0565

BOX:
320
FOLDER:
3045
DESCRIPTION:
Mailugo, Domenico
DATE:
09/12/88

3045

Witnesses:

There is no evidence upon which to sustain this indictment.

Sept 19/88. V. M. Davis Ast

#162

W. C. Cook
25 Chambers St

Counsel,

Filed 12 day of Sept 1888

Pleads, Not guilty 13

THE PEOPLE

vs.

Domenico Mailungo

CONCEALED WEAPON.
(Section 410, Penal Code).

JOHN R. FELLOWS,
District Attorney.

A True Bill.

J. V. Soape
Foreman.

Part III, September 19/88
Indictment Dismissed

0567

Sec. 198—200.

1st District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Dominic Mailys 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. Dominic Mailys

Question. How old are you?

Answer. 26 years

Question. Where were you born?

Answer. Italy

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

Answer. 64 Mulberry Street. 1 year

Question. What is your business or profession?

Answer. Laborer

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

Answer. I am not guilty.
Dominic his x Mailys
mark

Taken before me this 5th *day of* September 188 9

Patrick Callahan
Police Justice.

0568

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 Lewis Lewandowski *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 Sept 7 *188* 8 Saml C Beall *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.*

0569

BAILED,

No. 1, *by* .....

Residence ..... *Street.*

No. 2, *by* .....

Residence ..... *Street.*

No. 3, *by* .....

Residence ..... *Street.*

No. 4, *by* .....

Residence ..... *Street.*

Police Court--- 1448 **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John O'Sullivan

vs.

Domenico Mailing

2 .....

3 .....

4 .....

Grand Larceny, Concealed Weapons

Dated September 5 188 8

O'Reilly Magistrate.

O'Sullivan Officer.

6 Precinct.

Witnesses .....

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ 1000 to answer

COMMITTED.

COMMITTED.

0570

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 1 DISTRICT.

John F. O'Sullivan

of No. 6th Precinct Police Street, aged 40 years,

occupation Police Officer being duly sworn deposes and says,

that on the 14th day of September 188 8

at the City of New York, in the County of New York, Dominick Mailingo (now here) did feloniously with intent to use against another have in his possession in the public street, to wit Bell Street a dirk or dangerous knife in violation of Section 410 of the Penal Code of the State of New York.

John O'Sullivan

Sworn to before me, this 14 day of September 188 8

Police Justice.

0571

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Domenico Maiuro

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

— Domenico Maiuro —

of a FELONY, committed as follows:

The said Domenico Maiuro, — late of the City of New York, in the County of New York aforesaid, on the Fourth day of September, in the year of our Lord one thousand eight hundred and eighty-~~eight~~, at the City and County aforesaid, with force and arms, feloniously did furtively carry, concealed on his person, a certain ~~instrument and weapon of the kind commonly known as~~ dirk and dangerous knife, with intent then and there feloniously to use the same against some ~~person or~~ persons ~~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

— Domenico Maiuro —

of a FELONY, committed as follows:

The said Domenico Maiuro, 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, feloniously did possess a certain ~~instrument and weapon of the kind commonly known as~~ dirk and dangerous knife, by him then and there concealed, and furtively carried on his person, with intent then and there feloniously to use the same against some person or persons 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.

JOHN R. FELLOWS,
District Attorney.

0572

BOX:
320
FOLDER:
3045
DESCRIPTION:
Maisel, Isaac
DATE:
09/27/88

3045

Witnesses:

356.

Counsel,

Filed 27 day of Sept 188 8

Pleads, Guilty (2d)

THE PEOPLE

vs.

Isaac Maisel

23. 216 Jury 4 regular

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

JOHN R. FELLOWS,
District Attorney.

A True Bill.

J H Draper
Foreman.

Oct 2/88
Plead G. L. 2nd deg.
Sen suspended
Oct. 12/88. 12 ~~Oct~~ g.

ELS 05

0574

City, County and State of New York ss:-

Adolph Sanber being duly sworn, deposes and says, that he is of the age of 30 years, that he is a Cutter by occupation, and resides at No. 117 East Broadway in said New York City, and deponent further says that he has been acquainted with Isaac Maisal, for a number of years, having known him in Russia,

that said deponent has had occasion to come in contact with said Maisal very often, since his coming to said New York City, and always found said Maisal, to be honest and upright, with an exceptionably good character, and deponent further says, that he would not have hesitated, and still would not hesitate, to trust to said Maisal's honesty, knowing that if said Maisal was not in extreme want, he would not have perpetrated the crime, which he now stands charged with. That said deponent is well acquainted with said Maisals family in Uchna, Russia, that said family is one of the most respected and honored families in said place.

Adolf Sanber

Sworn to before me, this

8 day of October 1888

H. C. Greenberg
Notary Public
N.Y.C.

0575

City,County and State of New York ss:-

Benzion Zewoldo being duly sworn,deposes and says, that he is of the age of 50 years,that he is a dealer in House furnishing Goods by occupation,and resides at No. 191 Madison St. in said New York City,and deponent further says that he has been acquainted with Isaac Maisal for a number of years, knew him in Russia

that said deponent has had occasion to come in contact with said Maisal very often,since his coming to said New York City,and always found said Maisal,to be honest and up right with an exceptionably good character,and deponent further says that he would not have hesitated,and still would not hesitate,to trust to said Maisal's honesty,knowing that if said Maisal was not in extreme want,he would not have perpetrated the crime which he now stands charged with. And said deponent further says that he is acquainted with said Maisal's family in Russia that said family is one of the most honorable and respected families in Wilna Russia

his mark
Benzion ~~Wacsallman~~ Zawalko
in Hebrew

Sworn to before me,this

8 day of October 1888

Hall Greenberg
Notary Public N.Y.C.

0576

City, County and State of New York ss:-

Solomon Rodnitzky being duly sworn, deposes and says, that he is of the age of 40 years, that he is a Clerk by occupation, and resides at No. 179 Henry Street in said New York City, and deponent further says that he has been acquainted with Isaac Maisal for a number of years, having known him in Wilna Russia -

that said deponent has had occasion to come in contact with said Maisal very often, since his coming to said New York City, and always found said Maisal, to be honest and up right with an exceptionably good character, and deponent further says that he would not have hesitated, and still would not hesitate, to trust to said Maisal's honesty, knowing that if said Maisal was not in extreme want, he would not have perpetrated the crime which he now stands charged with. That said deponent is well acquainted with the family of said Maisal in said Wilna, that said family is one of the most respected and honored families in said place.

Solomon Rudnitzky

Sworn to before me, this
8 day of October 1888
H. L. Greenberg
Notary Public N.Y.C.

0577

City, County and State of New York ss:-

Harris Cohen being duly sworn, deposes and says, that he is of the age of 30 years, that he is a Machinist by occupation, and resides at No. 148 Forsyth St - in said New York City, and deponent further says that he has been acquainted with Isaac Maisal from childhood having been brought up as boys together that said deponent has had occasion to come in contact with said Maisal very orten, since his coming to said New York City, and always found said Maisal, to be honest and up right with an exceptionably good character, and deponent further says that he would not have hesitated, and still would not hesitate, to trust to said Maisal's honesty, knowing that if said Maisal was not in extreme want, he would not have perpetrated the crime which he now stands charged with. That said deponent is well acquainted with said Maisal's family in Wilna, Russia, that said family is one of the most respectable & honored families in said Wilna

H Cohen

Sworn to before me this
8 day of October 1888

[illegible]
Notary Public
City & Co NY

0578

City, County and State of New York ss:-

Morris Melnack, being duly sworn, deposes and says that he is of the age of 33 years, that he is a painter by occupation, and resides at No. 239 Munroe Street, in said New York City, and said deponent says that Isaac Maisal, has lived with him, since his, said Maisal's arrival in this country, that said Maisal always had the freedom of his, said Melnack's, house, and always found said Maisal to be an honest and straightforward person, never having had occasion to mistrust him, said Maisal, in the least, and am of the opinion, that said Maisal would not have committed the crime he now stands charged with, unless he was driven to it through want.

his
x mark
Morris Melnack

Sworn to before me this
8 day of October 1888

J. Mahoney
Notary Public
City & Co. of NY

0579

City, County and State of New York ss:-

Harris Pring being duly sworn, deposes and says, that he is of the age of 25 years, that he is a Clothing Manufacturer by occupation, and resides at No. 36 Sullivan Street in said New York City, and deponent further says that he has been acquainted with Isaac Maisal, ~~for~~ Since Maisal's arrival in America that said deponent has had occasion to come in contact with said Maisal very often, since his coming to said New York City, and always found said Maisal, to be honest and upright, with an exceptionably good character, and deponent further says, that he would not have hesitated, and still would not hesitate, to trust to said Maisal's honesty, knowing that if said Maisal was not in extreme want, he would not have perpetrated the crime, which he now stands charged with.

for Harris Pring

Sworn to before me, this 8 day of October 1888

Richard Lynch
Notary Public
City & County

0580

City, County and State of New York ss:-

Aaron Cohen being duly sworn, deposes and says, that he is of the age of 30 years, that he is a Coating Manufacturer by occupation, and resides at No. 51 Heaton Street in said New York City, and deponent further says that he has been acquainted with Isaac Maisal, for about Eight (8) months

that said deponent has had occasion to come in contact with said Maisal very often, since his coming to said New York City, and always found said Maisal, to be honest and upright, with an exceptionably good character, and deponent further says, that he would not have hesitated, and still would not hesitate, to trust to said Maisal's honesty, knowing that if said Maisal was not in extreme want, he would not have perpetrated the crime, which he now stands charged with.

his
x mark for Aaron Cohen

Sworn to before me, this
8 day of October 1888
[illegible]
Notary Public
City & Co NY

0581

~~In re~~ Perfil

Isaac Maisal

The defendant makes out a strong case for suspension of sentence - his previous character has been excellent & I am assured by defendant's counsel & by the Pres. of the Hebrew Emigrant Society that upon his release he will be sent back to Russia. I recommend suspension of sentence.

