

0291

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Cesare Ellis

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

Cesare Ellis

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

The said

Cesare Ellis

late of the City of New York, in the County of New York aforesaid, on the fifteenth day of February, in the year of our Lord one thousand eight hundred and ninety-three, in the time of the said day, at the City and County aforesaid, with force and arms, in and upon one Pasquale Falcone in the peace of the said People then and there being, feloniously did make an assault; and

one watch of the value of ninety dollars and one chain of the value of forty dollars

of the goods, chattels and personal property of the said Pasquale Falcone from the person of the said Pasquale Falcone against the will and by violence to the person of the said Pasquale Falcone then and there violently and feloniously did rob, steal, take and carry away,

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

De Lancey Nicoll, District Attorney

0292

**BOX:**

515

**FOLDER:**

4690

**DESCRIPTION:**

Farley, Daniel A.

**DATE:**

03/21/93



4690

0293

**BOX:**

515

**FOLDER:**

4690

**DESCRIPTION:**

Cashen, William E.

**DATE:**

03/21/90



4690

0294

Bail fixed at \$2000.  
Feb 19/94 RB.M

Witnesses:

In view of certain facts  
communicated to me by the  
complainants herein, & because  
of complainants' request in  
their letter of March 5, 1894,  
(filed herewith) I recommend  
the discharge of defendant  
Lachson on his own  
recognizance,

Mch 6, 1894

Vernon M. Davis,  
Asst.

123 B.W. No. 211  
Judge Lynn 984 19

Counsel.

Filed, 21 day of March 1894

Pleas, *W. guilty Feb 19*

THE PEOPLE

vs.

*NA*  
Daniel A. Farley

William E. Cashen

*W. guilty Feb 19*

DE LANCEY NICOLL,

District Attorney.

Mch 6, 1894 - Part I. v. m. d.

A TRUE BILL.

Wm. W. Heaton.

Foreman.

No 2 Mischen per  
gion rec. of  
me of N. J. J. J.  
McCall 1/94

Grand LARCENY, 2<sup>d</sup> degree.  
(MISAPPROPRIATION.)  
(Sections 528 and 557 of the Penal Code.)

0295

*E. S. Jaffray & Co.*

NEW YORK, 350 Broadway.  
LONDON, 7 St. Mark's St.  
GLASGOW, 54 Union St.

NOTTINGHAM, Broadways  
MANCHESTER, 116 Portland St.  
PARIS, Rue Martel 5 bis.

*New York, March 5th, 1894*

Hon. John R. Fellows,  
District Attorney,  
New York.

The People  
vs.

Wm. E. Cashin & Daniel Farley.

Dear Sir:

As complainants in the above entitled matter, we beg to say that so far as the defendant Cashin, now confined in the Tombs, is concerned, that after mature reflection we are of the opinion that the ends of Justice will be best served by his discharge on his own recognizance. Cashin was in our employ for nearly fourteen years and up to the time of the commission of the act on which the charge herein is based, we always found him a good, useful and honest employee. We are particularly prompted to make this recommendation in view of the fact of his present ill-health and very distressed financial condition, both of himself and family. We therefore respectfully ask you to consent to his discharge on his own recognizance, as we believe his evidence will be needed in the prosecution of the defendant Farley.

Very respectfully yours,

*E. S. Jaffray & Co.*

0296

1ST. DISTRICT POLICE COURT.

-----  
THE PEOPLE &c., ON THE COMPLAINT OF  
SYLVESTER A. HAVER  
against  
DANIEL A. FARLEY and WILLIAM E. CASHEN.  
-----

CITY AND COUNTY OF NEW YORK, SS:

SYLVESTER A. HAVER,  
of No. 226 Lefferts Place, in the City of Brooklyn, being  
duly sworn deposes and says that on the 25th day of Nov-  
ember, 1892, at the City of New York, the following prop-  
erty, to wit: money consisting of United States notes,  
National Bank notes and coin amounting to thirty three  
dollars and fifty cents and of the total value of thirty  
three dollars and fifty cents, the property of this depon-  
ent and Howard S. Jaffray and John R. P. Woodriff, co-  
partners doing business at No. 350 Broadway in the City of  
New York, under the firm name of E. S. Jaffray & Co., was  
feloniously taken, stolen and carried away from the pos-  
session of the said firm and this deponent has reason to  
believe and does believe that the before-mentioned proper-  
ty was so taken, stolen and carried away by the Defendants,  
Daniel A. Farley and William E. Cashen for the following  
reasons to-wit:

That at the time before-mentioned the Defend-  
ants who were related to each other as brothers-in-law

0297

-2-

were in the employ of the deponent's firm, the Defendant Farley as a Clerk in the Shipping department and the Defendant Cashen <sup>as a clerk</sup> in the book-keeping department. That the defendant Farley was in charge of the book in which all entries were made of shipments of goods sold which were to be paid for in cash upon delivery of the same to the purchaser; and it was the duty of the Defendant Farley to make all such entries in said book. That on the above named date the Defendant Farley omitted to enter in said book a bill of goods sold to one L----- Lewis of 13<sup>2</sup> ~~East Broadway~~ Street in said City amounting to Thirty-three dollars and fifty cents, and received from said Lewis the said sum of Thirty-three dollars and fifty cents in payment for the same, and has never paid over to deponent's firm any part of the said sum, but has appropriated the same to his own use, *with intent to deprive the true owner of said property*

That the Defendant Cashen was acting in collusion with and aiding and abetting the Defendant Farley in the Commission of said offence and in furtherance of said collusion and with the design and intent <sup>of enabling</sup> the Defendant Farley <sup>*to deprive the true owner of said property*</sup> to appropriate said money to his own use and to prevent the detection of the said misappropriation did wilfully and designedly omit to enter in the Journal book of which said Cashen was in charge and in which it was his duty to make such entry any account of the sale of the goods hereinbefore referred to as sold to said L----- Lewis. That through such wilful omission on

0298

the part of the Defendant Cashen the Defendant Farley was enabled to effectually conceal said misappropriation, and that by reason of numerous other similar acts of omission by both the Defendants at about the time above mentioned and for some time previous thereto the Defendants have misappropriated moneys belonging to the deponent's firm to the aggregate amount of about *two* thousand dollars.

WHEREFORE deponent prays that the Defendants may be apprehended and dealt with according to law.

Sworn before me this

23<sup>rd</sup> day of February, 1893.

