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I, JOHN F. CARROLL, Clerk of the Court of General Sessions of the Peace, and Clerk of the Court of Oyer and Terminer held in and for the City and County of New York (each being a Court of Record and having a Common Seal), do hereby certify that the annexed is a copy of

A Presentment of the Grand Jury

now on file in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom and of the whole of such original.

GIVEN UNDER my hand and attested by the seal
of the said Court this 29th day
of January in the year of our Lord one
thousand eight hundred and ninety-five

John F. Carroll

To the

COURT OF GENERAL SESSIONS OF THE PEACE:

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK
hereby respectfully present to the Court of General Sessions
as follows:

During the present Term the Grand Jury has made a
personal investigation of the New Criminal Court Building,
occupying the block bounded by Centre, White, Elm and Frank-
lin Streets, in which building at present the Criminal Courts,
the Grand Jury and the District Attorney's Office, are lo-
cated.

This building was erected by the City for the ex-
press purpose of securing ample and suitable accommodations
for the officials charged with the duty of administering
criminal justice in this county. The quarters formerly pro-
vided for these officials in the old General Sessions build-
ing in the City Hall Square were long and generally recog-
nized as wholly inadequate, and as not affording proper
facilities in the administration of the duties imposed upon
those officials. It was for the purpose of remedying this
defect that the New Criminal Court Building was erected.

This is shown by the language of the act providing
for the erection of the said building. By Chapter 371 of
the Laws of 1887, it was enacted by the Legislature of the
State that the Commissioners of the Sinking Fund of the City
of New York be authorized to select and locate a site in the
City of New York upon which to erect a building for Criminal
Courts and other public purposes, as in this act provided, suf-
ficient to accommodate the following named Courts, to wit:

(2)

The Court of Oyer and Terminer, the Court of General Sessions of the Peace, the Court of Special Sessions of the Peace, and one or more Police Courts, together with the necessary and proper chambers and office accommodations for the Judges and Clerks of said courts, and of the juries and Grand Juries, and for the District Attorney and for such other offices and departments as the Commissioners of the Sinking Fund shall designate and appoint to occupy the said building; and the said Commissioners of the Sinking Fund were thereby authorized and empowered to designate what other offices and departments in addition to those herein before enumerated, should be accommodated in and have and occupy the offices and rooms in the aforesaid building when completed.

The language of the act expressly states that the primary purpose for which the building should be erected was the accommodation of the Criminal Courts, the Grand Jury and the District Attorney. The other offices and departments being secondary.

In accordance with this act a committee of the Commissioners of the Sinking Fund appointed for that purpose, issued instructions to architects for preparing plans for the said building. These instructions provided that accommodations should be given for one Court of Oyer and Terminer, for four Courts of General Sessions, for one Court of Special Sessions, and for one Police Court; and that in addition thereto the said building should provide accommodations for the Grand Jury, the District Attorney, the coroners, the

(3)

Health Department, the Board of Excise, the Civil Service Board and the Street Cleaning Department.

It appears from personal investigation of the Grand Jury and from their inspection of the plans of the New Criminal Court Building, that the floors of this building are occupied as follows:

The cellar of the building is used for storage rooms and for the accommodation of the machinery necessary for supplying the building with light and heat.

The ground floor is occupied by the Sanitary Bureau and the Bureau of Contagious Diseases, together with branches of the Street Cleaning Department.

The first floor is occupied by one Court of Oyer and Terminer and the Judge's room annexed thereto; by the Court of Special Sessions and by the Police Court, together with some rooms used for the storing of Court records.

The first mezzanine story is occupied by the Library, the Prisoner's Pen in which prisoners are confined while awaiting the calling of their cases in the courts and by various rooms used as receptacles of records and for other purposes.

The second storey is occupied by three courts of General Sessions and the Judges' Chambers, jury rooms and other rooms used for purposes appertinent to the said courts, and also by the office of the Clerk of the Court of General Sessions, and the Court of Oyer and Terminer.

The second mezzanine floor is occupied principally

(4)

by the offices of the Clerk of the District Attorney, and also by the Chemist, Pathologist and the Chemical and Bacteriological Laboratories of the Health Department and the Janitor.