Oct 12/88 V. M. Davis,

Asst.

Affidavits of character.

0582

City,County and State of New York ss:-

David Gordon being duly sworn,deposes and says that he is of the age of 27 years,that he is an English instructor by occupation,and resides at No. 56 Rivington St. in said New York City,and deponent further says,that he has been acquainted with Isaac Maisal, a number of years, having known said Maisal in Wilna, Russia.

that said deponent has had occasion to come in contact with said Maisal,very often,since his coming to said City, and found said~~XXXXXX~~ Maisal to be an honest and upright person,with an exceptionably good character,and deponent further says,that he would not have hesitated,and still would not hesitate,to trust to said Maisal's honesty,believing that if said Maisal was not in extreme want,he would not have perpetrated the crime,which he now stands charged with; that said deponent is well acquainted,with said Maisals family in Wilna,Russia,that said family is one of the most respected and honored families in said City.

David Gordon

Sworn to before me,this
10th day of October 1888
Richard Lamson,
notary public
City & County

0583

City, County and State of New York ss:-

Moses Bloom being duly sworn, deposes and says that he is of the age of 26 years, that he is a dealer in Jewelry & diamonds by occupation, and resides at No. 213 East Broadway in said New York City, and deponent further says, that he has been acquainted with Isaac Maisal since said Maisal's arrival in this City.

that said deponent has had occasion to come in contact with said Maisal, very often since his coming to said City and found said Maisal, to be an honest and upright person, with an exceptionably good character, and deponent further says, that he would not have hesitated, and still would not hesitate, to trust to said Maisal's honesty, believing that if said Maisal was not in extreme want, he would not have perpetrated the crime, which he now stands charged with.

Moses Bloom

Sworn to before me this
9th day of October 1888

H. Greenberg
Notary Public
N.Y.C.

0584

City, County and State of New York ss:-

Barney Quint being duly sworn, deposes and says that he is of the age of 27 years, that he is a house furnishing Tailor by occupation, and resides at No. 181 Madison St. in said New York City, and deponent further says, that he has been acquainted with Isaac Maisal, since said Maisal's arrival in said New York City -

that said deponent has had occasion to come in contact with said Maisal, very often, since his coming to said City, and found said Maisal to be an honest and upright person, with an exceptionably good character, and deponent further says, that he would not have hesitated, and still would not hesitate, to trust to said Maisal's honesty, believing that if said Maisal was not in extreme want, he would not have perpetrated the crime, which he now stands charged with; that said deponent is well acquainted, with said Maisals family in Wilna, Russia, that said family is one of the most respected and honored families in said City.

Barney Quint

Sworn to before me, this
9th day of October 1888

H. L. Greenberg
Notary Public N.Y.C.

0585

City, County and State of New York ss:-

David Jewaldoff being duly sworn, deposes and says that he is of the age of 25 years, that he is a Doctor of Medicine by profession and resides at No. 191 Madison St - in said New York City, and deponent further says, that he has been acquainted with Isaac Maisel, a number of years, having been acquainted with said Maisel in Wilna Russia -

that said deponent has had occasion to come in contact with said Maisel, very often, since his coming to said City, and found said Maisel to be an honest and upright person, with an exceptionably good character, and deponent further says, that he would not have hesitated, and still would not hesitate, to trust to said Maisel's honesty, believing that if said Maisel was not in extreme want, he would not have perpetrated the crime, which he now stands charged with; that said deponent is well acquainted, with said Maisel's family in Wilna, Russia, that said family is one of the most respected and honored families in said City. Dr. D. Jewaldoff.

Sworn to before me, this

11 day of October 1888

H. Greenberg
Notary Public N.Y.C.

0586

City, County and State of New York ss:-

Jacob Snyder being duly sworn, deposes and says, that he is the complainant in the proceedings of Grand Larceny, against Isaac Maisal, that he has known said Maisal for years, have been brought up as boys to-gether, that said Maisal has always borne an honest, upright and unquestionably good character, and deponent further says, that knowing said Maisal and his family as he does, that said Maisal would not have committed the crime which he now stands charged with, unless he was driven to the same, out of want, that said deponent placing such confidence in said Maisal, would not hesitate to trust him in the future as heretofore, and said deponent further states, that he is acqainted with the family of said Maisal, who reside in Wilna Russia, that the family is one of the leading and foremost of said place, the members of said family being dearly beloved by all, that said deponent, cheerfully joins with said Isaac Maisal, in asking that sentence be suspended, knowing that the ends of justice will be met by so doing.

That said deponent is desirous of having his property returned to him.

Sworn to before me this 11th day of October 1888

Jacob Snyder

H. L. Greenberg
Notary Public
N. Y. C.

0587

Police Court 3 ~~District~~

Affidavit—Larceny.

City and County of New York } ss.:

of No. 35 Division Street, aged 23 years, occupation Suspender Maker being duly sworn deposes and says, that on the 9th day of Sept 188 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:

Watches, two Gold Chains, One diamond Ring, One pair of Ear rings, One Pair of Bracelets and five Gold rings all of the total value of Two Hundred and Twenty Seven Dollars ($227.)

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 Isaac Massel now here, for the reason that he admitted and confessed in open Court, without coercion or intimidation but of his own free will that he stole said property and pawned it, and now Deponent charges said Defendant with Receiving, Stealing and Carrying away said property and prays that he be dealt with as the law directs

Jacob Snyder

Sworn to before me, this 3 day of Sept 188

Police Justice.

0588

Sec. 198—200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Isaac Maisel 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. Isaac Maisel

Question. How old are you?

Answer. 23 years of age

Question. Where were you born?

Answer. Russia

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

Answer. 6 Forsyth St 2 Months

Question. What is your business or profession?

Answer. Cigar Maker

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

Answer. I am guilty

Isik Maisel

Taken before me this 8 *day of* October *1887*

Police Justice.

0589

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

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

Dated Sept 21 188 8 ..... *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.*

0590

#356 B.O.

Police Court--- 8 District. 1488

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jac Snyder
135 Division
Isaac Marsel
2
3
4

Offense Larceny

Dated Sept 21 188 8

Lemsy Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$1000 to answer GS

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

0591

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Isaac Maisel

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

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

The said Isaac Maisel,

late of the City of New York, in the County of New York aforesaid, on the 19th day of September, in the year of our Lord one thousand eighty hundred and eighty-eight, at the City and County aforesaid, with force and arms,

two watches of the value of fifty dollars each, two chains of the value of twenty dollars each, one finger ring of the value of forty dollars, five other finger rings of the value of seven dollars each, one pair of earrings of the value of twenty five dollars and one pair of bracelets of the value of twenty five dollars, —

of the goods, chattels and personal property of one Jacob Simpson, —

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

John R. Williams,
District Attorney

0592

BOX:
320
FOLDER:
3045
DESCRIPTION:
Manning, Thomas
DATE:
09/24/88

3045

Witnesses;

#29

BR

Counsel,

Filed 24 day of Sept 188 8

Pleads, Arraigned (8)

THE PEOPLE

vs.

B

Thomas Manning

P2 Oct 5/88
Tried & acquitted

Grand Larceny in the Second degree.
(MONEY.)
(Sec. 528 and 531 —, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

Oct - 5 - Ret 8
N 29

A True Bill.

J. H. Scapey
Foreman.

Same order as

for Peremptory
Sept 28

0594

Police Court— / District. Affidavit—Larceny.

City and County of New York, } ss.:

Joseph A McClary

of No. 91 Wall Street, aged 24 years, occupation Messenger being duly sworn deposes and says, that on the 24th day of July 188 8 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 consisting of Bank notes and bills together of the denomination and value of

Twenty Six 78/100 Dollars

($26.78/100)

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 Thomas Manning for the reason that on said day said defendant was in the employ of the Postal Telegraph Cable Company as a messenger and that on said day deponent gave said defendant a cable message and the aforesaid money to take to the Commercial Cable Company and pay for the said message and the same said to Rio Janeiro. Deponent is informed by Chas F A Burton of no. Broad St that on said day he was the receiving agent for the said Commercial Cable Company and that he was

Sworn to before me this day of 188

Police Justice.

received the said message or the money thereof or that said message or money was left in said office he would have known it

Deponent further says that from said time up to the present time said defendant has never returned to deponent or to the said Postal Cable Company.

Deponent therefore charges said defendant with the larceny of the property aforesaid

Sworn to before me
this 15th day of July 1884

Jos. A. McClary.

J. Kilbreth
Police Justice

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

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

Dated 188 . Police Justice.

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

Dated 188 . Police Justice.

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

Dated 188 . Police Justice.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—LARCENY.

Dated 188
Magistrate.
Officer.
Clerk.

Witnesses,
No. Street,
No. Street,
No. Street,
$ to answer Sessions.

0596

CITY AND COUNTY
OF NEW YORK, } ss.

