True Bill.

RECEIVED
JUL 13 1882
FOREMAN
ATTORNEY'S OFFICE

W. B. B. & Co.
Henry M. B. & Co.
336 Broadway

0077

Court of General Sessions of the Peace of
the City and County of New York.

THE PEOPLE OF THE STATE OF
NEW YORK,

The Grand Jury of the City and County of New York by this indictment accuse
John J. Petit, Edward C. Lord
and John C. Bailey
of the crime of *keeping and*
maintaining a disorderly house
committed as follows:

The said *John J. Petit, Edward C. Lord*
and John C. Bailey
late of the ~~City~~ *City* of the City of New York, in the County of
New York, on the *first* of *May*
A.D. one thousand eight hundred and eighty *two* and on divers other days
and times, between that day and the day of the taking of this Inquisition, at the City
and Ward, and in the County aforesaid, did keep and maintain, and yet continue to
keep and maintain, a certain common, ill-governed and disorderly house, and in
their said house, for *their* own lucre and gain, certain persons, as
well men as women, of evil name and fame, and of dishonest conversation, to frequent
and come together, then and on the said other days and times, there unlawfully and
wilfully did cause and procure, and the said men and women, in *their*
said house, at unlawful times, as well in the night as in the day, then and on the said
other days and times, there to be and remain, drinking, tippling, gambling, rioting,
disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully,
did permit, and yet continues to permit, to the great damage and common nuisance of
the People of the said Ward, there inhabiting and residing, and of all the people there
passing, to the evil example of all others in the like case offending, and against the
peace of the People of the State of New York, and their dignity.

~~JOHN MCKEON~~ JOHN MCKEON
~~BENJ. K. PHELPS~~ BENJ. K. PHELPS, District Attorney.

0078

DR. C. E. CAMPBELL,
314 EAST 18TH STREET,
NEW YORK.

New York June 7/82

This is to certify that I
was called to see Mr. Wolf
of 250. Ave. A. about 8 P.M.
Monday evening and
found him suffering
from an incised wound
the inch long and run
with deep in the left-
axillary region.

Have seen him twice since
then and think he will
be all right in a few
days. if pleuritis does
not set in as a complica-
tion.

W. D. Long M.D.
314-2 18th St -

Who are the owners of Numbers 125, 132, 144, 154, 156, 160, 162, 164 Wooster Street between Prince and Houston?

Wooster St.

		Residence
132	Henrietta Hecht ✓	138 E. 74 th St.
144	James G. Moffet ✓	161 W. 44 th St.
154	James Mc Giffert ✓	Hudson - N.Y.
156	William H. Van Vorst ✓	59 Liberty - 302 Union St.oklyn
160	Elizabeth Meriquet ✓	
162	Estate of Chas. Gould ✓	Leased by J. Richards - 65 W. Houston
164	Ellen Rhines	49 W. 51 st St.

There is no No 125 Wooster St., but it may be 127 Prince cor of Wooster - owned by Charles G. Shaw.

Mrs. S. Bauer ✓ is agent for Mr. James Mc Giffert. Her address is 173 Wooster.

Mr. Nathaniel Roe is agent for Mr. Van Vorst; his office is at 194 Varick.

New York 25th May 1882.

0000

John C. Bailey
(Agent) 50 East 4th St.

John F. Pettit
59 Beaver St.
(there are 2 No 59)

Edward C. Lord
(supposed address)
Merrimack N.H.
Executor of the estate
of Cornelia Livingston.

008-1

COUNTY OF NEW YORK, ss.

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

An indictment having been found on the 28 day of June

188 2 in the Court of General Sessions of the Peace, of the County of

New York, charging

with the crime of

John C. Kelly - Edward C. Ford and
Keeping Disorderly House,

You are therefore Comanded forthwith to arrest the above named defendants

and ~~then~~ bring ~~him~~ before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver ~~him~~ into the custody of the Keeper of the
City Prison of the City of New York, or if ~~he~~ require it, that you take ~~him~~ before any Magistrate
in that County, or in the County in which you arrest ~~him~~, that ~~he~~ may give bail to answer the
indictment.

City of New York, the 28 day of June 188 2

By order of the Court,



Clerk.

0082

N. Y. General Sessions of the Peace

THE PEOPLE
OF THE STATE OF NEW YORK,

against
John J. Pettib
Edward C. Lord
John C. Bailey

223-225-227 West 8th St

Bench Warrant for Misdemeanor.

Issued

June 28th 1882

Arrested John C. Bailey
July 6th 1882 -

Detective Reilly
Adams

☒ The defendant is to be admitted to be bail
in the sum of _____ dollars.

John J. Pettib
59 Beaver St
There are two #59

John C. Bailey (agent)
50 East 4th St

Edward C. Lord
supposed address
Morris town Ct. D.

Lord is Executor of the
Estate of Cornelius Livingston

0083

Police Department of the City of New York,

Precinct No. *8*New York *May 31st* 1889

Wm John M. Ford
 District Attorney
 Sir

In reply to the communication forwarded by you, relative to Houses of Prostitution in vicinity of Wooster & Wooster Streets. I most respectfully state that the lower portion of a number of the Houses in that locality are occupied by reported prostitutes, who conduct themselves in a quiet manner, making no public parade of their calling. The upper portion of the Houses referred to, are occupied by families, and no doubt the children attached to, are those belonging to the families residing in the upper portion of said Houses. The school mentioned in your communication, is situated on the block above, namely between Wooster & Albee Streets, while the Houses mentioned, are between Prince & Wooster Streets.

Respectfully

Charles M. Donnell
 Captain 8th Precinct

00084

New York June 19th 1882
 To the Grand Jury
 Gentlemen

I wish to call your attention to houses
 of ill fame, on the block between 3d & Bleeker St
 on Wooster. ^{Numbers 223, 225, and 227} The inmates of the houses by their obscene
 language and actions, and their soliciting men passing
 the windows, annoy all the respectable people living
 in the neighborhood. Their obscene talk can be
 heard by people living across the street from them,
 and decent people that have to live in the neighborhood
 (Having leased their houses by the year) seemingly must
 have to be scandalized by these actions and talk
 and now appeal to you to remedy this evil.
 Enclosed you will find signatures of decent people
 living in the neighborhood who are willing to
 testify to the character of the inmates of those
 disorderly houses.

Respy Yours

John Taylor 228 Wooster

Signatures -

H. Behrmann	221	Moost St
H. Parker	211	Wooster St.
M. Hoffmann	203.	Wooster St.
John Redblood	205	Wooster St.
Henry Simpson	266	Bleeker St.
Frederic Luzzat	207	Wooster St.
E. Henry Anderson	215 219	Wooster St.

0085

COUDERT BROTHERS,
COUNSELLORS AT LAW,
68 & 70 WILLIAM STREET,
P. O. BOX 2559,
NEW YORK.
PARIS: 3 RUE SORBIERE.

N. Y. May 25th 1882

Paul Fuller,
James Richards.

My dear Mr McKen,

The reputable French residents who live in the neighborhood of Wooster, Prince and Houston Streets, complain very bitterly that that part of the city is openly and notoriously infested by prostitutes. They send me a list of the houses which these women occupy and in which they ply their business. The scandal is very much aggravated by the fact that there is a public school in that quarter of the town, and that the little boys and girls become familiar with vice at that early age, and, indeed, are on very friendly terms with the inmates. Can you not do something to stop this? I send you a list of the houses complained of, and also the names of the owners which I have taken from the records. The persons who make the complaint to me say that there will not be any difficulty whatever in furnishing proof, if needed.

Please let me know if I can be of any assistance, and I will very cheerfully do so.
Yours truly
J. R. Coudert

P. S. They called upon me partly because

0006

232

they are old clients of mine, and partly, too, because they were under the impression that being a member of the Board of Education it was my duty, and it might be within my power to remedy this abuse.

Hon John McKean
District Attorney
New York.

McL May 23, 12

Dec 23

Respectfully offered
to Capt. J. M. McDonald
John McKean

0087

BOX:

71

FOLDER:

788

DESCRIPTION:

Pfoffler, Anthony

DATE:

06/12/82



788

0000

WITNESSES.

Indy
Day of Trial, *400 R. 25th*
Counsel, *Belmont*
Filed *June* day of *1882*
Pleads *July 13*

THE PEOPLE

vs.
Anthony Paffer
16. 2nd 8th
614 2nd 8th

Felonious Assault and Battery.

JOHN McKEON,
District Attorney.
22nd 28, 1882
Trid & convicted 20m
A True Bill *30*
Sentence suspended
John McKeon Foreman.

0089

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

THE PEOPLE OF THE STATE OF NEW YORK

against
Anthony Pfaffler

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

Anthony Pfaffler

of the CRIME OF "Assault and Battery upon another with a deadly weapon with intent to kill," committed as follows:

The said

Anthony Pfaffler

late of the City of New York, in the County of New York, aforesaid, on the
fifth day of *June* in the year of our Lord
one thousand eight hundred and eighty *two* with force and arms, at the City and
County aforesaid, in and upon the body of *Casper Wolf*
in the peace of the said people then and there being, feloniously did make an assault
and *him* the said *Casper Wolf*
with a certain *knife*
which the said *Anthony Pfaffler*

in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound with
intent *him* the said *Casper Wolf*
then and there feloniously and wilfully to kill, against the form of the Statute in such
case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT.

