

0000

BOX:

349

FOLDER:

3283

DESCRIPTION:

Allen, Anthony

DATE:

04/11/89



3283

Witnesses:

Philip Clark
off Neil

Counsel,

Filed

11 day of April 1889

Pleads,

[Sections 224 and 228, Penal Code].
Robbery, *first* degree.

THE PEOPLE

vs.

Anthony Allen

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. Kirby Foreman.

Paul H. Hays

Speaker of the House

#161 D.C. Hays

B.M.

0010

Police Court 2 District.CITY AND COUNTY }
OF NEW YORK, } ss

Philip Clark
 of No. *519 10th Avenue* Street, Aged *24* Years
 Occupation *Bar tender* being duly sworn, deposes and says, that on the
2 day of *March* 188*9*, at the *20* 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:

Five dollars in gold and lawful
money of the United States

\$5.00

of the value of *Five dollars* DOLLARS,
 the property of *James Gallagher*, and then in deponent case
 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

Anthony Allen (now here) and
two others not arrested. The said
 money was in a drawer of a saloon at
519 Tenth Avenue where deponent is
 bar keeper. The defendant and the two
 others were in the bar room when deponent
 left for a moment. On deponent's return
 he saw the one of the unknown defendants
 in the act of jumping over the bar with
 the said money in his hand which he
 had stolen from the till. Deponent
 immediately seized the said unknown
 defendant for the purpose of recovering
 the said money, and while deponent

day of
 Sworn to before me, this

188

Police Justice.

0011

so, held the said Defendant with
the said money the Defendant Anthony
Allen seized Deponent and dragged
Deponent away and permitted the
said unknown thief to escape. Wherefore
Deponent charges the Defendant with
robbery. After the escape of the
said unknown thief Deponent seized
the Defendant Allen and held
him until he was arrested by Policeman
William F. O'Neil of the 20th Precinct
Police. For the reason that the Defendant
forcibly wrested Deponent away from
thief, and that the Defendant acted
in collusion with the said thief
Deponent charges the Defendant
with the crime of robbery. The Defendant
sworn to before me this 9th day of April 1889 returned the said stolen
money to Deponent.

John J. O'Neil

Philip Clark

Police Justice.

188

Dated

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

There being no sufficient cause to believe the within named

Police Justice.

188

Dated

to bail to answer by the undertaking hereto annexed.

I have admitted the above named

Police Justice.

188

Dated

of the City of New York, until he give such bail.

Hundred Dollars and be committed to the Warden and Keeper of the City Prison

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

vs.

Offence—ROBBERY

1
2
3
4

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0012

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.*Anthony Allen*

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 Allen

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

Pennsylvania US

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

Answer.

521 West 26 St - 2 years

Question. What is your business or profession?

Answer.

Stone Cutter

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 went into the place to get a glass of beer. I was walking over from the fire lunch counter when I saw this unknown man jumping over the counter and he walked out with his friend. I was walking out after them when complainant knocked me down. I looked for the other man to give up the money. He did give the money to me while complainant had hold of me and I immediately gave it to the complainant. I did not take the money.

Anthony Allen

Taken before me this

day of

Police Justice.

0013

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 Allen

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

Dated

April 9

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.

0014

Police Court--- 496 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Philip Clark
319 vs. 19 Ave
Anthony Allen

Offence Robbery

2
3
4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated April 3 1889

Magistrate.

W. F. O'Neil Officer.

20 Precinct.

Witnesses

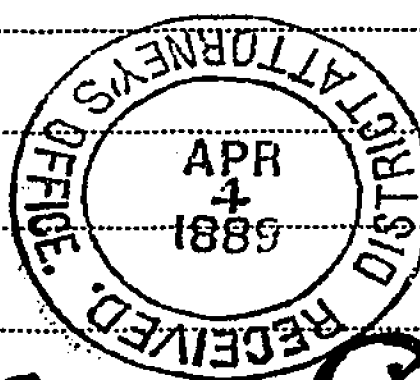
No. Street.

No. Street.

No. Street.