The third storey is occupied by the Coroner's Court and rooms appertinent thereto, by the Civil Service Board, by the Street Cleaning Department, by the Grand Jury rooms and by the District Attorney's Office.

The fourth storey is occupied by the Bureau of Vital Statistics, by the Excise Board and by the Health Department.

The above statement of the manner in which the building is occupied is substantially correct. It will be observed that only three court rooms were provided for the Court of General Sessions instead of the four courts contemplated in the original resolution of the Commissioners of the Sinking Fund.

Further, it will be noticed that the District Attorney's office occupies only a part of one floor. The space occupied by the offices of the District Attorney and his assistants is very little, if any, greater than that occupied on the same floor by the Street Cleaning Department, and is far less an area than the space occupied on the same floor by the Street Cleaning Department, the Coroner's Court and the Civil Service Board.

It is the opinion of the Grand Jury after a careful and thorough examination of the building, that the space allotted to the District Attorney's Office and the quarters

(5)

afforded him and his assistants for the conduct of the very responsible duties with which they are charged is entirely inadequate. The offices of the assistants are too small to permit of the proper transaction of business. In the course of the preparation of a case for trial, it is very often necessary for the District Attorney or an assistant to have in his office a large number of witnesses. The present offices are entirely inadequate for this purpose, and there is no waiting-room in which the witnesses may be properly accommodated while waiting to be examined. In addition to this, only one witness room is provided for the witnesses summoned before the Grand Jury. As a result of this inadequacy of accommodation, female witnesses, often delicate and refined ladies, are compelled to wait in the same room with the other witnesses summoned before the Grand Jury, many of whom are necessarily persons in the lowest walks of life. There are also no adequate provisions for toilet rooms for the use of female witnesses. The space at present occupied by the Civil Service Board and by the Street Cleaning Department, or such amount of it as may be necessary, should, in the opinion of the Grand Jury, be assigned to the District Attorney for the purpose of enabling him to extend his present cramped and insufficient quarters. An additional reason for a change in the present location of the Street Cleaning Department is found in the fact that crowds of the laborers employed by the Street Cleaning Department constantly block all the avenues of access to the building. The Judges of the courts, the

(6)

members of the Grand Jury, the officials of the District Attorney's Office and other officials having quarters in the building are compelled to struggle through this throng of laboreers in order to reach their offices.

The quarters provided for prisoners in the building are also entirely insufficient. At present there are no separate accommodations for female prisoners. Also the witnesses confined in the House of Detention are compelled to occupy the same room with the prisoners held under criminal charges. This is in the highest degree improper and unjust.

There are no criminal charges against these witnesses, and it is manifestly an outrage to subject them to the present intimate association and contact with persons charged with crime. Another court room for extraordinary courts of Oyer and Terminer, in the opinion of the Grand Jury, should also be provided. As is above stated, it was originally contemplated that there should be four Courts of General Sessions. Had this purpose been carried out, the fourth court room would have given accommodation for Extraordiniary Courts of Oyer and Terminer. As a result of this deficiency, the Extraordinary Court of Oyer and Terminer called for January 21st must of necessity be held in the Court House in the City Hall Park at a distance of almost half a mile from the District Attorney's Office. This state of things will, of course, cause great obstruction and difficulty in conducting the business of the Court.

It is evident that the original purpose for which

(7)

the building was erected has been to some extent thwarted by the crowding of numerous other departments of the City Government under the roof of the New Criminal Court Building.

The Grand Jury also desires to call attention to the absence of proper electrical facilities in the way of electrical bells, calls &c., connecting the various departments of the criminal courts and of the District Attorney's Office with each other. It is manifest that a modern building which lacks these facilities cannot be properly equipped for the purposes for which it was primarily erected. ^{said to be}

The Grand Jury strongly advise that action be taken by the proper authorities with a view to the removal of the Street Cleaning Department and the Bureau of Contagious Diseases and the Excise Department -- Board of Excise from the building. The throngs of laborers that crowd the avenues of access to the building, as stated above, constitute an intolerable nuisance, and seriously interfere with the proper administration of the Criminal Courts. The presence of the Bureau of Contagious Diseases is a menace to the health of all its occupants, and is a serious source of uneasiness to them.