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

Anthony Pfaffler

of the CRIME OF "Assault upon another, without justifiable or excusable cause, with a
sharp dangerous weapon, with intent to do bodily harm," committed as follows:

The said

Anthony Pfaffler

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid,
with force and arms, in and upon the body of the said *Casper Wolf*

then and there being, wilfully and feloniously did make an
assault and *him* the said *Casper Wolf*

with a certain *knife* which the said *Anthony Pfaffler*

in *his* right hand then and there
had and held, the same being then and there a sharp, dangerous weapon, wilfully and
feloniously, and without justifiable and excusable cause, did then and there beat, strike,
stab, cut and wound, with intent to then and there wilfully and feloniously do bodily
harm unto *him* the said *Casper Wolf*
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 McKEON, District Attorney.

0090

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

Police Court- District 4

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George Moll " 257 Ave. C.

Anthony Gaffler

Offence, Felonious Assault & Battery on Casper Moll

Dated June 6, 1882

Arthur H. Bickley Magistrate.
John Jennings Officer.
Clerk.

Witnesses, George Moll

No. 257 Ave. C. Street

Street Michael

No. 577 East 15th Street,

No. _____ Street,
\$ _____
JUN 10 1882
OFFICE

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 Anthony Gaffler

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

Dated June 6, 1882 R A Rixby Police Justice.

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

Dated _____ 1882 _____ 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 _____ 1882 _____ Police Justice.

009-1

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

DISTRICT POLICE COURT.

Anthony Paffler 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. Anthony Paffler

Question. How old are you?

Answer. 16 years

Question. Where were you born?

Answer. New York

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

Answer. 614 East 13th Street. 12 months

Question. What is your business or profession?

Answer. Soap presser

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. a boy named burman had a fight with Casper Wolf. now. (not the complainant) and after the fight Casper Wolf and a boy came to me and asked for his hat and the boy struck me. I did not cut or stab Casper Wolf. it was a boy named Bernard Hanley who cut him. Hanley told me he cut the man

Taken before me, this

6th

day of

June 1888

Anthony Paffler
R. J. Rix
Police Justice.

0092

Police Court—Fourth District.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK,

of No. 250 Avenue A,

on Monday the

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

being duly sworn, deposes and says, that

and feloniously
he was violently ASSAULTED and BEATEN by

Anthony Pfaffler, (nowhere)

who did wilfully and feloniously
cut and stab the said Casper
Wolf on the left side of his
Casper's body and also on the
arm of said Casper with a
knife which he Pfaffler then
and there held in his hand.

and after the said Anthony had cut the
said Casper, the said Anthony said
I cut him twice and I will give
him the third if he don't take care
of himself. deponent has reason to
believe that said Anthony did
so cut and stab the said Casper

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

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

Sworn before me, this

of June

6th day

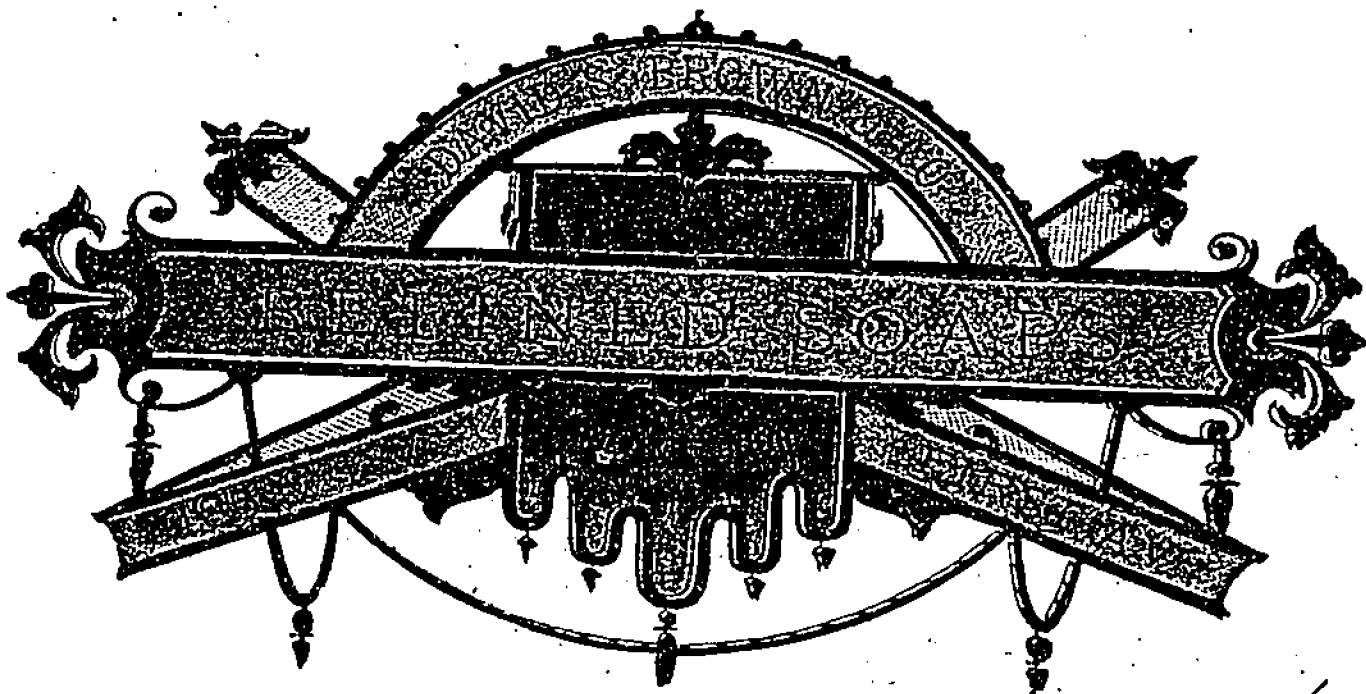
1892

R. W. Price

Police Justice

George Wolf

0093



DAVID S. BROWN,
DELAPLAINE BROWN.

New York, June 30th 1852

Anthony Raffler was in our
employ nearly a year, we always
found him very quiet and attentive
to his duties.

David Brown

0094

City & County of New York Co.

Jacob Kniebel of 50 East
15th Street being duly sworn
says that he saw a
difficulty last Monday
evening in 16th Street
at which time Casper
Wolf was cut.

Dependent did not
see Mr. Wolf cut but
dependent saw Anthony
Pfaffler there, having
a knife in his hand
and heard him say I
gave it to him twice

Sworn to before
me this
7th day of
June 1882

Jacob Kniebel

B. S. R. R. R.

Police Justice

0095

BOX:

71

FOLDER:

788

DESCRIPTION:

Moses P,Phillips

DATE:

06/27/82



788

Baileys by
James M. Collins
Montgomery

7000

The complaint on this
case having been withdrawn
and the Defendant having
failed to the party whose
summit was took a portion
of the sum but I ask the
leave of the Court for
the discharge of Defendant
as his own attorney was not
the party whose money was
is a second request of same
October 17. 1882 J. M. Collins
and J. M.

X Bill noted. (All June 27)

11

Day of Trial,

Counsel,

Filed 27 day of June 1882

Pleads

Wm. J. Bailey (Aug 14/82)

THE PEOPLE

vs.

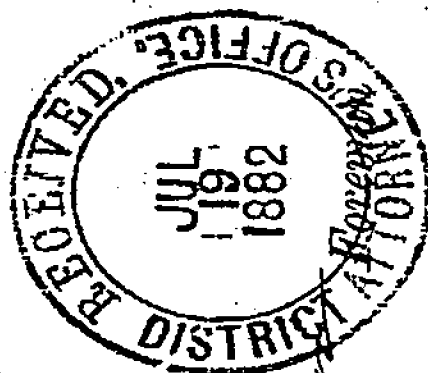
Montgomery

Moses D. Phillips

JOHN McKEON

Dis. Atty.

A TRUE BILL.



0097

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Moses P. Phillips

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

Moses P. Phillips

of the CRIME OF dealing at a Banking Game called Faro where money was dependant on the result committed as follows:

The said

Moses P. Phillips

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

unlawfully did deal and act as dealer at a certain Banking Game called Faro where money was dependant upon the result, against the form of the statute in such case made and provided and against the peace of the people of the State of New York, and their dignity

John McKean

District Attorney

City and County of New York s.s.

Thomas H. Cruise being duly sworn deposes and says that in August, eighteen hundred and eighty one, at Saratoga in the State of New York, Moses P. Phillips, then residing at Number three hundred and eighteen East Forty second Street in the City of New York, and now of the City of Chicago, State of Illinois took from this deponent by means of fraud the sum of Fifteen hundred dollars.

That subsequently and in September of the same year, the said Moses P. Phillips took from this deponent by such fraud as aforesaid the further sum of one thousand dollars, at a house number one hundred and forty five west forty-sixth Street in the City of New York.

That in the month of October in said year eighteen hundred and eighty one, one Samuel Briggs otherwise known as, Babcock and by various other names, of the said City of New York took from this deponent by such fraud as aforesaid

the sum of Two thousand and fifty dollars.