Charles F. A. Boulton

aged 24 years, occupation Telegraph Operator of No. Blue Broad Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Joseph A. McCloy and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 15 *day of* July 188 }

C. F. A. Boulton

J. H. Kilbreth

Police Justice.

0597

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 1st DISTRICT.

Henry Wilson

of No. 91 Wall Street, aged 17 years,

occupation Clerk being duly sworn deposes and says,

that on the 24 day of July 188

at the City of New York, in the County of New York, Defendant

gave said Thomas Manning a messenger boy in the employ of the Postal Telegraph and Cable company the sum of Twenty six 75/100 dollars to take to the Commercial Cable Company at number 1 Broad Street to pay for a message to be sent by said company

Henry Wilson

Sworn to before me this day of 188

Police Justice,

0598

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Thomas Manning 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. Thomas Manning

Question. How old are you?

Answer. 14 years

Question. Where were you born?

Answer. Brooklyn N. Y.

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

Answer. 62 Amity Street, Brooklyn, 2 years

Question. What is your business or profession?

Answer. Messenger

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.

Thomas Manning

Taken before me this 26 *day of* July 1888

Thomas Mott

Police Justice.

0599

State of New York,
COUNTY OF KINGS,
CITY OF BROOKLYN. } SS.

FORM No. 30.

John T. Fitzpatrick of No. 1 [illegible] Place, being duly sworn says that he is acquainted with the handwriting of J. E. Kelbreith the Police Justice, who issued the annexed Warrant and that the signature to this Warrant is in the handwriting of said J. E. Kelbreith

Sworn to before me this 16th day of July 188 J. Fitzpatrick

Police Justice of the City of Brooklyn

This warrant may be executed in the City of Brooklyn.

Dated this 16th day of July 188

Police Justice.

0600

Sec. 151.

CITY AND COUNTY OF NEW YORK, } ss

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

Whereas, Complaint on oath, has been made before the undersigned, one of the *Police Justices* in and for the said ~~City, by~~ Joseph A. McCloy

of No. 71 Wall Street, that on the 24 ~~day of~~ July 188[illegible] at the City of New York, in the County of New York, the following article to wit:

Four and twenty pieces of the United States currency of Bank Notes & bills of the denomination & value specified

of the value of Twenty six 75/100 Dollars,

the property of Complainant

was taken, stolen, ~~and carried~~ away, and as the said complainant has cause to suspect, and does suspect and believe, by Thomas Flannery

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said *Sheriff, Marshals and Policemen*, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 1 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 24 *day of* July 188[illegible]

J. Kilbreth POLICE JUSTICE.

0601

POLICE COURT. 1 DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Jos. A. McCleary

vs.

Thomas Manning

Warrant—Larceny.

Dated July 26 188 8

Kilbreth Magistrate

Fitzpatrick Officer

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

John Fitzpatrick Officer.

Dated July 26 188 8

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest, July 26- 88

Thomas Manning

62 Amity St Bklyn

Native of US

Age, 14 yr

Sex m

Complexion, fair

Color w

Profession, Messenger

Married

Single, S

Read, Yes

Write, Yes

0602

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 Thomas Manning

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 5 *Hundred Dollars,* ..... *and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.*

Dated July 28 188 8 J. Kilbreth *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.*

0603

BAILED,

No. 1, by Wm J. Hull

Residence 69 Columbia Street.

No. 2, by Brooklyn

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street

W 1161

Police Court--- ..... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Joseph A. McCarthy
91 Wall st
Thomas Manning

1

2

3

4

Offence Grand Larceny

Dated July 26 188 8

Kilbreth Magistrate.

Fitzpatrick Officer.

Cous Precinct.

Witnesses C. W. Gardner

No. 100 E 23 Street.

Chas. F. A. Belton

No. 1 Broad Street.

26. Nelson

26. Lee

No. 91 Wall Broad st Street.

$ 500 to answer GS

RECEIVED. JUL 27 1888 DIST ATTORNEY'S OFFICE

0604

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Manning

The Grand Jury of the City and County of New York, by this indictment, accuse Thomas Manning of the crime of GRAND LARCENY IN THE second DEGREE, committed as follows:

The said Thomas Manning

late of the City of New York, in the County of New York, aforesaid, on the twenty-fourth day of July in the year of our Lord one thousand eight hundred and eighty-eight at the City and County aforesaid, with force and arms, in the day — time of the same day, one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of twenty dollars, and of the value of twenty dollars ——— ; two promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of ten dollars, and of the value of ten dollars each ; five promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of five dollars, and of the value of five dollars each ; thirteen promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of two dollars, and of the value of two dollars each ; twenty-six promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of one dollar, and of the value of one dollar each ; one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars ——— ; two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each ; five promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each ; one United States Silver Certificate of the

$26.78

0605

denomination and value of twenty dollars ~~each~~ ; two United States Silver Certificates of the denomination and value of ten dollars each ; five United States Silver Certificates of the denomination and value of five dollars each; thirteen United States Silver Certificates of the denomination and value of two dollars each; twenty-six United States Silver Certificates of the denomination and value of one dollar each; one United States Gold Certificate of the denomination and value of twenty dollars ; two United States Gold Certificates of the denomination and value of ten dollars each ; five United States Gold Certificates of the denomination and value of five dollars each ; and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of seventy-eight cents

of the proper moneys, goods, chattels and personal property of one Joseph A. McClary then and there being found, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0606

BOX:
320
FOLDER:
3045
DESCRIPTION:
Masterson, William H.
DATE:
09/11/88

3045

Witnesses: $5000 bail in cl

#123

Counsel,

Filed 11 day of Sept 188

Pleads, Guilty

THE PEOPLE

vs.

William H. Masterson

(6 cases)

Grand Larceny, 2nd Degree (MISAPPROPRIATION.) (Sections 528 and 531 of the Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.

Sept. 27/87

Pleads Guilty

4 Mos S.P.

Oct 1.

0608

N. Y. General Sessions

The People
agst
William H. Masterson

City and County of New York } s. s.

Catharine Masterson Masterson being duly sworn says that she is 24 years of age and is the wife of the above defendant, having been married to him about one year ago, since which time we have kept house at No 918 Sterkinner Street Brooklyn where we have lived happily together and my husband has had no bad habits, not even smoking chewing or drinking. During this period he spent his nights entirely with me frequently bringing his work home in the evenings when I would assist him. His duties with the Edson Illuminating Co were so severe that on one occasion he was laid up sick from nervous prostration brought about by the long hours

he devoted to his work. When we were married he received the annexed letter from the Vice President of his Company Mr Beggs.

That said defendant during the four years I have known him has borne an excellent character, I have never heard a word said against him until this charge was made. In fact he is beloved by every one who knows him My husband has no means of any kind except our household effects which I have sold and realized therefrom about $500 which I offered to Mr Shehan one of the complainants officers, as part restitution, but he has declined to accept the same. That said sum is all the money I could raise and all the means that I have except an undivided interest in some Real Estate which I also offered to convey to Mr. Shehan but which he also declined to accept.

Sworn to before me this
3d. day of October 1888 } Catherine Masterson
Jno. Vincent
Notary Public
N.Y.Co.

0610

THE EDISON ELECTRIC ILLUMINATING CO.
OF NEW YORK,
16 & 18 BROAD STREET,

SPENCER TRASK, President.
JNO. I. BEGGS, Vice Prest.
J. B. SKEHAN, Sec'y and Treasurer.

NEW YORK, October 31st

My Dear Masterson.

Herewith I have the pleas
enclosing to you the Company's cheque for Fifty
as a slight token of our esteem for you, on this th
your wedding which should be the most joyous d
life, and I desire to assure you that my most
well wishes go out to you and the lady of your
which I have no doubt has been wisely and w
and if you shall ever give to her the devotion whic
a right to expect, in equal measure as you have
this company faithful and energetic service I ha
your lives will be happy and prosperous.
Wishing that your pathway may be bright as the su
of this your wedding day, and that when trials co
you, as they do us all at times, you may have the f
and manhood to nobly withstand them, ever findin
whom you have chosen, a cheerful and patient com
remain with kind regards to your Lady and yours
Sincerely
John I. Beggs.

0611

N.Y. General Sessions

The People
-against-
Williams S. Masterson

City and County of New York, ss.

Jeremiah A. Brosnan, being duly sworn saith, I am a clergyman of the Church of Our Lady of Victory in the City of Brooklyn. I know William S. Masterson the above named defendant. I have known him for about five years. During the last mentioned period I knew him as an active worker at all the entertainments given for the benefits of the Church; he was a zealous worker and took an active interest in all such entertainments and in the young mens society connected with the Church. I had and still have great confidence in him. I knew the majority of his acquaintances; they all spoke in the highest terms of him. I never heard one word derogatory to his character. I was present and officiated at his marriage. and deemed him a sincere, upright and principled young man. Realizing that he has violated a law I deeply regret the fact and I hope and trust that the

punishment inflicted on him for his criminal act may not be so severe as to cast a blight upon his early career but ~~such~~ such tempered with mercy that he may realize his situation and after a short time may out live by an upright and sincere life overcome the sad mistake he has been guilty of. I firmly believe that he is full of principle and manhood to rise to such an occasion and to prove to his fiancee that he is capble of so doing

Sworn to before me this 3d day of October 1888 } Rev J. A. Brosmer

John Vincent

Notary Public

N.Y. Co.