We cannot too emphatically impress upon the Court the strength of our feelings and convictions in regard to these matters. We have personally suffered during our term of service from many of the inconveniences we have mentioned; and have personally observed many other disadvantages arising from the inadequacy of the facilities afforded to the Crim-

(8)

inal Courts and to the District Attorney.

The Grand Jury earnestly recommend that the attention of his Honor, the Mayor, of the Commissioner of the Department of Public Works and of the Commissioners of the Sinking Fund be called to the matters contained in this presentment, and that such ^{steps} ~~space~~ be taken by these officials as may in their judgment serve to remedy the existing defects to the end that the necessary and proper accommodations for the administration of criminal justice in this City may be provided in the New Criminal Court Building, in accordance with the purposes for which its erection was originally planned.

Respectfully submitted,

Wm L. Bull

Foreman.

Dated, New York, January 18th, 1895.

N. Y. COURT OF GENERAL SESSIONS

In re

18

New Criminal Court Building.

Presentment

Dated, January 22nd, 1895

Filed, January 22nd, 1895.

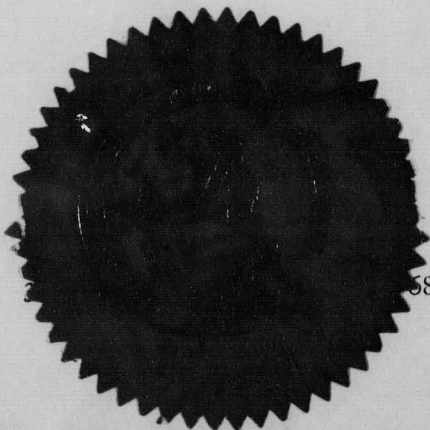
I, JOHN F. CARROLL, Clerk of the Court of General Sessions of the Peace, and Clerk of the Court of Oyer and Terminer held in and for the City and County of New York (each being a Court of Record and having a Common Seal), do hereby certify that the annexed is a copy of

A Presentment of the Grand Jury

now on file in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom and of the whole of such original.

GIVEN UNDER my hand and attested by the seal
of the said Court this 29th day
of January in the year of our Lord one
thousand eight hundred and ninety-five

John F. Carroll



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

The Grand Jury, herewith, respectfully presents to
the Court, as follows:--

We have given our most earnest and careful attention
to the investigation of the matter of William Beggs, to which
our attention was called by the learned Recorder. We have
made a personal examination of the prison or pen, in which the
most unfortunate occurrence took place. We desire to express
to the Court on the strongest terms at our command our appreci-
ation of the very great gravity and importance of this matter.
Such an occurrence is a flagrant scandal and a disgrace to the
administration of criminal justice, and if collusion or crim-
inal negligence on the part of the attendants of the pen, or
on the part of any other person could be shown, we should most
assuredly visit upon the offending party or parties, the se-
verest punishment in our power.

After a careful personal investigation of the scene
of the occurrence and after hearing the testimony of Beggs
himself, and the attendant in charge, we are forced to the con-
clusion that the facilities afforded for the introduction of
liquor to the pen in which the prisoner Beggs was confined
was so great, owing to the insufficient and inadequate pro-
tection against contact and communication between the prisoners
and the outside public, that it is impossible with justice to
fix the blame for the occurrence upon any attendant or any
other person.

The fault lies in the insufficiency of the present
safeguards against communication between the prisoners and
their friends. The pen in which the prisoner Beggs was con-

finned is one of two prison rooms or pens separated by an intervening room in which the attendants and deputy sheriffs in charge of the prisoners are accustomed to sit. There seems to have been no difficulty on the part of the prisoners' friends to enter the centre room -- it was practically open to the public. The partitions between the centre room and the two prison rooms consist of a solid iron wall for the height of five and a half feet from the floor; above this iron wall the partition consists of gratings or iron bars reaching to the ceiling. The interstices between these bars are so wide as to easily admit of the introduction of bottles containing liquor, from the centre room to the prisoners. Also there is a window opening from the prison room in which Beggs was confined into the hall-way, which window is only guarded by iron bars, and the interval between which is also so large as to easily allow the introduction of liquor through the window. There is, it is true, an ordinary glass sash and frame on this window, but it can be raised from the interior and also from the outside, so that it does not render it at all impossible or even difficult to introduce liquor through the window.