That in both instances the money so taken by said Phillips and Briggs was lost in gambling at places for that purpose, and to which places, deponent was induced to go by such Phillips and Briggs.

That this deponent resides at the town of Wappinger, Dutchess County in the State of New York, and is at present stopping at the Grand Union Hotel in the City of New York.

Sworn to before me this
21st day of June 1882
Hugh Donnelly
Notary Public
N.Y.C.

Rev. R. Cress.

0100

225

bill order

Shadoff

0 10 1

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Moses L. Phillips

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.~~

New York, Oct 17. 1882

Thos. K. Cross

0102

BOX:

71

FOLDER:

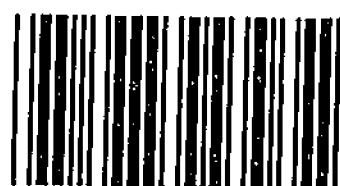
788

DESCRIPTION:

Post, William W.

DATE:

06/27/82



788

0103

BOX:

71

FOLDER:

788

DESCRIPTION:

Allen, Edward B.

DATE:

06/27/82



788

M. I. Barberby
Smith Ely Jr.
103 Good St.

M. I. Barberby
Henry J. Allen
237 C. H. St.

Grace Fowler
257 Broadway
Will Cove
1882

Day of Trial, *June 27*
Counsel, *Chas. H. H. H.*
Filed, *27* day of *June* 1882
Pleeds, *Not guilty (Oct 18)*

THE PEOPLE

vs.
B
William W. East
B
Edward S. Allen

Returning goods & services

JOHN McKEON,

District Attorney.

*Ordered to be paid
by the Court for trial
A True Bill.*

*July 25th Del. did not appear
Quorum for July 28th*



*July 28th Del. did not appear
Quorum for July 28th*

75

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 W. Post &
Edward B. Allen

The Grand Jury of the City and
County of New York, by this indictment
accuse William W. Post and Edward
B. Allen of the crime of Obtaining Goods
by means of False Pretences, committed
as follows:

By a certain contract bearing date
the thirteenth day of May, eighteen
hundred and eighty, made by and
between John Harrison, George L. Har-
rison, Junior and Thomas L. Harrison,
trading under the firm name of
Harrison Brothers and Company,
parties of the first part, and the City
Chemical Company, a corporation
created by and under the laws of
the State of New York, party of the
second part, the said City Chemical
Company, amongst other things

agreed to sell and deliver to said Harrison Brothers and Company its entire production of aqua ammonia at certain prices specified in said contract, and varying according to the different degrees of strength of the aqua ammonia manufactured and delivered; the said City Chemical Company further agreed in and by said contract to put up the aqua ammonia manufactured by it in such packages as said Harrison Brothers and Company should direct, and to charge for such packages at the ruling market prices; And the said The City Chemical Company in and by said contract further agreed to store for said Harrison Brothers and Company without charge up to, but not exceeding one thousand carboys of said aqua ammonia in packages prepared for shipment; And the said Harrison Brothers and Company in and by said contract agreed whenever one thousand dollars worth of the said The City Chemical Company's product

of aqua ammonia should be made under said contract, and be ready for delivery, that they, the said Harrison Brothers and Company would accept on presentation the draft of said The City Chemical Company for that amount payable at ninety days with interest at six per cent per annum for forty five days.

On the sixteenth day of October, eighteen hundred and eighty, and for a long period prior thereto, the said William W. Post was the Treasurer of said The City Chemical Company, and the said Edward B. Allen was the President thereof, and said William W. Post, and Edward B. Allen were then the sole managers of the business of said Company.

And the said William W. Post and Edward B. Allen, late of the First Ward of the City of New York, in the County of New York aforesaid, on the sixteenth day of October, in the year of our Lord one thousand eight hundred and eighty, at the

Ward, City and County aforesaid, with force and arms, with intent feloniously to cheat and defraud the said John Harrison, George L. Harrison, Junior, Thomas L. Harrison, trading under the firm name of Harrison Brothers and Company, did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend and represent to said Harrison Brothers and Company, and to Clifford Pemberton then and there being the agent of said firm:

That the said The City Chemical Company had, since the ninth day of October eighteen hundred and eighty made and added to said Harrison Brothers and Company's stock of aqua ammonia in store with said The City Chemical Company the following quantities, to wit:

Two thousand and ninety-six pounds of aqua ammonia, eighteen degrees strength, of the value of Fifty-six dollars and ninety cents.

Twelve thousand seven hundred and five pounds of aqua ammonia, twenty degrees of strength of the value of Four hundred and sixty-one dollars and nineteen cents; and

Five thousand, five hundred and eighteen pounds of aqua ammonia, twenty-six degrees of strength of the value of Three hundred and fifty two dollars and forty six cents;

And that said aqua ammonia was packed in two hundred and twenty four carboys of the value of Two hundred and eighty dollars; and that the said aqua ammonia and carboys were then actually on hand, in possession of the said The City Chemical Company, ready to be delivered to the said firm of Harrison Brothers and Company upon its demand.

And the said John Harrison, George L. Harrison, Junior, and Thomas L. Harrison, then and there believing the said false pretences and representations so made as

0110

aforesaid by the said William W. Post and Edward B. Allen, and being deceived thereby, was induced, by reason of the false pretences and representations so made as aforesaid, to deliver, and did then and there deliver to the said Edward B. Allen and William W. Post a certain draft of the said The City Chemical Company for the payment of money drawn upon the said firm of Harrison Brothers and Company in the words and figures following that is to say:

\$1.100. #

New York Octo 16th 1880

Ninety days after date, Pay to the order of City Chemical Co. Eleven Hundred Dollars, value received & charge the same to account of
To Harrison Brothers & Co
Philadelphia, Pa
City Chemical Co.
Edward B. Allen Presd.

\$1.100 #

together with a certain written instrument, written on the face thereof to wit: an acceptance of said draft, by the said firm of Harrison Brothers and Company with the signature of said firm of Harrison

0111

Brothers and Company thereto,
which said written instrument
is as follows:

Payable at the
First National Bank

Harrison Brothers & Co
and the said Edward B. Allen and
William W. Post did then and there
designedly receive and obtain the
said signature of the said firm of
Harrison Brothers and Company
to the said written instrument
by means of the false pretences
and representations aforesaid and
with the intent thereby feloniously
to cheat and defraud the said
John Harrison, George D. Harrison
Junior and Thomas L. Harrison

Whereas in truth and in fact be-
tween the said ninth day of
October and the sixteenth day of
October in the year aforesaid the
said City Chemical Company had
not manufactured and added to the
said Harrison Brothers and Com-
pany's stock of aqua ammonia
two hundred and twenty-four
carboys of aqua ammonia, but

in truth and in fact only one hundred and sixty-two carboys of aqua ammonia had been so manufactured and added to the said stock during the said time.

And Whereas in truth and in fact the said amount of five thousand five hundred and eighteen pounds of aqua ammonia, twenty-six degrees of strength of the value of Three hundred and fifty two dollars and forty-six cents, and no part thereof had been so manufactured and added to said stock during said time.

And Whereas in truth and in fact the said last mentioned aqua ammonia and the said carboys were not then actually on hand in the possession of the said The City Chemical Company ready to be delivered to the said firm of Garrison Brothers and Company upon its demand.

And Whereas, in truth and in

fact, the pretences and representations so made as aforesaid, by the said William W. Post and Edward B. Allen to the said Harrison Brothers and Company was and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City and County aforesaid.

And Whereas, in fact and in truth the said William W. Post and Edward B. Allen well knew the said pretences and representations so by them made as aforesaid to the said Harrison Brothers and Company to be utterly false and untrue at the time of making the same.

And so the Grand Jury aforesaid, do say, that the said William W. Post and Edward B. Allen, by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly, did receive and obtain from the said Harrison Brothers and Company the said

signature to the said written instrument with intent thereby feloniously to cheat and defraud the said John Harrison, George S. Harrison, Junior and Thomas S. Harrison, 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 McKeon,
District Attorney.

fact, the pretences and representations so made as aforesaid, by the said William W. Post and Edward B. Allen to the said Harrison Brothers and Company was and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City and County aforesaid.

And Whereas, in fact and in truth the said William W. Post and Edward B. Allen well knew the said pretences and representations so by them made as aforesaid to the said Harrison Brothers and Company to be utterly false and untrue at the time of making the same.

And so the Grand Jury aforesaid, do say, that the said William W. Post and Edward B. Allen, by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly, did receive and obtain from the said Harrison Brothers and Company the said

Redfield, Hill & Lydecker,
Law Offices,
20 Nassau Street.

People v. Post

New York, Aug 30th 1883

John O'Byrne Esq.
Spt. Dist. Atty,
Dear Sir,

The above case was set
down for Sept 1. at the time
it came on the cal. in June
last. We write to inquire
whether it will be on the cal.
on Monday next?

Our Mr. Hill is at present
away on his vacation and as
he has had sole charge of the
case, we shall have to ask
a little indulgence on your
part, in case it should
be placed on the cal. for next

0117

week, until such time as he
may return, which we hope
will be before the 10th inst.

Kindly favor us with an
early reply & oblige

Yours very truly

Redfield Hill Hydecker

0118

TORN PAGE (S)

0119

LAW OFFICE
OF
HORACE W. FOWLER,
257 BROADWAY.