0613

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

The People of the State
of New York
against
William N. Masterson

State of New York
City & County of New York } ss

Peter J. Farrell being duly sworn saith

I am an undertaker doing business at number 100 third avenue in the City of Brooklyn. I know William N. Masterson the above named defendant. I have known him for about seven years last past; have been intimately acquainted with him during all that time. I knew all his acquaintances during that time and I never heard one word derogatory to his character. All his acquaintances who I ever heard speak of him spoke well of him. During ~~these~~ years of the nine that I have known him, he and I ~~have~~ members of the same Literary Club in Brooklyn and

I know the defendants character to be good. I never heard the first word derogatory to his character until the present charge.

I have been informed and therefore know that the defendants mother died when he was but nine years of age and that since her death he was compelled to earn his own living. I know that when I became acquainted with the defendant he was supporting his two little sisters and taking care of them at the same place where he was boarding. He ~~continued~~ continued to take care of his sisters for I think two or three years and he often told me during that time that he could not get necessaries for himself because of the needs of his little sisters and that he had to look after them first.

I further say that notwithstanding the present charge against the defendant I do not believe the defendant is a dishonest man at heart and I would trust him and employ him in any capacity in which his services could be of use to me

Sworn to before me this 3rd day of October, 1888

Peter J. Farrell

Jno. Vincent

Notary Public

N.Y.Co.

N. Y. General Sessions

The People

against

William H. Masterson

Affidavits

0616

N.Y. General Sessions

The People
against
William S. Masterson

City and County of New York, ss.

William C. Foley, being duly sworn says That he is an Attorney and Counsellor at Law with an office at No. 237 Broadway, New York City. That he has known the defendant for upwards of five years. That he knows the defendant very intimately and has seen him very frequently during the last mentioned period. That he is acquainted with many persons who also know the defendant intimately and has always heard him spoken of, by them, very highly. That he knows the defendant to be an honest, industrious, moral, temperate man.

Deponent further says that he would now trust him in any way and would have no hesitation whatever in recommending him to fill any position of trust and that he is confident that defendant would not betray his trust. That he knows the defendant will still make a good citizen as well as

0617

a kind, affectionate husband. That of all persons acquainted with defendant, known to deponent, none have ever intimated in any way that defendant was other than an honest man, domestic in habits and affectionate in disposition.

Sworn to before me this 2nd day of October, 188 } Wm. C. Foley

Jno. Vincent

Notary Public

N.Y. Co.

0618

N. Y. General Sessions.

The People
—agst—
William St. Masterson

City and County of New York ss: Miles F. Powers being duly sworn says I am a clerk in the office of Dewell & Pierce Attorneys of this City. I have known the defendant for upwards of eight years past I have seen him very frequently during that time and know of many others who were intimate with him. I have never heard his character in any way questioned until this charge was made. I have always known him to be sober, honest and industrious. Among his associates where he is well known in Brooklyn, and where I reside his character was beyond reproach and among all his fellows I know of no young man who had a better reputation in the community where he resides. I would have no hesitation in trusting him now.

Sworn to before me this 2d October 1888 } Miles F. Powers

Jno. Vincent
Notary Public N.Y. Co.

Court of General Sessions
of New York County

The People of the State
of New York
against
William H. Masterson

State of New York
City & County of New York } ss

John O. Hoyt Jr being duly sworn says that he is a real estate broker doing business at No 111 Broadway in the City of New York; that he knows William H. Masterson the defendant above named; that he has been acquainted with said defendant for eighteen months last past. That deponent is acquainted with other persons who know the said defendant and deponent knows the defendant to be a man of good character. That deponent never heard the first word derogatory to the character of the defendant until his arrest in this present charge.

Deponent further says that he was present at the defendant's marriage in October 1887 and at his wedding reception and since his marriage the defendant

and his wife have been frequent visitors at deponents house and deponent and his wife have been frequent visitors at the defendants house. That deponent knows that the defendant was a man who remained at home evenings and was very domestic in his habits; that deponent never called at the defendants house when he did not find the defendant at home.

Deponent further says that notwithstanding the present charge, he does not believe the defendant is anything at heart but an honest man; and that deponent would still trust him; and has confidence enough in him to employ him in any capacity in which defendants services would be of use and value to deponent. That he believes the defendant to be an upright, moral, ~~honest~~ man.

Sworn to before me this 2nd day of October 1888 } John O. Hoyt. Jr.

Jno. Vincent
Notary Public
N.Y. Co

0621

N. Y. General Sessions.

The People
— against —
William St. Masterson

City and County of New York ss: John Carnie being duly sworn says I reside at No 958 Kent Avenue in the City of Brooklyn - I am an Engineer by profession. I have known the above defendant for about seven years past and during that time I have seen him nearly every day during that period and constant business relations with him - I have never before this charge heard a word said against his character. I have always known him to be honest, sober, industrious and very attentive to his work in the employment of the Edison Electrical Illuminating Company, where he worked night and day, and actually broke himself with the hard work he performed for them. Previous to this charge, deponent can say without any hesitation that said defendant led a blameless life - I would trust him in every way and do not know among all my friends, any one whom

0622

I would most cheerfully and willingly trust in any and every way.

Sworn to before me this 2? day of October 1888 } John Beirnes

Jno. Vincent

Notary Public

N.Y. Co

0623

N.Y. General Sessions.

The People
— vgst —
William H. Masterson

City and County of New York ss: Allen J. Williams being duly sworn says I am in the Insurance business at 271 Broadway N.Y. and reside at 188 Tompkins Ave. Brooklyn — I have known defendant for about Seven years past — I have known him well and seen him very frequently during the last mentioned period — I have always known and heard of him up to the time of this charge to be honest, temperate and very industrious, and without any bad habits whatever — I would not now have any hesitation whatever in trusting him in every way and I am satisfied he will stee make a good citizen as well as a kind, affectionate husband

Sworn to before me this
2d. day of October 1888.
Geo. Vincent
Notary Public
N.Y. Co

Allen J. Williams

0624

Comes & says J B Skehan
I know that the item
of $34.60 was not
returned to the Company
as I did not find it ~~at this~~
~~the~~ item on his daily
return the money shown
he paid to me as
revenue of the
Company by defendant.

Sworn to before me.
this 29th day Aug. 1888
Jas Owen
Orleans Justice,

James B Skehan

Cross examination of James B Keehan

I know that the Item $31.90 was not returned to the Company I did not find this Item in this daily returns the Money should be paid to me as treasurer of the Company by defendant

Sworn to before me this 27th day of August 1888

James B. Keehan

Thos D. Sullivan
Police Justice

0626

Cross Examination of
Jas. B. Sheehan
I know the item
of $51,56 was not
returned to the
Company, I know it
because I don't find
the item on this
daily return

Re Direct
The money should be paid to me
as Treasurer of the Company by
the defendant.

Sworn to before me
this 29. day of August 1888
Geo. J. Owen
Justice of the Peace

James B. Sheehan

Pltff. Exh.

0627

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss:

POLICE COURT, First DISTRICT.

James B. Sheehan

of No. 16 Broad Street, being duly sworn, deposes and says,

~~that on the ..... day of ..... 188~~

~~at the City of New York, in the County of New York,~~

that he is the Secretary and Treasurer of the Edison Electric Illuminating Company of New York, a corporation organized and doing business under the laws of New York. That he knows William ~~B.~~ Masterson, residing at 918 Herkimer Street, Brooklyn. That said Masterson was and has been since 1885 in the employ of said Company as a collector, and bookeper, to make collections in the City of New York. That said Masterson's head-quarters were at 257 Pearl St, at the City of New York, where the books were kept and where, by agreement and direction of said company said Masterson was to turn over every day all monies collected by him from persons owing the said company money, for debts due [illegible] company. That about nine days ago, through said company employing a bookeper to take charge of the books formerly kept by said Masterson, it was discovered by deponent and the officers of said company from said books that said Masterson had collected large sums of money exceeding four thousand dollars the property

0628

of said company, from ~~creditors~~ debtors of said company, and at the City of New York, appropriated such money to his own use, with felonious intent to steal the same. That among other monies so appropriated with such intent as appears by said books so kept by Masterson, is the sum of $31.56

collected by said Masterson from Shannon Miller & Crane a firm at 46 Maiden Lane, New York in cash on or about the 29th day of March 1888 and for which a receipt was given by said Masterson which receipt is now in the possession of said Shannon, Miller & Crane said money was owed by said Shannon, Miller & Crane to said Company, and was never paid or accounted for by said Masterson to said company.

That said Masterson has confessed to deponent orally and in writing, to the company that he has feloniously stolen several thousand dollars of the money of said company.

Sworn to before me this 24 day of August 1888.

POLICE COURT— First DISTRICT.

AFFIDAVIT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF James B Kelsey

vs.

Wm A Masterson

Dated _____ 188

Magistrate.

Officer.

Witness;

Disposition

0629

Sec. 198—200.

CITY AND COUNTY OF NEW YORK } ss.

District Police Court.

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

Question. What is your name.

Answer. William H. Masterson

Question. How old are you?

Answer. 23 years.

Question. Where were you born?

Answer. New York.

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

Answer. 918 Hemlock St. Brooklyn 10 months

Question. What is your business or profession?

Answer. Book Keeper

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

Answer. I am not guilty and I waive all examination excepting the cross examination of James B. Nelson Wm. H. Masterson

Taken before me this 24 *day of* January 188 9

Police Justice.