:  
:  
: Sylvester A. Haver

*John H. Ryan*  
Police Justice

0299

CITY AND COUNTY OF NEW YORK, SS:

THOMAS *L.* THORNE,

of No. 155 Monroe Street in the City of Brooklyn, being duly sworn deposes and says:- that he is and on the 25th day of November 1892, was, in the employ of the firm of E. S. Jaffray & Co., doing business at No. 350 Broadway New York, and that he is and was at that time at the head of the shipping department of said business. That the defendant Farley was at the time above mentioned employed in said department under the deponent and that it was the duty of said Farley to enter in a book kept by him for that purpose an account of all goods shipped which were to be paid for in cash upon delivery, and to receive payment for the same and to pay over the amounts received to deponent or in his absence to Mr. Sylvester A. Haver, a member of the firm at that time acting as Cashier. That the Defendant Farley omitted to enter in said book an account of goods shipped on the day above mentioned to one L Lewis, and has never paid over to this deponent any part of the amount received by him on account of said goods. That deponent is familiar with the hand-writing and signature of the Defendant Farley, and that the receipt upon the bill hereto annexed is in the hand writing of the said Farley.

Sworn to before me

: *Thos L Thorne*

this 25<sup>th</sup> day of February, 1893. :

*John H. Ryan*

0300

CITY AND COUNTY OF NEW YORK, SS:

CHARLES E. BRADY,

of No. 435 East 119th Street, in the City of New York, being duly sworn, deposes and says: that he is, and on the 25th day of November, 1892, he was, in the employ of E. S. Jaffray and Company, at No. 350 Broadway, in said City, in charge of the sales department, and that it is customary in such business to have entered in the sales book kept by deponent an account of all sales made, and that it was the duty of the defendant William E. Cashen to transcribe the entries from said sales book into the Journal. That on the day last mentioned, in due course of business, an entry was made in said sales book of the goods sold to one L Lewis, of New York City, amounting to thirty-five dollars and sixty-five cents, on which a discount of two dollars and fifteen cents was to be allowed for payment in cash; which entry the defendant Cashen omitted to transcribe into the Journal kept by him, as appears from inspection of said sales book and Journal. That said goods were packed for shipment, and were, with a bill thereof, duly sent to the shipping department for delivery.

Sworn to before me this :  
25th day of February, 1893. :

*Charles E. Brady*

*John Ryan*

Police Justice.

0301

CITY AND COUNTY OF NEW YORK, SS:

*Thomas A. Laird*  
of No. *98 Charles Street*, in the City of  
*New York* being duly sworn, says: that he is, and on the  
25th day of November, 1892, he was, in the employ of E. S.  
Jaffray & Company, at No. 350 Broadway, in the City of New  
York, as a salesman, and on the day last mentioned, he sold  
to one L Lewis, of New York, a bill of goods amount-  
ing to Thirty-five dollars and sixty-five cents (\$35.65)  
and duly transmitted to the credit department a sales card  
containing a statement of the same.

Sworn to before me this

<sup>4</sup>23rd day of February, 1893.

*Thomas A. Laird*  
*John Ryan*  
Police Justice.

0302

CITY & COUNTY OF NEW YORK, SS:

Lazarus Lewis, of No.

Street, in the City of New York, being

*132 East Broadway*

duly sworn, deposes and says, that on the 25th day of November, 1892, he purchased goods and merchandise of the

firm of E. S. Jaffray & Company, at No. 350 Broadway in said City, to the amount in value of Thirty-five dollars

and sixty-five cents, and that ~~the said goods were delivered to him upon said day, and that he paid to the person delivering them,~~ <sup>*deponent sent his office to Louis Goodman with the*</sup> ~~the said goods were delivered to him upon said day, and that he paid to the person delivering them,~~

the sum of Thirty-three dollars and fifty cents (33.50), the amount of said bill, less the discount for

<sup>*to the store of Complainant, and said Goodman*</sup> cash, ~~and took from him the annexed receipt.~~

<sup>*returned with and delivered to deponent the said goods and the annexed receipt.*</sup> Sworn to before me this 2<sup>nd</sup> day of February, 1893.

*John Ryan* Lazarus Lewis  
Police Justice,



0304

*W*

1ST. DISTRICT POLICE COURT

THE PEOPLE &c., ON THE COM-  
PLAINT OF SYLVESTER A. HAVER

Grand Larceny.

against

DANIEL A. FARLEY and WILLIAM  
E. CASHEN.

C O M P L A I N T.

JAMES T. KILBRETH,  
of Counsel for the Com-  
plainant,  
45 Broadway,  
New York City,  
N.Y.

*Ben ordered*  
*Wm W Newton*  
*For*

0305

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

538

THE PEOPLE OF THE STATE OF NEW YORK

against

*Daniel A. Farley and  
William R. Gardner*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Daniel A. Farley and William R. Gardner*  
of the CRIME OF *Grand* LARCENY, in the second degree, committed  
as follows:

The said *Daniel A. Farley and William R. Gardner*  
*R. Gardner, both*  
late of the City of New York, in the County of New York aforesaid, on the *twentieth*  
day of *November*, in the year of our Lord one thousand eight hundred and  
ninety-*two*, at the City and County aforesaid, being then and there the *deftors*  
and servants of *Howard D. Goffey, John P.  
C. Woodruff and Professor A. Haver,*  
captains, then and there *sole* managers in and  
by the firm, name and style of *Goffey, Woodruff & Haver,*  
and as such *deftors and servants* then and there having in his  
possession, custody and control certain goods, chattels and personal property of the said  
*Howard D. Goffey, John P. Woodruff, and Professor A. Haver,*  
the true owners thereof, to wit: *the sum of thirty three dollars  
and fifty cents in money, and of money  
of the United States of America, and of  
the value of thirty three dollars and  
fifty cents,*

the said *Daniel A. Farley and William R. Gardner*, afterwards, to wit:  
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,  
did feloniously appropriate the said *sum of money*

*to his* own use, with intent to deprive and defraud the said *Howard D.  
Goffey, John P. Woodruff and Professor A. Haver*  
of the same, and of the use and benefit thereof; and the same goods, chattels and personal  
property of the said *Howard D. Goffey, John P. Woodruff and Professor A. Haver*  
did then and there thereby feloniously steal, against the form of the statute in such case  
made and provided, and against the peace of the People of the State of New York and their  
dignity.