The People
N Y Post & E Ballou }

NEW YORK May 14 1882

Dear Sir:

It must be quite four months
since the Commission was issued to take
testimony in London in this case.

Has it yet been returned? If not, can
you do something to force on the trial

Yours truly
Horace W. Fowler

John O'Byrne Esq.

People

^m
Post & Pallan

Put the case
on the calendar
during the month
of October there
is no interest
of hearing the
corruption return

W. W. W. W.

June 1 83

W. W. W. W.

267 Monday

0 12 1

New York Nov. 8. 1883

Hon: John McKean, Dist. Atty

My dear Sir

May I beg your special examination
of the case of Wm W Post indicted for False Pretences,
whose trial is fixed for next week. I am ^{confident} ~~convinced~~
that such an examination will convince you that no
conviction is possible or desirable, and that the
only result of the trial will be to involve you and
the country in unnecessary trouble labor and expense
and ^{unjustly} degrade the defendant. Sincerely Yrs
Smith Ely & Co.

0122

REDFIELD, HILL & NYECKER.
Redfield & Hill,
Law Offices,
20 Nassau Street.

New York, October 19th 1883

The People vs W. W. Post
on Complaint of Harrison Bed.
Jm Jno McKeon
Dist Atty

Dear Sir

Agreeably
to my conversation with you a
day or two since I have conferred
with Mr Fowler Counsel for Com-
plainant, who says that he
can be ready for trial by about
the middle of Nov^r - the time I
named to you. He thinks the
case can be tried in a day.
I feel sure that it cannot
be - tho. I incline to think,
in reference to my estimate
of a week was too much.

You say? sending it to Ogden
& Tammier - That will
be quite agreeable to us.

Very Truly

Wm. H. Hill

Michael Crowen - I reside at 421 E. 18th St.
 our old Engineer. I worked for the City Chemi-
 C^o. in North Moore St. N. of City in 1880. I
 cannot tell the exact day I went there. It
 was in the early part of the summer and I
 left ~~the~~ 4 days before the Election of President
 in that year. I worked there in October 1880.
 John Black & I made the ammonia and when
 the batches which I made were ready to run
 into Carboys I weighed the empty Carboy, filled
 it & weighed it again & put the net weight
 down in his book. marked "Stock Memorandum".
 The Col^{rs}. on page date Oct 16th except the first
 & the two last. That is the 2nd, 3rd, & 4th are in
 my writing. All the ammonia which I made
 weighed was entered in that book. All the
 ammⁿ: made on the premises was weighed &
 entered in that book. Looking at the book today
 there was no ammⁿ: of 26th strength made
 during the week under date 16th Oct. When I
 had finished a batch I usually took the book
 into the office. Sometimes Allen would fetch
 the book. Sometimes W. W. Post. I have seen
 W. Post look at the book frequently. I used
 to weigh out 1000 lbs of Sulphate and about
 an equal weight of lime to make 1700 or 1800
 lbs of ammonia of 20th strength. That weight
 of material would make a little more

0124

Mass. 1800 lb of 18° of strength.

John Black. I am an Engraver. I live at 545
10th Avenue. I went to work for the City Chemical
Company at their place of business in North
Boore St. New York City in the early part of July
1880. I worked for them as Engraver. I worked
for them up to the end of the year. It was a part of
my duty to make the aqua ammonia produced
at the Works. I worked during the day one week
and the following week during the night.

Michael Craven was the other Engraver and
worked opposite weeks to me. During the time
I worked there, no other men but Craven and
myself made the ammonia. Only two batches
of ammonia could be made in 24 hours, one by the
day Engraver the other by the night Engraver. As
the ammonia was ~~not~~ cooled so as to run off. I
tested the batch made by me so as to ascertain the
strength, and then began to run it into the
bottles called "Carboys". I weighed the empty
carboy then filled & weighed it, and entered
the net weight in the Book. called "Stock Memorandum".

The column under the head Oct 1st is in my hand-
writing, and represents a batch of ammonia of 26[°]
strength. The figure 3 over the 3rd col. represents
the 3rd day of Oct. 1880. There was not any amm.
of 26[°] strength in the time represented by the pages
marked "9" and "Oct-16". - If there had been
it would have been entered. All the aqua

ammonia I made and weighed was put in that book. I used to see Mr. W. W. Post at the works every day. He used to come in and look round. I have seen him with the book in his hands looking at it. I once saw Mr. Post just outside the office and heard him say there would be hell to pay when Harrison Brothers found them getting money and there wasn't stuff for them. It would be about a month before the works were shut down that I heard him say this.

The first thing in a morning when Post came in he would ask me how I had got along & what had been done during the night. I would tell him & he would also see the book. I cannot say but that Post looked at the book every day. I am sure he saw it every day. The first col. on page marked 16th Oct is my writing.

About 1000 lbs of sulph. & 1000 lbs of lime was used to get 1800^{lb} of 20° strength Amm.

Motion granted.

Wm. J. G.

Not in time

Commissioner of
Revenue of

Albert Van Wagner
London E.

City of
General Division Office
of the City of N. Y.

The People vs

William W. Post &
Edward J. Allen

Defendants
Affidavit of
motion for committal

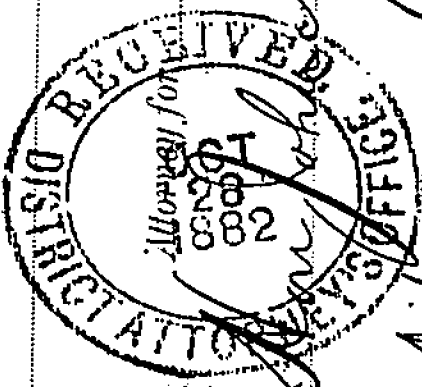
REDFIELD & HILL,

Attys for defts
W. W. Post
20 NASSAU STREET,
NEW YORK.

Due service of a copy of the within

is hereby admitted.

Dated, N. Y., this day of 188



To
Attorney for
City of N. Y.

Fil. Court of General Sessions of the Peace
of the City & County of New York.

The People of the
State of New York
= agt =
William W. Post &
Edward B. Allen.

Sir:

Take notice that on the affidavit of which a copy is herewith served, and on the indictment, and all the papers and proceedings in this cause, the undersigned will move the Court, at a term thereof to be held at the Trial Term Room of said Court at No. 32 Chambers Street in the City of New York on the 30th day of October 1882 at 10 o'clock in the morning of said day, or as soon thereafter as counsel can be heard to grant a commission in this action directed to some suitable and proper person to be named by said Court, for the examination on oath of Eugene E. Post now in London England as a witness herein on behalf of the defendant William W. Post in this action, upon interrogatories to be annexed thereto, and that the trial of this action be stayed until the return of

0129

such commission, and for such other relief
as may be just.

Yours &c

John L. Hill

Counsel for the deft
N^m N. Post

To

Hon John M. Keon

District Attorney

for the City & County of New York

Folio 1

Court of General Sessions of the Peace
of the City & County of New York

The People of the State
of New York

against
William W. Post and
Edward B. Allen

City & County of New York } for

William W. Post being

duly sworn deposes and says,

I. That he is one of the defendants
in the above entitled action.

2- II. That the said action is founded
upon an indictment found by the
Grand Jury of the City and County of
New York and now pending against this
deponent together with Edward B. Allen
the other defendant in said action,
for the alleged offense of obtaining goods
by means of false representations.

1 III. That said indictment so found as
afore said charges that this deponent to-
gether with said Allen obtained from a
certain firm of Harrison Brothers Company
an alleged acceptance or draft for a sum
of money or the signing thereof, by means

3

of an alleged false statement or representation as to the amount of certain goods known as aqua ammonia that had been made and added to the stock of said Harrison Bros & Co by a certain Company named the City Chemical Company, of which Company this deponent and said Allen were at that time the alleged Secretary and Treasurer and the alleged President, respectively, under a certain alleged contract then existing between said Company and said firm of Harrison Brothers & Company.

IV That this deponent has fully and fairly stated the case in this action to John L. Hill who is his Counsel in this action and who resides at No 158 South Portland Avenue in the City of Brooklyn N. Y. and that he has a good and substantial defense on the merits to this action, as he is advised by his said Counsel after said statement made as aforesaid and verily believes to be true.

V That at the date of the alleged offense so charged as aforesaid, deponent was holding the position of Secretary and Treasurer pro. tem. of said City Chemical Co. during the absence of Eugene E. Post who was then and still is the per-

2

5- maent Secretary and Treasurer of
 said Company, in England, upon business
 connected with the affairs of said Com-
 pany.

6- VI. That upon the trial of this action
 and for the purpose of proving the
 alleged intent with which this deponent
 and said Allen obtained the alleged
 draft or acceptance or signing thereof
 from said firm of Harrison Bros & Co
 upon the alleged false statement or rep-
 resentations, evidence will probably
 be attempted to be offered of collateral acts
 of an alleged similar nature, and the
 condition of the affairs of said City Chem-
 ical Co, prior to and after the date of
 the alleged offense as well as the
 manner of conducting the business of
 said Company and the value and ef-
 ficiency of the property and patented
 process of said Company for manufacturing
 said aqua ammonia will likewise prob-
 ably be brought in question for the same
 purpose, as this deponent is also advised by
 his said Counsel after said statement so made
 as aforesaid, and verily believes.