\$ 1000 to answer

Committed



00 15

Anthony Allan

Nov. 19 - 1885

4 Yrs. Grand Juror -
Judge Cowing

May 30. 1883

1 Yr 6 mos

Burglary Rec. Smyth ~

0016

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 Allen

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

of the CRIME OF ROBBERY in the *First* degree, committed as follows:

The said *Anthony Allen*,

late of the City of New York, in the County of New York aforesaid, on the *second* day of *April*, in the year of our Lord one thousand eight hundred and eighty *nine*, in the ~~time of the said day~~, at the City and County aforesaid, with force and arms, in and upon one *Prindia Rada*, in the peace of the said People, then and there being, feloniously did make an assault, and then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of *five*

dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of *five* dollars; divers United States Silver Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of *five*

dollars; divers United States Gold Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of *five*

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *five dollars*,

~~of the goods, chattels and personal property of the said one James D. Gallagher,~~
~~from the person of the said~~ *Prindia Rada*, against the will, and by violence to the person of the said *Prindia Rada*, then and there violently and feloniously did rob, steal, take and carry away, ~~the said~~ *Anthony Allen* being then and there aided by two accomplices, actually present, whose names are to the Grand Jury aforesaid as yet unknown,

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

John A. Sullivan,
District Attorney

00-17

BOX:

349

FOLDER:

3283

DESCRIPTION:

Allen, Richard

DATE:

04/17/89



3283

0018

Witness:

John W. D. D. D.
John W. D. D. D.

Counsel:

Filed 17 day of April 1889

Pleas:

Not guilty

THE PEOPLE

vs.

Richard Allen

[Section 528, and 584, Penal Code]
(False Pretenses)
J. LARSEN, 2nd

JOHN R. FELLOWS,

Refused to Mr. Fitzgerald
District Attorney

A True Bill

Attorney

Foreman

D-72
April 23
1889

0019

Police Court—

District.

Affidavit—Larceny.

City and County } ss.
of New York, }of No. 259 or 3rd Street, aged 33 years,occupation Keep a boarding house being duly sworndeposes and says, that on the 13th day of March 1889 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession

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

Good and lawful money of
the United States to the amount and
of the value of four hundred and
fifty dollars (\$450.00)

the property of Deponent

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

from the fact that the said defendant
had been boarding in deponent's boarding
house at the above address for the past
six weeks. and on the above mentioned date
the said defendant represented to deponent
that he wanted to buy a half interest in a
Machine Shop and that he must have
said sum of money immediately to buy
said half interest in said shop.

Deponent believing and relying solely
upon the representations so made to her
by the said defendant. gave him the
said defendant the aforesaid sum of
money for said purpose. he the defendant

Subscribed before me this
day 1889

Police Justice

0020

took said sum of money from defendant and went out but returned about 12 o'clock P.M. same day and told defendant that he had deposited said sum of money in the West Side Bank. as it was impossible to make the purchase of said half interest in said machine shop on that day. Defendant further says that all of the representations made to her by the said defendant were wholly false and untrue, and that he never had any intention of buying a half interest in a machine shop, and that he never deposited said money in the West Side Bank as he represented he had, but that he appropriated said sum of money to his own use, and that he bought clothes and liquor for himself with said money. Defendant further says that she has demanded the return of said sum of money from the defendant on several occasions, but he has neglected and failed to return said money to defendant. Wherefore defendant charges the said defendant with feloniously obtaining possession of said sum of money with the intent to defraud by color or aid of false and fraudulent representations and prays he may be held and dealt with according to law.

Sworn to before me
this 29th day of March 1899
J. G. Riffey, Clerk of Court

Police Justice

0021

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Richard Allen 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.

Richard Allen

Question. How old are you?

Answer.

34 years old

Question. Where were you born?

Answer.

Philadelphia Pa

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

Answer.

239 E. 81st St 5th Fl

Question. What is your business or profession?

Answer.

Machinist

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

Richard Allen

Taken before me this

day of

188

Police Justice

0022

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

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

Dated March 29 188 W. Murphy 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.

0023

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Sarah Van Duzer
259th West 38th
Richard Allen

2 _____
3 _____
4 _____

Dated *March 29* 188 *9*

Supp Magistrate.