~~DE LANCEY NICOLL~~  
District Attorney

Second COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said *David A. Barber* and *William R. Gardner* of the same CRIME OF *Larceny* LARCENY, in the *Second degree*, committed as follows:

The said *David A. Barber*—

late of the City of New York, in the County of New York aforesaid, on the *fourth* day of *November*, in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, being then and there the *deba* and servant of *Howard S. Jeffery, John Q. Woodruff, and Stephen A. Haver*, respectively, then and there being *transmission* in and by the *train*, name and *of E. B. Jeffery and Company*,

and as such *deba* and servant then and there having in *his* possession, custody and control certain goods, chattels and personal property of the said *Howard S. Jeffery, John Q. Woodruff, and Stephen A. Haver*,

the true owner thereof, to wit: *the sum of twenty three dollars and fifty cents in money, lawful money of the United States of America, and of the value of twenty three dollars and fifty cents,*

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

to *his* own use, with intent to deprive and defraud the said *Howard S. Jeffery, John Q. Woodruff and Stephen A. Haver*, of the same, and of the use and benefit thereof; and the same goods, chattels and personal property of the said *Howard S. Jeffery, John Q. Woodruff and Stephen A. Haver*,

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

~~DE LANCEY NICOLL,~~  
*District Attorney.*

And the said *William R. Gardner*, late of the *City and County* aforesaid, was then and

0307

feloniously concerned in the commission  
of the said robbery and larceny by the  
said David A. Farley, in manner and  
form aforesaid, and that the said  
David A. Farley, in the commission of  
the same, did then and there feloniously  
aid and abet, 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.

Wm. H. Miller,  
District Attorney

0308

**BOX:**

515

**FOLDER:**

4690

**DESCRIPTION:**

Farrell, Patrick

**DATE:**

03/28/93



4690

0309

**POOR QUALITY ORIGINAL**

Witnesses:

*Genl Baker*

*[Faint handwritten text]*

Counsel,

Filed *25th* day of *March* 1893

Plends, *[Handwritten]*

THE PEOPLE

vs.

*Patrick Garrick*

Grand Jurors, *[Handwritten]*  
(Sections 23, 24, Penal Code)

*28*  
*19/10/93*  
*[Handwritten initials]*

D. LANCEY NICOLL,

District Attorney

A TRUE BILL.

*[Handwritten signatures]*  
*W. M. Heaton,*  
Foreman.  
*[Handwritten]*  
*[Handwritten]*  
*[Handwritten]*

17

03 10

**POOR QUALITY ORIGINAL**

Witnesses:

*Ernest Baker*

*25th*  
*Whittier*

Counsel,

Filed *28th* day of *March* 1893

Pleas, *Amended*

THE PEOPLE,

vs.

*Satruck Barrell*

Grand Larceny, Degree,  
Penal Code,  
[Sections 638, 59,

*28*  
*19/10/93*  
*Photomicro*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*W. W. Keaton,*  
Foreman.  
*March 19 1893*  
*Henry S. Y.*  
*City Prison 500p*  
*Wellsop Br 30*

0311

(1865)

Police Court— H. District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

George M. Baker

of No. 213 East 21st Street, aged 43 years,

occupation Carpet Layer being duly sworn,

deposes and says, that on the 2<sup>d</sup> day of September 1897 at the City of New

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

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

One set of Carpet  
Layers Tools, of the  
value of Twenty-eight  
dollars (\$28<sup>00</sup>/<sub>100</sub>)

the property of deponent

Sworn to before me, this  
of \_\_\_\_\_ day  
1897

Police Justice.

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 Patrick Farrell (now here)  
from the fact that on said date  
deponent and said defendant  
were working together laying  
carpet. That said property  
was in a bag in a house in  
East 48<sup>th</sup> St. between deponent  
and said defendant were laying car-  
pets. That said defendant  
took said property and  
passed the same in his (def-  
endant's name). That said def-  
endant acknowledged in open  
Court taking said property.  
That deponent has since seen

said property and identified  
the same as his property.

Therefore deponent Charles  
said deponent with the leaving  
of said property and pray that  
the may be dealt with as the  
law directs.

Sworn to before me  
this 23rd day of  
March, 1893

Geo. N. Baker

W. W. Mearns  
Police Justice

0313

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

24 District Police Court.

Patrick 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 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. Patrick Farrell

Question. How old are you?

Answer. 28 years

Question. Where were you born?

Answer. Ireland

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

Answer. 99 King St. 3 months

Question. What is your business or profession?

Answer. Shoe-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 Guilty - Patrick Farrell

Taken before me this

day of April 1899

W. M. Whalen

Police Justice.

03 14

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

*DeLeonardis*

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, *March 23* 189 *7*. *H. J. M. M. M. M. M.* 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.

031

257 / 342  
Police Court--- District

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Genos M. Baskin  
Patrick Farnell

Warrant  
J. J. [unclear]

2  
3  
4

Dated, March 23 1893

J. W. M. [unclear] Magistrate.  
O. Donohue in Murphy Officer.

23 - Precinct.

**BAILED,**

No. 1, by .....  
Residence ..... Street.

No. 2, by .....  
Residence ..... Street.

No. 3, by .....  
Residence ..... Street.

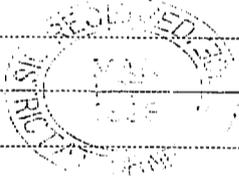
No. 4, by .....  
Residence ..... Street.

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

No. .... Street.

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

[Signature]



0316

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Patrick Farrell

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

Patrick Farrell

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

The said

Patrick Farrell

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

divers carpet-layers' tools of a number and description to the Grand Jury aforesaid unknown, of the value of twenty-eight dollars.

of the goods, chattels and personal property of one

George M. Baker

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.

De Lancey McCall, District Attorney

03-17

**BOX:**

515

**FOLDER:**

4690

**DESCRIPTION:**

Farrell, Thomas

**DATE:**

03/10/93



4690

0318

Witnesses:

*John Martin*  
*Mr. Dolan*  
*5<sup>th</sup> Precinct*

*5<sup>th</sup> Precinct*

Counsel,

Filed *10* day of *March* 189*3*  
Pleads, *Maguire*

THE PEOPLE

vs.

*Thomas Farrell*

*H.P.*

*Robbery, second Degree.*  
*(Sections 224 and 229, Penal Code.)*

DE LANCEY NICOLL,  
District Attorney.

*20 much at dept. regt.*  
*See app of depts acct*  
*filed herewith. v. m. d.*  
A TRUE BILL.

*Wm. Keator*  
Foreman.  
*W. Keator*  
*Speed vs Acquitted*

03 19

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT.....DISTRICT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Thomas Dolan*

of the 5 Precinct Police being duly sworn, deposes  
and says that John Martin

(now ~~there~~) is a material witness for the people against  
Thomas Farrell charged

with Robbery. As deponent has  
cause to fear that the said John Martin

will not appear in court to testify when wanted, deponent prays  
that the said John Martin be

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

*Thomas Dolan*

Sworn to before me this  
day of March 1889

*A. M. S.*  
Police Justice.

0320

Police Court First District.

