

0000

BOX:

543

FOLDER:

4939

DESCRIPTION:

Fanelli, Domenico

DATE:

12/22/93



4939

258
Dec 257

Witnesses:

officer Andrew Husew
Central office

Counsel,

Filed

27 Dec 1893

Pleads,

THE PEOPLE

vs.

Domenico Fanelli
(6 cases)

Grand Larceny, second Degree
[Sections 528, 531, 532 Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A. TRUE BILL.

B. Lockwood

Foreman.

0010

Police Court— District.

1912

Affidavit—Larceny.

City and County }
of New York, } ss.

Charles R. Harris
of No. 115 W. R. Olden Street, aged 58 years.
occupation Superintendent of the City of New York Police Department and being duly sworn,
deposes and says, that on the 11th day of August 1899 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 day time, the following property, viz:

One case containing both
of the value of about five
hundred and twenty dollars

the property of Peter & Achel's but in
charge of deponent as
agent

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 Domenco Terelli now here,
from the fact that said
property was in transit
by deponent's company and
while on his 40 North River
the same was stolen and
carried away by some
person unknown to deponent
but deponent is informed
by George D. Ross of the Police Department
that a Clerk of Peter & Achel's
after the arrest of said
Terelli found in his possession
the stolen property and fully
identifies the same by the mill
tickets attached

Charles R. Harris

Sworn to before me, this
day of August 1899
James M. White
Police Justice.

0011

CITY AND COUNTY }
OF NEW YORK, } ss.

George D. Cross

aged 24 years, occupation Clerk of No.

100 Leonard Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Charles R. Harris

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

Sworn to before me this,

day of

18
August 1893

George D. Cross

James M. Martin
Police Justice.

0012

(1885)

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

Domenico Fenelli 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. *Domenico Fenelli*

Question. How old are you?

Answer. *31 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *169 Thompson St*

Question. What is your business or profession?

Answer. *Dry goods*

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 - Domenico Fenelli*

Taken before me this

day of *August* 189*9*

Police Justice.

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

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, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0014

61 257
Police Court--- District 1894

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles R Harris
vs. 14
Dominic Fenelli

Offense
Grand Jury

BAILED,

No. 1, by _____
Residence _____ Street.

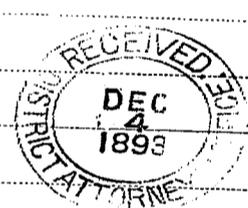
No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

2 _____
3 _____
4 _____
Dated, August 18 189
Magistrate.
August Heideberg Officer.
Precinct.

Witnesses _____
No. _____ Street.
No. _____ Street.
No. _____ Street.



\$ _____ to answer
Aug 28, 1893

00 15

2256

District Attorney's Office.

PEOPLE

23.

Romario Samelli

See Heidelberg
And Nugent
about this case

wrote to Inspector
McClellan Nov 15 1960
See 113

00 16

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

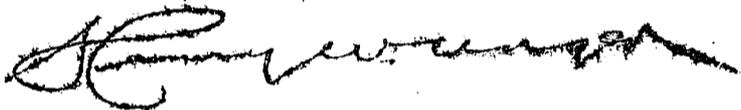
November 15th, 1894.

William W. McLaughlin, Esq.,
Inspector of Police.

Dear Sir:-

Will you kindly ^{direct} ~~call~~ Detective Sergeant Heidelberg or
Nugent to call at this office, and report to me with whatever in-
formation they may have in the cases of the people against
Domenico Fanelli.

Respectfully yours &c.,



Chief Clerk.

Both men in Chicago
H.W.B.

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 Fanelli

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

Domenico Fanelli
of the CRIME OF GRAND LARCENY IN THE *first* DEGREE, committed
as follows:

The said *Domenico Fanelli*

late of the City of New York, in the County of New York aforesaid, on the *fourth*
day of *August* in the year of our Lord, one thousand eight hundred and
ninety-*three* at the City and County aforesaid, with force and arms,

*seven pieces of cloth of the
value of seventy-five dollars
each piece, and one case of the
value of ten dollars*

of the goods, chattels and personal property of ~~one~~ *a certain corporation*
known as the Norwich and New York Transportation Company

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.

SECOND COUNT—

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

Domenico Fanelli

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

The said

Domenico Fanelli

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,

seven pieces of cloth of the value of seventy-five dollars each piece, and one case of the value of ten dollars

of the goods, chattels and personal property of ~~one~~ *a certain corporation known as the Norwich and New York Transportation Company* by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *corporation*

unlawfully and unjustly did feloniously receive and have; the said

Domenico Fanelli

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

DE LANCEY NICOLL,

District Attorney.

Witnesses:

Officer Andrew Puyet
Cert. Officer

Counsel,

Filed *W* day of *Dec* 19*88*

Pleads,

THE PEOPLE

vs.

NA B

Domenico Samelli

(6 cases)

*Sent Complaint to Sheriff
dated 11/22/93
warrant # *1111* for extradition
in Police Court perfected
with Sheriff DE LANCEY NICOLL
for delivery + arrest approved
as above 11/22/93 PK*

*Frank Degreke
Sections 528, 529, 530, 532 Penal Code.]*

A TRUE BILL.

R. Loewen

Foreman.

0020

Police Court _____ District. 1

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 96 Franklin Street, aged 45 years.

occupation Merchant being duly sworn,

deposes and says, that on the 27 day of July 1893 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 day time, the following property, viz:

Eight rolls of cloth of the value
of eight hundred dollars

the property of Stegler and Ballie of
which firm deponent is a
member

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 Domènec Fenelli from her

from the fact that between the
before mentioned dates said
property was taken from deponent's
premises, and that said property
could not have been removed
without deponent's permission or
knowledge. Deponent is now
informed by Detective Andrew
August of the Central Office
that he arrested said Fenelli
and in his possession found
eight pieces or rolls of cloth
which deponent has seen and
fully identified as the property
taken from deponent's premises
between said dates. Julius Ballie

Subscribed and sworn to before me, this _____ day of _____ 1893.
James J. [Signature]
Police Justice.

(1885)
Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Romario Fenelli*

Question. How old are you?

Answer. *35 years.*

Question. Where were you born?

Answer. *Italy.*

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

Answer. *169 Thompson.*

Question. What is your business or profession?

Answer. *My goods.*

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
Romario Fenelli*

Taken before me this *18*
day of *August* 189*9*
[Signature]

Police Justice.

0022

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

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, August 15 1893 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

61

254

1275 1884

Police Court--- District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Julius Ballin
vs.
Dominico Fenelli

Grand Jurors
of the

- 1 _____
- 2 _____
- 3 _____
- 4 _____

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated, *August 18* 189 *3*

Martin Magistrate.

Heidling Officer.

Co P Precinct.

Witnesses *August & Heidling*

No. *Central Office* Street.

No. _____ Street.

No. _____ Street.

\$ _____ to answer _____



Aug 28. 1 Pm

Police Court _____ District.

Affidavit—Larceny.

City and County of New York, } ss.

of No. 96 Franklin Street, aged 40 years, occupation Miscellaneous

deposes and says, that ~~on~~ ^{being duly sworn} ~~the~~ ^{and the 15 day of August} 27 day of July 1893 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 or night time, the following property, viz:

Eight rolls of cloth of the value of Eight Hundred dollars

the property of Steiglitz and Ballin in Depew's jeans.

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

Domino Fenelli between the 27th day of July 1893 and the 15th day of August 1893 the above mentioned property was stolen from the above premises and deponent having a suspicion that said Fenelli was the thief or had a guilty knowledge of the theft, visited his premises at 189 Thompson and there found the stolen property and ~~that said Fenelli~~ acknowledged having it in his possession

W. H. Holke

Subscribed and sworn to before me, this _____ day of _____ 1893.
of _____
Police Justice.

0025

Sec. 198-200.

District Police Court.

City and County of New York, ss:

Domenico Fanelli 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. *Domenico Fanelli*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *169 Thompson St.*

Question. What is your business or profession?

Answer. *Dry goods.*

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.*

Domenico Fanelli

Taken before me this *16* day of *August* 189*3*

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,..... 189..... Police Justice.

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

Dated,..... 189..... Police Justice.

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

Dated,..... 189..... Police Justice.

0027

55

1275
1884

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William H. Hobbs
Dominic Fenelli

James
Offense

2. _____
3. _____
4. _____

BAILED,

No. 1, by _____
Residence _____ Street.

Dated, *August 16* 189 *3*

No. 2, by _____
Residence _____ Street.

Martin Magistrate.

No. 3, by _____
Residence _____ Street.

August & Herdell Officer.

No. 4, by _____
Residence _____ Street.

06 Precinct.

Witnesses *J. D. McGinnis*
No. *Central Office* Street.

No. _____ Street.



No. _____ Street.

\$ _____ to answer
1500 ex. Aug. 18th 1893
38 1/2

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 Fanelli

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

Domenico Fanelli

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

The said

Domenico Fanelli

late of the City of New York, in the County of New York aforesaid, on the day of *August* in the year of our Lord, one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with force and arms,

fifteenth

eight pieces of cloth of the value of one hundred dollars each piece

of the goods, chattels and personal property of one

Julius Ballin

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.

SECOND COUNT—

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

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

The said *Domenico Fanelli*

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,

*eight pieces of cloth of the
value of one hundred dol-
lars each piece*

of the goods, chattels and personal property of one

Julius Ballin

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

Julius Ballin

unlawfully and unjustly did feloniously receive and have; the said

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

DE LANCEY NICOLL,

District Attorney.

and 253
253 du 257

Witnesses:
officer Andrew Nugent
Central office

Counsel,

Filed

day

189

Pleads,

THE PEOPLE

vs.

Domenico Danelli
(6 cases)

Grand Larceny, First Degree
[Sections 538, 539, 550 Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Lockwood

Foreman.

0031

Sec. 192.

1- District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before B. J. Matta Esq. a Police Justice of the City of New York, charging Domenico Ferrnelli Defendant with the offence of Larceny

and he having been brought before said Justice for an examination of said charge, and it having been made to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hearing thereof having been adjourned.

We, Domenico Ferrnelli Defendant of No. 169 Shannon Street; by occupation a Store Keeper and Vincenzo De Vito of No. 83 Mulberry Street, by occupation a Palom Keeper Surety, hereby jointly and severally undertake that the above named Domenico Ferrnelli Defendant shall personally appear before the said Justice, at the 1- District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Five Hundred Dollars.

Taken and acknowledged before me, this 31 day of August 1895.
B. J. Matta POLICE JUSTICE.

Domenico Ferrnelli
Vincenzo De Vito

Police Court— District.

Affidavit—Larceny.

City and County of New York, ss.

of No. 274 & 276 Church Street, aged 23 years, occupation Shipping Clerk

deposes and says, that on the 10 day of May 1893 and the 16 day of August 1893 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:

Twenty three pieces of cotton goods of the full value of Two Hundred and fifty dollars

the property of The Case Export Company in deponent's charge,

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by

Domino Fenelli (now he) from the fact that sometime between the above dates said property was stolen and carried away from the above premises by some persons to whom their names are unknown. Deponent was informed by Detective Andrew August of 300 Chubbury Street that on the 16th day of August 1893 he arrested Fenelli at his premises 169 Thompson Street and therein found a large amount of property consisting

Sworn to before me, this 1893 day

Police Justice.

cloths, re and the
The August removed the same to
Police Headquarters at Los Angeles
Det. Department now says that
he has seen the property as
removed and positively identifies
73 pieces of the same as a
portion of the property stolen
from his premises
Henry C Tomlinson

Sworn to before me
this 25th day of August 1893

James M. [unclear]
Police Justice

0035

CITY AND COUNTY }
OF NEW YORK, } ss.

Andrew Nugent

aged _____ years, occupation Police Detective of No.

305 Mulberry Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Henry P. Touchman

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

Sworn to before me this, _____

day of August 1893

Andrew Nugent

Wm. H. Martin
Police Justice.

0036

(1885)

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Domènec Feulli

Question. How old are you?

Answer.

35 years

Question. Where were you born?

Answer.

Italy

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

Answer.

169 Thompson St

Question. What is your business or profession?

Answer.

Dry goods.

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 -
Domènec Feulli*

Taken before me this

day of *May* 189*8*

gls

Police Justice.

0037

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 Richard

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, August 1894 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0038

Troutman

1275
1894

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary Lou Lewis
vs.
Dominic Tuller

Officer
Acery

2
3
4

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated, *August 28* 189 *3*

Martin Magistrate.
August & Meisling Officer.
C.D. Precinct.

Witnesses _____
No. _____ Street.

Bond Forfeited
No. _____ Street.
Nov 20/93

No. _____ Street.
to ans _____
P. King
J.T. E. August 19 *1. P.M.*



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 Fanelli

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

Domenico Fanelli

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

The said

Domenico Fanelli

late of the City of New York, in the County of New York aforesaid, on the *sixteenth* day of *August* in the year of our Lord, one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with force and arms,

fifteen pieces of gingham of the value of ten dollars each piece, ten pieces of flannel of the value of ten dollars each piece

of the goods, chattels and personal property of ~~one~~ *a certain corporation* commonly known as the *Cone* Export and ^{*Commission*} *Transportation Company*

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.

SECOND COUNT—

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

Domenico Fanelli

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

The said *Domenico Fanelli*

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,

fifteen pieces of gingham of the value of ten dollars each piece and ten pieces of flannel of the value of ten dollars each piece

of the goods, chattels and personal property of ~~one~~ *a certain corporation commonly known as the Cone Export and Commission Company* by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *Corporation*

unlawfully and unjustly did feloniously receive and have ; the said

Domenico Fanelli

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

DE LANCEY NICOLL,
District Attorney.

Rev. Dec 22/93

256
Sec 257

Witnesses:

Officer Andrew Nugent
Court Officer

Counsel,

Filed

27 day of Dec 1893

Pleads,

THE PEOPLE

vs.

Domenico Sanelli
(6 cases)

Grand Larceny, second Degree
[Sections 528, 531, NY Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A. TRUE BILL.

B. to proceed

Foreman.

0042

Sec. 192.

1- District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before B. P. Mattia Esq. a Police Justice of the City of New York, charging Domenico Pennelle Defendant with the offence of

Larceny

and he having been brought before said Justice for an examination of said charge, and it having been made to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hearing thereof having been adjourned,

We, Domenico Pennelle Defendant of No. 169 Thompson Street; by occupation a Store Keeper and Vincenzo De Vito of No. 83 Mulberry Street, by occupation a Salon Keeper Surety, hereby jointly and severally undertake that the above named Domenico Pennelle Defendant shall personally appear before the said Justice, at the 1- District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Five Hundred Dollars.

Taken and acknowledged before me, this 30 Domenico Pennelle day of August 1893 } Vincenzo De Vito
B. P. Mattia POLICE JUSTICE.