John Roberts Officer.

Dry Dock Savings Precinct.

Witnesses *Wm. G. Harris*

No. *35th St* Street.

Isabelle Van Duzer Street.

Anne Rice Street.

Cashier Street.

No. *34th St* Street.

\$ *5.00* to answer

Give Harris

subp. to office

Lancaster

0024

District Attorney's Office.

PEOPLE

vs.

Richard Allen

To the Grand Jury.

An indictment on this charge was found by the April Grand Jury but since then on full consideration of the facts it has been decided that the false pretenses are not properly alleged therein and the accompanying bill in which the defects are remedied has been prepared in its place which when filed will supersede the old bill.

J. W. Lindsay

0025

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

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

Richard Allen

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

Richard Allen

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

The said *Richard Allen*,

late of the City of New York, in the County of New York aforesaid, on the *13th*
day of *March*, in the year of our Lord one thousand eight hundred and
eighty-*nine*, at the City and County aforesaid, with force and arms, with intent to
deprive and defraud *one Sarah VanDuzee*

of the proper moneys, goods chattels and personal property hereinafter mentioned, and of
the use and benefit thereof, and to appropriate the same to *his* own use, did then and
there feloniously, fraudulently and falsely pretend and represent to *the said*
Sarah VanDuzee,

That *in the said Richard Allen* had
then made arrangements for the purchase
of a one-half interest in a machine
shop, and then needed the sum of four
hundred and fifty dollars, in order to
complete said purchase and thereunto pay
for said interest in said machine shop.

And the said Sarah Van Duzer

then and ~~there~~ ^{here} believing the said false and fraudulent pretenses and representations so made as aforesaid by the said Richard Allen

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said

Richard Allen, the sum of two hundred and fifty dollars in money, lawful money of the United States of America and of the value of two hundred and fifty dollars,

of the proper moneys, goods, chattels and personal property of the said Sarah Van Duzer.

And the said Richard Allen did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and personal property, from the possession of the said Sarah Van Duzer,

by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said Sarah Van Duzer

of the same, and of the use and benefit thereof, and to appropriate the same to his own use

Whereas, in truth and in fact, the said Richard Allen had not then made arrangements for the purchase of a one-half interest in any machine shop, and did

0027

not then need the sum hundred
and fifty dollars, or any sum of
money whatever, in order to complete
said purchase or thereby pay for
said interest in said machine shop.

And Whereas, in truth and in fact, the pretenses and representations so made
as aforesaid by the said Richard Allen
to the said Sarah Van Duzer was and were
then and there in all respects utterly false and untrue, as he the said
Richard Allen
at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said
Richard Allen
in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods,
chattels and personal property of the said Sarah Van Duzer
then and there feloniously did STEAL, against the form of the Statute in such case made and
provided, and against the peace and dignity of the said people.

JOHN R. FELLOWS,

District Attorney.

0028

BOX:

349

FOLDER:

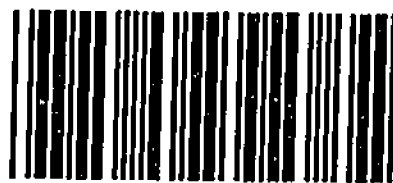
3283

DESCRIPTION:

Ahrens, Frank

DATE:

04/02/89



3283

0029

Witnesses:

Hugh Martin

Counsel,

Filed,

Pleads,

day of

1889

THE PEOPLE,

April 4

[III Rev. Stat. (7th Edition), Page 1889, Sec. 5.]

VIOLATION OF EXCISE LAW

D

Grand Jurors

[Signature]

JOHN R. FELLOWS.

District Attorney.

A True Bill.

C. M. Murby

Foreman.

N 25

0030

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frank Shrens

The Grand Jury of the City and County of New York, by this indictment, accuse *Frank Shrens* of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES ALE AND BEER, committed as follows:

The said *Frank Shrens* late of the City of New York, in the County of New York aforesaid, on the *thirteenth* day of *January* in the year of our Lord one thousand eight hundred and eighty *nine*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of, and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid, unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure, and suffer and permit to be open, and to remain open, 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.