City and County of New York, ss.

of No. 16 Susan Place Arson City, Street, aged 42 years, occupation Marine Engine Fitter,

deposes and says, that on the 3 day of March 1893 at the 5<sup>th</sup> 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 and value of about Three Hundred Dollars one silver watch, one silver chain and one gold fob and ring together of the value of about forty five Dollars the property being altogether \$345.00

of  
Subscribed to before me this 3 day of March 1893  
Police Justice

of the value of about Three Hundred and 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 force and violence as aforesaid by

Thomas Farrell, now here, for the following reasons, that on said date about the hour of 4 o'clock PM deponent met this defendant on West Street and in company with defendant went to a saloon. That the said property was in deponent's possession at that time. That the said money was in a pocket book in the right hand pocket of deponent's pants. That the ring was in the little finger of deponent's right hand. That the said watch was in the lower left hand pocket of deponent's vest and attached to the vest with the

aformajachau. That the defendant  
 left the saloon and after about five  
 minutes defendant came out about the  
 defendant was on the sidewalk. That  
 the defendant then and there caught  
 hold of defendant by the left arm and  
 put his hands in the pockets of defendant's  
 clothes and took the same property  
 and then caught hold of defendant's  
 hand and pulled the ring from  
 defendant's finger. My report  
 defendant to say that the defendant  
 he dealt with according to  
 my report before me this 5

9<sup>th</sup> day of March 1893 John A. Horton

A. W. [Signature]  
 Police Justice

0322

Sec. 198-200.

District Police Court.

1882

City and County of New York, ss:

*Thomas 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. *Thomas Farrell*

Question. How old are you?

Answer. *35 yrs*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *6286 West St. 5 months*

Question. What is your business or profession?

Answer. *Seaman*

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 innocent*

*Thomas Farrell*

Taken before me this

day of

1889

Police Justice.

0323

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.....

*Requiem*

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.

*John J. [Signature]*

Dated, Nov 9 1893 *[Signature]* 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.

032

54 - 1  
Police Court--- District. 267  
1894

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Martin*  
*vs*  
*John Farrell*

Offense: *Robbery*

2.....  
3.....  
4.....

Dated, *March 9* 189 *3*

*White* Magistrate.

*Dolan* Officer.

*5th* Precinct.

Will appear in  
*the House of Detention* Street.

No. .... Street.

No. .... Street.

\$ *1500* to answer *Y.S.*

*Committed*



BAILED,

No. 1, by.....

Residence ..... Street.

No. 2, by.....

Residence ..... Street.

No. 3, by.....

Residence ..... Street.

No. 4, by.....

Residence ..... Street.

0325

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Farrell

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

Thomas Farrell

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

The said Thomas Farrell

late of the City of New York, in the County of New York aforesaid, on the eighth day of March in the year of our Lord one thousand eight hundred and ninety-three, in the night-time of the said day, at the City and County aforesaid, with force and arms, in and upon one John Morton in the peace of the said People then and there being, feloniously did make an assault; and

the sum of three hundred dollars in money, lawful money of the United States of America, and of the value of three hundred dollars, one watch of the value of twenty dollars, one chain of the value of ten dollars, and one finger-ring of the value of fifteen dollars

of the goods, chattels and personal property of the said John Morton from the person of the said John Morton against the will and by violence to the person of the said John Morton then and there violently and feloniously did rob, steal, take and carry away,

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

De Lancey Ricoll  
District Attorney.

0326

**BOX:**

515

**FOLDER:**

4690

**DESCRIPTION:**

Fay, John M.

**DATE:**

03/23/93



4690

0327

Witnesses:

*John McLaughlin*  
*Edward McLaughlin*

*M. J. [unclear] M. J. Sherkay*  
*[unclear]*  
335 Bay

Counsel,

Filed,

23 day of March 1893

Pleads,

guilty of

THE PEOPLE

v.s. *[Signature]*

*John M. Fay*

DE LANCEY NICOLL,

District Attorney.

*[Signature]*  
10/10/93

A TRUE BILL.

*W. W. Heaton*  
Foreman.  
10/10/93  
Judick dismissed

In my opinion the allegations of false pretenses in this indictment cannot be sustained. There is no evidence that the Complainant was deceived by defendant's statements.

I therefore recommend the dismissal of this indictment.

Oct 10. 93.

Verum M. Davis

See complainant's withdrawal filed herewith.  
VMD.

*[Vertical signature]*  
[Section 528, and 559, Penal Code.]

0328

Sec. 198-200.

1883  
District Police Court.

City and County of New York, ss:

*John M. Fay* 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 M. Fay*

Question. How old are you?

Answer. *45 yrs mo*

Question. Where were you born?

Answer. *Mechanic*

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

Answer. *6391 - Summer Broadway*

Question. What is your business or profession?

Answer. *President*

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 innocent*

*John M. Fay*

Taken before  
*John M. Fay*  
1893

Police Justice.

First District }  
 Justice Court }  
 James W. Logan }  
 vs }  
 John M. Fay }  
 Charged with }  
 Forgery }  
 March 11<sup>th</sup> 1893 }  
 Before Hon }  
 John P. Smith }  
 Police Justice

Ques. Examination  
 Q. You were in the employ of  
 this company?  
 A. Yes sir  
 Q. Did you buy any stock from  
 the company?  
 A. Yes sir  
 Q. And you paid for the stock?  
 A. Yes sir  
 Q. How much did you pay for it  
 A. \$300<sup>00</sup> & 500 dollars  
 Q. That is the money you say you  
 have been defrauded of?  
 A. Yes sir

0330

2

Q Of whom did you buy the stock  
to Gabu on Fay  
A And you got a certificate of stock  
Ayeses

Q What sum were you to pay?  
A Nothing more it was understood  
that was to be charged to services  
and it was so charged.

Q You were to be allowed \$250 dollars  
for your services?  
A Certainly

Q How long did you work there?  
A 5 1/2 weeks.

Q Did you know the corporation?  
A I had references of Mr Fay before  
I went there and I found them  
patio factory and he had mine

Q And you have your certificate  
of stock yes?  
Ayeses

Q And you paid a valuation for it  
Ayeses

Q And you knew the company

was incorporated?

A I knew it

Q Did you see a copy of the Charter

A I think I did

Q Did you file a copy in the County  
Clerks office yourself?

A Yes Sir

Q Was that after you paid your  
money?

A I think it was filed before I  
paid the second installment

By the Court

Q Did you know what the nature  
of the paper was?

A I did not Mr. Fay I think said  
there was a certain time allowed  
by law to file it I think it was  
60 days or something like that

Q And you filed that in the County  
Clerks office yourself?

A Yes Sir

Q And you knew it was a corpor-  
ation?

A I knew it was a corporation

4

Cop Ex Continued

Q And you got stock in the Corporation  
A Yes Sir

Q And this money you are now  
claiming you paid for this stock?