0630

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant *guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* Ten *Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.*

Dated Aug 27 *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.*

0631

1350

Police Court--- ..... **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James B Shehan

vs.

1 Wm. H. Masterson.

2 .....

3 .....

4 .....

Offence Grand Larceny

Dated August 29 188

Rowe Magistrate.

Officer. Chas. Clarke & Brown

Precinct. 6 8

Witnesses Wm. C. Remy

Wm. Shannon. Miller & Kran

No. 46 Maiden Lane. Street.

No. ..... Street.

No. ..... Street.

$ 1000 to answer

BAILED,

No. 1, by .....

Residence ..... *Street.*

No. 2, by .....

Residence ..... *Street.*

No. 3, by .....

Residence ..... *Street.*

No. 4, by .....

Residence ..... *Street*

TOMBS POLICE COURT

THE PEOPLE
vs.
WILLIAM H. MASTERSON

MEM. FOR EXAMINATION.

(1). Call attention of the Court briefly to the points of the case.

(2) Call ~~Harrison~~ Henry J. Smith, Supt. Prove receipts and confessions. Have all marked for identfication.

(3) Put in certified copy of Certificate of Incorporation.

Bpgz

(4) Call C.B. Zimmsman (with Charles Pfizer & Co.) Prove payments:

June 1, 1888,	$34.60
~~July 2, 1888,~~	~~30.60~~

Call for receipts, prove signatures, prove payments in cash. Put in receipts.

(5) Call E.V. Eymer (D.H. Houghtaling & Co., 142 Front St.) Prove payments:

(1)

Feb. 16,1888,	$32.31
April 6,1888,	31.98
April 12,1888,	31.01
May 11,1888,	26.20

Prove that all payments were in cash. Put in receipts, show payments were made to Masterson--Aymer knows Masterson.

(6) Call William C.Remy (Shannon,Miller & Crane,46 Maiden Lane). Prove payments:

Feb. 24,1888,	$47.23
Mar. 29,1888,	51.56

Call for receipts,put in. Show payments in cash -- Remy knows Masterson.

(7) Call ~~L.Carolis~~ Hazen (Chatham National Bank). Show payments as follows:

Mar. 27,1888,	$139.80
Feb. 24,1888,	123.10

Put receipts in evidence. Show payments in cash at Bank.

(8) Call Jonathan H.Clark (Vermilyea & Co. 16 Nassau St.) Prove payments:

May	$90.66
June	90.16

These items are not included in the complaints on which he was examined.

Put in evidence receipts. Show all payments in cash.

(9) Call Mr. Russell. Bookkeeper engaged to take Masterson's place at the books. Show how he discovered deficit, and approximate amount of deficit.

(10) Call Williams. Bookkeeper for eleven years. Skillful accountant employed by Edison Co. Among books kept by Masterson was Journal and Cash Book. All collections to be entered first in Cash Book and then posted in Ledger. Call attention to the following accounts in Cash Book:

D.H.Houghtaling & Co.

Shannon,Miller & Crane.

Charles Pfizer & Co.

Chatham National Bank.

Vermilyea & Co.

Show that all collections should be entered in Cash Book and should be credited to the various debtors in the Ledger. Call attention on small,brown slip of paper to the various items of these accounts and show that the accounts are no where credited with any of the items. Show that witness examined accounts to the first of August and that the items are nowhere credited. That Masterson did not act for the Company after that.

Prove by witness nature of daily returns.

Put in evidence daily returns for the various weeks cover-

ed by items.

Call attention of witness to the peculiarity in account of Chatham National Bank and have him explain.

Show by witness that these were all the accounts we had time to investigate fully.

(11) Call James B. Skehan, Secretary and Treasurer of Edison Co. Often directed Masterson to turn over monies daily. Put in evidence Masterson's written confessions.

Prove oral confession of Masterson to witness, show that confession was not induced by threat or promise. Show by witness that complaints were all we had time to investigate.

POINTS OF LAW.

I. Confessions.

Code Crim. Pro. Sec. 395: "A confession "of a defendant whether in the course of judicial proceed-"ings or to a private prrson, can be given in evidence "against him, unless made under the influence of fear, "produced by threat, or unless made upon a stipulation

"of the District Attorney, that he shall not be prosecu-
"ted therefor; but is not sufficient to warrant his
"conviction without additional proof that the crime charged
"has been committed."

Case of People vs. Carr, 3 N.Y. Crim. Reps., 578, is a case very similar to our own and absolutely in point, except that there a conviction for grand larceny in second degree was sustained where the evidence was simply a confesion and the fact of a traveling bag which the letter of confession stated had been sent, was found where sent. In that case none of the collections amounted to $25., and yet the Court held that from the evidence they could not tell that the aggregate of the collections had not been appropriated at one time. They sustained the conviction of grand larceny.

II. Intent to restore the money is no defense or even mitigation. Penal Code Sec. 549.

III. Defendant is charged under Penal Code Sec. 528, subdivision 2 (See Abstract Book, page 15.)

Tombs Police Court.

The People

— vs —

William H. Masterson

Mem. for Examination

0638

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss:

POLICE COURT, First DISTRICT.

James D. Skelan

of No. 16 Broad Street, being duly sworn, deposes and says,

~~that on the~~ ..... ~~day of~~ ..... ~~188~~

~~at the City of New York, in the County of New York,~~

that he is the Secretary and Treasurer of the Edison Electric Illuminating Company of New York, a corporation organized and doing business under the laws of New York. That he knows William H. Masterson residing at 918 Herkimer Street, Brooklyn. That said Masterson was and has been since 1885 in the employ of said company as a collector and bookeeper to make collections in the City of New York. That said Masterson's headquarters were at 257 Pearl St, at the City of New York, where the books were kept and where, by agreement and direction of said company said Masterson was to turn over every day all monies collected by him from persons owing the said Company money, for debts due said company. That about nine days ago, through said Company employing a bookeeper to take charge of the books formerly kept by said Masterson, it was discovered by deponent and the officers of said Company from said books that said Masterson had collected large sums of money exceeding four thousand dollars the property of said Company, from ~~debtors~~ debtors of said Company, and at the City of New York, appropriated such money to his own use, with felonious intent to steal the same. That among other monies so appropriated with such intent as appears by said books so kept by Masterson, is the sum of $34.60

0639

collected by said Masterson from Chas. Pfizer & Company firm, at Maiden Lane N.Y. City in cash on or about the 1st day of June 1888 and for which a receipt was given by said Masterson which receipt is now in the possession of said Chas. Pfizer & Company Said money was owed by said Pfizer & Company to said Company, and was never paid or accounted for by said Masterson to said company.

That said Masterson has confessed to deponent orally and in writing to the company that he has feloniously stolen several thousand dollars of the money of said company.

Sworn to before me this 24 day of August 1888.

James B. Sheehan

POLICE COURT—Third DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James B. Sheehan

vs.

Neil H. Masterson

AFFIDAVIT.

Dated, 188

Magistrate.

Officer.

Witness,

Disposition

0640

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name.

Answer. William H. Masterson

Question. How old are you?

Answer. 25 years

Question. Where were you born?

Answer. New York

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

Answer. 918 Hunterson St. Brooklyn 1 Month

Question. What is your business or profession?

Answer. Gas Fitter

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 and I make all further examination excepting the longs examination of James B. Peckham by my counsel Wm. Purdy

Wm H. Masterson

Taken before me this 21 *day of* November *188*9

Chas. Phelps

Police Justice.

0641

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 two *Hundred Dollars,* ..... *and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.*

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

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

to bail to answer by the undertaking hereto annexed.

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

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

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

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

0642

1354

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James B Skehan
16 Broad St
W & H Martin

2.
3.
4.

Offence Grand Larceny

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street

Dated Aug 30 188
Magistrate.
Officer.
Precinct.

Witnesses C. B. Sinssmann
Mtt Charles Pfizer
No. 81 Madison Ave Street.
No. Street.
No. Street.
$ 200 to answer

RECEIVED
AUG 31 1888
UNITED STATES DISTRICT ATTORNEY'S

Cross examination of James D Skehan

I know that the Item $32-91 was not returned to the Company & did not find this Item in the daily returns the money should be paid to me as treasurer of the Company by defendant

James D Skehan

Sworn to before me this 27th day of August 1888

Police Justice

0644

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss:

POLICE COURT, First DISTRICT.

James B. Keehan

of No. 16 Broad Street, being duly sworn, deposes and says,

~~that on the ..... day of ..... 188~~

~~at the City of New York, in the County of New York,~~

that he is the Secretary and Treasurer of the Edison Electric Illuminating Company of New York, a corporation organized and doing business under the laws of New York. That he knows William Masterson residing at 918 Herkimer Street Brooklyn.

That said Masterson was and has been since 1885 in the employ of said company as a collector and bookkeeper to make collections in the City of New York. That said Mastersons' headquarters were at 257 Pearl St. at the City of New York, where the books were kept and where, by agreement and direction of said company said Masterson was to turn over every day all monies collected by him from persons owing the said company money, for debts due said company. That about nine days ago, through said company employing a bookkeeper to take charge of the books formerly kept by said Masterson, it was discovered by deponent and the officers of said company from said books that said Masterson had collected large sums of money exceeding four thousand dollars the property of said company, from debtors of said company, and at the City of New York, appropriated such money to his own use, with felonious intent to steal the same. That among other monies so appropriated

0645

with such intent as appears by said books so kept by Masterson, is the sum of $32.31

Collected by said Masterson from D. H. Houghtaling & Co. a firm at 142 Front St N.Y. City in cash on or about the 16th day of Feb. 1888 and for which a receipt was given by said Masterson which receipt is now in the possession of said D. H. Houghtaling & Co.