0031

BOX:

349

FOLDER:

3283

DESCRIPTION:

Andersen, Charles

DATE:

04/05/89



3283

Witnesses:

J. J. Tomassian
W. J. Gillispie

Counsel,

Filed

5 day of April 1889

Pleads,

THE PEOPLE

vs.

Charles Anderson

Grand Larceny Second degree.
[Sections 528, 58 / Penal Code.]

J. R. Fellows

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J. M. Hardy
Foreman.

April 1889

Clarence J. Jones

P. J. Jones & Co.
No 7 of
P. J. M.

0033

Police Court—2^d District.

Affidavit—Larceny.

City and County } ss.:
of New York,

John Tom's son
of No. 101 West 11th Street, aged 18 years,
occupation Grocery Clerk being duly sworn
deposes and says, that on the 3^d day of March 1889 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the daytime, the following property, viz:

two Suits of men's clothing
together of the value of forty
dollars

HO 100

the property of deponent's Luggage and
in deponent's Care and Charge

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 Charles Anderson (now here)

for the reason that on the above-
mentioned date, about the hour
of twelve in the afternoon
deponent found said defendant
in a room on the top floor of
the 151-6th Avenue and saw
the said defendant in the
act of packing the above-described
property for the purpose of
taking the same

John Tom's son

Sworn to before me this
day of March 1889

Police Justice.

0034

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Carl Anderson 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. *Carl Anderson*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *35 Bowery New York About 2 months*

Question. What is your business or profession?

Answer. *Bar tender.*

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

Answer. *I am guilty of the Charge*
Carl Anderson

Taken before me this

day of *March* 189*7*

Police Justice.

0035

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

Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
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 *Mar 31* 188 *[Signature]* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0036

Police Court--- 2 484 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Thompson
101 West 11 St
Karl Anderson

Officer
Carney
Miss

2
3
4

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *March 31* 188*9*

Guffy Magistrate.

Gullapin Officer.

9 Precinct.

Witnesses _____

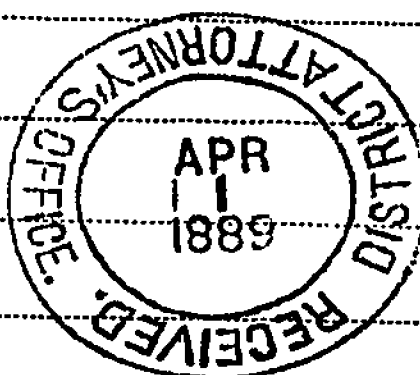
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *5.00* to answer *G.S.*

Com. 9



0037

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles Andersen

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

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

The said

Charles Andersen

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

*two coats of the value of ten
dollars each, two vests of
the value of four dollars
each, and two pair of trousers
of the value of six
dollars each pair,*

of the goods, chattels and personal property of one

John Tomissen

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

John C. Fellows
District Attorney

0038

BOX:

349

FOLDER:

3283

DESCRIPTION:

Anderson, Edward

DATE:

04/09/89



3283

0039

WITNESSES:

Off. Charles A. Edwards

Counsel,

Filed

9 day of April

1889

Pleads

Guilty

THE PEOPLE,

vs.

B
Edward Anderson

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[Ill. Rev. Stat. (7th Edition), page 1888, Sec. 21 and
page 1889, Sec. 5.]

Indemnity

JOHN R. FELLOWS,

District Attorney.

A True Bill.

C. M. Wray
Foreman.

Complaint sent to the Court
of Special Sessions

Part III, April 17, 1889.

10121

0040

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against
Edward Anderson

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

Edward Anderson
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

Edward Anderson
late of the City of New York, in the County of New York aforesaid, on the *tenth* day of *March* in the year of our Lord one thousand eight hundred and eighty-*nine*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

Charles Eckstadt
and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Edward Anderson
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Edward Anderson
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, 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.