CITY AND COUNTY } ss.
OF NEW YORK;

Sworn to before me this 11th day of October 1893
Wm. W. [Signature]
District Justice

Vincenzo De Vito

the within named Bail and Surety being duly sworn, says, that he is a resident and *Free* holder within the said County and State, and is worth *Ten* Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *Home + lot of Canal St. 44*

Mulberry Street valued at Fifteen thousand dollars free and clear
Vincenzo De Vito

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear during the Examination.

Taken the day of 18

Justice.

Police Court

District.

Affidavit—Larceny.

City and County of New York, ss.

Oli Pauls

of No. 74 North Washington Mills Street, aged 32 years, occupation Salesman

deposes and says, that on the 5th day of June 1893 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:

Five rolls of cloaking together of the value of Four hundred Dollars

Sworn to before me, this 18th day of

the property of "Washington Mills Company" in deponent's care and custody

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Dominico Terelli from the fact that on said date said property was in the care of the Chesapeake and Potomac Rail Road at Pier 27 1/2 N.R. Subject to deponent's order that the goods were obtained from the Rail Road agent by a forged order and the property taken away. Deponent now says that he is informed by Detective Adams Sargent of 300 Newbury Street that on the 16th day of August 1893 he seized a quantity of goods

Police Justice.

in the premises by Thompson & Co
 consisting of cloths &c which
 Applicant has seen and fully
 identified two pieces of the same
 as a portion of the property
 stolen from the Rail Road Company

Eli C. Pines.

Subscribed before me
 this 28th day of August 1893

R. B. [unclear] [unclear]
 Police Justice

0046

CITY AND COUNTY }
OF NEW YORK, } ss.

Andrew Nugent

aged _____ years, occupation _____ of No. _____

308 Mulberry Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Eli P. Miller*

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

Sworn to before me this, _____
day of _____ 189 _____

Andrew Nugent

Edward Martin
Police Justice.

0047

(1895)

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Dominic Sculli

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 Sculli*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *169 Thompson*

Question. What is your business or profession?

Answer. *Dry goods*

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 Sculli*

Taken before me this *30* day of *August* 189*5*

Police Justice.

0048

47
Police Court--- District. 1275
1884

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Eli Pule
vs.
Domino Fulle

1
2
3
4

Offence
L. J. ...

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated, Aug 28 1893

Walter Magistrate.

Heidling & August Officer.

Witnesses

William C. Gardner
No. 78.700. Penn Street

Bond forfeited Street.

Nov 20/93

No. Street.

\$ to answer

5000 of Sept 19 1893



ATTORNEY

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 Fanelli

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

Domenico Fanelli

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

The said

Domenico Fanelli

late of the City of New York, in the County of New York aforesaid, on the eighth day of June in the year of our Lord, one thousand eight hundred and ninety-three at the City and County aforesaid, with force and arms,

five pieces of cloth of the kind called cloaking, of the value of eighty dollars each piece

of the goods, chattels and personal property of ~~one~~ a certain corporation known as the Pennsylvania Railroad Company

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.

SECOND COUNT—

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

Domenico Fanelli

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

The said *Domenico Fanelli*,

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,

five pieces of cloth of the kind called cloaking of the value of eighty dollars each piece

of the goods, chattels and personal property of ~~one~~ *a corporation known as the Pennsylvania Railroad Company* by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *Corporation*

unlawfully and unjustly did feloniously receive and have; the said

Domenico Fanelli

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

DE LANCEY NICOLL,

District Attorney.

Witnesses:

Officer Andrew Pugh
Centre office

Counsel,

W. De
day of *Dec* 189*3*

Filed

Pleads,

THE PEOPLE

vs.

Domenico Fanelli
(6 cars)

Grand Larceny, second Degree
[Sections 528, 527, 522 Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Woodward
Foreman.

0052

Police Court _____ District.

1813

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 86 & 88 Broadway Street, aged 43 years,
occupation Merchant being duly sworn,

deposes and says, that on the 3 day of June 1893 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 Day time, the following property, viz:

One piece of brown Kersey overcoat, cloth consisting of three rolls of said cloth numbered 9084, 9061 and 9085 together of the value of two hundred and fifty and 00/100 dollars

the property of The Burlington Goods Company in deponent's charge as Commission Merchant

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 Dominec Terelle known to

from the fact that previous to said date deponent had shipped said property to one Michael Kolb and Co of Rochester, N.Y. and by them returned to deponent that the property was shipped by the N.Y. & N.E. Western R.R. and finally deposited at their depot at Pier 20 7th Ave. as deponent is informed by L. Miller to Hildner in charge of said depot and from said depot carried away by some persons unknown to deponent or to said Hildner

Subscribed to before me, this

189

Police Justice.

without the permission or knowledge
 of Depmunt after Depmunt had
 received an order for the delivery
 of said property which was
 taken and the property
 delivered upon said order.

Depmunt further says that
 he was informed that said
 Lemelli had been arrested and
 in his possession found a
 quantity of cloth that Depmunt
 has seen the cloth found in
 the possession of Lemelli and
 fully identifies it as the same
 taken as before described

Doq. P. Sawyer
 Sworn to before me
 this 18th day of August 1893

Wm. W. W. W.
 Police Justice.

0054

CITY AND COUNTY }
OF NEW YORK, } ss.

L. Wellington Hildum
aged 78 years, occupation Cashier of No. 52 1/2 Carroll St. Paterson, N. J. Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Joseph D. Sawyer
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me this, 18
day of August 1893

L. W. Hildum

James Martin
Police Justice.

0055

(1885)

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, - } ss.

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

Question. What is your name?

Answer. *Dominic Fenelli*

Question. How old are you?

Answer. *37 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *169 Thompson*

Question. What is your business or profession?

Answer. *dry goods*

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 Fenelli

Taken before me this

day of *August* 189*3*

Police Justice.

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

Joseph Dant

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, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0057

61
Police Court--- District 1275
1894

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph D Sawyer
vs.
Amureo Tulli

Offense
Gaul Sawer

2
3
4

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated Aug 18 189
Walter Magistrate.
August Hedding Officer.
No 7 Precinct.

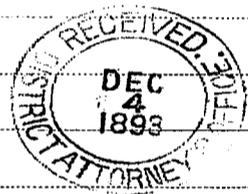
Witnesses.....

No. Street.

No. Street.

No. Street.

\$..... to answer.....



Aug 28. 1 Pm

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 Fanelli

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

Domenico Fanelli

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

The said *Domenico Fanelli*

late of the City of New York, in the County of New York aforesaid, on the day of *June* in the year of our Lord, one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with force and arms,

three pieces of cloth of the value of ninety dollars Each piece, one case of the value of five dollars,

of the goods, chattels and personal property of *one a certain corporation known as the New York, Lake Erie and Western Railroad Company* 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.

SECOND COUNT—

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

Domenico Fanelli

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

The said

Domenico Fanelli

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,

*three pieces of cloth of
the value of ninety dollars
each piece, one case of the value
of five dollars*

of the goods, chattels and personal property of one ~~a certain corporation~~
*known as the New York, Lake Erie
and Western Railroad Company*
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before
feloniously stolen, taken and carried away from the said *corporation*

unlawfully and unjustly did feloniously receive and have ; the said

Domenico Fanelli

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

DE LANCEY NICOLL,

District Attorney.

0060

BOX:

543

FOLDER:

4939

DESCRIPTION:

Farber, Charles

DATE:

12/22/93



4939

Witnesses:

H. W. Linker

*In consultation with counsel for
counsel for the B. & O. Association
who is now in court, I recommend
the discharge of the defendant on his own
recognizance. The case is a misdemeanor
it is now five years old & the complainant is
not to be from N. B. & O. Assn.
23 Nov. 1898*

Counsel,

Filed

day of

1898

Pleads,

ENTERED
T. J. W.

THE PEOPLE

vs.

Charles Farber

MISDEMEANOR.
[Chap. 377, Laws of 1887, as amended by Chap. 181,
Laws of 1888.]

DE LANCEY NICOLL,

District Attorney.

*Nov 23 1898.
Bail Discharged.*

A TRUE BILL.

B. Lockwood

Foreman.

0062

DISTRICT POLICE COURT.

State of New York, City and County of NEW YORK.

ss:

HERMAN W. LINKER, being sworn says; I am 29 years of age; I reside at 221 EAST 38th STREET New York City My business is that of Detective

I am the agent of Jacob Lebkuchner. Said Jacob Lebkuchner is engaged in bottling and selling lager beer and other beverages, in bottles, and boxes with his name and other marks and devices branded, stamped, engraved, etched, blown, impressed, and otherwise produced upon such bottles, and boxes, and whose principal place of business was at the times hereinafter mentioned ever since has been and now is at the City of New York, and County of New York, and State aforesaid. The name and other marks and devices so as aforesaid produced upon said bottles and boxes, and a description thereof is as follows, viz: on some bottles J. Lebkuchner, Jr., on other bottles J. Lebkuchner, on some boxes J. Lebkuchner, Jr., on other boxes J. Lebkuchner.

Said description of said name and other marks and devices so as aforesaid used by the said Jacob Lebkuchner upon said bottles, and boxes was on the 3rd day of May, 1889, duly filed in the office of the Clerk of New York County in the State of New York, and also in the office of the Secretary of State of the State of New York, on the 25th day of April, 1889; and such description was by said Jacob Lebkuchner thereafter caused to be printed and was printed for three weeks successively in two daily newspapers, published in the City and County of New York. The said Jacob Lebkuchner has in all things complied with Chapter 377 of the Laws of the State of New York for 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888. That said Jacob Lebkuchner is the owner of the following described property, marked and distinguished as hereinbefore stated, viz: divers bottles and boxes, the number of which is unknown to deponent. That the same are so marked and distinguished as aforesaid with and by the said name and other marks and devices of which a description has been, as hereinbefore stated, duly filed and published as provided in Section I. of Chapter 377 of the Laws of the State of New York for 1887, passed May 15th, 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888; passed, April 26 1888; that deponent has reason to believe and does believe and avers the fact to be that said property, namely, said divers bottles, boxes and so marked and distinguished as aforesaid are being unlawfully used, filled, had, bought, sold, disposed of and trafficked in by

Charles Farber

who is bottling and selling soda, mineral and aerated waters, porter, ale, cider, ginger ale, small beer, lager beer, weiss beer, white beer and other beverages, and is and has been unlawfully filling, using, buying, selling, giving, taking and otherwise disposing of, and trafficking in said divers bottles, boxes and kegs, so marked and distinguished as aforesaid, in and upon the following described premises used and occupied by the said Charles Farber, viz: the building and premises known and described as number 1731 Second Avenue in the City of New York, in the County and State of New York

All of which the said Charles Farber is and has been

doing contrary to the Laws of the State of New York in such case made and provided, and without having obtained the written consent of or having purchased the said divers bottles and boxes, from the said Jacob Lebkuchner. That the reason for deponent's said belief, and the further facts upon which this affidavit is based, are that on the 12th day of September 1893 Deponent was informed by one Jeremiah Moore of Mount Vernon in the County of Westchester and State aforesaid that on the 11th day of September 1893 he saw above bottles marked and distinguished as aforesaid filled with some beverage which said bottles so filled as aforesaid had shortly before been left at said saloon by said deponent Charles Farber, and truly believes the same to be true.

Subscribed and sworn to before me, this 12th day of September 1893

C. E. Sumner

H. W. Linker

POLICE JUSTICE

0063

XV

B. No. 685

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

HERMAN W. LINKER.

vs.

Chaim Raiba

AFFIDAVIT.

REGINALD HART,

ATTORNEY FOR COMPLAINANT.

No. ²²¹~~145~~ East ^{30th}~~15th~~ Street,

NEW YORK CITY.

0064

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

Herman W. Linder

of No. *271 East 38th* Street, being duly sworn, deposes and says,

that *Karl Farkas* (now present) is the person of the name of

Charles Farkas mentioned in deponent's affidavit of the *12th*

day of *September* 18*93* hereunto annexed.

Sworn to before me, this *13th*
day of *September* 18*93*

H W Linder

W E Sumner POLICE JUSTICE.

0065

Sec. 198-200.

J.A. District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Karl Farber being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is h's 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's waiver cannot be used
against h on the trial.

Question. What is your name?

Answer. *Karl Farber*

Question. How old are you?

Answer. *33 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *1731 Second Avenue N.Y. City, 2 1/2 years*

Question. What is your business or profession?

Answer. *See Bottle*

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*
Karl Farber

Taken before me this *13th*
day of *February* 189*5*
[Signature]
Police Justice.

*683

State of New York,
City and County of
NEW YORK.

ss:

In the Name of the People of the State of New York.
To any Peace Officer in this State or in the County of NEW YORK.

Proof by affidavit having been this day made before me, by HERMAN W. LINKER.

221 EAST 38th STREET *New York City* that the following described property, to wit: divers bottles and boxes, the number of which is unknown to deponent, the property of Jacob Lebkuchner, having branded, blown and otherwise produced on some of said bottles J. Lebkuchner, Jr., on others of said bottles J. Lebkuchner, and on some of said boxes J. Lebkuchner, Jr., and on others of said boxes J. Lebkuchner.

was unlawfully taken, and has been and is being unlawfully had, used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of Chapter 377, Laws of the State of New York, for the year 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the State of New York for the year 1888, passed April 26, 1888, and that there is reasonable ground to believe that the said property was unlawfully taken and has been and is being unlawfully had, used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of said act by

Charles Farber

and that there is probable cause for believing that the said divers bottles and boxes are now in the possession of the said

Charles Farber

and are now concealed in and upon the following described premises used and occupied by said *Charles Farber, viz: The building and premises known and described as numbered 1731 Second Avenue in the City of New York in the County and State of New York*

You are, therefore, in the name of the People of the State of New York, commanded and authorized, with proper assistance, in the day-time, or at any time of the day to enter the building and premises of the said

Charles Farber

aforsaid, and there make immediate search for the said divers bottles and boxes, and if you find the same, or any part thereof, then you are likewise commanded to bring the same so found, together with the said

Charles Farber

forthwith, before me, at *5th District Police Court in said New York City* to be dealt with as the law directs.

Dated at *New York City* the *12th* day of *September* 189*3*

C. E. Dunning

POLICE JUSTICE.

0067

Inventory of property taken by Emile Kluge by whom this warrant was executed, from Charles Fieber from whom it was taken, in whose possession it was found, & from within executed premises where the property was found, no person being there.

Bottles Filled, each of said twenty four
Bottles Empty, bottles having produced
Boxes, thereon J. DeBuckner
Total,

COUNTY OF NEW YORK } ss:

I Emile Kluge the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all the property taken by me on this warrant.

Sworn to before me, this 13th day of September 1893

Emile Kluge
POLICE JUSTICE.

1665

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

HERMAN W. LINKER,

vs.

Charles Fieber

SEARCH WARRANT

AND

WARRANT OF ARREST.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,

24 388
No. ~~100~~ East ~~10th~~ Street,

NEW YORK CITY.

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 *September 13* 1893 *W. E. Sumner* Police Justice.

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

Dated *September 13* 1893 *W. E. Sumner* 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..... 189• Police Justice.