A Yes Sir

Q Did you not go with him <sup>and open</sup>  
the Company's books as secretary  
yourself?

A Yes Sir

Q You knew at the time that you  
paid this money for the stock  
that it was a new concern just  
starting its business and in  
fact had not started at the time  
you purchased the stock?

A I knew it was comparatively new  
Mr Day said the business would  
come in so fast and early  
that he proposed to convert it  
to a corporation <sup>and</sup> on some orders

Q Didnt you go with him and  
buy the books <sup>and open</sup> the books

as secretary of the company?  
 A Mr Fay informed me prior to  
 the signing of the agreement  
 that 2 thousand of the 3 thousand  
 had been expended in the way  
 of organizing the company  
 Direct Examination

Q How did you first have your  
 attention attracted to this?

A Through an advertisement

Q Do that a copy of that advertise-  
 ment? (showing witness) <sup>reading</sup>

A Yes Sir

Q Had you reply to it?

A Yes Sir

Q And you received this answer to it  
 (showing witness) <sup>reading</sup>

A Yes Sir

Q Then did you call upon Mr Fay?

A Yes Sir

Q What was said to you?

A I questioned Mr Fay about the  
 membership of the company

0334

\$

Q If you went there for employment  
A I did

Q What were you to get?  
A \$2000 a year

Q And what were you required to  
do?

A Become secretary of the company  
Q And what security were you  
required to give?

A Buy the stock

Q You were to take \$500 worth  
of stock?

A Yes Sir

Q And you paid out how much  
money?

A \$500 dollars

Q How much money did you  
pay on the 30th of July?

A \$300 dollars

Q And you were to pay \$300 within  
30 days thereafter?

A Yes Sir

Q And you parted with the 300  
dollars on the representation of

7

this paper?

Ayesii

Q What was said about your getting your money back if you were not satisfied?

A He said if at any time I should become dissatisfied he would release me <sup>and</sup> return my five hundred dollars.

Recap Ex

Q Don't it a fact that you agreed a premium both times on this stock and it is a fact that you refused 500 dollars for the stock?

A Yesii

Q Don't it a fact that you agreed much for the stock and didn't you say that you wanted either buy up the stock or make him buy your stock at a premium?

A Yesii

Defendants Counsel moves to dismiss the complaint.

0336

and he granted that the complainant  
purchased the stock

By the Court

Motion denied



Defendant being duly sworn  
deposes and says.

In answer to the advertisement  
sent that is correct Mr Mac  
Jagan came in <sup>and</sup> to see me  
to decide about it <sup>and</sup> he looked  
up my references <sup>and</sup> I showed up  
his <sup>and</sup> he decided to take a one  
quarter interest <sup>and</sup> he said he  
consulted his broker <sup>and</sup> he would  
not pay more than 300 dollars  
<sup>and</sup> he came in on trial for 30  
days <sup>and</sup> when he was in 18 days  
he received a certificate for  
8700 shares of stock <sup>and</sup> he was  
to own 250 dollars at 2500 a  
week, there is his resignation  
and there is the acceptance  
(showing <sup>and</sup> after he was out  
and resigned he came back  
and wanted to be reinstated  
and I told him I would not  
and could not do it.  
I did not make any representations.

0338

10

to him at all?  
A 91st man he went with me and  
bought the books, had a pencil then  
he knew we had no membership  
because he opened the books  
himself and on the 22nd of  
September he came in and told  
the <sup>assistant</sup> secretary that he wanted sell  
his stock at par and I came in  
the office 10 minutes afterwards  
and offered him 50 for his stock  
and he asked me a hundred  
percent more unless I agreed  
to that he kept sending up all  
the time. On the 20th of July  
he took a copy of the certificate  
of incorporation himself to be  
filed in the county clerk's office  
and if he didn't file it before  
the 20th that was his fault  
If anybody made no representations  
to him at all?  
A 91st man no false representations  
he knew we had no members.

0339

11  
and I thought we could get  
5000 members from the various  
lodges which I had visited  
I did not buy any stock from you  
A 7000 he bought it from the  
company.



0340

11

Henry Claudius being duly  
sworn deposes & says that  
Q Do you know Mr MacLogan?  
A Yes Sir

Q Were you present in the office  
of the company when he came in  
and offered his stock for sale?

A Yes on the 21<sup>st</sup> of Sept 1897 I was  
in the office when a man  
came in who I know now to  
be Mr MacLogan & he offered  
his stock for sale and I said you  
wait for Mr Jay to come in and  
Mr Jay came in in 10 minutes  
and they were talking about  
stocks

Q What did he ask for his stock?  
A He asked for the stock I guess  
\$1<sup>00</sup> for a dollar and just  
before he said to me he would  
sell his stock for a dollar  
for a dollar for a dollar and Mr  
Jay came in and said he

0341

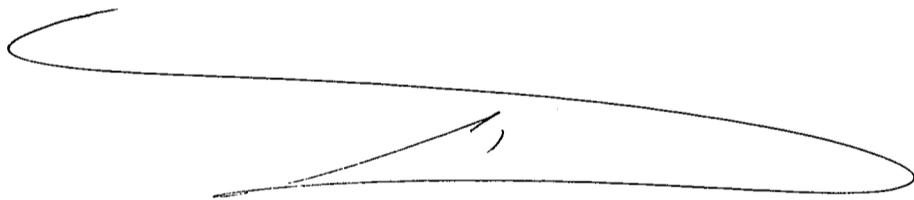
12

wanted to see it and he raised it to  
1/15

Godlike offer to sell his stock at  
par?

He offered to sell his stock dollar  
for dollar.

Case closed  
Left here to bail witness of  
Stood G.



0342

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.....

*Wesley Dank*

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

Dated, *March 14th* 189*3* *Salmon Stewart* 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.

0343

M. 186  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James MacLagan*  
*John G. Fay*  
*James MacLagan*

BAILED,  
No. 1, by *Stephen Merritt*  
Residence *328 W. 20* Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

1  
2  
3  
4  
Dated, *March 4th* 189*3*  
*Smith* Magistrate.  
*Oliver* Officer.  
*Cook* Precinct.

Witnesses *Edw. ...*  
No. *25* Street.  
*McMichael*  
No. *475 or 476* Street.  
*John M. Mahon*  
No. *106 & 10* Street.  
\$ *1000* to answer *G.S.*  
*Contra*

0344

Sec. 151.

CITY AND COUNTY }  
OF NEW YORK, }

ss. Police Court District. *In the name of the People of the State of New York; To the Sheriff of the County of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by James Magakapan of No. 270 West 118 Street, that on the 20 day of July 1892, at the City of New York, in the County of New York, the following article, to wit:

Three hundred dollars  
of the value of Three hundred Dollars,  
the property of Complainant  
was taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by John M. Jay  
Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 17 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 20 day of July, 1892  
[Signature] POLICE JUSTICE.