0041

BOX:

349

FOLDER:

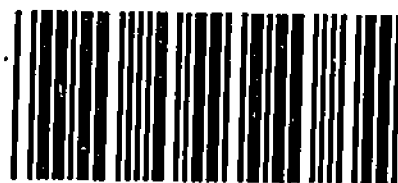
3283

DESCRIPTION:

Anderson, John

DATE:

04/03/89



3283

0042

BOX:

349

FOLDER:

3283

DESCRIPTION:

Spath, George

DATE:

04/03/97



3283

0043

Witnesses:

Michael Gorman

Officer Carby

Under the Seal of the Court

Counsel,

Filed

3 day of April 1889

Pleads,

Not guilty

THE PEOPLE

vs.

John Anderson

and

George Spahr

JOHN R. FELLOWS,

District Attorney.

A True Bill.

A. M. Kirby

Foreman.

Part III April 11/89-

Batter tried and acquitted

M. H.

Grand Larceny Second degree, [Sections 528, 53/570 Penal Code].

0044

Police Court—2—District.

Affidavit—Larceny.

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

Michael Gorman
of No. 436 West 26th Street, aged 24 years;
occupation blackman being duly sworn
deposes and says, that on the 24 day of March 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property, viz:

One horse
and harness of the value of
one one hundred dollars
\$100

the property of

Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen
and carried away by John Anderson, and George Spatch

(now living) Deponent left the said horse
locked up in a stable at No 535
West 28th Street on Sunday morning
last at 10 o'clock. Deponent
missed the said horse from said
stable about 3.30 p.m. on said
date, and deponent found the
defendants in possession of the
said horse, and harness in West 28th Street,
about 7.30 p.m. on said date
wherefore deponent asked the
defendants he dealt with as the
law directs.

Michael Gorman

Sworn to before me, this
28 day of March 1888

of
Police Justice.

0045

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK }

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

Question. What is your name?

Answer. *John Anderson*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *N.S.*

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

Answer. *540 West 29th St 2 weeks*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I did not steal the horse.*

Taken before me this
day of *March* 188*8*

John Anderson

Police Justice.

0046

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

George Spath 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. *George Spath*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *576 West 24th St. 5 or 6 years*

Question. What is your business or profession?

Answer. *Builder*

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. *Nobody saw me with the house. I did not take him out.**George Spath*

Taken before me this

day of

August 1888
[Signature]
 Police Justice.

0047

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

John Anderson and George Math

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

Dated.....188

[Signature]
Police Justice.

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

to bail to answer by the undertaking hereto annexed.

Dated.....188

.....Police Justice.

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

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

Dated.....188

.....Police Justice.

0048

Police Court--- 2 483 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael Gorman
436 West 26th
John Anderson
George Spoth

Larceny
felony
Offence

3.
4.

Dated

March 28

188

Magistrate.

Officer.

Precinct.

20

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ 500 each to answer

Com

9K

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

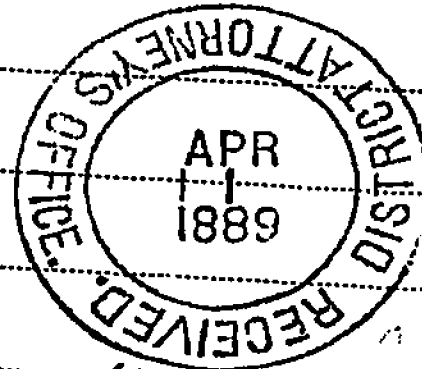
Residence

Street.

No. 4, by

Residence

Street.



0049

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Anderson and
George Spath

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

John Anderson and George Spath
of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed
as follows:

The said

John Anderson and
George Spath, both —

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

one horse of the value of
seventy dollars and one
set of harness of the value
of thirty dollars

of the goods, chattels and personal property of one

Michael Gorman

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

0050

SECOND COUNT—

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

John Anderson and George Spath
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

*John Anderson and
George Spath, both —*

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

*one horse of the value of
seventy dollars, and one
set of harness of the value
of thirty dollars,*

of the goods, chattels and personal property of one.

Michael Gorman

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

Michael Gorman

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

*John
Anderson and George Spath*

then and there well knowing the said goods, chattels and personal property to have been
feloniously stolen, taken and carried away, against the form of the statute in such case made
and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.