Said money was owed by said D. H. Houghtaling & Company to said Company, and was never paid or accounted for by said Masterson to said company.

That said Masterson has confessed to deponent orally and in writing to the company that he has feloniously stolen several thousand dollars of the money of said Company.

Sworn to before me this 24 day of August 1888

James R. Sullivan

Police Justice

POLICE COURT—First DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF James R. Sullivan

vs.

Wm. A. Masterson

AFFIDAVIT.

Dated _____ 188

Magistrate.

Officer.

Witness,

Disposition

0646

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

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

Question. What is your name.

Answer. William H. Masterson

Question. How old are you?

Answer. 25 years.

Question. Where were you born?

Answer. New York

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

Answer. 918 Lexington Av Brooklyn. 10 months

Question. What is your business or profession?

Answer. Book Keeper

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

Answer. I am not guilty and waive all examination excepting the cross examination of James B Keehan by my counsel Mr Perry

Wm H. Masterson

Taken before me this 27 *day of* July *188*1

Police Justice.

0647

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 One *Hundred Dollars,* *and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.*

Dated May 27 *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.*

0648

1350

Police Court--- 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
James B Skehan
vs.
William Masterson
2
3
4

Offence Grand Larceny

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street

Dated August 27 188 8

Parsons Magistrate.

McCluskey & Hornby Officer.

Precinct.

Witnesses E V Aymer
Walter P. Houghtaling & Co
No. 142 Front Street.

No. Street.

No. Street.

$ 100 to answer GJ

RECEIVED AUG 31 1888 DISTRICT ATTORNEY'S OFFICE

0649

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

POLICE COURT, First DISTRICT.

James B. Skehan

of No. 16 Broad Street, being duly sworn, deposes and says,

~~that on the ..... day of ..... 188~~

~~at the City of New York, in the County of New York,~~

that he is the Secretary and Treasurer of the Edison Electric Illuminating Company of New York, a corporation organized and doing business under the laws of New York. That he knows William M. Masterson residing at 918 Herkimer Street Brooklyn.

That said Masterson was and has been since 1885 in the employ of said Company as a collector and bookkeeper to make collections in the City of New York. That said Masterson's head-quarters were at 257 Pearl St. at the City of New York, where the books were kept and where, by agreement and direction of said Company said Masterson was to turn over every day all moneys collected by him from persons owing the said Company money, for debts due said Company. That about nine days ago, through said Company employing a bookkeeper to take charge of the books formerly kept by said Masterson, it was discovered by deponent and the officers of said Company from said books that said Masterson had collected large sums of money exceeding four thousand dollars the property of said company, from ~~creditors~~ debtors of said company, and at the City of New York, appropriated such money to his own use, with felonious intent to steal the same.

0650

That among other monies co appropriated with such intent as appears by said books as kept by Masterson, is the sum of $47.23

collected by said Masterson from Shannon Miller & Crane, agents at 46 Maiden Lane New York City in cash on or about the 24th day of February 1888 and for which a receipt was given by said Masterson which receipt is now in the possession of said Shannon Miller & Crane

Said money was owned by said Shannon, Miller & Crane to said company, and was never paid or accounted for by said Masterson to said company.

That said Masterson has confessed to deponent orally, and in writing to the company that he has feloniously stolen several thousand dollars of the money of said company.

Sworn to before me this 24 day of May 1888

James B. Abelman

[illegible]

POLICE COURT—First DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James B. Abelman

vs.

Wm. A. Masterson

AFFIDAVIT.

Dated _____ 188

Magistrate

Officer

Witness;

Disposition

0651

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name.

Answer. William H. Masterson

Question. How old are you?

Answer. 25 years

Question. Where were you born?

Answer. New York

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

Answer. 918 Atlantic Ave Brooklyn 10 months

Question. What is your business or profession?

Answer. Book-keeper

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

Answer. I am not guilty and I waive all examination excepting the cross examination of Lachman Bekeman by my counsel W. Purdy

Wm. H. Masterson

Taken before me this 27 *day of* March 1888

Chas. F. Jones

Police Justice.

0652

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

.....

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

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

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

to bail to answer by the undertaking hereto annexed.

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

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

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

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

0653

1351

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Isaac B Shehan
16 Broad
Wm Hellasterson

2

3

4

Offence Grand Larceny

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated August 27 1888

Magistrate.

McCluskey & Brady Officer.

166 Precinct.

Witnesses Wm C Remy
Mr Shannon Miller & Crane

No. Street.
46 Maiden Lane.

No. Street.

No. Street.

$ 100 to answer

RECEIVED AUG 31 1888 OFFICE OF SUPERVISING ATTORNEY 1ST JUD. DIST.

0654

Law Offices

EATON & LEWIS

S.B. EATON,
EUGENE H. LEWIS

120 Broadway (EQUITABLE BUILDING)

New York Aug. 29th *1888*

People vs. Masterson.

Hon. John R. Fellows,

District Attorney of the County of New York.

Dear Sir:

On Wednesday August 22nd, Mr James B. Skehan acting for the Edison Electric Illuminating Company of New York, a company of which he is Treasurer and which we represent, procured upon complaint from Justice Power at the Tombs Police Court, a warrant for the arrest of William H. Masterson on suspicion of embezzling $4700. from the company. Masterson was arrested on that day and held for examination for Monday August 27th, 1888. Between the time of the arrest and the day of the examination the complainant having had an opportunity to look into the books of the company, filed six additional complaints each of which stated the embezzlement by Masterson of some specific amount of money collected from a debtor of the company. On August 27th, 1888, the ~~complaint~~ attended with witnesses and the prisoner was held to answer upon each of the complaints, the aggregate bail being $2500. The prisoner had been employed by the company as a collector and to some extent as bookeeper. He had been employed since 1885. Nothing wrong was discovered with his collections or accounts until about two

weeks ago, when a new bookeeper was engaged to take his place upon the books. This new bookeeper at once discovered a large deficit. When Masterson was asked about this, he at first gave evasive answers, but finally acknowledged that he was in debt to the company in a very large sum, how large he did not know. Without threat or inducement of any kind he made two written confessions, copies of which we send to you herewith. At the examination we were prepared to prove and to a considerable extent did prove the fact that Masterson had collected certain specific sums of money in cash which he never turned into the company or accounted for. The books which he kept show this conclusively, as likewise his own daily statements of collections to the company. The memorandum of examination which we send you herewith will give you an idea of the evidence in the case. You will note that the fact of the payment of these specific sums of money to Masterson individually, is evidenced among other things by receipts in his own hand. Most of these receipts we have now in our possession, and they can be produced. Those which we have not are in the possession of the various persons or firms who paid the monies. We are ready to furnish you with the address of all witnesses, and to give you any

0656

J.R.F.3.

other assisstance in our power.

Yours very truly,

Eaton & Lewis.

We have discovered other specific items of peculation, which can be furnished, should you desire to see them.

E. & L.

0657

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss:

POLICE COURT, First DISTRICT.

James B. Skehan

of No. 16 Broad Street, being duly sworn, deposes and says,

~~that on the~~ ~~day of~~ ~~188~~

~~at the City of New York, in the County of New York,~~

that he is the Secretary and Treasurer of the Edison Electric Illuminating Company of New York, a corporation organized and doing business under the laws of New York. That he knows William B. Masterson, residing at 918 Herkimer Street, Brooklyn. That said Masterson was and has been since 1885 in the employ of said Company as a collector and bookeper, to make collections in the City of New York. That said Masterson's head-quarters were at 257 Pearl St, at the City of New York, where the books were kept and where, by agreement and direction of said Company said Masterson was to turn over every day all monies collected by him from persons owing the said company money, for debts due said company. That about nine days ago, through said company employing a bookeper to take charge of the books formerly kept by said Masterson, it was discovered by deponent and the officers of said company from said books that said Masterson had collected large sums of money exceeding four thousand dollars the property of said company, from ~~creditors~~ debtors of said company, and at the City of New York appropriated such money to his own use, with felonious intent to steal the same. That among other monies so appropriated with such intent as appears by said books so kept by Masterson, are the sums of $31.98; $31.01; and $26.20 collected by

Masterson

0658

said Masterson from D. H. Houghtaling & Co., a firm at 142 Front St. N.Y. City in Cash on or about the following days, respectively: Apr. 6th 1888, Apr. 12th 1888 and May 11th 1888 for which receipts were given by said Masterson which receipt is now in the possession of said D. H. Houghtaling & Company said money was owed by said D. H. Houghtaling & Company to said Company, and was never paid or accounted for by said Masterson to said Company.

That said Masterson has confessed to deponent orally and in writing to the company that he has feloniously stolen several thousand dollars of the money of said Company.

Sworn to before me this 24 day of August 1888

POLICE COURT—First DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF James B Sherlan

vs.

Wm H. Masterson

AFFIDAVIT.

Dated _____ 188

_____ Magistrate.

_____ Officer.

Witness, _____

Disposition _____

0659

Sec. 198—200.

CITY AND COUNTY OF NEW YORK } ss.

..... 1 ..... District Police Court.

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

Question. What is your name.