We earnestly and strongly recommend that the following changes be made in the arrangement - of the prison rooms or pens, and if these changes are made we believe that it will be impossible for such an occurrence to again take place, without collusion or most criminal negligence on the part of the attendants upon the prisons.

In the first place, the gate leading to the central room should be covered with a thick, heavy, wire netting, with

intervals between the wires so small as to render it impossible to introduce any liquor; also the iron grating separating the prison pens from the central room, and windows opening from the prison rooms into the hall-way should be covered with a similar netting. There are now two avenues of access to the hall-way in front of the prison rooms. In the opinion of the Grand Jury it is absolutely necessary that each of these avenues of access should be closed by heavy gates locked from the inside. As matters now stand, it would be entirely possible for a prisoner under the escort of a deputy sheriff or guard, having at the time several other prisoners in his custody, to dash down one of the staircases leading to the hall with very little danger of prevention on the part of his guard.

The Grand Jury also strongly recommend that no persons whatever should be allowed access to the central room between the two prison rooms except the regular attendants and deputy sheriffs unless by the express order of the Court. If this rule is adopted and strictly enforced, it will render it impossible for liquor or other forbidden articles to be smuggled into the prison rooms in which the prisoners are confined. We are of the opinion that this prohibition should be extended event to the counsel for the prisoners. These counsel have abundant opportunity for consultation with their clients in the Tombs and also in open Court when their cases are called for trial, and while confined in the prison rooms prisoners should not be allowed in our opinion to consult with their counsel except on occasions of great urgency, in which

cases the permission of the Court can easily be obtained.

In conclusion we beg to reiterate our conviction as to the extreme importance of making the changes and improvements suggested in this presentment, as well as any other improvements that may be found necessary in order to enable the proper authorities to fix the responsibility for such occurrences; and to visit upon the guilty person or persons the punishment which this dangerous crime deserves.

Respectfully submitted,

Wm L. Bull

Foreman

Secretary.

Dated January 24th 1895.

REPORT.

For the District Attorney.

Dated 18

.....
.....
Assistant.

Presentiment
of
Grand Jury

1895

12



*Court of General Sessions,
Judge's Chambers,*

New York, Dec 13th 1895.

[Signature]

To the Hon.

The Board of Sinking Fund Commissioners,

Gentlemen:-

I beg respectfully to direct your attention to the fact that no accommodation has yet been provided by the Municipal authorities for holding the additional Part (4) of this Court in accordance with Chapter 1004 of the Laws of 1895, creating an additional Judge, and providing for a Fourth Part of the Court of General Sessions.

It is very important, in the interests of the prompt and continuous administration of justice in this County, that the new Part of the Court should be in working operation by the beginning of the January (1896) Term, especially in view of the fact that two of the three Parts now in existence have been and will probably continue to be for some weeks to come, each occupied in the trial of a single important case.

As a result of the insufficient accommodation provided for the Court, the number of prisoners in the City Prison, awaiting trial, has largely increased, and even with the valuable assistance in the trial of indictments, which the new Criminal Branch of the Supreme Court (January 1896) will undoubtedly extend, it will be some time before the criminal courts can succeed in reducing the present

large census of the City Prison to its normal proportions.

I would, therefore, respectfully suggest to your Honorable body the necessity of fitting up Part 4 of this Court at the earliest possible moment.

Yours respectfully

Charles R. Cowing
Chief Justice.

36.

25-



*Court of General Sessions,
Judge's Chambers,
32 Franklin St., N.Y.*

New York, May 1, *1896*

Hon. William L. Strong,
Mayor New York City.

My dear sir:

The bill for the equalization of salaries of the attendants in the Court of General Sessions has the approval of all the Judges of the Court and I sincerely hope it may receive yours.

The recently appointed attendants receive One thousand dollars a year, ⁴while others previously appointed receive Twelve hundred dollars. All will be subjected to an additional expense hereafter, as I understand it is the intention of the Court to require that all its officers be uniformed.