034

Police Court.....District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

45  
W  
W  
President  
S  
2/2  
2191-8-aven

Dated July 27 1893

White Magistrate.

Harrier Officer.

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

Edward Tom Officer.

Dated July 28 1893

This Warrant may be executed on Sunday  
or at night.

..... Police Justice.

Courthouse Sessions  
of the Peace in and for the City of New York  
The People

agot.  
John M. Fay }  
John H. Hannable

City and County of New York ss "

Residing.

I, the undersigned, respectfully beg leave of  
the Court to withdraw the charge made by  
him herein against the above named Defendant -  
That the same was made in good faith, but he is  
now satisfied that it was made in error, both as to  
the facts and the law, and that neither will sustain  
the charge and that the defendant is innocent  
thereof. Wherefore he asks that he be allowed to  
withdraw said charge, and that the defendant  
be released from further proceedings thereon.

Subscribed and sworn to

this 10 day of Oct 1893

M. J. Shannon }  
Notary Public  
N.Y.C.

Jas Macaagay

0347

General Session

The People

apt

John M. Fay

Proposed Amendment  
of Charge

0348

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 A. ...*

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, *July 23* 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.

1891

034

253

The presiding  
Judge will please  
read and determine  
the within case  
as my attorney  
A. J. White  
Police Justice

Police Court---

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Jas MacLaughlin  
vs.  
John W. Gray

2  
3  
4

Offense  
Criminal

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated, Feb 28 189

White Magistrate.

Compton Officer.

Down Precinct.

Witnesses \_\_\_\_\_

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

\$ 5.00 to answer

By \_\_\_\_\_

Com



First District Police Court  
in and for the City and County  
of New York.

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

The People of the  
State of New York  
vs.

John M. Fay -

James Madagan being duly sworn  
sworn says that he is aged forty years and upwards  
and resides at N<sup>o</sup> 240 West 118<sup>th</sup> Street New York  
City. That on Sunday the 10<sup>th</sup> day of July 1892  
an advertisement appeared in the newspaper circulating  
in New York City as the "Sunday World" a true  
copy of which ~~is~~ advertisement is herewith  
annexed and marked Exhibit N<sup>o</sup> 1. That deponent  
replied to said advertisement on same day by a  
letter of which he has not a copy requesting  
particulars as to the subject matter of said advertisement  
and that on the 12<sup>th</sup> July 1892 he received  
from one John M. <sup>the above named defendant</sup> Fay, the letter of same date  
herewith annexed and marked Exhibit N<sup>o</sup> 2, as also  
a printed prospectus referred to in said letter here-  
with annexed and marked Exhibit N<sup>o</sup> 3. That the  
said letter with the exception of the printed heading  
thereof is entirely in the handwriting of the said John  
M. Fay with whose handwriting deponent has  
since become thoroughly familiar. Deponent had

T. M. Fay

never previously heard of the said John M. Hay, and had never previously heard of the (so called, Bankers Cooperative Indemnity Company referred to in said letter, and had no knowledge further than as derived from the printed heading on said letter, and on the said printed prospectus that as to whether the said so-called company was then an incorporated stock company. That on the 20<sup>th</sup> day of July 1892 <sup>No. 335 Broadway in</sup> at the City of New York the said John M. Hay with intent feloniously to cheat and defraud this deponent did then and there feloniously, unlawfully and designedly pretend and represent to this deponent James McLaughan that the said so-called Bankers' Cooperative Indemnity Company was then a duly incorporated stock company incorporated under the Laws of the State of New York; and that he the said John M. Hay had up to that date invested of his own moneys therein the sum of Two thousand and thirteen dollars to float the same; and that the preparation of the said prospectus and all incidental expenses connected with same amounted to \$500<sup>00</sup>; and that he the said John M. Hay had paid to Colonel Ingersoll as his counsel \$200<sup>00</sup> for revising the said prospectus; and that the said so-called company was then sound financially, and that its then finances and resources were of themselves amply sufficient

to promptly and punctually pay all the liabilities, working expenses and engagements of the said company (so called) for at least several months to come; also that he the said John M. Hay, was a perfectly solvent and responsible person and well able individually to promptly and punctually meet all the engagements and working expenses of said company for at least several months irrespective of his own individual engagements, and that the said company had then a membership numbering five thousand, and that said company (so called) had a legal right to use as seal as an incorporated stock company and to seal all the documents it might issue with a seal bearing the following legend "The Bankers Cooperative Indemnity Company, New York, Incorporated stock company, seal." and <sup>that</sup> the said John M. Hay was on the aforesaid 20<sup>th</sup> July 1892 the sole owner of the said so called Bankers Cooperative Indemnity Company; and that if this deponent would advance to the said John M. Hay as such alleged sole owner as aforesaid Five hundred dollars in two instalments of \$300 and \$200 that he the said John M. Hay would at any time on demand return and refund the same to this deponent without interest; and that the said John M. Hay was then the president of the said company (so called) and legally entitled as such to sign his name in that capacity

and to affix the seal aforesaid to any document which he the said John M. Hay might sign as such alleged president. That the said James MacLagan this deponent then and there believing the said false pretences and representations so made as aforesaid by the said John M. Hay and being deceived thereby was induced by reason of the false pretences and <sup>and a false token in writing</sup> representations so made as aforesaid, to advance and did then and there advance to the said John M. Hay the sum of Three hundred dollars and upon the 8<sup>th</sup> day of August 1892 the further sum of Two hundred dollars as shown <sup>both signed by the said John M. Hay</sup> by two documents hereunto annexed marked respectively Exhibit N<sup>o</sup> 4 and Exhibit N<sup>o</sup> 5. and upon the aforesaid 20<sup>th</sup> day of July 1892 the said John M. Hay delivered to this deponent a certain document styled at the head thereof "Agreement" and subscribed as follows "Executed and signed by John M. Hay, President of the Bankers Cooperative Ind Co day and date first above written of M. Hay President" and bearing impressed thereon a seal containing the legend hereinbefore deposed to. said last mentioned instrument is hereunto annexed and marked Exhibit N<sup>o</sup> 6.