Answer. William H. Masterson

Question. How old are you?

Answer. 25 years.

Question. Where were you born?

Answer. New York.

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

Answer. 918 Herkimer St Brooklyn 1 Month

Question. What is your business or profession?

Answer. Book Keeper

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

Answer. I am not guilty and I waive all further examination excepting the cross-examination of James B. Sheehan. by my Counsel. W. Purdy

Wm H. Masterson

Taken before me this 1 day of August 1881

Police Justice

0660

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

.....

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

Dated Aug 27 .....188 8 .....*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.*

0661

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

1350

Police Court--- 1 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James B. Skehan

vs.

William J. Masterson

2

3

4

Offense Grand Larceny

Dated August 27 188 8

Magistrate.

Mt Eldersley Hamby

Office.

Precinct.

Witnesses E. V. Aymer & Co

Smith & Humphreys Co

No. 142 Front Street.

No. Street.

No. Street.

$ 100 to answer

918 Herkimer Street,

Brooklyn,N.Y.

August 21,1888.

John I.Beggs,Esq.,
Vice President,Edison Elec.Ill'g.Co.,

Dear Sir:-

Herewith you will find a statement in which I set forth as clearly as my mind allows the exact facts in connection with the handling of the funds of the Co., that passed through my hands since January 22,1885. The sudden death of an intimate friend yesterday,followed by a painful accident to my father last night,upset and prevented the detailed statement,I intended giving you naturally these details would only be regarded as so many excuses for the state of affairs and as a bid for sympathy- All I want now is to be spared sympathy - -I hope and will continue to hope thatt he time will be given me to wipe out this crushing disgrace.

The errors of judgment that placed me where I am,can not be excused by any explanation of the maudlin sentiment that first led me to involve myself to an extent that prevented my efforts to catch up out of my natural income. Any question youdesire to ask me on thesubject which in this hurried statement I may not have made perfectly clear,I will answer gladly. I need the moral aid of a man ofyour judgment and had I been able to get it in time,I might have saved myself.

As it happened,my regard for you,inconsistent as it may appear,held me in check time and time again,in those frequent moments when with ruin and disgrace glaring at me -- with icy despair clutching my heart -- I stood ready to take those steps that naturally follow in thewake

of such terrible mistakes.

I knew for months and months back that discovery was imminent.

Time after time I gathered from ten to twenty hundreds of dollars and carefully mapped out a plan to escape it all -- My Wife -- and yourself stopped me -- your kind letter to me of October 31st last burned before me every moment and when you penned the lines "When trials overtake you during life,as they will all of us,bear them with fortitude",my reason returned,and I resolved again to stand by the Co.,till they used me as they wished. When Mr Russell appeared on the scene I knew all was over. I had stayed hoping against hope to get back money enough to cover the ground. When he (Mr.R.) appeared I saw t'was too late and again prepared for the two plans to return the Co.,their due. I intended going where I had old friends of the family and who had sufficient power and influence to help me right the wrong in time. Again I had possession of Eleven hundred dollars in cash. Thank God,I sent it to Broad Street.

I went a step on the other plan and courted death,leaving a letter of instructions,to repay the Co., soon as the insurance on my life was collected.

I was not brave enough,and the meanness was too much even for me -- I mention all this Mr Beggs simply to show you that after passing through the Hell I have for two years it is not strange that I welcome the endof

it,disastrous to me and mine as it will be ~~simply~~ I simply want to keep free till I have placed the books formerly in my charge in the position you want them.

I can do this -- I know -- And in conclusion, I wan to tell you that my wife intent on saving our good name has giving me the right to dispose of her interest (1-3) in some Brooklyn property and which if insufficient to meet the claims wil l go a good way to do it.

With liberty and another effort rightly turned I might be able to clear the balance myself in 12 or 18 months.

I pray you to use your aid to save my Wife and myself from disgrace -- if nothing worse.

Yours Resp'y,

W.H.Masterson.

Mr Beggs:

From January 22,1885,to the Spring of '86,every dollar I collected,I accounted for, Then trial after trial heaped on me,with the sickness of my father the worst stroke,till by degrees I began the pernicious plan of drawing money and replacing it with my salary -- And just then I stopped keeping track of my expenses. In the month of November,'86,I began to grow alarmed and then gave the books a sound overhauling. With the result I found myself about 400 dollars short -- if no error had been committed during the posting etc.

Fearing an examination I,by hard work borrowed

three hundred dolars and replaced that much. But after Mr Skehan had balanced the Ledger, I had during the next two months to repay this money to the man who loaned it to me. I got it from 3 different parties all comparatively, poor and of course had to repay them quickly -- I then unfortunately for me became acquainted through our business with various sporting characters and fired by their tales of wealth easily acquired I began to make small attempts to get even with Fortune by sending money to race tracks.

I went myself at divers times but never had nerve enough to play heavy -- I lost incessantly from five to ten to twenty dollars a day. Twice I won 100 Dollars, once 490 dollars and several times from 150 to 250 -- these sums I turned in as often as won. As I could not go myself regularly I would send money by men I but hardly knew and paid them a commission to bet it for me. Well I had hoped my winnings would balance my losses, but I didn't dare look. When I saw that I had reached the sum of $1,000. I despaired entirely. This was during or about July '87. From that time I never looked into a charge or credit, handed me in the office. I accepted all figures as correct when the office boy Harley had passed them and to this day I could solemnly swear that never did I spend the sum you mentioned and which appears is short.

If after full opportunity, I fail to lessen this amount by discovery of errors, then I will do all

in my power to repay the Co.,every cent due.

I never thought the amount was more than double what 'twas last July -- I want to stick to my post till the truth is known and when I do all I can to repair it -- then I am ready -- for what the gentlemen composing the Board agree to do by me --if they give the one chance I crave for my wife's sake. I will yet atone for my first and last damaging error of judgment.

Mr Beggs -- believe me -- I am honest to the core --

I was trapped -- and selected the door I should have avoided.

Any questions I am ready to answer.

Very Resp'y.

W.H.Masterson.

Tombs Police Court

The People

—vs—

William H. Masterson

Confession

0668

A.

District Attorney's Office.

PEOPLE

vs.

Masterson

List of Witnesses

George Williams
432 Fifth Ave.

William A. Russell
432 Fifth Ave

Henry J. Smith
257 Pearl St.

C. B. Zimmerman
81 Maiden Lane
(D.T.)

0669

District Attorney's Office.

PEOPLE

vs.

E. V. Aymar
142 Front St.
D. J.

James B. Skehan
16 Broad St.
D. J.

William C. Berry
46 Maiden Lane
D. J.

0670

District Attorney's Office.

PEOPLE

vs.

.....

.....

Jonathan H. Clark
16 Nassau
D. J.

0671

District Attorney's Office.

PEOPLE

vs.

John. W. Hosse
Chatham National
Bank
196 B-way

0672

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

1 District Police Court.

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

Question. What is your name?

Answer. William H. Masterson

Question. How old are you?

Answer. 25 years.

Question. Where were you born?

Answer. New York.

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

Answer. 918 Atlantic Ave. Brooklyn. 1 year

Question. What is your business or profession?

Answer. Book Keeper.

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

Answer. I am not guilty and I ~~[illegible]~~ ~~[illegible]~~ ~~[illegible]~~ ~~except the cross examination~~ waive further examination by my counsel Mr the witness J B Sheehan Wm. H. Masterson

Taken before me this 8 *day of* March *188* 4

Geo. Barnard *Police Justice.*

0673

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 5th DISTRICT.

James P. Sheehan

of No. 16 Broad Street, aged 32 years,

occupation Cashier Edison E. Light Co being duly sworn deposes and says,

that on the 19 day of August 188 at the City of New York, in the County of New York, William H. Masterson

Who was in the employment of the Edison Electric Illuminating Company of New York as Book Keeper and collector and on or about said date deponent was informed by William Russell Book Keeper in the employ of said Company that he examine the books of said Company kept by the defendant previous to said date and said Russell discovered a shortage in said defendants accounts of about the sum of Forty Seven Hundred Dollars the money of said Company wherefore

Sworn to before me, this day of 188

Police Justice

Police Court—.....District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

.....

vs.

.....

.....

AFFIDAVIT.

Dated.....188

.....*Magistrate.*

.....*Officer.*

Witness,.....

.....

.....

.....

.....

.....

Disposition,.....

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.....

deponent says that the said defendant with the said amount of money to deliver to the complainant herein the same and to account for the money so received and when so demanded and refused to pay the same and appropriate the same to his own use and has been guilty of a criminal breach of trust in the said City of New York and that he did this 22nd day August 1888

Jno. Ryan

Police Justice

0675

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss:

POLICE COURT, First DISTRICT.