0069

Police Court--- 5th District. 983

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Herman W. Linku

vs.

Karl Rauber

1 _____
2 _____
3 _____
4 _____

Offence: *W. Bantach*

BAILABLE,

No. 1, by *Richard Grammer*

Residence *410 E 5* Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *September 13* 1893

Linus Magistrate.

Krupp Officer.

Court Precinct.

Witnesses *Herman W. Linku*

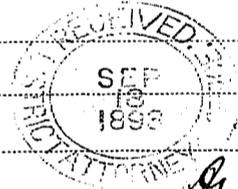
No. *221 East 38th* Street.

No. _____ Street.

No. _____ Street.

\$ *100* to answer *G.S.*

Bailed
\$ *100* Ex. *Sept 15 1893 2 P.M.*



0070

6225

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Barber

The Grand Jury of the City and County of New York, by this indictment accuse *Charles Barber* of a misdemeanor, to wit: the crime of offending against the provisions of the second section of the Act of the Legislature of this State, passed May 18th, 1887, entitled: "An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," as the same was amended by a certain other Act of the Legislature of this State, passed April 26th, 1888, entitled: "An Act to amend Chapter three hundred and seventy-seven of the Laws of eighteen hundred and eighty-seven, entitled 'An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,'" committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, *one Henry Halper,* having *his* principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling *lager beer* and other beverages in bottles, _____ with *his* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the _____ day of *July* 1890, and also in the office of the Secretary of State of the State of New York, to wit: on the _____ day of *July* 1890, a description of the name, marks and devices so used by *him* and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid so as aforesaid produced upon such bottles, _____ and a description of which had been so duly filed and published as required by law as aforesaid, the said *Henry Halper* used the name "*Henry Halper*" upon such *bottles*.

And the said *Charles Barber*, late of the City and County aforesaid, afterwards to wit: on the _____ day of *September*, 1893, at the City and County aforesaid, did unlawfully buy from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said *Henry Halper* divers to wit: _____ certain bottles, _____ which and each of which were and was then

and there marked and distinguished as aforesaid, with and by the said name _____ of the said Henry Haffner being the name of which a description had been so filed and published as aforesaid, which said bottles _____ had not been purchased from the said Henry Haffner; 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 Charles F. Carter of the same misdemeanor, committed as follows:

Heretofore and prior to the day of commission of the crime and misdemeanor hereinafter alleged, one Henry Haffner, having his principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling lager beer and other beverages, in bottles _____ with his name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the 8th day of July, 1890, and also in the Office of the Secretary of State of the State of New York, to wit: on the 3rd day of July 1890, a description of the name, marks and devices so used by him, and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, _____ and a description of which had been so duly filed and published as required by law, as aforesaid, the said Henry Haffner used the name "Henry Haffner" upon such bottles.

And the said Charles F. Carter, late of the City and County aforesaid, afterwards, to wit: on the 12th day of September 1893, at the City and County aforesaid, did unlawfully take from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said Henry Haffner _____ divers, to wit: nine certain bottles, _____ which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name _____ of the said Henry Haffner being the name _____ of which a description had been so filed and published as aforesaid, and which said bottles, _____ had not been purchased from the said Henry Haffner against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment further accuse the said _____ Charles F. Carter of the same misdemeanor, committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, one Henry Haffner

having his principal place of business in the said City of New York, being at all the times herein-

after mentioned engaged in bottling and selling lager beer and other beverages in bottles, _____ with his name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the 22 day of July 1890, and also in the office of the Secretary of State of the State of New York, to wit: on the 3rd day of July 1890, a description of the name, marks and devices so used by him and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, _____ and a description of which had been so duly filed and published as required by law, the said Henry Hoffman used the name "Henry Hoffman" upon such bottles.

And the said Charles Barber, late of the City and County aforesaid, afterwards, to wit: on the 12th day of September, 1893, at the City and County aforesaid, did unlawfully traffic in and dispose of in a manner and by means to the Grand Jury aforesaid, unknown, without the consent of the said Henry Hoffman divers, to wit: some certain bottles, _____ which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name _____ of the said Henry Hoffman being the name

of which a description had been so filed and published as aforesaid, and which said bottles _____ had not been purchased from the said Henry Hoffman, against the form of the Statute in such case made and provided against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

Copy furnished to Dist. Ct.

Witnesses:

J. M. Linker

After consulting with the counsel for the B. & O. Railroad, who is now in court, I recommend the discharge of the defendant on his own recognizance. The fine is moderate and it is five years and the complainant can not be found.

John H. Hines
23 Nov. 1898
D.D.A.

[Signature]

Counsel,

Filed *[Signature]* 1898

Pleads, *[Signature]*

ENTERED

THE PEOPLE

vs.

B

Charles Forber

MISDEMEANOR
[Chap. 877, Laws of 1887, as amended by Chap. 181, Laws of 1889.]

DE LANCEY NICOLL,

Nov 13/98 District Attorney.

Bail Discharged.

A TRUE BILL.

B. Lockwood

Foreman.

0074

*682

DISTRICT POLICE COURT.

State of New York, City and County of NEW YORK.

ss:

HERMAN W. LINKER being sworn says: I am 29 years of age; I reside at 221 EAST 38th STREET New York City My business is that of Detective, I am the agent of Ferdinand Neumer. Said Ferdinand Neumer is engaged in bottling and selling lager beer, and other beverages, in bottles and boxes, with his name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced upon such bottles and boxes, and whose principal place of business was at the times hereinafter mentioned, ever since has been, and now is at the City of New York, and County of New York, and State aforesaid. The name and other marks and devices so as aforesaid produced upon said bottles, and boxes, and a description thereof is as follows, viz: Ferdinand Neumer.

Said description of said name and other marks and devices so as aforesaid used by the said Ferdinand Neumer upon said bottles and boxes, was on the 14th day of February, 1889, duly filed in the office of the Clerk of New York County in the State of New York, and also in the office of the Secretary of State of the State of New York, on the 12th day of February, 1889; and such description was by said Ferdinand Neumer thereafter caused to be printed and was printed for three weeks successively in two daily newspapers, published in the City and County of New York. The said Ferdinand Neumer has in all things complied with Chapter 377 of the Laws of the State of New York for 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888. That said Ferdinand Neumer is the owner of the following described property, marked and distinguished as hereinbefore stated, viz: divers bottles and boxes, the number of which is unknown to deponent. That the same are so marked and distinguished as aforesaid with and by the said name and other marks and devices of which a description has been, as hereinbefore stated, duly filed and published as provided in Section I, of Chapter 377 of the Laws of the State of New York for 1887, passed May 18th, 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888, passed April 26th, 1888; that deponent has reason to believe and does believe and avers the fact to be that said property, namely, said divers bottles, and boxes, so marked and distinguished as aforesaid are being unlawfully used, filled, had, bought, sold, disposed of and trafficked in by

Charles Farber

who is bottling and selling soda, mineral and aerated waters, porter, ale, cider, ginger ale, small beer, lager beer, weiss beer, white beer and other beverages, and is, and has been unlawfully filling, using, buying, selling, giving, taking and otherwise disposing of, and trafficking in said divers bottles, and boxes, so marked and distinguished as aforesaid, in and upon the following described premises used and occupied by the said Charles Farber, viz:

The building and premises known and described as number 1731 Second Avenue in the City of New York in the County and State of New York

All of which the said Charles Farber is and has been

doing contrary to the Laws of the State of New York in such case made and provided, and without having obtained the written consent of or having purchased the said divers bottles, and boxes, from the said Ferdinand Neumer. That the reason for deponent's said belief, and the further facts upon which this affidavit is based, are that on the 12th day of September 1893 Deponent was informed by Hermann Neumer, Neumer's son, in the County of Westchester and State of New York that he said Neumer on the 11th day of September 1893 saw in the saloon of one Grouse on City Island in said Westchester County, bottles marked and distinguished as aforesaid filled with some beverage, which had shortly before been left in said saloon by said deponent and Charles Farber & verily believes the same to be true

Subscribed and sworn to before me, this 17th day of September 1893

[Signature]

H. W. Linker

POLICE JUSTICE.

WV

B. No. 687

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

HERMAN W. LINKER.

vs.

Charles F. Hart

AFFIDAVIT.

REGINALD HART,

ATTORNEY FOR COMPLAINANT.

No. 221 ^{37th} East 15th Street,

NEW YORK CITY.

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

Norman W. Linker

of No. *271 East 38th* Street, being duly sworn, deposes and says,
that *Karl Farber* (now present) is the person of the name of
Charles Farber mentioned in deponent's affidavit of the *12th*
day of *September* 18*93* hereunto annexed.

Sworn to before me, this *13th*
day of *September* 18*93*

H W Linker

C E Dunning POLICE JUSTICE.

0077

Sec. 198-200.

576 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Karl Haube

Question. How old are you?

Answer. 33 years

Question. Where were you born?

Answer. Germany

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

Answer. 1731 Second Avenue, N.Y. City, 12 years

Question. What is your business or profession?

Answer. Beer Potter

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,
Karl Haube

Taken before me this

1911

day of September, 1893

Edmund

Police Justice.

0078

4682

State of New York,
City and County of
NEW YORK.

ss:

In the Name of the People of the State of New York.

To any Peace Officer in this State or in the County of NEW YORK.

Proof by affidavit having been this day made before me, by HERMAN W. LINKER.

221 EAST 38th STREET *New York City* that the following described property, to wit: divers bottles and boxes, the number of which is unknown to deponent, the property of Ferdinand Neumer, having branded, blown and otherwise produced on said bottles and boxes Ferdinand Neumer, Was unlawfully taken, and has been and is being unlawfully had, used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of Chapter 377, Laws of the State of New York, for the year 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the State of New York for the year 1888, passed April 26, 1888, and that there is reasonable ground to believe that the said property was unlawfully taken and has been and is being unlawfully had, used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of said act by

Charles Farber

and that there is probable cause for believing that the said divers bottles and boxes, are now in the possession of the said

Charles Farber

and are now concealed in and upon the following described premises used and occupied by said *Charles Farber, viz: The building and premises known and described as number 1731 Second Avenue in the City of New York in the County and State of New York*

You are, therefore, in the name of the People of the State of New York, commanded and authorized, with proper assistance, in the day-time, or at any time of the day to enter the building and premises of the said

Charles Farber

aforsaid, and there make immediate search for the said divers bottles and boxes, and if you find the same, or any part thereof, then you are likewise commanded to bring the same so found, together with the said

Charles Farber

forthwith, before me, at *54 District Police Court in said New York City* to be dealt with as the law directs.

Dated at *New York City* the *12th* day of *September* 189*3*

G. E. Dimmock
POLICE JUSTICE.

Inventory of property taken by *Emile Kluge* by whom this
warrant was executed, from *Charles Parbe*
in whose possession it was found, & from *within described premises* from whom it was taken,
where the property was found, ~~no person being there.~~

Bottles Filled,
// Bottles Empty, *each said glass bottles having produced*
Boxes, *three on Ferdinand and Geneva*
Total, //

COUNTY OF
NEW YORK. } ss:

I *Emile Kluge* the officer by whom this warrant was
executed, do swear that the above inventory contains a true and detailed account of all the
property taken by me on this warrant.

Sworn to before me, this *13th*
day of *September* 189*3*

[Signature]
POLICE JUSTICE.

Emile Kluge

7687

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

HERMAN W. LINKER,

vs.

Charles Parbe

SEARCH WARRANT
AND
WARRANT OF ARREST.

REGINALD HART,

ATTORNEY FOR COMPLAINANT.

221 No. ~~149~~ East 15th Street,
387

NEW YORK CITY.

0080

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 September 13 1893 *B. E. Simms* Police Justice.

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

Dated September 13 1893 *B. E. Simms* 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..... 1893..... Police Justice.

00001

0228
Police Court--- 5th District. 983

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Harman W. Linku

vs.

1. Karl Harbu

2.

3.

4.

To contact
Offence

BAILED,

No. 1, by

Richard Grammer

Residence

4106 5

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

Dated

September 13 1893

Simons

Magistrate.

Witness

Klinge

Officer.

Police Dept.

Precinct.

Witnesses

Harman W. Linku

No.

221 East 38th

Street.

No.

Jacob Gruse

Main St. City Island

No.

Jeremiah J. Moore

City of Mt. Vernon Street.

\$

100.

to answer

G.S.

\$

Bailed
100. &c. Sept. 15/93

RECEIVED
9 A.M.
1893
STATISTICAL

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Gardner

The Grand Jury of the City and County of New York, by this indictment accuse *Charles Gardner* of a misdemeanor, to wit: the crime of offending against the provisions of the second section of the Act of the Legislature of this State, passed May 18th, 1887, entitled: "An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," as the same was amended by a certain other Act of the Legislature of this State, passed April 26th, 1888, entitled: "An Act to amend Chapter three hundred and seventy-seven of the Laws of eighteen hundred and eighty-seven, entitled 'An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,'" committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, *Ferdinand Neuner* having *his* principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling *Lager Beer* and other beverages in bottles, _____ with *his* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *14th* day of *January* 18*89*, and also in the office of the Secretary of State of the State of New York, to wit: on the *12th* day of *January* 18*89*, a description of the name, marks and devices so used by *him* and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid so as aforesaid produced upon such bottles, _____ and a description of which had been so duly filed and published as required by law as aforesaid, the said *Ferdinand Neuner* used the name "*Ferdinand Neuner*," upon such *bottles*.

And the said *Charles Gardner*, late of the City and County aforesaid, afterwards to wit: on the *twelfth* day of *September*, 189*3*, at the City and County aforesaid, did unlawfully buy from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said *Ferdinand Neuner*, divers to wit: *seven* certain bottles, _____ which and each of which were and was then

and there marked and distinguished as aforesaid, with and by the said name _____ of the said Ferdinand Neuner, being the name _____ of which a description had been so filed and published as aforesaid, which said bottles _____ had not been purchased from the said Ferdinand Neuner; 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 Charles Gardner of the same misdemeanor, committed as follows:

Heretofore and prior to the day of commission of the crime and misdemeanor hereinafter alleged, one Ferdinand Neuner,

having his principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling lager beer and other beverages, in bottles _____ with his name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the 14th day of February 1889, and also in the Office of the Secretary of State of the State of New York, to wit: on the 12th day of February 1889, a description of the name, marks and devices so used by him, and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, _____ and a description of which had been so duly filed and published as required by law, as aforesaid, the said Ferdinand Neuner used the name "Ferdinand Neuner" upon such bottles.