That the said two sums of \$300 and \$200 were and each of them was the proper moneys of this deponent. That the said John M. Hay did then and there on ~~each of~~ the occasions aforesaid receive and obtain the said \$300 and \$200 as hereinbefore stated from this deponent

of the proper moneys of this deponent James MacLagan by means of the false pretences and representations aforesaid, with intent feloniously to cheat and defraud this deponent of the said \$300<sup>00</sup> and \$200<sup>00</sup> and that he has ever since kept and retained the same and every part thereof. That in truth and in fact the pretences and representations so made as aforesaid by the said John M Hay to this deponent was and were in all respects utterly false and untrue. That in fact and truth the said John M Hay well knew the said pretences and representations so made by him as aforesaid to this deponent to be utterly false and untrue at the time of making the same. That the said John M Hay did by means of the false pretences and representations aforesaid feloniously, unlawfully, knowingly and designedly receive and obtain from this deponent Three hundred dollars and Two hundred dollars of the proper moneys of this deponent with intent feloniously to cheat and defraud this deponent James MacLagan of the same.

That after the payment of the said \$300 and \$200 by this deponent to the said defendant, he received from said defendant a certificate of certain stock in said pretended Company of the nominal value of \$750. and accepted from said defendant the appointment of secretary of said pretended Company at a salary of \$25 per week. That he

and to affix the seal aforesaid to any document  
 this deponent continued to occupy said position  
 as secretary for about five and a half weeks. And  
 received payment for the first two weeks only, and  
 failing to receive further payment for his  
 said services he resigned the said position of  
 Secretary, and received the note of the defendant  
 for the balance of his services amounting to about  
 \$91.50 which said defendant failed to pay, and for  
 which deponent afterwards received judgment  
 against said defendant, which he has been unable to  
 collect and on which proceedings supplementary to execution  
 are now pending.

That upon resigning said position of secretary deponent  
 returned said certificate for stock in said pretended  
 Company to said defendant and demanded a return of  
 his said \$500. but said return of said money  
 was refused, and said certificate was returned to deponent by  
 said defendant.

That deponent is informed by his Counsel Edward M. Buckley &  
 others that on the 20 day of July 1892 said Company was not incorporated  
 nor in existence.

Subscribed before me this }  
 27 day of July 1893 }

Joseph P. ...  
 Attorney  
 Police Justice

0356

(copy advertisement in Sunday's  
World of 10<sup>th</sup> July 1892)

Exhibit A 1.

Active man with \$500 cash (secured)  
can secure position ~~for~~ <sup>per</sup> \$25<sup>00</sup> week, to fill  
a vacancy. For attention give particulars.  
Stockholders Base 382.  
"World" uptown.

0357

Bankers' Co-Operative Indemnity Co.,

(INCORPORATED STOCK COMPANY.)



335 Broadway,

New York, July 17<sup>th</sup> 1892

Jarvis Maclagan }  
270 - W. 118<sup>th</sup> St. N.Y.

Dear Sir - Prospectus enclosed  
which explains itself. You can  
fill the place of Secretary State \$500 or  
\$1000 stock can arrange for further  
interview. hours 10 am. to 3 P.M.

Very Respectfully  
J. M. Fay

Exhibit no 2.

039

KEEP THIS BOOK FOR REFERENCE.



**BOARD OF DIRECTORS:**

ELLIS TURNBULL, M. D., - - - New York.  
JAMES T. SMIZER, - - - - - New York.  
JOHN M. FAY, - - - - - New York.  
JOHN T. CASE, - - - - - Chicago.  
S. HAGERDORN, - - - - - San Francisco.

0359

New York, July 30<sup>th</sup> 1892  
Received from James MacLagan  
Three Hundred Dollars

\$300#

J. W. Kay

0360

Exhibit

New York, Aug 8<sup>th</sup> 1892

Received from Jas MacLagan  
Two Hundred ~~and~~ Dollars  
For balance. Stock now owned \$750.

\$200.00

J. W. Hay

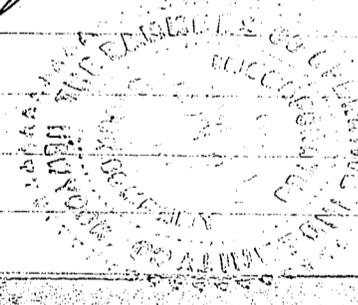
0361

Exhibit

New York July 20th A.D. 1892-

This is to certify that J. May of New York City is the sole owner of The Bankers Cooperative Indemnity Company now located at 335 Broadway New York City. And in consideration of Five hundred dollars, (Three <sup>Hundred</sup> and Two hundred in ~~the~~ <sup>the</sup> next twenty days) paid by James MacLagan of New York City. Said J. May does hereby transfer and turn over one fourth interest of said company above named and will issue and sign over one fourth its stock when the balance of two hundred dollars are paid. and in consideration of James MacLagan receiving one fourth the stock of said company he is hereby appointed Secretary of said company for the balance of the year 1892- and is to draw for his full services so rendered to said company from the company funds twenty five dollars per week. Said James MacLagan is to enter upon his duties as Secretary day & date first above written

Executed & Signed by J. May President  
of the Bankers Cooperative Ind Co.  
day & date first above written  
J. May President.  
James MacLagan



0362

1<sup>st</sup> District Police Court,

*M*

The People on the complaint of

Sgt MacLagan

John McHay,

Complainant.

Edw. MacKenzie,  
25 Chambers St.

0363

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Andrew J. White a Police Justice  
of the City of New York, charging John M. Fay 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 John M. Fay Defendant of No. 2191  
8th Avenue Street; by occupation President of Bankers & Co

and Henry Claudius of No. 335 Broadway  
Street, by occupation Secy of Company Surety, hereby jointly and severally undertake  
that the above named John M. Fay 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 28 day of July 1893  
A. White POLICE JUSTICE. Henry Claudius Secy.

0364

CITY AND COUNTY OF NEW YORK } ss.

Sworn to before me, this 28 day of Oct 1893  
Police Justice

Henry Claudius

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 One 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 House + lot no 121 - Van Buren St - in the city of Brooklyn - worth Eighteen hundred dollars over all encumbrances

Henry Claudius

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear during the Examination.

Taken the 28 day of Oct 1893

Justice.

0365

1768

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

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

GIVEN UNDER my hand and attested by the seal of the said Court this *Third* day of *October* in the year of our Lord one thousand eight hundred and ninety *three*

*John F. Carroll*

0366

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

An order having been made on the 4<sup>th</sup> day of March 1893, by Hon. John B. Smith Police Justice that John M. Fay be held to answer upon a charge of Grand Larceny, upon which he has been duly admitted to bail in the sum of Five hundred dollars:

We John M. Fay defendant, residing at No. 8 Ave 4132 Street, in the said City of New York, Occupation President and Stephen Merritt residing at No. 328 West 50<sup>th</sup> Street, in said City, Occupation undertaker, surety, hereby jointly and severally undertake that the above-named John M. Fay shall appear and answer the charge above mentioned, in whatever Court it may be prosecuted, and shall at all times render himself amenable to the orders and process of the Court; and, if convicted, shall appear for judgment, and render himself in execution thereof; or if he fail to perform either of these conditions, 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 7 day of March 1893

John M. Fay Principal  
Stephen Merritt Surety

J. Smyth  
Recorder



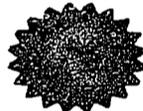
0367

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

1709

I, Stephen Merritt the surety mentioned in the annexed undertaking to answer, do hereby authorize and empower any Policeman of the City of New York, or \_\_\_\_\_ or either of them, in my name, place and stead, to take, seize and surrender the said John McStay, (in the said undertaking held as defendant) to the Court wherein he is bound to appear for trial, or deliver him to the custody of the authorities of said city and county, in my exoneration as surety therein.