3- VII. That said Eugene E. Post has been from
 the incorporation of said City Chemical Co,
 and still is the regularly elected and

7

Permanent Secretary and Treasurer of said Company and has always been actively engaged in performing the duties appertaining to said offices, except during the few weeks when he was absent & when deponent held said offices pro. tem. as aforesaid and except during the interval that has elapsed since said Company ceased to manufacture said aqua ammonia and to carry on their regular business.

8

That both prior to the date of said alleged offense and afterwards said Eugene E. Post was in frequent communication with and had repeated interviews with said Harrison Bros & Co. or with their representative or representatives in New York City upon matters of business between said City Chemical Co. and themselves and concerning transactions occurring about the alleged time of said alleged offense & to some extent touching the alleged deficiency out of which said charge of fraud has arisen.

9

That moreover said Eugene E. Post together with said Allen had entire charge of the performance & carrying out by said City Chem. Co. of their part of said alleged contract between said Harrison Bros & Co & said Company during & throughout the continuance of said contract, except while he (Eugene E. Post) was absent in England as aforesaid when said Allen alone had charge thereof which absence was for a little longer than two months while said contract covered a period of over six months to deponents best recollection, knowledge & belief.

That moreover said Eugene E. Post was present & performing his regular duties in connection with said Company when the officers & trustees

of said Company were first notified by said Harrison Bros & Co. that the latter claimed a deficiency of goods made and added to their stock as aforesaid by said Company and together with said Allen and deponent had repeated conversations & interviews with said Harrison Bros & Co. relating to said claim and was likewise present and concerned in various transactions had between the officers & trustees of said Company & said Harrison Bros & Co. relating to said claim & said alleged deficiency.

10

VIII That deponent has fully and fairly stated to his said counsel the facts which he expects to prove by said Eugene E. Post: that said Eugene E. Post is a material & necessary witness for this deponent for his defense on the trial of this action, as he is advised by his said counsel after such statement so made as aforesaid and verily believes: and that without his testimony this deponent cannot safely proceed to ^{the} trial of this said action as he is also advised by his said counsel after his said statement so made as aforesaid and verily believes.

4

IX That said Eugene E. Post resides at Central Valley Orange County, ^{N.Y.} but is now and for a long time prior to deponent's

11 Knowledge of said indictment was and has been ever since such knowledge in the City of London England engaged in conducting a private business enterprise and likewise in settling & closing a business matter in the interest both of said Company & of said Harrison Bros & Co. where he will remain for some time as deponent is informed by letters & cables lately received by him from said Eugene E. Post, and will not return in time to attend the trial of this cause.

X. That deponent has entered a plea of not guilty of the offence so charged in said indictment as aforesaid.

12 XI. That deponent had no knowledge or information of said indictment until Monday October 16. 1882 although the same purports to have been found by said Grand Jury during the June 1882 term. Deponent having been almost constantly at his residence or place of business during the period between said dates. That owing to the professional engagements of his said counsel and the absence of said counsel from his office deponent has been unable to consult with him concerning this action until the 24th of October 1882. That on the morning of the 24th inst

& before deponent had been able to consult
 his said counsel as aforesaid this action
 13 was called upon the calendar of this Court
 & was set down for trial on Tuesday the
 31st of October 1882. as deponent is informed
 & verily believes & that due diligence has
 been used by deponent & his said counsel
 attorney in preparing this motion for
 the earliest practicable day.

XII. That no previous application
 has been made by this deponent or by any
 one in his behalf in this action for the
 relief herein applied for.
 Sworn to before me this }
 28th day of October 1882 } William W. Post
 A. R. Angell
 Notary Public
 N.Y. Co.

0-137

City Chemical Co

Statement to Dec 15" (at which time Complete Stock was taken)

Memo Carboys

Carboys bought 2830
 " returned 1390
4220

Actual deliveries to H.B. Co 3146
 Stock Dec 15 675
 Empty Cbys on hand 408
4229

They claim - as per weekly reports - to have put in Stock for our use 5136
 Empty Cbys on hand 408 5544
1315

Shortage

Memo Sulfate

Bought & used to Dec 15 280,000 lbs
 Equivalent (taken on basis of their actual Make since Sept 1") to about 3734 cbys

Actual deliveries 3146
 Stock Dec 15 675
3821

They claim to have made - as above - 5136
1315

Shortage

By their Workmen Stock Book
 May Made since Sept 1" 1309 cbys

By their weekly reports
 They claim to have Made 2412

Showing Shortage since 9/1 1103

90 lbs to a carboy on the av.

0-138

R. dined.

Sulphate bet to Sept 1 182000 lb.
 Equiv to say 2740 carboys
 Sulphate since Feb 1 98000 lb.

Actual deliveries to Sept 1 1225
 Stock " " 1497
2722

Actual No. Carboys made since Sept 1 1309
 claims above made " " 2712

0139

District Attorney's Office.

PEOPLE

vs.

Carminie Gatto
150 Chatham St.

0140

Ryer & Tamm
District Attorney's Office.

PEOPLE

vs.

Past & Allen

John L. Hill

Temple Court

notified by letter

for Thurs Feb 28/84

0141

DISTRICT ATTORNEY'S OFFICE.

New York, Nov 14 1885

People

Post

Allen

This case was to be
put on the calendar without
my being informed of it.
Allen was to be
used as a witness.

M. K.

0142

REDFIELD, HILL & LYDECKER.
Redfield & Hill,
Law Offices,
20 Nassau Street.

People's Post

New York, Nov 9th 1883

Dear Mr. McLean

You kindly say
that you tho't that you wd
send this case to the Dyke
& Ferriman. This to me
personally seems too in-
convenient ago. Will it
go there? Shall I get
ready and go for
where? Shall I call
to arrange?

The plan sup'd and
sent me -

Very truly

Wm. Lydecker

Counsel for Dyke

Hon. Mr. McLean.

Wm. Lydecker a note some day
sent to this office

0143

Pedro

is

Part & Allen

Monetary of goods & services

The People &c
 against -
 William W. Post and
 Edward B. Allen

In May 1880 Messrs Harrison Brothers & Co. entered into a contract with the City Chemical Company by which Harrison Brothers & Co. were to buy the entire production of Aqua Ammonia, manufactured by the City Chemical Co. at the following prices:

16 degrees	Aqua Ammonia	at	$2\frac{13}{100}$	cents per lb.
17	"	"	$2\frac{50}{100}$	"
18	"	"	$2\frac{75}{100}$	"
20	"	"	$3\frac{63}{100}$	"
22	"	"	$4\frac{38}{100}$	"
26	"	"	7	"

Barrels or other packages to be charged Harrison Brothers & Co. at the ruling market prices.

The Aqua Ammonia to be stored by the City Chemical Company until called for by Harrison Brothers & Co.

Whenever \$1000 worth of the product was made and ready for delivery Harrison Brothers & Co. were to accept City Chemical Company's drafts for that amount payable in 90 days.

Certified copy of City Chemical Company's Certificate of Incorporation will be produced and original contract

between City Chemical Company and Harrison Brothers & Co. in proof of the foregoing statements.

W. Pemberton the agent can testify generally to who are the partners in Harrison Brothers & Co. - Do you want other evidence?

For some time previous and subsequent to the offence alleged in the indictment, as well as at the time of the offence, the defendants were the officers and managers of the affairs of the City Chemical Company.

(W. Pemberton will testify to this fact).

The course of business between the City Chemical Co. and Harrison Brothers & Co. was this.

The Company would every week send to the New York House of Harrison Brothers & Co. a report stating the amount of Aqua Ammonia made by the City Chemical Co. during the preceding week. These reports were generally in this form substantially.

"We have made and added to your stock of Aqua Ammonia in store here since our last report - Carboys of - ° &c."

These reports were presented to the branch of Harrison Brothers & Co. in this City with the drafts and herefrom Harrison Brothers & Co. delivered their acceptances for the amount of money required (Proved by W. Pemberton).

These reports were all in the handwriting of W. Allen. The drafts or acceptances were all received by William W. Post. (Proved by W. Pemberton and by Mr. Langmuir a clerk).

In December, 1880 Harrison Brothers & Co. discovered

that these reports had over-stated the amount manufactured, and in stone some 1315 Carboys of the value of some \$6,000. This represents the aggregate of the sums lost by Harrison Brothers & Co. by the several false reports made by Post & Allen.

The indictment is based on the report made October 16th 1880 which reads

"The following quantities of aqua ammonia have been made and added to your stock now, on store here since our last report-".

22 Carboys	18°	2069 lbs @ 2 ³ / ₄	56.90.
140 "	20°	12705 " @ 3 ⁶ / ₈	461.19
62 "	26°	5518 " @ 6 ³ / ₄	352.46
224 Carboys	@ \$1 ²⁵ / ₁₀₀		280.00
			\$1150.55

On this report Mr. Post received from Mr. Pemberton, the agent of Harrison Bros. & Co. in this City an acceptance for \$1100.

(We have Post's receipt for the acceptance)

The date of the report preceding that of Oct 16th was Oct. 9th 1880.