And the said Charles Gardner, late of the City and County aforesaid, afterwards, to wit: on the twelfth day of December 1893, at the City and County aforesaid, did unlawfully take from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said Ferdinand Neuner, _____ divers, to wit: seven certain bottles, _____ which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name _____ of the said Ferdinand Neuner being the name _____ of which a description had been so filed and published as aforesaid, and which said bottles, _____ had not been purchased from the said Ferdinand Neuner, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment further accuse the said Charles Gardner of the same misdemeanor, committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, one Ferdinand Neuner,

having his principal place of business in the said City of New York, being at all the times herein-

after mentioned engaged in bottling and selling lager beer and other beverages in bottles, _____ with his name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the 14th day of February 1899 and also in the office of the Secretary of State of the State of New York, to wit: on the 12th day of February 1899, a description of the name, marks and devices so used by him and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, _____ and a description of which had been so duly filed and published as required by law, the said Bernard Neuner used the name "Bernard Neuner," _____ upon such bottles.

And the said Charles Barber, late of the City and County aforesaid, afterwards, to wit: on the 14th day of September 1893, at the City and County aforesaid, did unlawfully traffic in and dispose of in a manner and by means to the Grand Jury aforesaid, unknown, without the consent of the said Bernard Neuner divers, to wit: seven certain bottles, _____ which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name _____ of the said Bernard Neuner being the name of which a description had been so filed and published as aforesaid, and which said bottles _____ had not been purchased from the said Bernard Neuner, against the form of the Statute in such case made and provided against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

Witnesses:

A. W. Linker

After consultation with counsel for the 130th Mass Association who is now in court & recommends the discharge of the defendant on his own recognizance. There is no indictment, it is 30 years old & the complaint can not be found.
John T. Hines
23 Nov. 1898. D.A.H.

Counsel,

Filed

Dec 3

1893

Pleas,

Phy. J. J. App

EXTERNS

THE PEOPLE

vs.

Charles Farber

MISDEMEANOR.
[Chap. 877, Laws of 1887, as amended by Chap. 181, Laws of 1888.]

DE LANCEY NICOLL,

District Attorney.

Nov 23/98.

Bail Discharged.

A TRUE BILL.

R. F. Eckert

Foreman.

0086

693

DISTRICT POLICE COURT.

State of New York, City and County of NEW YORK.

ss:

HERMAN W. LINKER, being sworn says; I am 27 years of age; I reside at 221 EAST 38th STREET New York City. My business is that of Detective

I am the agent of the A. Liebler Bottling Company, a corporation created by and at all times hereinafter mentioned, existing under the laws of the State of New York. Said Corporation is engaged in bottling and selling porter, ale, beer, lager beer, and other beverages, in bottles and boxes, with its name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced upon such bottles and boxes, and whose principal place of business was at the times hereinafter mentioned ever since has been and now is at the City of New York, and County of New York, and State aforesaid. The name and other marks and devices so as aforesaid produced upon said bottles, and boxes, and a description thereof is as follows, viz: A. Liebler Bottling Co., Registered, 402 & 404 W. 126th St., N. Y., and a monogram of the letters A. L. B. Co. Said description of said name and other marks and devices so as aforesaid used by the said Corporation upon said bottles and boxes, was on the 1st day of February, 1888, duly filed in the office of the Clerk of New York County in the State of New York, and also in the office of the Secretary of State of the State of New York, on the 2d day of February, 1888; and such description was by said Corporation thereafter caused to be printed and was printed for three weeks successively in two daily newspapers, published in the City and County of New York. The said Corporation has in all things complied with Chapter 377 of the Laws of the State of New York for 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888. That said Corporation is the owner of the following described property, marked and distinguished as hereinbefore stated, viz: divers bottles and boxes, the number of which is unknown to deponent. That the same are so marked and distinguished as aforesaid with and by the said name and other marks and devices of which a description has been, as hereinbefore stated, duly filed and published as provided in Section I, of Chapter 377 of the Laws of the State of New York for 1887, passed May 18th, 1887; that deponent has reason to believe and does believe and avers the fact to be that said property, namely, said divers bottles, and boxes, so marked and distinguished as aforesaid are being unlawfully used, filled, had, bought, sold, disposed of and or trafficked in by

Charles Farber

who is bottling and selling soda, mineral and aerated waters, porter, ale, cider, ginger ale, small beer, lager beer, weiss beer, white beer and other beverages, and is, and has been unlawfully filling, using, buying, selling, giving, taking and otherwise disposing of, and trafficking in said divers bottles, and boxes, so marked and distinguished as aforesaid, in and upon the following described premises used and occupied by the said Charles Farber, viz: the building and premises known and described as number 173 1 Street Avenue in the City of New York, in the County and State of New York

All of which the said Charles Farber is and has been

doing contrary to the Laws of the State of New York in such case made and provided, and without having obtained the written consent of or having purchased the said divers bottles, and boxes, from the said Corporation. That the reason for deponent's said belief, and the further facts upon which this affidavit is based, are that on the 17th day of September 1893 Deponent was informed by one James J. Morris of 499 West 11th Street in the County of Westchester & State aforesaid, that he said Morris on the 11th day of September 1893, saw in the saloon of one George on City Island in said Westchester County, bottles marked and distinguished as aforesaid filled with some beverage, which had shortly before been left in said saloon by said deponent and Charles Farber & verily believes the same to be

Subscribed and sworn to before me, this 17th day of September 1893

H. W. Linker

C. E. Dimmock

POLICE JUSTICE

W

B. No. 685

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

HERMAN W. LINKER.

vs.

Charles Parker

AFFIDAVIT.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,

No. ²²¹~~149~~ East ^{38th}~~15th~~ Street,

NEW YORK CITY.

0088

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

Roman W. Linker

of No. *791 East 38th* Street, being duly sworn, deposes and says,

that *Karl Faber* (now present) is the person of the name of

Charles Faber mentioned in deponent's affidavit of the *12th*

day of *September* 18*93* hereunto annexed.

Sworn to before me, this *13th*
day of *September* 18*93*

R W Linker

C. Edmundo
POLICE JUSTICE.

685

State of New York,
City and County of
NEW YORK.

ss:

In the Name of the People of the State of New York.

To any Peace Officer in this State or in the County of NEW YORK.

Proof by affidavit having been this day made before me, by HERMAN W. LINKER.

221 EAST 38th STREET *New York City* that the following described property, to wit: divers bottles and boxes, the number of which is unknown to deponent, the property of the A. Liebler Bottling Company, a corporation created by and existing under the Laws of the State of New York, having branded, blown and otherwise produced on said bottles and boxes, A. Liebler Bottling Co. Registered, 402 & 404 W. 126th St., N. Y. and a monogram of the letters A. L. B. Co. was unlawfully taken, and has been and is being unlawfully had, used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of Chapter 377, Laws of the State of New York, for the year 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the State of New York for the year 1888, passed April 26, 1888, and that there is reasonable ground to believe that the said property was unlawfully taken and has been and is being unlawfully had, used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of said act by

Charles Farber

and that there is probable cause for believing that the said divers bottles and boxes, are now in the possession of the said

Charles Farber

and are now concealed in and upon the following described premises used and occupied by said

Charles Farber, viz: the building and premises known and described as numbered 1731 Second Avenue in the city of New York, in the County and State of New York

You are, therefore, in the name of the People of the State of New York, commanded and authorized, with proper assistance, in the day-time, or at any time of the day to enter the building and premises of the said

Charles Farber

situate as

aforsaid, and there make immediate search for the said divers bottles and boxes, and if you find the same, or any part thereof, then you are likewise commanded to bring the same so found, together with the said

Charles Farber

forthwith, before me, at

5th District Police Court in said New York City

to be dealt with as the law directs.

Dated at *New York City* the *12th* day of *September* 189*3*

W. E. Simmons

POLICE JUSTICE.

Inventory of property taken by Ernie Kluge by whom this warrant was executed, from Charles Farber from whom it was taken, in whose possession it was found, & from within deserted premises where the property was found, no person being there.

Bottles Filled, each of said seven bottles
Bottles Empty, having produced them
Boxes, & Kieble Bottling Co. Register
Total, 402 & 404 N. 126th St. N.Y.

COUNTY OF NEW YORK } ss:

I Ernie Kluge the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all the property taken by me on this warrant.

Sworn to before me, this 15th day of September 1893
Ed. Sumner
POLICE JUSTICE.

Ernie Kluge

W. W. Linker
THE PEOPLE, ETC.,
OF THE COMPLAINANT OF
HERMAN W. LINKER.

vs.
Charles Farber

SEARCH WARRANT
AND
WARRANT OF ARREST.
REGINALD HART,

ATTORNEY FOR COMPLAINANT,
384
No. 140 East 15th Street,
NEW YORK CITY.

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 September 13 1893 C. C. Sumner Jr Police Justice.

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

Dated September 13 1893 C. C. Sumner Jr Police Justice.

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

Dated..... 189..... Police Justice.

0092

983

Police Court--- 5th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Herman W. Linker

vs.
Karl Parker

1 _____
2 _____
3 _____
4 _____

Offence To Print to Act

BAILED,
No. 1, by *Richard Grammer*
Residence *410 E 5* Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *September 13* 189*7*
Summs Magistrate.

Komer Officer.
Court Precinct.

Witnessed *Herman W. Linker*
No. *221 East 38th* Street.

No. _____ Street.

No. _____ Street.

\$ *100* to answer *EB*

Bailed
100 Exp. Sept 15/93 2 P.M.



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

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Barber

The Grand Jury of the City and County of New York, by this indictment accuse Charles Barber of a misdemeanor, to wit: the crime of offending against the provisions of the second section of the Act of the Legislature of this State, passed May 18th, 1887, entitled: "An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," as the same was amended by a certain other Act of the Legislature of this State, passed April 26th, 1888, entitled: "An Act to amend Chapter three hundred and seventy-seven of the Laws of eighteen hundred and eighty-seven, entitled 'An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,'" committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, a certain corporation called the A. D. B. Co., having its principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling water, ale, beer, lager beer and other beverages in bottles, with its name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the 1st day of February, 1888, and also in the office of the Secretary of State of the State of New York, to wit: on the second day of February, 1888, a description of the name, marks and devices so used by it and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid so as aforesaid produced upon such bottles, and a description of which had been so duly filed and published as required by law as aforesaid, the said corporation used the name "A. D. B. Co., Secoy, N. Y." and a monogram of the letters "A. D. B. Co."

And the said Charles Barber, late of the City and County aforesaid, afterwards to wit: on the 1st day of September, 1893, at the City and County aforesaid, did unlawfully buy from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said corporation divers to wit: seven certain bottles, which and each of which were and was then

and there marked and distinguished as aforesaid, with and by the said name, *madas and devices* of the said *corporation*, being the name *madas and devices* of which a description had been so filed and published as aforesaid, which said bottles *_____* had not been purchased from the said *corporation*, *_____*; 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 *Charles Barber* of the same misdemeanor, committed as follows:

Heretofore and prior to the day of commission of the crime and misdemeanor hereinafter alleged, a certain corporation called *The A. Siddle Bottling Company*, having *its* principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling *porter, de, beer, lager beer* and other beverages, in bottles *_____* with *its* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *first* day of *February* 18*88*, and also in the Office of the Secretary of State of the State of New York, to wit: on the *second* day of *February* 18*88*, a description of the name, marks and devices so used by *him*, and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, *_____* and a description of which had been so duly filed and published as required by law, as aforesaid, *the said is as follows, to wit: the name "A. Siddle Bottling Co.," the words and figures "Registered, 402 x 404 W, 126 St., N.Y." and a monogram of the letters "A.S.B.Co."* upon such *_____*

And the said *Charles Barber*, late of the City and County aforesaid, afterwards, to wit: on the *twelfth* day of *September*, 189*3*, at the City and County aforesaid, did unlawfully take from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said *corporation* *_____* divers, to wit: *seven* certain bottles, *_____* which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name, *madas & devices* of the said *corporation*, being the name, *madas and devices* of which a description had been so filed and published as aforesaid, and which said bottles, *_____* had not been purchased from the said *corporation*; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment further accuse the said *Charles Barber* of the same misdemeanor, committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, a certain corporation called *The A. Siddle Bottling Company*, having *its* principal place of business in the said City of New York, being at all the times herein-

after mentioned engaged in bottling and selling ~~porter, ale, beer, lager beer~~ and other beverages in bottles, _____ with ~~his~~ name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the ~~first~~ day of ~~February~~ 1888, and also in the office of the Secretary of State of the State of New York, to wit: on the ~~second~~ day of ~~February~~ 1888, a description of the name, marks and devices so used by ~~him~~, and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, _____

and a description of which had been so duly filed and published as required by law, ~~the said~~ ~~in as follows, to wit: the name "A. S. Biddle & Co.," the words and figures: "Registered, 402 & 404 W. 126 St., N. Y." and upon such~~ ~~a monogram of the letters "A. S. B. Co."~~ used the name "A. S. Biddle & Co.," the words and figures: "Registered, 402 & 404 W. 126 St., N. Y." and a monogram of the letters "A. S. B. Co."

And the said ~~Charles Gardner~~, late of the City and County aforesaid, afterwards, to wit: on the ~~twelfth~~ day of ~~September~~, 1893, at the City and County aforesaid, did unlawfully traffic in and dispose of in a manner and by means to the Grand Jury aforesaid, unknown, without the consent of the said ~~corporation~~, divers, to wit: ~~seven~~ certain bottles, _____ which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name ~~marks and devices~~ of the said ~~corporation~~ being the name ~~marks and devices~~ _____ of which a description had been so filed and published as aforesaid, and which said bottles _____ had not been purchased from the said ~~corporation~~. _____ against the form of the Statute in such case made and provided against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

Witness:

A Winker

*With consultation with counsel for the
Boyle's Association, who were in con-
sultation with the discharge of their defen-
dant, his name being in error. The case is
mistakenly named, it is not as set out in the
complaint can be found.
Peter Boy Attorney
D. D. G.
23 Nov. 1898.*

Counsel,

[Signature]

Filed

[Signature]
day of *Dec* 189*8*

Plends,

[Signature]
January 1898

ENTERED
F. S. M.

THE PEOPLE

vs.

B

Charles Farber

MISDEMEANOR.
[Chap. 877, Laws of 1887, as amended by Chap. 181,
Laws of 1888.]

DE LANCEY NICOLL,

Nov 23/98 District Attorney.

Bail Discharged.

A TRUE BILL.

[Signature]

Foreman.