James B. Skehan

of No. 16 Broad Street, being duly sworn, deposes and says,

~~that on the ..... day of ..... 188~~

~~at the City of New York, in the County of New York,~~

that he is the Secretary and Treasurer of the Edison Electric Illuminating Company of New York, a corporation organized and doing business under the laws of New York. That he knows William ~~R.~~ Masterson, residing at 918 Herkimer Street, Brooklyn. That said Masterson was and has been since 1885 in the employ of said company as a collector and bookkeeper, to make collections in the City of New York. That said Masterson's head-quarters were at 257 Pearl St, at the City of New York, where the books were kept and where, by agreement and direction of said company said Masterson was to turn over every day all monies collected by him from persons owing the said company money, for debts due said company. That about nine days ago, through said company employing a bookeeper to take charge of the books formerly kept by said Masterson, it was discovered by deponent and the officers of said company from said books that said Masterson had collected large sums of money exceeding four thousand dollars the property of said company, from ~~creditors~~ debtors of said company, and at the City of New York appropriated such money to his own use, with felonious intent to steal the same. That among other monies so appropriated with such intent as appears by said books so kept by Masterson, is the sum of $139.80

collected ~~of~~ by

0676

POLICE COURT—_____DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

said Masterson from the Chatham National Bank in cash on or about the 27th day of March 1888. and for which a receipt was given by said Masterson which receipt is now in the possession of said Chatham National Bank said money was owned by said Chatham National Bank to said company and was never paid or accounted for by said Masterson to said company.

That said Masterson has confessed to deponent orally and in writing to the company that he has feloniously stolen several thousand dollars of the money of said company.

Sworn to before me this 24 day of August 1888 } James B. Keehan

Dated _____ 188

Magistrate.

Officer.

Witness,

Disposition

Cross examination of James B Keehan
I know that the Stem 8/3/80
was not returned to the Company
I did not find this Stem in
daily returns the money should
be paid to me as treasurer of
the Company by defendant
Sworn to before me
this 27 day of August 1881 James B Keehan

J. J. Gow
Police Justice

0678

Sec. 151.

1st District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

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

Whereas, Complaint on oath, has been made before the undersigned, one of the *Police Justices* in and for the said City, by James J. Sheehan

of No. 16 Broad Street, that on or about the 15 day of August 188 8 at the City of New York, in the County of New York, the following article to wit:

Good and Lawful Money of the United States

of the value of Forty Seven Hundred Dollars, the property of Edison Electric Light Company Owners of Complainant

was taken, stolen, and carried away, and as the said complainant has cause to suspect; and does suspect and believe, by William A. Masterson

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said *Sheriff, Marshals and Policemen*, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 24th day of August 188 8

POLICE JUSTICE.

0679

POLICE COURT..... DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Edson Ebenezer Lyon

vs.

W. Masterson

Warrant—Larceny.

Dated August 2 188 6

Power Magistrate

McCluskey Crowley Officer

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

..... Officer.

Dated 188

This Warrant may be executed on Sunday or at night.

..... Police Justice.

REMARKS.

Time of Arrest, ...

Native, of .....

Age, ...

Sex .....

Complexion, ...

Color .....

Profession, ...

Married .....

Single, ...

Read, ...

Write, ...

0680

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 Alexander,

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 22 *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.*

0681

$2500 for Ex.
10 A.M. 27 aug.
on motion of defendant
counsel Court Found

1351

Police Court--- **District.**

THE PEOPLE, &c.,
ON THE COMPLAINT OF
James B. Sheehan
vs.
William H. Masterson
2
3
4

Grand Larceny

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

Dated August 22 188 8
Power Magistrate.
Crowley & McCarthy Officer.
Co Precinct.
Witnesses John W. Hesse
No. Chatham Nat'l Bank Street
No. Street.
No. Street.
$ 100 to answer

0682

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 H. Masterson

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

The said William H. Masterson late of the City of New York, in the County of New York aforesaid, on the twenty-ninth day of March in the year of our Lord one thousand eight hundred and eighty-Eight, at the City and County aforesaid, being then and there the clerk and servant of the Edison Electric Illuminating Company a corporation duly organized and existing under and by virtue of the laws of the State of New York and as such clerk and servant then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said Edison Electric Illuminating Company — the true owner thereof, to wit: the sum of fifty-one dollars and fifty-six cents in money, lawful money of the United States, and of the value of fifty one dollars and fifty-six cents the said William H. Masterson afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said sum of money — to his own use, with intent to deprive and defraud the said Edison Electric Illuminating Company — of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said Edison Electric Illuminating Company — did then and there and thereby feloniously steal, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

#121

Witnesses:

Counsel,

Filed 11 day of Sept 188

Pleads Argument 12

THE PEOPLE

vs.

P

William H. Masterson

(6 cases)

Grand Larceny, 2nd degree

(MISAPPROPRIATION.)

(Sections 528 and 531 of the Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J H Draper

Foreman.

0684

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 H. Masterson

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

The said William H. Masterson late of the City of New York, in the County of New York aforesaid, on the sixteenth day of February in the year of our Lord one thousand eight hundred and eighty-Eight, at the City and County aforesaid, being then and there the clerk and servant of the Edison Electric Illuminating Company a corporation duly organized and existing under and by virtue of the laws of the State of New York and as such clerk and servant then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said Edison Electric Illuminating Company the true owner thereof, to wit: the sum of thirty-two dollars and thirty one cents in money, lawful money of the United States, and of the value of thirty two dollars and thirty-one cents;

the said William H. Masterson afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said sum of money to his own use, with intent to deprive and defraud the said Edison Electric Illuminating Company of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said Edison Electric Illuminating Company did then and there and thereby feloniously steal, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

#124

Witnesses:

Counsel,

Filed 11 day of Sept 188

Pleads, Not guilty 12

THE PEOPLE

vs.

P

William H. Masterson

(5 cases)

Grand Larceny, 2nd Degree
(MISAPPROPRIATION.)
(Sections 528 and 531 of the Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J. H. Draper

Foreman.

0686

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 H. Masterson

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

The said William H. Masterson late of the City of New York, in the County of New York aforesaid, on the twenty-fourth day of February in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, being then and there the clerk and servant of the Edison Electric Illuminating Company, a corporation duly organized and existing under and by virtue of the laws of the State of New York and as such clerk and servant then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said Edison Electric Illuminating Company the true owner thereof, to wit: the sum of forty-seven dollars and twenty-three cents in money, lawful money of the United States and of the value of forty seven dollars and twenty-three cents

the said William H. Masterson afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, ~~with~~ force and arms, did feloniously appropriate the said sum of money — to his own use, with intent to deprive and defraud the said Edison Electric Illuminating Company — of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said Edison Electric Illuminating Company — did then and there and thereby feloniously steal, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

#125

Witnesses:

Counsel,

Filed 11 day of Sept 188

Pleads, Acquitted

THE PEOPLE

vs.

P

William H. Masterson

(6 cases)

Grand Larceny, 2nd degree

(MISAPPROPRIATION.)

(Sections 528 and 538 of the Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.

0688

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 H. Masterson

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

The said William H. Masterson late of the City of New York, in the County of New York aforesaid, on the first day of June in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, being then and there the clerk and servant of the Edison Electric Illuminating Company, a corporation duly organized and existing under and by virtue of the laws of the State of New York — and as such clerk and servant then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said Edison Electric Illuminating Company, —— the true owner thereof, to wit: the sum of thirty-four dollars and sixty cents in money, lawful money of the United States and of the value of thirty-four dollars and sixty cents ——

the said William H. Masterson afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said sum of money —— to his own use, with intent to deprive and defraud the said Edison Electric Illuminating Company —— of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said Edison Electric Illuminating Company —— did then and there and thereby feloniously steal, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

Witnesses :

.....

.....

.....

.....

#120 A. H. Purdy

Counsel,

Filed 11 day of Sept 188

Pleads, Not guilty 12

THE PEOPLE

vs.

P

William H. Masterson

(5 cases)

Grand Larceny, 2 cases dismissed
(MISAPPROPRIATION,)
(Sections 528 and 531) of the Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J. W. Soper

Foreman.

0690

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 H. Masterson

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

The said William H. Masterson

late of the City of New York, in the County of New York aforesaid, on the twenty-seventh day of March in the year of our Lord one thousand eight hundred and eighty-Eight, at the City and County aforesaid, being then and there the clerk and servant of the Edison Electric Illuminating Company, a corporation duly organized and existing under and by virtue of the laws of the State of New York

and as such clerk and servant then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said Edison Electric Illuminating Company

the true owner thereof, to wit: the sum of one hundred and thirty-nine dollars and eighty cents in money, lawful money of the United States, and of the value of one hundred and thirty-nine dollars and eighty cents

the said William H. Masterson afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said sum of money

to his own use, with intent to deprive and defraud the said Edison Electric Illuminating Company of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said Edison Electric Illuminating Company

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

JOHN R. FELLOWS,
District Attorney.

#122

Witnesses:

Counsel,

Filed 11 day of Sept 188 8

Pleads, Not guilty 12

THE PEOPLE

vs.

P

William H. Masterson

(6 cases)

Grand Larceny, Grand Larceny (MISAPPROPRIATION.) (Sections 528 and 53 of the Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Crosby

Foreman.

Sept. 26/88 Part 1 by agreement with Def't Atty.

0692

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 H. Masterson

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

The said William H. Masterson,

late of the City of New York, in the County of New York aforesaid, on the — sixth — day of — April, — in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, being then and there the clerk and servant of the Edison Electric Illuminating Company of New York, a corporation duly organized and existing under and by virtue of the laws of the State of New York, —

and as such clerk and servant then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said Edison Electric Illuminating Company of New York, —

the true owner thereof, to wit: the sum of thirty one dollars and ninety eight cents ~~$31.98~~ in money, lawful money of the United States, and of the value of thirty one dollars and ninety eight cents,

the said William H. Masterson, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said sum of money —

to his own use, with intent to deprive and defraud the said Edison Electric Illuminating Company of New York of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said Edison Electric Illuminating Company, of New York, —

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

JOHN R. FELLOWS,
District Attorney.