We have possession of a "Stock Memorandum" book in which was put down by the workmen the amount of aqua ammonia manufactured by the Company.

John Black was one of these workmen. Michael Graven was the other.

This book was kept in lead pencil, and is not dated. The ammonia was made in batches

not over two batches were made per day. As the Aqua Ammonia, was run out of the machine for manufacturing it, it was put in carboys, and each carboy weighed and the weights of each carboy in the batch, as it was weighed was put down in the book in a column. Each column represents a batch, and at the head of each column is placed the strength, in degrees of the Aqua ammonia.

This Stock book is not as a rule dated but we are enabled to determine very nearly the record of the production for the week from Oct. 9th 1880 to Oct. 16th 1880, by the following facts.

The date Oct. 1st appears in this book and also the date October 16th.

A manuscript of the book beginning 3 pages prior to the page marked Oct-1st and ending with the page marked Oct-16th is annexed.

It will be noticed that the 1st Column shows 5 Carboys 20° degrees Aqua ammonia. The 2nd 3rd 5th 6th 7th 8th 9th + 10th Columns aggregate 151 Carboys of 26° aqua ammonia.

That the 4th Column shows 10 Carboys of 24° Aqua ammonia weighing 818 lbs.

This includes all the aqua ammonia entered to the Column marked Oct-3.

October 2nd. The report to Harrison Bros. 16th stated that since the last report (Sept. 25) they had manufactured 10 Carboys 24° Aqua ammonia weighing

818 lbs.

156 Carboys 26° weighing 13,718 lbs. conforming almost exactly with the figures shown by the Stock Memorandum book.

This makes it reasonably sure that the product for the week beginning Oct. 3^d, and ending Oct. 9^d begins with the eleventh column dated Oct. 3.

This is further shown by the report for the week Oct. 9th headed Harrison Bros. 46°.

In that report it was stated that the Company had added to Harrison Bros. 46° Stock

396 lbs 18°.

158 Carboys 20°.

38 " 26° weighing 3450 lbs.

The 11th and 13th columns of the transcript show exactly 38 Carboys of 26° aqua ammonia weighing exactly 3450 lbs, and under the column No. 14 of the transcript it appears that 396 lbs of 18° aqua ammonia were produced.

It is clear therefore that the product after Oct. 2^d is put down in the columns succeeding the 10th column that the report for October 9th includes the 11th and 13th columns and that as the 396 lbs 18° aqua ammonia is reported in the report of Oct. 9th the product after Oct. 9th must be found in the subsequent pages of the book.

But there is no record of any aqua ammonia of 26° strength having been produced any where

in the book after the 11th and 13th column, but the report of Oct. 16th reports 62 Carboys of 26° aqua ammonia of the value of \$352 ⁴⁶/₁₀₀.

The date Oct. 16th also appears on the book.

The report for Oct. 16th does not include the product noted in the book on the page under the date Oct. 16th.

This is shown by the fact that on the preceding page 27 Carboys of 18° aqua ammonia, are set down corresponding exactly in the number of carboys and weight to the amount of aqua ammonia reported in the report of Oct. 16th, while the first two columns under the date Oct. 16th show 35 Carboys 18° aqua ammonia manufactured.

We therefore are able to fix the pages which at the outside possibility cover the period embraced by the report of Oct. 16th.

That the record of manufacture for the period Oct. 9th - 16th begins later than above indicated, is shown by the following.

On the page after the one on which the 396 lbs of 18° aqua ammonia is recorded appears the figure 9 and an upward dash /

The report for Oct. 9th states that since Oct. 2, the Company had made 158 Carboys 20° aqua ammonia. From the date Oct. 1st in the book to this date only 74 carboys of 20° aqua ammonia is recorded.

Beginning from this date, and going through the records up to Oct. 16th we find that, in that

period only 12 Carboys of 20° aqua ammonia were
while 140 were reported.

Mr Black will testify that W. W. Post was in the
habit of examining his book. That at one time Post
said there would be H — to pay if Harrison
Rd. & Co. discovered the shortage.

The fact that it was impossible for the Company
to make what was reported Oct 16 is shown by the
Carboy account.

In May the Company had not over 100 Carboys
on hand see Ledger p. 108.

In May the Company bought	236	"
There was returned to the Company	32	"
In June the Company bought	260	"
" " There were returned	72	"
" July bought	862	"
" " returned	122	"
" August bought	532	"
" " returned	239	"
Total	2455	

Up to September 1st the Company had
delivered to Harrison Rd. & Co. — } 1215.

Balance that should have been on hand 1240.

but Sept 1st the Company reported that they had
on hand and filled 1499 Carboys.

It is clear therefore that at that time they had
no unfilled Carboys on hand.

0152

In Sept 1 st He Co. bought	559 Carboys.
There were returned	170 --
Oct 1 & 2 Co. bought	96 --
" " There were returned	68 --
Total	<u>873</u>

From Sept 1st up to and including
Oct 2nd report - they reported as
manufactured and filled 924 --
There were therefore no carboys on hand and
empty Oct 2nd.

Between Oct 2 nd & 9 th He Co. bought	36 --
There were returned	<u>15</u> --
Total	51

They reported 196 Carboys made during that period.
There were therefore no empty carboys on hand Oct 9th.

Between Oct 9 th & 16 th He Co. bought	60 Carboys.
There were returned	<u>34</u> --
Total	94 --

They had therefore according to these figures
only 94 Carboys to fill.

They reported 224 Carboys filled

0153

People

is

Part & Allen

Memory of facts & incidents

Identify
Contract:

Clifford Pemberton will prove that he is Manager for Rufus Harrison Bros & Co. He held that position prior to & during the year 1880. Remembers the Contract with the City Chemical Co. for the purchase of the Aqua Amm. manufactured by the C.C. Co. Will verify the terms of that contract as to the manner in which the goods were to be delivered or stored & payment to be made therefor.

Witness learned that Allen was President & W. W. Post was a director of the City Chemical Co. and the negotiations for the contract were ^{entirely} ~~chiefly~~ with W. W. Post & his brother who was Treasurer. ~~The stock of the company was issued in the name of Allen. Post W. W. & E. E. Post were all stockholders in the City Chemical Co. at & prior to, at the time of & subsequent to the making of the contract & continued as stockholders & Managers and Officers during the year 1880.~~

Witness will prove that the course of procedure in business between the City Ch. Co. & H. Bros & Co.

The Ch. Co's place of business was in 10th Moore St. N. Y. City & H. Bros & Co. at 114 Fulton St. N. Y. City.

The Company would send to H. Bros & Co. a Report every week showing the amount

or quantity of Ag. Am. alleged to have been made by them for H B & C^o. under the contract & each report stated the no. of Carboys filled the weight of the whole as of each degree of strength & the price. The Carboys were charged for separately & the total amount stated in the Report. These Reports after the first stated that the contents had been made & added to the stock since the previous report.

Reports

Reports identified as by Witnesses.

I received ^{some of} these reports ~~or the greater~~ ^{personally} ~~portion of them~~

about

on Sept. 1st 1880. The Report received agreed with H B & C^o. Books as to the quantity ~~manufactured~~ in stock as the same might have been according to H B & C^o. Books.

The Reports were generally rec^d on Friday & an acceptance was prepared & given by H B & C^o. for the amount asked for by the City Ch. C^o. on the following day, when a receipt was taken for each acceptance in the Book now produced up to August 21st 1880. These acceptances were rec^d & signed for by C. E. Post.

Also rec^d & signed for 2 acceptances on 23rd Oct. 1880 for 8th 1880.

The rest of these acceptances were rec^d & signed for by W. W. Post who signed as "Treasurer for them".

James Langmuir will prove that he is a clerk in the office of H. B. & Co. was so prior to & during the year 1880.

Corroborates evidence of Mr. Pemberton.

Will prove that he is acquainted with the handwriting of Allen. These reports are in his handwriting.

Witness saw Mr. Allen on the 18th day of Decr. 1880 on which day the stock was being moved from the City Chem. Co. premises by H. B. & Co. Allen told me that there would be only about 800 Carboys in stock. ~~There were~~ after shipping 300 to Philadelphia. There were 16 or 1700 in stock.

I went up next ^{day} to the City Chem. Co. premises took stock & checked off all the Carboys & the weight of each & the strength.

Inventories to be shown Witness.

on the ~~17th~~ ^{17th} day 1881. I saw Mr. Allen & he said "There was known to be a deficiency but not so great as was proved". Made an entry in his diary of this conversation.

Witness found on making a search the Book marked "Stock Memorandum" in a Waste paper Basket.

Daniel Westcoat. I am Bookkeeper for H.B. & Co. I received in the course of my duty the Reports dated Oct. 2nd 1880. Oct. 9th 1880 & Oct. 16th 1880. I made the pencil Mem. on the one dated Oct. 2nd 1880 & it at the time it represents the amount of acceptance drawn against that report. I made an extract from the two Reports dated Oct. 9th & 16th 1880.

The Report of Oct 2nd charges 166 Carboys as having been made since the ~~report~~ previous report.

The report of Oct 9th Charges 216 Carboys as have been made since report of Oct. 2nd 1880.