The work required of these men is constant and arduous, and the salary of Twelve hundred dollars is not too great.

I commend the bill to your Honor's favorable action.

Very sincerely yours,

M T McMahon



*Court of General Sessions,
Judge's Chambers,
32 Franklin St., N.Y.*

New York, May 1st, 1896. *189*

Hon. Wm. L. Strong,

Mayor of the City of New York.

Dear Sir:

In reference to the bill providing for the equalization of the salaries of the attendants in the Supreme Court and the Court of General Sessions, of this County, now under consideration by you, I desire to say that the measure is entirely meritorious and worthy of your approval.

Some of the attendants in the two courts named, older in length of service, receive a salary of \$1,200. per annum, while the later appointees are paid only \$1,000, an unjust inequality, in view of the fact that all of the attendants do exactly the same work.

I take great pleasure, therefore, in commending this bill to your favorable consideration, and in asking you to approve it.

Yours truly,

Joseph E. Neveling

*I am in Joseph Neveling's letter
John W. Hoff*

At a Court of General Sessions of the Peace,

holden in and for the City and County of New York, at the
City Hall of the said City, on Friday, the 12th
day of March, in the year of our Lord one
thousand eight hundred and ninety-seven

PRESENT,

The Honorable *Martin T. McMahon* }
Judge of said Court of the City of New York, } Justice of the
Sessions.

THE PEOPLE

William E. Toggi vs. *William E. Toggi*

On Indictment for Misdemeanor Penal Code § 364, 435 & 438 A.

filed November 30th 1896

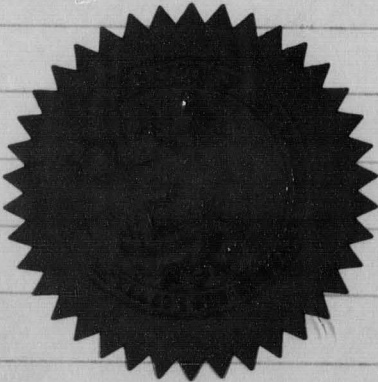
On motion of the District Attorney,

It is Ordered by the Court that this indictment
against *William E. Toggi* the defendant,
be and the same is hereby dismissed.

It is further Ordered that the said defendant,
and *Arnold Kohn* his surety,
be severally discharged from their undertaking to
answer.

A true extract from the Minutes,

John J. Carroll
Clerk of Court.



Defendants En 23

N. Y. GENERAL SESSIONS OF THE PEACE.

THE PEOPLE OF THE STATE OF
NEW YORK,

against

William C. Poggi

Dated *March 12th* 189*7*

ORDER OF COURT DISMISSING INDICT-
MENT AND DISCHARGING BAIL.

FILED

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" E. POGGI.

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK,
by this Indictment accuse "WILLIAM" E. POGGI of a MISDEMEANOR
committed as follows:

The said "William" E. Poggi (the name "William" being
fictitious, and the true first name of the person so describ-
ed being to the Grand Jury aforesaid unknown), late of the
City of New York and County of New York aforesaid, on the
twenty-first day of July, in the year of our Lord one
thousand eight hundred and ninety-six, at the City and
County aforesaid, with intent to defraud, unlawfully did
sell and offer for sale to one Henry Seymour a certain
article of merchandise, to wit, one quart of a certain
spirituous liquor, liqueur and cordial called Vermouth, then
and there contained in a certain vessel and bottle, which
said article of merchandise was then and there to the know-
ledge of him the said "William" E. Poggi falsely described
and indicated of and ^{respecting} ~~representing~~ the place and country *cc*
where the said article of merchandise was manufactured and
produced, upon a certain label then and there affixed to and
upon the said bottle, upon which said label was then and
there printed in the Italian language the following words,
to wit:

"VINO

VERMOUTH

CONFEZIONATO PER ESPORTAZIONE

DELLA CASA

FRATELLI SOLA E CIA

PROVVRE DI SS R M IL RE D'ITALIA

(2)

TORINO."

which said words in the Italian language , being translated into the English language, signify and mean as follows, to wit:

"VERMOUTH WINE

MANUFACTURED FOR EXPORT

BY THE CONCERN

SOLA BROTHERS & CO.