686

5th District Police Court

State of New York,
City and County of
NEW YORK.

ss: HERMAN W. LINKER, being duly sworn says that he is 29 years of age and is by occupation a detective and resides at number

221 EAST 38th STREET in the City of New York,

being duly sworn, says: that he is the agent of *Henry Haffer* who is

engaged in ~~manufacturing or bottling and selling soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, small beer, lager beer, weiss beer, white beer and other beverages, in bottles and boxes and syphons and kegs with~~ *his* name, or names, or other marks or devices branded, stamped, engraved, etched, blown, impressed or otherwise produced upon such bottles and boxes, and syphons, and kegs, and whose principal place of business was at the times hereinafter mentioned ever since has been and now is at the city of *New York* in said *New York* and County of *New York* that the name, or names, or other marks or devices so as aforesaid produced upon said bottles, and boxes and syphons, and kegs, and a description thereof is as follows, viz: *on some bottles Augustus Muller; on other bottles, Henry Haffer; on boxes, Henry Haffer.*

That said description of said name or names, or other marks or devices so as aforesaid used by the said *Henry Haffer*

upon said bottles and boxes, and syphons, and kegs, was on the *8th* day of *July*, 1890, duly filed in the office of the Clerk of *New York* County in the State of New York, and also in the office of the Secretary of State of the State New York on the *3rd* day of *July* 1890; and such description was by said *Henry Haffer*

caused to be printed and was printed *once* for three weeks successively in two daily newspapers, published in the City of *New York* in said County of *New York*. Deponent further says that the said *Henry Haffer*

has in all things complied with Chapter 377 of the Laws of the State of New York for 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888. Deponent further says that said *Henry Haffer* is the

owner of the following described property, marked and distinguished as hereinbefore stated, viz.: ~~divers bottles, and boxes, and syphons and kegs~~ the number of which is unknown to deponent. That the same are so marked and distinguished as aforesaid with *or* by the said name or names, or other marks or devices of which a description has been, as hereinbefore stated, duly filed and published as provided in section I of Chapter 377 of the Laws of the State of New York for 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888, passed, April 26th, 1888; that deponent has reason to believe and does believe and avers the fact to be that said property, namely, said divers bottles, and boxes, and syphons, and kegs, so marked and distinguished, as aforesaid, are being unlawfully used, filled, had, bought, sold, disposed of or trafficked in by *Charles Farber*

who is *both* ~~manufacturing or selling soda, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer and other beverages, and is, and has been unlawfully filling, using, buying, selling, giving, taking and otherwise disposing of, and trafficking in said divers bottles, and boxes, and syphons, and kegs so marked and distinguished as~~

0098

aforsaid, in and upon the following described premises used and occupied by the said *Charles Harbor, viz: the building and premises known and described as numbered 1731 Second Avenue in the City of New York in the County and State of New York*

All of which the said *Charles Harbor* has and has been

is doing contrary to the Laws of the State of New York in such case made and provided, and without having obtained the written consent of or having purchased the said divers bottles, and boxes, and syphons, and kegs, from the said *Henry Haffer*

That the reason for deponent's said belief, and the further facts upon which this affidavit is based are that on the *12th* day of *September* 1893 Deponent *was informed by one Jeremiah J. Moore of Morris Town, Westchester County and State of New York that he had more in the 11th day of September 1893 saw in the saloon of one house at City Island in said Westchester County, bottles marked and distinguished as aforesaid filled with some beverage and which said bottles so filled as aforesaid had shortly before been left in said Saloon by the said defendant Charles Harbor and verily believes the same to be true*

WHEREFORE deponent prays process pursuant to the provisions of an act of the Legislature of the State of New York, passed April 26th, 1888, entitled "An Act to amend Chapter 377 of the Laws of 1887," entitled "An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages," to search the aforementioned and described premises of said

said described property, and that the said magistrate issuing said search warrant may cause to be brought before him the said

in whose possession said bottles, and boxes, and syphons, and kegs may be found and that inquiry may be made into the circumstances of such possession as to whether the said

has been guilty of a violation of the last aforesaid Statute and that the said *may be dealt with according to law.*

Subscribed and sworn to before me this *12th* day of *September* 1893

W. W. Linker
POLICE JUSTICE

W

THE PEOPLE, ETC.,

FOR THE COMPLAINT OF

HERMAN W. LINKER,

vs.

Charles Harbor

AFFIDAVIT.

REGINALD HART,

ATTORNEY FOR COMPLAINANT.

No. *122* East *122* Street,

NEW YORK CITY.

0099

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

Samuel W. Linker

of No. *271 East 38th* Street, being duly sworn, deposes and says,

that *Karl Haber* (now present) is the person of the name of

Charles Haber mentioned in deponent's affidavit of the *12th*

day of *September* 18*93* hereunto annexed.

Sworn to before me, this *13th*
day of *September* 18*93*

H W Linker

Edmund J
POLICE JUSTICE.

0 100

Sec. 198-200.

5th District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

Harold Parker 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. Harold Parker

Question. How old are you?

Answer. 33 years

Question. Where were you born?

Answer. Germany

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

Answer. 1731 Second Avenue N.Y. City, Six years

Question. What is your business or profession?

Answer. Beer Porter

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 -
Harold Parker

Taken before me this 15th
day of September, 1893
Charles S. Mumford

Police Justice.

0101

7680

State of New York,
City and County of
NEW YORK.

ss:

In the Name of the People of the State of New York,
To any Peace Officer in this State or in the County of NEW YORK.

Proof by affidavit having been this day made before me, by HERMAN W. LINKER.

221 EAST 38th STREET *New York city* that the following described property, to wit:
divers bottles, and boxes, and syphons and kegs, the number of which is unknown to deponent, the
property of *Henry Haffer having brand, Wamp, engraved, etched, blown, rim-*
med, and otherwise marked on some of said bottles, English Malt;
on other of said bottles, Henry Haffer; on said boxes, Henry
Haffer

Was unlawfully taken, and has been and is being unlawfully had, used, filled, bought, sold,
disposed of and trafficked in, contrary to the provisions of Chapter 377, Laws of the State of New
York, for the year 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the
State of New York for the year 1888, passed April 26, 1888, and that there is reasonable ground to
believe that the said property was unlawfully taken and has been and is being unlawfully had,
used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of said act by

Charles Farber

and that there is probable cause for believing that the said divers bottles, boxes and syphons are now
in the possession of the said

Charles Farber

and are now concealed in and upon the following described premises used and occupied by said
Charles Farber, viz: The building and premises
known and described as number 1731 Second
Avenue in the city of New York, in the County
and State of New York

You are, therefore, in the name of the People of the State of New York, commanded and author-
ized, with proper assistance, in the day-time, or at any time of the day
to enter the building and premises of the said

Charles Farber

situate as aforesaid,

and there make immediate search for the said divers bottles, boxes and syphons, and if you find
the same, or any part thereof, then you are likewise commanded to bring the same so found,
together with the said

Charles Farber

forthwith, before me, at *5th District Police Court in said New York city*

to be dealt with as the law directs,

Dated at *New York city* the *12th* day of *September* 189*3*

C. E. Sumner Jr.

POLICE JUSTICE

Inventory of property taken by Emile Kluge
warrant was executed, from Charles Barber by whom this
* in whose possssion it was found, & from within deserted premises from whom it was taken,
where the property was found, no person being there.

Bottles Filled,
9 Bottles Empty, each of said nine bottles
Boxes, having produced thereon
Total, Hung Haffen.

COUNTY OF
NEW YORK. } ss:

I Emile Kluge the officer by whom this warrant was
executed, do swear that the above inventory contains a true and detailed account of all the
property taken by me on this warrant.

Sworn to before me, this 13th
day of September 1897

C. E. Simms
POLICE JUSTICE.

Emile Kluge

466
THE PEOPLE, ETC.,
ON THE COMPLAINT OF
FERMAN W. LUKER,
vs.
Charles Barber
SEARCH WARRANT
AND
WARRANT OF ARREST.
REGINALD HART,
ATTORNEY FOR COMPLAINANT,
72 No. 140 East 15th Street,
NEW YORK CITY.

day of _____ 18 _____

THE PEOPLE, ETC.,
ON THE COMPLAINT OF
vs.
SEARCH WARRANT.

0103

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 September 13 1893 W. E. Simms Jr Police Justice.

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

Dated September 13 1893 W. E. Simms Jr Police Justice.

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

Dated..... 189..... Police Justice.

0104

Police Court--- 5th District. 983

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Herman W. Linker

vs.

1 Karl Farber

2
3
4

Offence No Bork Act

Dated September 13 1893

Simms Magistrate.

Kunze Officer.

Court Precinct.

Witnesses Herman W. Linker

No. 221 East 38th Street.

No. Street.

No. Street.

No. Street.

\$ 100 to answer G.S.

\$ 100 Bailed

\$ 100. Ex. Sep 15/93 2 P.M.



BAILED,

No. 1, by Richard Grammer

Residence 410 E 5th Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

0105

6225

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Charles Barber

The Grand Jury of the City and County of New York, by this indictment accuse *Charles Barber* of a misdemeanor, to wit: the crime of offending against the provisions of the second section of the Act of the Legislature of this State, passed May 18th, 1887, entitled: "An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," as the same was amended by a certain other Act of the Legislature of this State, passed April 26th, 1888, entitled: "An Act to amend Chapter three hundred and seventy-seven of the Laws of eighteen hundred and eighty-seven, entitled 'An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,'" committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, *one Jacob Seligman,* — having *his* principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling *Lager Beer* — and other beverages in bottles, — with *his* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *3rd* day of *April*, 18 *89*, and also in the office of the Secretary of State of the State of New York, to wit: on the *25th* day of *April*, 18 *89*, a description of the name, marks and devices so used by *him* and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid so as aforesaid produced upon such bottles, — and a description of which had been so duly filed and published as required by law as aforesaid, the said *Jacob Seligman* used the name "*J Seligman*", upon such *bottles*.

And the said *Charles Barber*, late of the City and County aforesaid, afterwards to wit: on the *12th* day of *September*, 189 *3*, at the City and County aforesaid, did unlawfully buy from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said *Jacob Seligman*, divers to wit: *three* certain bottles, — which and each of which were and was then

after mentioned engaged in bottling and selling lager beer and other beverages in bottles, _____ with his name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the 30 day of May 1893 and also in the office of the Secretary of State of the State of New York, to wit: on the 25 day of May 1893, a description of the name, marks and devices so used by him and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, _____ and a description of which had been so duly filed and published as required by law, the said Geo. S. Sander used the name "G. S. Sander" upon such bottles.

And the said Charles T. Carter late of the City and County aforesaid, afterwards, to wit: on the 12 day of September 1893, at the City and County aforesaid, did unlawfully traffic in and dispose of in a manner and by means to the Grand Jury aforesaid, unknown, without the consent of the said Geo. S. Sander divers, to wit: Keely certain bottles, _____ which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name "G. S. Sander" of the said Geo. S. Sander, being the name of which a description had been so filed and published as aforesaid, and which said bottles _____ had not been purchased from the said Geo. S. Sander, against the form of the Statute in such case made and provided against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

Witnesses:

A W Lenter

at the consultation with counsel for
the B. B. W. Association who is superior
Court, recommend the discharge of
this defendant on his own recognizance
thereas is provided, it is his
Allegation & the Court cannot
be found. Robert H. Hays
23 Nov. 1898. R. H. H.

W. L. M.

Counsel,

Filed

ENTRANCE
J. W. L.

27th Dec 1898

guilty June 5th 1894

THE PEOPLE

vs.

B

Charles Farber

MISDEMEANOR.
[Chap. 877, Laws of 1887, as amended by Chap. 181,
Laws of 1888.]

DE LANCEY NICOLL,

District Attorney.

Nov 23/98.
Bail Discharged.

A TRUE BILL.

R. H. Hays

Foreman.

684

DISTRICT POLICE COURT.

State of New York, City and County of NEW YORK.

55:

HERMAN W. LINKER. being sworn says: I am 79 years of age; I reside at 221 EAST 38th STREET New York City My business is that of Detective, I am the agent of Rudolph Sprenger. Said Rudolph Sprenger is engaged in bottling and selling lager beer, and other beverages, in bottles and boxes, with his name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced upon such bottles and boxes, and whose principal place of business was at the times hereinafter mentioned, ever since has been, and now is at the City of New York, and County of New York, and State aforesaid. The name and other marks and devices so as aforesaid produced upon said bottles, and boxes, and a description thereof is as follows, viz: on some bottles R. Sprenger and the letters R. S. on the representation of a cross, on other bottles R. Sprenger, on boxes R. Sprenger.

Said description of said name and other marks and devices so as aforesaid used by the said Rudolph Sprenger upon said bottles and boxes, was on the 8th day of March, 1889, duly filed in the office of the Clerk of New York County in the State of New York, and also in the office of the Secretary of State of the State of New York, on the 6th day of March, 1889; and such description was by said Rudolph Sprenger thereafter caused to be printed and was printed for three weeks successively in two daily newspapers, published in the City and County of New York. The said Rudolph Sprenger has in all things complied with Chapter 377 of the Laws of the State of New York for 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888. That said Rudolph Sprenger is the owner of the following described property, marked and distinguished as hereinbefore stated, viz: divers bottles and boxes, the number of which is unknown to deponent. That the same are so marked and distinguished as aforesaid with and by the said name and other marks and devices of which a description has been, as hereinbefore stated, duly filed and published as provided in Section 1, of Chapter 377 of the Laws of the State of New York for 1887, passed May 18th, 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888, passed April 26th, 1888; that deponent has reason to believe and does believe and avers the fact to be that said property, namely, said divers bottles, and boxes, so marked and distinguished as aforesaid are being unlawfully used, filled, had, bought, sold, disposed of and trafficked in by

Charles Farber

who is bottling and selling soda, mineral and aerated waters, porter, ale, cider, ginger ale, small beer, lager beer, weiss beer, white beer and other beverages, and has been unlawfully filling, using, buying, selling, giving, taking and otherwise disposing of, and trafficking in said divers bottles, and boxes, so marked and distinguished as aforesaid, in and upon the following described premises used and occupied by the said Charles Farber, viz:

The building and premises known and described as number 1731 Second Avenue in the City of New York in the County and State of New York

All of which the said Charles Farber is and has been

doing contrary to the Laws of the State of New York in such case made and provided, and without having obtained the written consent of or having purchased the said divers bottles, and boxes, from the said Rudolph Sprenger. That the reason for deponent's said belief, and the further facts upon which this affidavit is based, are that on the 12th day of September, 1893, Deponent was informed by one Jeremiah J. Moore of the County of Westchester and State of New York, that he said Moore on the 11th day of September, 1893 saw in the Saloon of one Grove in the City of New York in said Westchester County, bottles marked and distinguished as aforesaid filled with some beverage, which bottles so filled had shortly before been left at said saloon by said deponent and Charles Farber, and deponent believes the same to be true

Subscribed and sworn to before me, this 12th day of September 1893

[Signature of Police Justice]

POLICE JUSTICE

H. W. Linker

0110

XV

B. No. *687A*

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

HERMAN W. LINKER.

vs.

Charles Marcus

AFFIDAVIT.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,

No. ²²¹~~149~~ East ³⁸~~15th~~ Street,

NEW YORK CITY.

0111

State of New York,
City and County of New York,

ss.

Norman W. Linker

of No. *271 East 38th* Street, being duly sworn, deposes and says,
that *Carl Farbu* (now present) is the person of the name of
Charles Farbu mentioned in deponent's affidavit of the *12th*
day of *September* 18*93* hereunto annexed.

Sworn to before me, this *13th*
day of *September* 18*93*

H. W. Linker

C. E. Sumner POLICE JUSTICE.

0112

Sec. 198-200.

5th District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Karl Harker

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

Question. What is your name?

Answer. Karl Harker

Question. How old are you?