The report of Oct 16th Charges 224 Carboys as having been made since the report of the 9th Oct. 1880.

Witness prepared the Statement from the Books of H. B. & Co. & will explain same.

0158

LAW OFFICE
OF
HORACE W. FOWLER,
257 BROADWAY.

The People }
Post & Allen }

NEW YORK, December 22, 1883.

Dear Sir:

At your request I call your attention to this case. The understanding is, as I recollect it, that the case is to be put on the calendar in January for the purpose of designating a day of trial & is then to be put down for trial for the 1st Monday in February before Judge Fayth. You are to notify me if this arrangement is carried out & I will then look up the witnesses for the prosecution.

Yours Truly
Horace W. Fowler

Wm. Donnelly Esq
Chief Clerk
Office Dist Atty.

0159

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

After 6009 = 1880

Good memorandum

Repart

600	Barby	20°	140	20°
22		18	22	18
5		0	62	26
190			224	

600	Barby	14	1752	5 col
18			689	6
16			1050	7
20			1709	8
20			1861	9
11	2		1591	10
18			1615	2
27			1845	3

600	Barby	20	1809	9100
18			1641	13.
38			3450	
11				
13				

115033
835.14
215-41
548.24
56.90
230
835.14
2069
23/4
42.07

161

13725

600	Barby	14	180	22	2069
200	10	20	19	1795	20
16		20	1859	15	
19		17	1785	57	
		20	1840	162	
1119.42	3)	29994	20	1788	219
393		9998	16	1600	
448.26			20	1822	
79.98			26	2153	
548.24			162	1494266	

162
22
41) 1841
46
230

0160

Michael Craven.

works at 342 E. 23rd Street.

421 E. 22nd late address

present address 421 E. 18th St

Court of General Sessions
of the City & County of N.Y.

The People etc.

against
Wm. W. Post and

Edward B. Allen

Defendants

REDFIELD & HILL,

Attys for defts Post.

20 NASSAU STREET,

NEW YORK.

Due service of a copy of the within

is hereby admitted.

Dated, N. Y., this 15th day of Dec. 1882

Attorney for

To John M. Keen

Sist. Attorney for City & Co. of N.Y.

0161

Sworn of General Sessions of the Peace
for the City and County of New York

The People ~~etc~~
— agt —
William W. East and
Edward D. Allen

Interrogatories to be propounded to Eugene
E. East, now in London, England, a material
witness in behalf of the defendants William
W. East.

I What is your full name - age - occupation
and residence?

II Do you know a company named the City Chem-
ical Company, incorporated under the laws of
the State of New York, United States of America,
for the purpose of manufacturing an article
known as aqua ammonia? If yes, how long
have you known said Company, and do you
now own or hold any of the Capital stock of
said Co. either individually or as trustee for
another, and if so, how many shares thereof,
and in what capacity? Also do you hold
any office or offices in said Co, and if so
name them.

III

If in answer to the 2nd Interrogatory you shall state, that you are the Secretary and Treasurer of said Co. and hold a portion of the Capital stock of the same, and that you have known said Co. since its incorporation, then state

- 1st Whether said Co. owned or controlled a patented process for manufacturing said aqua ammonia?
- 2nd In and for what Countries patents for the same have been obtained, and the cost of the same to the Co, as nearly as you now recollect.
- 3^d Who are the present stockholders and Officers of said Co. and how long have the latter held their offices, and what salary or compensation do they, or have they, received therefor.

IV

If in answer to the 3^d Interrogatory you shall state, that Edward B. Allen residing in Newark, New Jersey, is the President of said Co. and a stockholder therein, state when he first became such officer and stockholder — whether he made an examination of the process of said Co. before purchasing the stock thereof, and what, if anything, he said to you at the time of such purchase and experiment, concerning his opinion of the value of said process.

V

Do you know a firm named the Harrison Brothers and Company, carrying on the

business of manufacturing chemicals, and white lead, in the City of Philadelphia, State of Pennsylvania, and having a branch place of business at No. 117 Fulton — Street, New York City?

VI

Do you know of a certain contract entered into between said Chemical Co. and said Harrison Bros. & Co., providing for the sale and delivery to the latter by the former, of its entire production of aqua ammonia, up to a certain specified amount?

VII

When did you first become acquainted with said firm of Harrison Bros. & Co., and under what circumstances, and what was the nature of the business transacted between said City Chemical Co. and said Harrison Bros. & Co., previous to said contract?

VIII

Who acted in behalf of said City Chemical Co. in the preliminaries and negotiations which led to the execution of said contract, and if you shall say that you yourself, together with said Allen so acted, then state — Who suggested and fixed the prices for raw material, and for the aqua ammonia in said contract, and the quantities of the latter which should be

manufactured and sold to said Harrison Bros. & Co. thereunder, and the quantities thereof, which should be stored upon the premises of said Co. at the risk of said Harrison Bros. & Co. In entering into said contract what advantages did you expect said Co. to derive therefrom.

IX

What capital did said City Chemical Co. own or control, for the purposes of its business, and what machinery, appliances and facilities, and of what quality did it possess? Also what experience did its officers and workmen have, in its said process, at the time of the commencement of its business, or at any time thereafter?

X

Up to the time of the making of said contract with said Harrison Bros. & Co., who had charge of the manufacturing portion of the business of said Co., its records of goods manufactured, its books of account, the purchase of raw material, the sales of its products, the finances and bank account, the shipping and collecting and what in general was the ordinary manner, and course of business of said Co.?

XI

If in answer to the 10th Interrogatory you shall state, that Edward J. Allen had charge

of the manufacturing part of the business of said Co. state - Whether the quantities of aqua ammonia which he manufactured by said process, were regular or uniform, and whether such quantities equalled the greatest amount of aqua ammonia, of which said process had at any time shown itself to be capable, and whether said Allen professed from time to time, to have discovered new theories and improvements, in said process.

XII

State to the best of your recollection, knowledge and belief, the greatest amount of aqua ammonia, of a stated degree of strength, which said process ever produced, from a given amount of Sulphate of ammonia, in a given length of time, with the machinery and appliances of said Co. - Also state, what quantity of aqua ammonia under the same foregoing conditions, you were and are ready to guarantee, and have guaranteed, that said process can produce, and upon what you base your knowledge and certainty in this regard.

XIII

Can you now recollect any incident or incidents which occurred during your connection with said Co., conveying to your mind the fact, that said Allen erred greatly in his

calculations and theories, regarding said process? If yes, relate the facts in that regard, and also state whether you now regard said Allen, as safe and competent to fulfill the duties of superintendent and manufacturer of aqua ammonia, under said process.

XII

During the continuance of said contract, between said City Chemical Co and Harrison Bros. & Co., did you go to London, England, on business connected with said Co.? If yes, what did such business consist of, at whose suggestion did you go and what facts and circumstances influenced your going?

XV

What were your duties and responsibilities, and those of said Allen, under said contract with Harrison Bros. & Co., and also before said contract? Also, who presented the statements to said Harrison Bros. & Co., upon which the drafts or acceptances of said H. B. & Co. were obtained, prior to your said departure for England, and after your return therefrom?

XVI

If, in answer to the 15th Interrogatory, you shall state, that you presented said statements then state - Who prepared and made said statements? Did you know of your own knowledge that such statements were true? If not, upon

(6)

whom and what did you rely, for the truth of said statements?

XVII.

What was the condition of said City Chemical Co., to the best of your knowledge, recollection and belief, at the time of your departure for England, as aforesaid?

XVIII

At the time of your said departure, did you know or suppose, that there existed any deficiency, between the quantity of aqua ammonia manufactured by said Co., and the statements thereof made to said Harrison Bros. & Co. by said Co., upon which the drafts or acceptances of the former, were obtained by the latter?

XIX

State what means of knowledge you had, during the continuance of the business of said City Chemical Co., of the quantity of aqua ammonia on hand, or stored on the premises of said Co., at any given time, or times, and the course of business in that regard. Also state, the general and regular course and manner of business between said City Chemical Co., and said Harrison Bros. & Co., under said contract.

XX

Can you now recollect anything which was said by said Allen, or by said Harrison Bros. & Co.

(7)

or either of the members of said firm, or any of their agents or employees to you, concerning the value or efficiency of said process of said Co., or of its patented ~~franchises~~? If yea, relate the same as accurately as you can, giving the times when, and circumstances under which, each thing of such a nature was said. Also state, by whose advice the various patents for foreign countries were applied for.

XXI

Previous to your said departure for England, had said ~~Harrison~~ ^{Harrison} & Co., given to said Co., notice of their desire and intention to terminate said contract within three months thereafter, as provided by said contract and if yea, about when was said notice so served? Also had you, previous to said departure a conversation or conversations with said Harrison & Co., respecting said notice, and their reasons for giving the same, and if so relate as nearly as you can recollect, what was said, and who was present thereat.