SUPPLIERS OF HIS MAJESTY THE KING OF ITALY

TURIN"

in and that by the said label the said article of merchandise was falsely described and indicated as being imported from the City of Turin in the Kingdom of Italy, and as having been manufactured and produced in the said City of Turin in the said Kingdom of Italy.

WHEREAS, in truth and in fact, the said article of merchandise was not then and there imported from the said City of Turin in the said Kingdom of Italy, and was not manufactured or produced in the said City of Turin in the said Kingdom of Italy; all of which he the said "William" E. Poggi then and there well knew; against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT:

AND THE GRAND JURY AFORESAID, by this Indictment, further accuse the said "WILLIAM" E. POGGI of a MISDEMEANOR, committed as follows:

The said "William" E. Poggi (the name "William" being fictitious, and the true first name of the person so described being to the Grand Jury aforesaid unknown), late of the City and County of New York, on the day and in the year aforesaid, at the City and County of New York, with intent to defraud, did knowingly sell and cause to be sold

to one Henry Seymour a certain article of merchandise, to wit, one quart, of spirituous liquor, liqueur and cordial called Vermouth, enclosed in a certain bottle having ^{thereupon} ~~thereon~~ a certain printed label, stamp, imprint, mark and trade-mark, upon which said printed label stamp, imprint, mark and trade-mark were printed the following words in the Italian language, to wit:

"VINO

VERMOUTH

CONFEZIONATO PER ESPORTAZIONE

DELLA CASA

FRATELLI SOLA E CIA
PROVVRE DI SS R M IL RE D'ITALIA

TORINO

which said words in the Italian language, being translated into the English language, signify and mean as follows, to wit:

"VERMOUTH *wine*

MANUFACTURED FOR EXPORT

BY THE CONCERN

SOLA BROTHERS & CO.

SUPPLIERS OF HIS MAJESTY THE KING OF ITALY

TURIN "

by which said printed label, stamp, imprint, mark and trade-mark it was falsely indicated and denoted that the said article of merchandise was the manufacture, workmanship and production of certain persons doing business under the name of Sola Brothers and Company, in the said City of Turin in the the said Kingdom of Italy (the names of the said persons so doing business under the said name of Sola Brothers and Company being to the Grand Jury aforesaid unknown).

WHEREAS, in truth and in fact, the said article of merchandise was not then and there the manufacture, workmanship or production of any persons doing business under the name of Sola Brothers and Company, in the said City of

Turin in the ^{said} Kingdom of Italy, as he the said "William E. Poggi then and there well knew; against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT:

AND THE GRAND JURY AFORESAID, by this Indictment , further accuse the said "William" E. Poggi of a MISDEMEANOR committed as follows:

The said "William E. Poggi (the name "William" being fictitious , and the true first name of the person so described being to the Grand Jury aforesaid unknown), late ^{on the day and in the year aforesaid at the City and County of New York} of the City and County of New York, knowingly did unlawfully sell and offer for sale to one Henry Seymour a certain article of merchandise , to wit, one quart of a spirituous liquor, liquor and cordial called Vermouth, enclosed in a bottle, to which said article of merchandise was then and there affixed a certain false and counterfeit trade-mark ^{which said trade mark} then and there consisted of a certain printed label, upon which was printed the following words, to wit

"VINO

VERMOUTH

CONFEZIONATO PER ESPORTAZIONE

DELLA CASA

FRATELLI SOLA E CIA

PROVVRE DI SS R M IL RE D'ITALIA

TORINO"

which said words in the Italian language , being translated into the English language, signify and mean as follows, to wit:

"VERMOUTH WINE
MANUFACTURED FOR EXPORT

BY THE CONCERN

SOLA BROTHERS & CO.

SUPPLIES OF HIS MAJESTY THE KING OF ITALY

TURIN"

and which said trade-mark was then and there false and counterfeit in that it appeared to indicate that certain persons doing business under the name of Sola Brothers and Company, in the City of Turin in the Kingdom of Italy were the makers of the said Vermouth, and that the said Vermouth was then and there manufactured, produced and bottled by the said persons doing business under the said name of Sola Brothers & Company, in the ^{said} City of Turin in the said Kingdom of Italy, the names of the said persons being to the Grand Jury aforesaid unknown. H.C.