Answer. 33 years

Question. Where were you born?

Answer. Germany

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

Answer. 1731 Second Avenue N.Y. City, Six years

Question. What is your business or profession?

Answer. Beer Broker

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
Karl Furber

Taken before me this 13th
day of September 1895
W. S. Simms

Police Justice.

0113

X 684

State of New York,
City and County of
NEW YORK.

ss.

In the Name of the People of the State of New York.

To any Peace Officer in this State or in the County of NEW YORK.

Proof by affidavit having been this day made before me, by HERMAN W. LINKER.

221 EAST 38th STREET *summarily* that the following described property, to wit: divers bottles and boxes, the number of which is unknown to deponent, the property of Rudolph Sprenger, having branded, blown and otherwise produced on some of said bottles R. Sprenger and the letters R. S. on the representation of a cross, on other bottles R. Sprenger, on said boxes R. Sprenger. was unlawfully taken, and has been and is being unlawfully had, used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of Chapter 377, Laws of the State of New York, for the year 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the State of New York for the year 1888, passed April 26, 1888, and that there is reasonable ground to believe that the said property was unlawfully taken and has been and is being unlawfully had, used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of said act by

Charles Farber

and that there is probable cause for believing that the said divers bottles and boxes are now in the possession of the said

Charles Farber

and are now concealed in and upon the following described premises used and occupied by said

Charles Farber, viz: The building and premises known and described as number 1731 Second Avenue in the City of New York in the County and State of New York

You are, therefore, in the name of the People of the State of New York, commanded and authorized, with proper assistance, in the day-time, or at any time of the day to enter the building and premises of the said

Charles Farber

aforsaid, and there make immediate search for the said divers bottles and boxes, and if you find the same, or any part thereof then you are likewise commanded to bring the same so found, together with the said

Charles Farber

forthwith, before me, at *1st District Police Court in said New York City*

to be dealt with as the law directs.

Dated at *New York City* the *12th* day of *September* 189*3*

C. E. Dunning

POLICE JUSTICE.

Inventory of property taken by Emile Kluge by whom this warrant was executed, from Charles Faubus from whom it was taken, in whose possession it was found, & from within described premises where the property was found, no person being there.

Bottles Filled, 5
Bottles Empty, each of said five bottles having
Boxes, produced thereon R. Spence
Total, 5 and the letters R.S. on the representation of a cross

COUNTY OF NEW YORK. } ss:

I Emile Kluge the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all the property taken by me on this warrant.

Sworn to before me, this 13th day of September 1893
Edwin [Signature]
POLICE JUSTICE.

1687
THE PEOPLE, ETC.,
ON THE COMPLAINT OF
HERMAN W. LINKER.
Charles Faubus
SEARCH WARRANT
AND
WARRANT OF ARREST.
REGINALD HART,
ATTORNEY FOR COMPLAINANT,
221 3rd
No. 149 East 15th Street,
NEW YORK CITY.

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 *September 13* 1893 *B. E. Simms* Police Justice.

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

Dated *September 13* 1893 *B. E. Simms* 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..... 189• Police Justice.

0116

Police Court--- 5th District. 983

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Herman W. Linker

vs.

1 Karl Fanta

2

3

4

Offence To North ach

BAILED, Richard Grammer

No. 1, by 410 East 5th Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated September 13 1893

Linms Magistrate.

Kunge Officer.

Court Precinct.

Witnesses Herman W. Linker

No. 771 East 38th Street.

No. Street.

No. Street.

\$ 100 to answer G.S.

Bailed

\$ 100 & Sept. 15/93 2-P.M.



0117

6225

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Barber

The Grand Jury of the City and County of New York, by this indictment accuse *Charles Barber*, of a misdemeanor, to wit: the crime of offending against the provisions of the second section of the Act of the Legislature of this State, passed May 18th, 1887, entitled: "An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," as the same was amended by a certain other Act of the Legislature of this State, passed April 26th, 1888, entitled: "An Act to amend Chapter three hundred and seventy-seven of the Laws of eighteen hundred and eighty-seven, entitled 'An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,'" committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, *one Rudolph Sprenger*, having *his* principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling *lager beer* and other beverages in bottles, with *his* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *8th* day of *March* 18*89*, and also in the office of the Secretary of State of the State of New York, to wit: on the *6th* day of *March* 18*89*, a description of the name, marks and devices so used by *him* and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid so as aforesaid produced upon such bottles,

and a description of which had been so duly filed and published as required by law as aforesaid, the said *Rudolph Sprenger* used the name "*R. Sprenger*" upon such and the letters "*R.S.*" on the representation of a cross, upon said bottles.

And the said *Charles Barber*, late of the City and County aforesaid, afterwards to wit: on the *Twenty 5th* day of *September*, 189*3*, at the City and County aforesaid, did unlawfully buy from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said *Rudolph Sprenger*, divers to wit: *Three* certain bottles, which and each of which were and was then

and there marked and distinguished as aforesaid, with and by the said name *Rudolph Sprenger* and the letters "R.S." on *the reverse side of a cross*, being the name of which a description had been so filed and published as aforesaid, which said bottles *_____* had not been purchased from the said *Rudolph Sprenger*; 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 *Charles Gardner* of the same misdemeanor, committed as follows:

Heretofore and prior to the day of commission of the crime and misdemeanor hereinafter alleged, *one Rudolph Sprenger,*

having *his* principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling *lager beer* and other beverages, in bottles *_____* with *his* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *8th* day of *March* 18*99*, and also in the Office of the Secretary of State of the State of New York, to wit: on the *6th* day of *March* 18*99*, a description of the name, marks and devices so used by him, and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, *_____*

and a description of which had been so duly filed and published as required by law, as aforesaid, the said *Rudolph Sprenger* used the name "*R. Sprenger and the letters 'R.S.' on the representation of a cross upon said bottles.*"

And the said *Charles Gardner*, late of the City and County aforesaid, afterwards, to wit: on the *12th* day of *September* 18*93*, at the City and County aforesaid, did unlawfully take from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said *Rudolph Sprenger*

_____ divers, to wit: *John* certain bottles, *_____* which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name "*R. Sprenger of the said Rudolph Sprenger, being the name, mark and device*" of which a description had been so filed and published as aforesaid, and which said bottles, *_____*

had not been purchased from the said *Rudolph Sprenger*, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment further accuse the said *Charles Gardner* of the same misdemeanor, committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, *one Rudolph Sprenger*

having *his* principal place of business in the said City of New York, being at all the times herein-

after mentioned engaged in bottling and selling lager beer and other beverages in bottles, _____ with his name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the 8th day of march, 1889, and also in the office of the Secretary of State of the State of New York, to wit: on the 6th day of march, 1889, a description of the name, marks and devices so used by him and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, _____ and a description of which had been so duly filed and published as required by law, the said Rudolph Sprenger used the name "R. Sprenger" and the letters "R. S." on the representation of a cross upon such bottles.

And the said Charles Barber late of the City and County aforesaid, afterwards, to wit: on the 12th day of September 1893, at the City and County aforesaid, did unlawfully traffic in and dispose of in a manner and by means to the Grand Jury aforesaid, unknown, without the consent of the said Rudolph Sprenger divers, to wit: five certain bottles, _____ which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name "R. Sprenger" of the said Rudolph Sprenger being the name and the letters "R. S." on the representation of a cross, and the name, mark and device of which a description had been so filed and published as aforesaid, and which said bottles _____ had not been purchased from the said Rudolph Sprenger, against the form of the Statute in such case made and provided against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

0 120

BOX:

543

FOLDER:

4939

DESCRIPTION:

Farley, John H

DATE:

12/12/93



4939

0 12 1

~~Abram Levy~~ 93

Witnesses:

Winfried Polan

Counsel,

Filed

day of

1893.

Pleads,

12 / Dec 1893
Guilty

THE PEOPLE

2nd vs. Nassau St. - Blum
7th Locksmiths B

John H. Farley
com mch 6/94

Bigamy

Section 298, Penal Code

DE LANCEY NICOLL,

District Attorney.

Part 3. 3rd Mend by Jan 29/94

A TRUE BILL.

Part 3. 6th Mend 29/94
The Jurors
Part 3. 7th Mend 29/94 Foreman.

P leads guilty

Pen 6 months

mch 9/94

01222

Police Court, District.

(1858)

City and County }
of New York, } ss.

of No. 345 West 12th Street, aged 19 years,

occupation Domestic being duly sworn, deposes and says,

that on the 29 day of October 1893 at the City of New York, in the County of New York one John H. Farley

did commit the crime of Bigamy for the reason that he at that time having a wife living and not divorced did represent to Depunt that he was a single man and free to marry and then and then did marry Depunt at the residence of Rev John J. Bromer at 276 West 12th Street in said City, a certificate to the effect being hereto attached.

Depunt further says that she learned that said Farley had previously been married to one Catherine Roberts residing at 74 Nassau Street in the City of Brooklyn, that Depunt confronted said Farley with his wife and that he in her presence acknowledged that he was a married man with one child.

Depunt further says that at the time of her marriage with said Farley he gave the name of an uncle John H. Davis.

Mrs Winifred Tolson

I now believe true
this 25th day of November 1893

Edward M. ...
Police Justice

0123

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer. *John H. Farley*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *W.S.*

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

Answer. *74 Nassau St. Brooklyn.*

Question. What is your business or profession?

Answer. *Ice smith*

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

Answer. *I have nothing to say
at present.*

John H. Farley

Taken before me this

March 1893

Police Justice.

0124

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

Dated December 11 1893 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0125

The Justice presiding during my absence will please hear and determine the within case

Edward M. Lester
Police Justice

BAILED, *Dec 29 1893*
No. 1, by *Frank Brown*
Residence *2530 75th* Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

W 349
Police Court--- *1282* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Alfred A. ...
John H. Farley

Miguel Nolan
40 Mrs. ...

Dated, *Jan 27 1893*
Mark ... Magistrate.

Witnesses *Catherine Roberts*

No. *74 Nassau* Street.

No. *Brooklyn* Street.

No. *10011* to answer *G.S. ...* Street.

10011 ...
14.30 ...
Dec 1st 2 P.M.
committed



0126

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

Form No. 6

Patrick Englem of No. *Policeman New York City*
being duly sworn says that he is acquainted with the handwriting of *Bernard F. Martin*
Martin the Police Justice, who issued the annexed Warrant and that
the signature to this Warrant is in the handwriting of said *Bernard F. Martin*
Sworn to before me this *29th* day of *Nov* 188*3*

Patrick Englem
Police Justice of the City of Brooklyn.

This warrant may be executed in the City of Brooklyn.

Dated this *29th*

0127

Sec. 151.

Police Court District.

CITY AND COUNTY }
OF NEW YORK, } ss.

In the name of the People of the State of New York: To the Sheriff of the County of New York or to any Marshal or Policeman of the City of New York. GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by August H. Stanley of No. 305 West 12 Street, that on the 29th day of October 1893 at the City of New York, in the County of New York,

me. John H. Farley did commit
the Crime of Burgamy in the
State of New York

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 each and every of you, to apprehend the said Defendant and bring him forthwith 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 25th day of October 1893.

August H. Stanley
Police Justice.

arrival at the home of the complainant's sister after such ceremony . I then became aware from the general conversation that I had gone through a marriage ceremony with the complainant and became horror stricken. I thought of the wrong I had done the complainant and the awful consequences to my wife and child, and at once left the presence of the complainant and went to my home. I never have cohabited ~~at~~ with the complainant nor had sexual intercourse with her, nor have I ever attempted to do so.

I bitterly repent of the wrong I have committed and great has already been my punishment. I was confined in the city prison for a number of weeks, but such punishment I would gladly bear could I be free from remorse at having permitted an innocent girl to become tied to me, and thus put in jeopardy the only future means of support of my wife and child, for, if I am further imprisoned I know not what they can do nor what will become of them. I am wholly without means and my family are entirely dependant on my labor for livelihood.

I have righted, so far as in my power, the wrong done to the complainant, and the marriage contract entered into between us was annulled by a decree of the Superior Court of the City of New York on February 19th, 1894, in an action prosecuted solely at my expense.

I have always been a sober, hard-working, law abiding citizen, and I humbly beg the Court to judge me with mercy and to extend to me such clemency as it can, not so much because I fear punishment on my own account as from an

honest, sincere desire to live down my present disgrace and
again earn the respect of my fellow men, but more still,
that I may have an opportunity of supporting my helpless
wife and child.

Sworn to before me this)
6th day of March, 1894.)

John H. Farley

Charles S. Sinsheimer
Notary Public
N.Y.C.

COURT OF GENERAL SESSIONS OF THE PEACE.

-----*)-----*)
)
 THE PEOPLE OF THE STATE OF NEW YORK,)
)
 against)
)
 J O H N H. F A R L E Y.)
)
 -----*)-----*)

City and County of New York, ss:-

WINIFRED NOLAN, being duly sworn, says that she is the complainant herein, and that she is now of about the age of nineteen years.

That on or about the 29th day of October, 1893, she went with the defendant before a Minister, and a marriage ceremony was performed between them. Very soon after such ceremony was performed the defendant left the house where deponent then was and did not return.

That she has never lived or cohabited with the defendant, nor has the defendant ever claimed any right under such marriage, but that on the contrary he has always acted in a chaste and reserved manner towards the deponent.

Deponent further says that the prosecution herein was instituted solely with the view that she might be freed from the defendant, and only on being informed that such was the only course that she could take to accomplish that end. That the defendant, at his own cost, has caused a decree to be entered annulling the marriage between him and deponent, and that deponent is now free from the bonds of such marriage.

That since such marriage was contracted deponent has become acquainted with the wife and child of the defendant, and, sympathising with their condition, has no desire to see

the defendant further punished, or see them left without means of support. That she is nowfully convinced that at the time when the marriage ceremony was performed the defendant was not in possession of his full mental faculties; and in view of his subsequent action she fully and freely forgives him, and prays that the court may extend its clemency, and that he be no further punished.

Sworn to before me, this

(6th) ~~sixth~~ day of March, 1894.

)
) *Frederic Nolan*
)

Wm. L. Allen,
Notary Public
N.Y. Co.

COURT OF GENERAL SESSIONS.

----- x
 THE PEOPLE OF THE STATE OF NEW YORK :
 :
 :
 :
 :
 :
 :
 :
 ----- x

County of Kings)
 : SS:-
 City of Brooklyn)

CATHERINE FARLEY being duly sworn says that she is the wife of John H. Farley , the defendant, by whom she has one child now of the age of about months.

That the defenlant has always, since deponent has known him, been a sober, industrious, law-abiding man, and a good, true, loving husband and father. That deponent does not believe that the defendant realized the weight of his act in again marrying, or that such second marriage was contracted while he was in possession of his full senses. That he has worked hard, steadily and faithfully since his marriage to deponent, and has provided well for her and her child.

Deponent further says that she is wholly without means of any kind, and that with a child of such tender years she can do no work, and that if the defendant should be imprisoned she does not know what herself and child will do other than become public charges.