XXII

In answer to the 3^d Interrogatory you shall state, that William W. Past of New York City is a stockholder in said City Chemical Co., state — 1st Whether to the best of your knowledge and belief, said W. W. Past at the time of your said departure for England, knew of any such

deficiency, as mentioned and set forth in the 1st Interrogatory - 2nd Whether said W. H. Pash, up to the time of your said departure, knew or had any acquaintance with the details of the business of said Co., its production, goods on hand and finances, beyond the knowledge of the other stockholders, except such as he derived from association and conversations with yourself. 3^d If in answer to any interrogatory, you shall state that said Pash was present at any interview, or interviews, between said Harrison Bros. & Co. and yourself, state at whose solicitation he was so present, and whether at any such interview he professed to represent or speak for said City Chemical Co., or any of its officers. 4th Whether ever, at any time, said Pash has received any salary, or recompense, from said Co., and whether he has ever loaned money to said Co. and if yes, whether such money has ever been repaid to him.

XXIII

What arrangements did you make, and with whom, for attending to your duties as an officer of said City Chemical Co. during your said absence in England, and did you resign said office, or offices, or alter in any way your relations with said Co. and did you expect that such person would devote himself exclusively to attending to your duties, to the

exclusion and neglect of his own business?

XXIV

Previous to your said departure, had said Harrison Bros. & Co., invited proposals from said City Chemical Co., with a view to continuing their business relations with said Co., and had any arrangement been made, for a continuance of said negotiations after your departure? If yes, what did such arrangements consist of?

XXV

State the results accomplished by you, in the interests of said City Chemical Co. during your said absence in England, and when did you return to New York City? Also state, what communications, if any, and in what form, were received by you from said W. W. Past, or said Allen, during your said absence, or were sent by you to them, or either of them, and give as nearly as you can now recollect, the substance of each of them, the time when sent, and the reason for sending.

XXVI

Can you now recollect what was said to you by said Allen, or said Past, upon your return to New York, concerning the affairs of said Co. during your absence, and its condition at that time? If so, relate the same as nearly as possible in substance, and also state, in what condition you found the premises of said Co., its memoranda of goods

manufactured, and its finances. Also state the substance, as nearly as you can recollect, of any conversation or conversations had at that time with any of the employees of said Co., regarding the same.

XXVII

What explanations has said Allen ever made to you of said deficiency, mentioned and set forth in the 18th Interrogatory, and when did he say that he first knew of the same?

XXVIII

Did said Co. at any time, carry on its manufacturing both day and night? If yea, when and how long did it do so, and what were its reasons for so doing, and state whether in your opinion the employees of said Co. were sufficiently numerous and experienced, and the machinery and appliances suitable for so doing.

XXIX

Was the said process of said Co. one requiring skill and care, and were there instances to your knowledge, when large quantities of the raw material or sulphate were spoiled, and wasted? If yea, state any instance that you now recollect, and the cause thereof.

XXX

Was ever, to the best of your knowledge and

(11)

belief, any of the money collections or property of said City Chemical Co., paid out or expended for anything or purpose, outside of and disconnected with, the regular legitimate business of said Co., or in a manner detrimental to its interests or has anyone received the funds of said Co., except legitimately in payment of just and legal obligations of said Co.

XXXI.

When, and how, and from whom, did you first hear or know of the alleged deficiency set forth in the 18th Interrogatory, and under what circumstances?

XXXII.

Relate as nearly as you can recollect, the substance of any interviews or conversations, had by you with said Harrison Bros. & Co. or any of their agents or employees, upon the subject of said deficiency, and state who was present thereat, and when, and where, the same was had.

XXXIII.

Did you immediately after your return from England as aforesaid, resume your duties in connection with said City Chemical Co., and did said W. W. Pack relinquish all duties and connections with said Co. at the

same time?

XXXIV

Were any accusations or threats made by said Harrison Bros. & Co. against said Allen, W. H. Fack, or yourself, in connection with said alleged deficiency set forth in the 18th Interrogatory? If yes, state what they consisted of, and when, and where, and under what circumstances, they were made and who were present. Also state what said Harrison Bros. & Co. demanded should be done by said City Chemical Co., to settle and amicably adjust said deficiency, and what was done by said Allen, and yourself, to so settle the same, and at whose solicitation you did so, where you did it, who was present and what object or intention you had in so doing.

XXXV

State what efforts have been made by you since said settlement, towards an adjustment and accounting, between said City Chemical Co. and said Harrison Bros. & Co., of all claims and counter claims between them, and what you are now doing, in the interests of both said Co. and said L. B. & Co.

XXXVI

What was done with the books of account, and memoranda, of said City Chem. Co., at the conclusion of the settlement with Harrison Bros. & Co.

(13)

mentioned in the 34th Interrogatory, and for what purpose was it done, and at whose request?

~~XXXVI~~

Do you know of your own Knowledge, that the total amount of raw material, or sulphate, purchased by said City Chem. Co., while it was manufacturing aqua ammonia as aforesaid, was sufficient, according to the best known results of said process, to produce the aqua ammonia, called for by the statements of said Co. to said Harrison Bros. & Co.? If yea, how do you explain said alleged deficiency?

~~XXXVII~~

What is the present condition of said City Chem. Co., and to what cause or causes do you ascribe the same?

~~XXXVIII~~

Is the said process of said City Chem. Co., a very valuable one, in your opinion, if properly worked, with sufficient capital and suitable machinery and appliances? If yea, upon what do you base your opinion in that regard?

~~XL~~

Do you know of any test runs, or experiments, made, or caused to be made by said Harrison Bros. & Co., of said process? If yea, state when such tests or experiments were made, who made them,

(14)

Law they came to be made, and the objects and results thereof, and what, if any thing, said Harrison Bros. & Co., or any of their agents or employees or said Allen, have said to you in relation thereto.

XLI

If you know any other matter or thing of importance, or material, in your opinion, to the defense of this action by the defendant William W. Pash, please relate the same, as fully and accurately, as though you were particularly interrogated, concerning the same.

John L. Hill

Atty for def.
W. W. Pash

0177

BOX:

71

FOLDER:

788

DESCRIPTION:

Powers, Patrick

DATE:

06/08/82



788

0178

JOHN McKEON, District Attorney.

IN SENATE
JANUARY 1882
REPORT OF THE DISTRICT ATTORNEY
JOHN McKEON, DISTRICT ATTORNEY
OF THE DISTRICT OF COLUMBIA
IN RESPONSE TO A RESOLUTION
PASSED BY THE SENATE
MAY 1881

AND
IN SENATE
JANUARY 1882
REPORT OF THE DISTRICT ATTORNEY
JOHN McKEON, DISTRICT ATTORNEY
OF THE DISTRICT OF COLUMBIA
IN RESPONSE TO A RESOLUTION
PASSED BY THE SENATE
MAY 1881

65

Filed 8 day of June 1882
Pleads

THE PEOPLE

vs.

Patience E. Cowen

ROBBERY—First Degree.

JOHN McKEON,

District Attorney.

22 June 9, 1882

pleads p. p. p.

A True Bill.

S. J. Miller

Foreman.

John McKeon

found

0179

Court of General Sessions of the City and County of New York.

THE PEOPLE OF THE STATE OF
NEW YORK,

Patrick Powers
against

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

Patrick Powers

of the crime of Robbery in the first degree,

committed as follows:

The said

Patrick Powers

late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the twenty eighth day of May in the year of our Lord
one thousand eight hundred and eighty two, at the Ward, City and County aforesaid,
with force and arms, in and upon one William Crotty
in the peace of the said People then and there being, feloniously did make an assault and

*one watch of the value of eight
dollars*

of the goods, chattels and personal property of the said

William Crotty

from the person of said

William Crotty

and against

the will and by violence to the person of the said *William Crotty*
then and there violently and feloniously did rob, steal, take and carry away, against the
form of the Statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

JOHN McKEON, District Attorney.

0180

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

478
Police Court-184 District. 65

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William C. H. 34
Patrick Powers 65
Offence, Robbery

1 _____
2 _____
3 _____
4 _____

Dated 29 May 1882

Hugh Gardner Magistrate.
John J. O'Leary Officer.
14 Precinct

Witnesses,

No. _____
Street, _____

No. _____
Street, _____

No. 2
1852
Street, _____
to answer _____
Patrick Powers

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

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

Dated 29 May 1882 Hugh Gardner 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.

0181

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

180 District Police Court.

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

Question. What is your name?

Answer.

Patrick Powers

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

Georgia

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

Answer.

68 Cherry St. 2 months

Question. What is your business or profession?

Answer.

Laborer

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

Answer.

I do not know any thing
about the watch

Patrick Powers

Taken before me this

day of

188

August
1888

Police Justice.

0182

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

Police Court--First District.

William Crotty aged 33 years laborer
of No. 341 Water Street, being duly sworn, deposes
and says, that on the 28 day of May 1882
at the fourth Ward of the City of New York, in the
County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent, by force and violence, without his consent and against his will, the following property viz:
one double case silver watch

of the value of Eight 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 force and violence as aforesaid, by

Patrick Powers (now here) and another person not
arrested. from the fact that while deponent
was standing in the doorway of premises
south west corner of Dover and Water Streets
in said city said defendants came up to
deponent and said Powers seized deponent
by the arm and held deponent while said
person not arrested snatched said property
from the pocket of the vest then and there
worn by deponent as a part of his
bodily clothing and then said defendants
ran away.

Wherefore deponent charges said Power and said person
not arrested, in acting in concert with each other in taking stealing
and carrying away said property as aforesaid William Crotty

Sworn to, before me, this

of

1882

day

Police Justice