WHEREAS, in truth and in fact, the said Vermouth was not manufactured, produced or bottled by any persons doing business under the name of Sola Brothers and Company; all of which he the said "William" E. Poggi then and there well knew; against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT:

AND THE GRAND JURY AFORESAID, by this Indictment, further accuse the said "WILLIAM" E. POGGI of a MISDEMEANOR, committed as follows:

The said "William" E. Poggi (the name "William" being fictitious, and the true first name of the person so described being to the Grand Jury aforesaid unknown), late of the City and County of New York, on the day and in the year aforesaid, at the City and County ~~of New York~~, unlawfully did knowingly sell and offer for sale to one Henry Seymour a certain article of merchandise, to wit, one quart of a certain spirituous liquor, liqueur and cordial called Vermouth, contained and enclosed in a certain bottle,

upon which said bottle there was then and there affixed a certain trade-mark and printed label, upon which said trade-mark and printed label were then and there the following words in the Italian language, to wit:

"VINO
VERMOUTH
CONFEZIONATO PER ESPORTAZIONE
DELLA CASA
FRATELLI SOLA E CIA
PROVVRE DI SS R M IL D'ITALIA
TORINO"

which said words in the Italian language, being translated into the English language, signify and mean as follows, to wit:

"VERMOUTH WINE
MANUFACTURED FOR EXPORT
BY THE CONCERN
SOLA BROTHERS & CO.
SUPPLIERS OF HIS MAJESTY THE KING OF ITALY
TURIN"

which said trade-mark and printed label then and there appeared to indicate the quality of the said Vermouth and the place of its manufacture and production, and the persons manufacturing and producing the said vermouth, in that the said trade-mark and printed label then and there appeared to indicate that the said Vermouth was then and there imported Vermouth, and not of domestic manufactured, and that the place of the manufacture and production of the said Vermouth was then and there the City of Turin in the Kingdom of Italy, and that the persons then and there manufacturing and producing the said Vermouth were then and there persons doing business under the name of Sola Brothers and Company, in the said City of Turin in the said Kingdom of Italy, the

names of the said persons being to the Grand Jury aforesaid unknown.

WHEREAS, in truth and in fact, the said trademark and printed label did not truly indicate the quality of the said Vermouth or its place of manufacture and production or the persons manufacturing or producing the same in that the said Vermouth was not then and there imported Vermouth, but was of domestic manufacture and production, and in that the place of manufacture and production of the said Vermouth was not then and there the City of Turin in the Kingdom of Italy, and in that the persons manufacturing and producing the said Vermouth were not then and there any persons doing business under the name of Sola Brothers and Company, in the said City of Turin in the ^{said} Kingdom of *J.P.C.* Italy; all of which he the said "William "E. Poggi then and there well knew; against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

DISTRICT ATTORNEY.

Witnesses:

Bailed Dec 4/96 in \$500

by Arnold Kohn
161 E 93 St

For the reasons set forth in the Communication of
Mr. Castle attached to this indictment against
Edwin H. Richards & Co filed Nov 30/96 and
from a personal Examination of the Case, I am
satisfied no conviction can be had and I
recommend the dismissal of this Indictment.

My March 10/97

Just M. Osborne
M. D. A.

I Concur

Philip Carpenter
Asst Dist Atty

March 11/97

Counsel, *Ivery F. Bushman*
13rd way

Filed 30th day of Nov 1896

Pleads, *Not guilty Dec 10*
with leave to withdraw Dec 14

THE PEOPLE

vs.

B

William E. Poggi

Modemoneor
Penal Code Sec 364, 438 & 438a

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

741 Hamman

Foreman.

COURT OF GENERAL SESSIONS OF THE PEACE.

CITY AND COUNTY OF NEW YORK.

March 17th 1897
with Endorsement thereon

I Certify that the annexed is a copy of an Indictment now on File in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom, and of the whole of said original

John L. Carr
Clerk of Court.