That she not only forgives her husband for his act, but is most anxious to help him live down the disgrace

attending it, fully satisfied that he will, if given the opportunity, do all in his power to right the wrong of his life, wrought by ^{his} one ~~man~~ act, and will live, as he has heretofore, a life entitling him to the respect of all.

Sworn to before me this

20 day of December, 1893.

) Catherine Farley

[Handwritten signature]

NOTARY PUBLIC KINGS-COUNTY,
CERTIFICATE FILED IN NEW
YORK COUNTY.

COURT OF GENERAL SESSIONS.

----- x
 THE PEOPLE OF THE STATE OF NEW YORK :
 against :
 JOHN H. FARLEY :
 ----- x

City and County of New York, ss:-

Edmond F Gilligan being duly sworn says
 that he resides at *360 W. 17th St.* in the City of *New*
York and is a *Plumber* by occupation.

That he has known the defendant John H. Farley for
 upwards of *20* years, and that during all that time he has
 conducted himself as a good, sober and law abiding citizen,
 and deponent verily believes that if the Court should extend
 mercy and exercise clemency in his case, his future career
 will be such as to prove him worthy of it.

Sworn to before me this) *Edmond F Gilligan*
6th day of *March* 1894.)

Ok.

Owen Ward

NOTARY PUBLIC, FOR DUTCHESS COUNTY, N. Y.
 WITH CERTIFICATE FILED IN NEW YORK COUNTY.

COURT OF GENERAL SESSIONS.

----- x
THE PEOPLE OF THE STATE OF NEW YORK

against

J O H N H. F A R L E Y
----- x

City and County of New York, ss:-

James Dennis being duly sworn says that
he resides at 189-9th Av. in the City of New York
and is a Tailor by occupation.

That he has known the defendant John H. Farley for
upwards of 17 years, and that during all that time he has
conducted himself as a good, sober and law-abiding citizen,
and verily believes that if the Court should extend mercy
and exercise clemency in his case, his future career will be
such as to prove him worthy of it.

Sworn to before me this)

6 day of March, 1894.)

James Krivco

Wm. H. Kelly
Notary Public
N. Y. Co.

COURT OF GENERAL SESSIONS.

----- X
THE PEOPLE OF THE STATE OF NEW YORK :
: :

against

JOHN H. FARLEY
----- X

City and County of New York, ss:-

Joseph b. Lome being duly sworn says
that he resides at *Wastchester* in the City of *New*
York and is a *Govt* by occupation.

That he has known the defendant John H. Farley for
upwards of *10* years, and that during all that time he has
conducted himself as a good, sober and law abiding citizen,
and deponent verily believes that if the Court should extend
mercy and exercise clemency in his case, his future career
will be such as to prove him worthy of it.

Sworn to before me this) *Joseph b. Lome*
day of *March*, *1894*.)

Henry Jacobs
Notary Public #3



Court of General Sessions

1st Marriage
Sickness

2^d Marriage -
no exhibit
- arrest
- imprisonment -
- amendment of
marriage

The People vs:

against

John H. Farley

Affidavits on motion to
Suspend sentence

J. L. Buttery
att. for deft
63 Park Row

(455)

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John M. Farley

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

indictment accuse John M. Farley -

of the crime of Bigamy -

committed as follows:

The said John M. Farley -

late of the City of New York, in the County of New York aforesaid, on the
twenty fifth day of October, in the year of our Lord one thousand
eight hundred and ninety-three, - at the City and County aforesaid,

having a wife living, did feloniously
marry another person, to wit: one
Elizabeth Nolan; 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

Witness my hand,

District Attorney

0143

BOX:

543

FOLDER:

4939

DESCRIPTION:

Farmer, James

DATE:

12/15/93



4939

3 times convicted of Burg
& served terms in S.P.
on each. says J. B. J.
Harrell of 18th Precinct, 1893

Witnesses
Charles Roper
officer J. J. Harrell
18th Precinct

143

~~Curly~~

Counsel,
Filed 15 day of Dec 1893

Pleads, Not guilty

50
248 Ave. B.
Tuckerman vs.
THE PEOPLE

James Farmer

Grand Larceny, Second Degree.
[Sections 598, 599, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Part 3. Dec 1893
Pleads - Petit Larceny
Pen 1st P.B.M.

A TRUE BILL.

B. Tooswood

Foreman.

0145

1921

CITY AND COUNTY }
OF NEW YORK, } ss.

Andrew Gillispie

aged 13 years, occupation _____ of No. _____

616 East 16

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Charles Roper

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

Sworn to before me, this 5 day
of June 1893

his
Andrew X Gillispie
Mark

John H. Burke Police Justice.

Police Court 9 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 640 East 16 Street, aged 44 years.
occupation Sawdust Business being duly sworn,

deposes and says, that on the 2 day of December 1893 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 day time, the following property, viz:

Two Cents of the value of
Forty five Dollars

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Mrs. Turner (number)

from the fact that said property was in East 16 Street between Avenue C and D and deponent is informed by Andrew Sullivan of 616 East 16 Street that he saw the said deponent take said property away said property

Charles Raper

Sworn to before me, this 1893 day of December

James H. [Signature]
Police Justice

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss:

James Farmer 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 sees 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. James Farmer

Question. How old are you?

Answer. 30 yrs

Question. Where were you born?

Answer. Brooklyn

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

Answer. 208 Avenue B. 6 yrs

Question. What is your business or profession?

Answer. Domestic

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

James Farmer

Taken before me this 5

day of June 1898

Amos T. Smith

Police Justice.

0149

1301

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Rosen
640th E. 16
James Farmer

Amey
Fee,
Offence

2
3
4

BAILED,

No. 1, by

Residence Street

No. 2, by

Residence Street

No. 3, by

Residence Street

No. 4, by

Residence Street

Dated *Nov 5* 189 *3*

Bunker Magistrate.
Farrell Officer.
18 Precinct.

Witnesses *Andrew Gillespie*
No. *616 East 16th* Street.

No. Street.
No. Street.



No. Street.
\$ *1000* to answer *G.S.*

Am *92*

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

THE PEOPLE OF THE STATE OF NEW YORK

against

James Farmer

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

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

The said *James Farmer*

late of the City of New York, in the County of New York aforesaid, on the *second*
day of *December* in the year of our Lord, one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, with force and arms,

two carts of the value of
twenty-five dollars each

of the goods, chattels and personal property of one

Charles Roper

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.

Dehancey Nicoll,
District Attorney

0 15 1

BOX:

543

FOLDER:

4939

DESCRIPTION:

Farrell, James

DATE:

12/12/93



4939

0152

241

Witnesses:

COURT OF OYER AND TERMINER.

Counsel,

Filed, 17 day of Dec 1893

Pleads,

THE PEOPLE
Transferred to the Court of Special
Sessions for trial and final disposition
Part C. Dec 18 93

James Farrell

General Session

Dec 17 - 1893

VIOLATION OF THE EXCISE LAW,
selling, etc., on Sunday,
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLI,

District Attorney.

A TRUE BILL.

R. J. Arzo Foreman.

Court of Oyer and Terminer

6231

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Farrell

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

of the **CRIME** OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *James Farrell*

late of the City of New York, in the County of New York aforesaid, on the day of *September* ³ *three* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

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

SECOND COUNT—

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

James Farrell
of the **CRIME** OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *James Farrell*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

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

DE LANCEY NICOLL,

District Attorney.

0154

BOX:

543

FOLDER:

4939

DESCRIPTION:

Farrell, John

DATE:

12/21/93



4939

239

Witnesses:

Patrick Fenney

Counsel,

Filed, Dec 21 day of Dec 1893

Pleads,

THE PEOPLE

vs.

John Farrell
w/ Hank

INJURY TO PROPERTY.

[Section 654, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL

Ther Harris
Dec 21 1893 Foreman.

Plead guilty as a
Misdemeanor

Pen 3 months

Sec. 193-200.

J

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK }

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

Question. What is your name?

Answer.

John Farrell

Question. How old are you?

Answer.

33 years

Question. Where were you born?

Answer.

N. Y.

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

Answer.

Globe Hotel, B'nny, 3 days

Question. What is your business or profession?

Answer.

Stone Cutter

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

Answer.

*I am very guilty -
John Farrell
B'nny*

Taken before me this *15-5*
day of *Sept* 189*9*
John Farrell
Police Justice.

0 157

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
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 Dec 5 1893, Police Justice.

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

Dated..... 189..... 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..... 189..... Police Justice.

0158

Police Court--- 3 1344 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Patricia [unclear]
John [unclear]
23 Bow
18
[Signature]
[Signature]

1 _____
2 _____
3 _____
4 _____

Dated *Dec 15* 189
Ryan Magistrate.
Ryan Officer.
11 Precinct.

Witnesses _____
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ _____ to answer *[Signature]*



BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 3 DISTRICT.

Patrick Grogan

of No. 23 Burray Street, aged 3 years,

occupation sign painter being duly sworn, deposes and says

that on the 14 day of December 1893

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

John Farrell did willfully and maliciously break the plate glass in defendant's show window at 23 Burray by throwing a brick through said window doing damage to the amount of one hundred dollars \$100.00

Patrick Grogan

Sworn to before me, this

of Dec 14 1893 day

John P. [Signature] Police Justice

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

John Farrell

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

John Farrell

of the CRIME OF UNLAWFULLY AND WILFULLY destroying PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said

John Farrell,

late of the City of New York, in the County of New York aforesaid, on the day of fourteenth December, in the year of our Lord one thousand eight hundred and ninety-three, at the City and County aforesaid, with force and arms,

one pane of plate glass

of the value of one hundred dollars of the goods, chattels and personal property of one Patrick Tangney then and there being, then and there feloniously did unlawfully and wilfully break

and destroy;

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

John Farrell
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* REAL PROPERTY OF ANOTHER,
committed as follows :

The said *John Farrell*,

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

one pane of plate glass

of the value of *one hundred dollars*
in, and forming part and parcel of the realty of a certain building of one *Patrick*
Tangney there situate, of the real property of the said
Patrick Tangney

then and there feloniously did unlawfully and wilfully *break and*
destroy :

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.

DE LANCEY NICOLL,
District Attorney.

0 162

BOX:

543

FOLDER:

4939

DESCRIPTION:

Farrell, Margaret

DATE:

12/13/93



4939

0 163

BOX:

543

FOLDER:

4939

DESCRIPTION:

Davie, Lottie

DATE:

12/13/93



4939

0 164

BOX:

543

FOLDER:

4939

DESCRIPTION:

Davie, George

DATE:

12/13/93



4939

Witnesses:

Peter Nelson
Lennis Sullivan

117

Counsel,

Filed

Pleads,

~~John K. [unclear]~~
13 day of Dec 1893
at [unclear]

THE PEOPLE

vs.

~~Margaret Farrell~~
~~Lottie Davis~~
~~George Davis~~
H.D.

Robbery,
(Sections 284 and 22 & Penal Code.)

DE LANCEY NICOLL,

District Attorney.

Part 3 Dec 18. 93 B.S.C.
19 93 B.S.C.
A TRUE BILL.
Dec 22. 93 B.S.C.
Dec 26. 93
B. Lockwood

Foreman.

Part 3. December 26/93
No. 1. Ireland acquitted
No. 2 & 3. Ireland convicted
Robbery 2 deg
No. 2. S. P. 745
" 3 " " 10 " S.P.M.

COURT OF GENERAL SESSIONS,
PART III.

-----x
 :
 THE PEOPLE :
 of the State of New York, : Before
 -Against- : Hon. Randolph B. Martine,
 MARGARET FARRELL, LOTTIE : and a Jury.
 DAVIE and GEORGE DAVIE: :
 -----x

Indictment filed 1893.

Indicted for Robbery in the First Degree.

New York, December 26th, 1893.

A p p e a r a n c e s .

For the People Assistant District Attorney J.W. Osborne.

For the Defendant Mr. C. S. Kinsley.

P E T E R N E L S O N, a witness for the People, sworn,
testified:

I am from New Haven, Connecticut, and am a farmer
by occupation. I came to the City of New York about
December 7th, 1893. About ten o'clock on the night of
the 7th of December I was walking on one of the streets
of the city. At that time I had \$33 in my vest pocket,
and I had a silver watch. I met these two women on the
street. I was in company with a man named Sullivan.
As we were walking along the street these two women ap-
proached us, and one of them asked us if we would go
home with them and have a good time. We went with them

to some house; I could not tell just where the house was. We had several glasses of beer in the house. I went to bed with the Farrell woman and Sullivan went to bed with the Davie woman. I do not recollect anything until the following morning; at about six o'clock in the morning two men, one of them being the defendant Davie, came into Sullivan's room. I saw one of the men strike Sullivan and go to put him out; he got hold of him and tried to put him out. I was trying to get up and I got my pants on. Then one fellow came in and got hold of me by the throat and choked me up against the wall; that was not the defendant Davie but another man. I saw the woman Lottie Davie take my vest and go off with it into the kitchen. At that time my money and my watch and chain were in my vest pocket. In a few minutes the woman threw the vest back. I went and got it, but found that my money and my watch were gone. I saw the defendant Davie taking hold of my friend Sullivan. We both were put out of the house. I met Sullivan on the outside, and we went and got a policeman who came back to the house and arrested the three defendants.

CROSS EXAMINATION:

I was last employed in Bridgeport, Connecticut, and worked there for five months. I had about \$53.00 when I came to the city, and had spent \$20.00 of it before I met these women. I paid the Farrell woman \$1 and the Davie woman \$1, as my friend Sullivan had no money with him. When I retired for the night I had \$33.00 in my vest pocket along with my watch and chain.

There was no disturbance until the morning when those men came in. I recognized the defendant Davie as one of the men; the other man is not here. I saw the woman take my vest out into the kitchen and afterwards throw it back.

D E N N I S S U L L I V A N, a witness for the People, sworn, testified:

I was working in Westfield, Connecticut, before I came to New York on this occasion. On the night of the 7th of December I was in company with the complainant Nelson on Bleecker Street in this city. As we were walking along these two women approached us, and asked us if we would like to go with them and have a good time. We went with them to No. 17 Downing Street, and went up one flight of stairs. The four of us sat down first and had two or three glasses of beer each. Then I went to bed with the Davie woman and Nelson went to bed with the Farrell woman. I woke up at about six o'clock in the morning, or a few minutes before, and saw that my clothes had been moved from where they were. I got up, and put on my pants as quickly as I could. I saw a man standing in the doorway between the kitchen and the room I slept in. I asked him for my overcoat, I says, "Did you see my overcoat?" and I received no reply. I went into the other room then and awoke my friend who was asleep. He got up. As I went back into the other room, both of these men met me, and one of them made a drive of his fist at me. I jumped to one

side, and the man made a second blow and struck me under the eye. Both men grabbed me and rushed me through the kitchen and out the door into the hallway. The defendant George Davie was one of the men who did this to me. I went out on the sidewalk and listened to hear what became of my friend. In a few moments he was hustled out on the sidewalk, and together we went and got a policeman, came back, and had all three of these defendants placed under arrest. I am positive in my identification of the defendant George Davie as one of the men who was in this room. When we came back to the premises with the officer, the officer knocked at the kitchen door but found it locked. Immediately on our arriving there the lights which had been lit were put out. In a few minutes the door was opened, and the officer went in, and arrested the three defendants. I told the officer that these were the people who had been assaulting me, and who had robbed my friend. The revolver which had been in my pocket was found under the sink, and the purse and watch pocket of my friend were found under the washtubs. Neither his watch nor any portion of his money could be found by the officers. I know the complainant's purse, and I identify the one shown me as his.

O W E N B U R N S, a witness for the People, sworn, testified:

I am a police officer in this city. I remember the night of the 7th of December, 1893. The two complainants Nelson and Sullivan came to me while I was on post in

Downing Street, and told me of this occurrence. I went with them to the premises No. 17 Downing Street. I rapped on the door as soon as I got in the hallway. Just as I reached there the lights in those premises were put out. I spoke louder and the door was opened. I walked into the room. Both of these women and George Davie, this man, were in the room when I got in. I says, "Have you got this man's money?" to Mrs Davie, and she said no. I then asked the other woman, and she made the same reply. We searched the premises, and found a revolver, a purse and a watch pocket under the washtubs. I took all three of these defendants to the stationhouse in company with another officer. While going to the stationhouse I had a talk with the woman Farrell, and she said, "I tried to save this man Nelson from getting caught, but I couldn't help it. I haven't got his money; I think Mr. Davie has got it. If Mr. Davie hasn't got it, Mrs. Davie has it." I asked her what became of the watch, chain and overcoat, and she said she knew nothing about them. At the request of the sergeant I made a thorough search of the premises, but I could not find any of those articles. The complainant Sullivan was in my company at the time I made the search. I asked Davie what had become of the other man, and he told me that there was no other man there.

D E F E N S E.

M A R G A R E T F A R R E L L, one of the defendants, sworn, testified:

I was living with Mrs. Davie for two days. On the

night in question we went out in the street and we met these two men. We asked them to come home with us. When we reached the house we wanted to send out for some beer. Mr. Nelson didn't have any change, and he asked me if I had change of a \$5 bill; I said no. Then he asked Mrs. Davie and she said no. We sent out for a pint of beer and got the \$5 bill changed. The light was burning in the room all night. I was in bed with this man Nelson. Mrs. Davie was in and out of the room all the time. The first thing that I knew in the morning, Mr. Sullivan came in to look for his revolver. Before that time Mrs. Davie came into the room. When Sullivan came in he asked his friend where his revolver was, and his friend said "That's all right; she has it." Then Sullivan went out to her to get the revolver. I didn't see Mr. Davie there on that night at all. There was a strange man came into the room and held Nelson up against the wall. I saw Mrs. Davie take the vest of the complainant Nelson from under the pillow and walk out with it.

CROSS EXAMINATION:

I had the conversation with the officer which I have testified to. I am positive that Mr. Davie was not there until after all this row was over. I did not see him assault either Sullivan or Nelson. I have told the truth, and have said all I know about this matter. Davie came into the room about five minutes before the officer came and placed us all under arrest. The officer said he would break in the door unless it was opened.

Then Mr. Davie went to the door and opened it. I slept in the front room with Nelson, and Mrs. Davie and Sullivan slept in the next room. I had only been living in that house for two days.

L O T T I E D A V I E, one of the defendants, sworn, testified:

I am a married woman and the defendant George Davie is my husband. I was out with Miss Farrell on the night in question. We met these two men on the street. There was a row going on, and one of the men asked us what the trouble was. We entered into conversation with them. I asked the men if they would come home with us. When we reached our house we had several pints of beer together. During all the night I was going out for beer and whiskey for these two men and for the Farrell woman. I was in and out of the rooms all night. I had nothing whatever to do with this crime, and so far as taking any watch and chain is concerned, I am absolutely innocent of it.

CROSS EXAMINATION:

I slept in the middle room on that night, and was in bed with the man Sullivan for a short time. My husband was at work on this night in question in Brooklyn, and I knew he would not be home until about five o'clock in the morning. I expected to get these two men out of the house before he came back. I had never done anything of this kind before this time. About six o'clock in the morning two strange men came into the room, and got into a fight with Sullivan and Nelson;

I don't know who those men were; my husband was not one of them. Those men ran out, and in a short while my husband came in. My husband assaulted Sullivan and put him out of the house. Then he put Nelson out of the house. In a few minutes the officer came, and threatened to break in the door if it was not opened. My husband opened the door and let him in; he placed the three of us under arrest. I swear positively that I had nothing to do with the taking of Nelson's money. The testimony of the Farrell woman is all a mistake.

G E O R G E D A V I E, one of the defendants, sworn, testified:

I am a boiler maker by occupation. The woman Lottie Davie is my wife. I have been in this country eighteen years and have always worked hard for a living. On the night of this trouble I was working over in the Atlantic Basin in Brooklyn. I have never been convicted of any crime in my life. When I returned to my home at about 6 o'clock in the morning in question, I found these men Sullivan and Nelson in my rooms. I was surprised at seeing them there, and I assaulted the two of them and put them out of my house. I did not see any other man there at that time. When the officer came to the door he found it locked. When I heard him shouting at the door I opened it and let him come in. I was placed under arrest as were my wife and the Farrell woman. I have never been charged with any crime before this time. I do not know anything about the larceny of the complainant's watch.

CROSS EXAMINATION:

I had been working at Roach's place, at the foot of East 9th Street in this city, for some time before this. On the night of this trouble I was employed working on a boat over in the Atlantic Basin. I was returning home in the morning when this trouble took place at my house. I did not know that my wife brought men into the house until this morning. I had only known the Farrell woman for two days. When I arrived in the house I did not see any strange men in it; the only people in my rooms when I reached there were the two men Nelson and Sullivan and the Farrell woman and my wife. I put the two men out, and then locked my door. As soon as the police officer came, I opened the door for him. I am absolutely innocent of any part in this robbery.

John Johnson
Thomas Wantling

J O H N J O H N S O N, a witness for the defendant, sworn, testified:

I live at 286 West 11th Street. I am a boiler maker by occupation, and have been in that business for 35 years. I know the defendant Davie. His character for honesty is good.

T H O M A S W A N T L I N G, a witness for the defendant, sworn, testified:

I am in the new and second hand furniture business at 19 Abingdon Square. I know the defendant Davie. His character for honesty is good.

The Jury returned a verdict convicting the defendants Lottie Davie and George Davie of the crime of Robbery in the First Degree, and acquitting the defendant Margaret Farrell. (9)

0175

Police Court - 2nd District.

CITY AND COUNTY }
OF NEW YORK, } ss

Peter Nelson

of No. Eric Hotel - Reade + West Street, Aged 20 Years

Occupation Farm Hand being duly sworn, deposes and says, that on the 7th day of December 1883, at the 9th Ward of the City of New York,

in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

good and lawful money of the United States - of the amount of thirty three dollars.

a silver watch and chain attached of the amount and value of thirteen

dollars. in all of the amount and

of the value of forty six (46) DOLLARS,
the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away, by force and violence as aforesaid by

Margaret Farrell, Lottie Danie, George Danie
(all now here) and one other man (not yet arrested)

and while acting in concert with each other from the following facts to wit; that about the hour of 10 o'clock P. M. of the 6th inst, while deponent in company with Dennis Sullivan was in Bleeker Street, he and said Sullivan were accosted by said defendants Margaret and Lottie, and that he and said Sullivan then went and accompanied said defendants Margaret and Lottie to premises No 17 Downing Street, for the purpose of sexual intercourse, and that about the hour of 6 o'clock A. M. deponent was awakened by said Sullivan

deposed before me this

1883
Police Justice

and requested to get up. and that he then saw
 said Sullivan assaulted and struck by said
 other unknown man, who was in the company of the
 defendant George Davis - and that he then saw
 said Sullivan put out of the room where deponent
 was, and that deponent further says that as he
 was about dressing he was assaulted and struck
 by said other unknown man, and who was also in
 the company of the defendant George Davis, at the
 time deponent was assaulted. and that he then
 saw the defendant Gattie Davis, place her hand
 under the pillow of the bed, he had been sleeping
 in, in company with said Gattie, and take and
 carry away deponents vest, which he had placed
 there before he went to bed, and the pockets of which
 vest contained the aforesaid property, and carry said
 vest into another room. and in a few moments she then
 said vest into the room where deponent was. and he immediately
 discovered said property had been taken and stolen.
 Deponent further says that he is informed by Officer Owen Burns of the 9th Precinct
 Police, that he found a pocket book lying on the floor of the kitchen
 adjoining the room where deponent had been asleep. and recognizes said pocket
 book as his property. and as the pocket book contained said sum of money and
 deponent therefore calls said defendant to be held to answer

I have admitted the above named
 to bail to answer by the undertaking hereto annexed.
 Dated 188
 Police Justice

I have admitted the above named
 to bail to answer the above named
 cause to believe the within named
 guilty of the offence mentioned to be answered
 Dated 188
 Police Justice

I have admitted the above named
 to bail to answer the above named
 cause to believe the within named
 guilty of the offence mentioned to be answered
 Dated 188
 Police Justice

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

Police Court, District

THE PEOPLE, &c.,
 on the complaint of

vs.

1
 2
 3
 4

Offence—ROBBERY

Dated 188
 Magistrate.
 Officer.
 Clerk.

Witnesses,
 No. Street,
 No. Street,
 No. Street,
 § to answer General Sessions.

Sworn to before me this
 4th day of December 188
 Police Justice

Peter Nilson
 Dated 188

CITY AND COUNTY }
OF NEW YORK, } ss.

Owen Burns

aged _____ years, occupation *Police Officer* of No. _____

9th Precinct Police Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Peter Nelson*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this _____

day of *September* 189*3*

[Signature]

Police Justice.

Owen Burns

0178

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Margaret Farrell

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. Margaret Farrell

Question. How old are you?

Answer. 35 years

Question. Where were you born?

Answer. England

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

Answer. 555-2 Avenue - 3 years

Question. What is your business or profession?

Answer. Coal Miner

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

Margaret Farrell

Taken before me this

day of September 1888

Handwritten signature of the Justice

Police Justice.

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

Lattie Davie

being duly examined before the under-
signed 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. *Lattie Davie -*

Question. How old are you?

Answer. *35 year*

Question. Where were you born?

Answer. *Maine N.Y*

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

Answer. *17 Downing Street - 2 months -*

Question. What is your business or profession?

Answer. *Keep House*

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 -*

Lattie Davie

Taken before me this
day of *March* 188*8*
Wm. J. [Signature]

Police Justice.

0 180

Sec. 198-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

George Davie being duly examined before the under-
signed 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. *George Davie*

Question. How old are you?

Answer. *43 years -*

Question. Where were you born?

Answer. *Scotland*

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

Answer. *17 Downing Street - 3 months*

Question. What is your business or profession?

Answer. *Business Manager*

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 -*

George Davie

Taken before me this
day of *April* 188*8*
[Signature]

Police Justice.

0 18 1

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty 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 December 7 1893 [Signature] Police Justice.

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

Dated _____ 18 _____ 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 _____ 18 _____ Police Justice.

0182

1322

Police Court--- District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Peter Nelson
Margaret Farrell
Lottie Davis
George Davis

Carberry
Offence

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

4
Dated *Dec 7* 18*93*
Wick Magistrate.
Burns Officer.

Complainant and Witnesses
Fuller sent to the House
of detention in default of
\$100 Bail

No. _____ Street.
\$ *2500* to answer
Com
RECEIVED
DEC 11 1893
DISTRICT CLERK
must from

0 183

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT DISTRICT.

CITY AND COUNTY }
OF NEW YORK, } ss.

9th Owen Burns

of the Precinct Police, being duly sworn, deposes
and says that Peter Nelson

(now here) is a material witness for the people against
Margaret Farrell et al charged

with Robbery. As deponent has
cause to fear that the said Peter Nelson

will not appear in court to testify when wanted, deponent prays
that the said Peter Nelson
be
committed to the House of Detention in default of bail for his
appearance.

Owen Burns

Sworn to before me, this
day of Dec 1899

[Signature]

Police Justice.

0 184

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT DISTRICT.

CITY AND COUNTY }
OF NEW YORK, } ss.

Owen Burns

of the *94* Precinct Police, being duly sworn, deposes

and says that *Dennis Sullivan*

(now here) is a material witness for the people against

Margaret Farrell et al charged

with *Robbery*. As deponent has

cause to fear that the said *Dennis Sullivan*

will not appear in court to testify when wanted, deponent prays

that the said *Dennis Sullivan* be

committed to the House of Detention in default of bail for his

appearance.

Owen Burns

Sworn to before me this
day of *February* 189*9*

[Signature]

Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK

against
Margaret Farrell,
Lottie Davie and
George Davie

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

Margaret Farrell, Lottie Davie and George Davie
of the CRIME OF ROBBERY in the first degree, committed as follows:

The said Margaret Farrell, Lottie Davie and George Davie, all late of the City of New York, in the County of New York aforesaid, on the seventh day of December, in the year of our Lord one thousand eight hundred and ninety-three, in the right-time of the said day, at the City and County aforesaid, with force and arms, in and upon one Peter Nielson in the peace of the said People then and there being, feloniously did make an assault; and the sum of thirty-three dollars my money, lawful money of the United States of America, and of the value of thirty-three dollars, one watch of the value of eight dollars, one chain of the value of five dollars, one pocketbook of the value of one dollar

of the goods, chattels and personal property of the said Peter Nielson from ^{in the presence} the person of the said Peter Nielson against the will and by violence to the person of the said Peter Nielson then and there violently and feloniously did rob, steal, take and carry away, the said Margaret Farrell, Lottie Davie and George Davie and each of them, being then and there aided by an accomplice actually present, to wit: each by the other, and by a certain other person whose name is 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.

DeLauncey Nicoll,
District Attorney

0 186

BOX:

543

FOLDER:

4939

DESCRIPTION:

Fausto, Donato

DATE:

12/06/93



4939

36

Witnesses:

.....
.....
.....
.....

COURT OF OYER AND TERMINER.

Counsel,

Filed,

Pleads,

6th day of Dec 1893
Guilty

THE PEOPLE

vs.

B
Alonzo Faust

General Sessions

Dec 20 93

VIOLATION OF THE EXCISE LAW.
selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLI,

District Attorney.

A TRUE BILL.

R. J. Curran

Foreman.

Dec 20 93

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Alonzo Faust

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

Alonzo Faust

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

Alonzo Faust

late of the City of New York, in the County of New York aforesaid, on the ³¹ day of *July* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

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

SECOND COUNT—

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

Alonzo Faust

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Alonzo Faust

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

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

Michael J. Carey

DE LANCEY NICOLL,

District Attorney.