Dated October 7 1893

Stephen Merritt Surety. 

NEW YORK

Court of General Sessions of the Peace.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

J.

John McStay

and remand Oct 7 1893

Taken the 7 day of March 1893

Approved as to Form and Sufficiency.

Dated March 7 1893

Francis S. Williams

Asst. District Attorney

Identified by John C. Quinn

Filed 7 day of March 1893

g.l. 12 of  
filed March 13/93

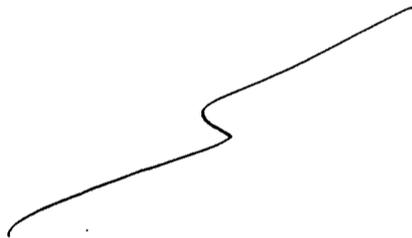


was then financially sound, and that its finances and resources were then of themselves sufficient to pay all the liabilities, including expenses and engagements of the said company for several months then next to ensue; that the said John W. Fay was then not the and responsible person, and also individually to meet all the engagements and monetary expenses of the said company for several months then next to ensue, irrespective of his own individual engagements; that the said John W. Fay was then the sole owner of the said company, and that he was then and there lawfully authorized and empowered to transfer and turn over a one-fourth interest of the said company to the said James MacLagan, upon the payment then and there by the said James MacLagan to him the said John W. Fay, of the sum of five hundred dollars, and upon and in consideration of the said James MacLagan receiving one-fourth of the stock of the said company, to appoint the said James MacLagan the secretary of the said company for the remaining portion of the said year at the compensation for his full services to be rendered, from the company funds, twenty five dollars per week, and to enter into an agreement with the said James MacLagan that he the said John W. Fay would at any time or demand return and refund the said money which the said James MacLagan might pay to him upon such agreement.

By color and by aid of which said false and fraudulent pretenses and representations, the said

*John W. Fay*

did then and there feloniously and fraudulently obtain from the possession of the said James MacLagan, the sum of five hundred dollars in money, lawful money of the United States of America, and of the value of five hundred dollars,



of the proper moneys, goods, chattels and personal property of the said

*James MacLagan.*

with intent to deprive and defraud the said

*James MacLagan,*

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

**Whereas,** in truth and in fact, the said *Fay* did not then own any stock company incorporated under the laws of the State of New York known as the Co-operative Indemnity Company; and the said *John W. Fay* was not then the president of any such company; and no such company had paid into the State Treasurer at Albany, New York the amount of cash required by law before being authorized to do business, or his received its certificate of authority from the Secretary of State, or then had the amount of cash capital required by law on deposit

for the benefit of its creditors, or that had  
five thousand members, and the said John  
Tay had not invested in the said company, of his  
own money, the sum of two thousand and five hundred  
dollars, or any sum whatever, to defray the same, and  
the payment of its expenses, and incidental  
expenses connected therewith had not amounted to  
eight hundred dollars, and he the said John  
Tay had not paid to the said Robert Lybrand  
the sum of two hundred dollars, or any sum for  
renting the said premises; and the said John  
Tay was not then the sole owner of any such  
company, and was not then and there lawfully  
authorized to transfer or turn over any interest  
whatsoever therein, or to appoint the said James  
MacLagan the Secretary thereof, under any circum-  
stances whatever, or to enter into any agreement  
whatsoever with him in relation to any such  
company.

*[Handwritten flourish]*

**And Whereas**, in truth and in fact, the pretenses and representations so made as afore-  
said by the said *John M. Tay*  
to the said *James MacLagan* was and were  
then and there in all respects utterly false and untrue, as *he* the said  
*John M. Tay*  
at the time of making the same then and there well knew;

**And so the Grand Jury Aforesaid**, do say that the said  
*John M. Tay*  
in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods,  
chattels and personal property of the said *James MacLagan*  
then and there feloniously did STEAL, against the form of the statute in such case made and pro-  
vided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,  
District Attorney.

037

**BOX:**

515

**FOLDER:**

4690

**DESCRIPTION:**

Feely, Michael

**DATE:**

03/07/93



4690

0372

Witnesses

*John W. ...*

*Francis Meritto*

Part I

January 11 1894

This assault, as appears by the Police book papers, was committed in April 1890, and the complaint was not made until March 1893. My examination of the case convinced me that the defendant could not have been during this interim had he been found for the reason of his long delay in making the charge and on the ground that the papers to me to have been made in self-defense I was then advised that there in doubt as to be directed

*H.D. Woodson*  
Clerk

277  
*Wahle Stone*

Counsel,

Filed

day of March 1893

Pleas,

*McGully*

THE PEOPLE

vs.

*B*  
*Michael Feely*

Assault in the Second Degree.  
(Section 218, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*M. McKeaton*

Foreman.

*Jan 11 1894*

*J. ...*

*James*

0373

(1855)

Police Court— 2 District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

of No. 143 W 17 Street, aged 54 years,  
occupation Coachman being duly sworn, deposes and says, that  
on the 17th day of April 1894 at the City of New York,

in the County of New York,

and feloniously he was violently ASSAULTED and BEATEN by Michael Feeley

who struck deponent twice on the head with a bale stick knocking him down & cutting him severely without any justification on the part of the said assailant.

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

Sworn to before me, this 20

day of Nov 1893 } J. G. Long

John P. Woodhull }  
Police Justice.

0374

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Michael Feeley* 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.

*Michael Feeley*

Question. How old are you?

Answer.

*25 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*4 W 17 - St 3 mos*

Question. What is your business or profession?

Answer.

*Coachman*

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 done it in self  
defence*

*Michael Feeley*

Taken before me this

day of *March*

189*5*

*John W. ...*

Police Justice.

0375

Sec. 151.

POLICE COURT, 2 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 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 Thomas Long of No. 143 W-17 Street, that on the 17 day of April 1892 at the City of New York, in the County of New York,

he was violently **Assaulted** and **Beaten** by Michael Feeley

**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 forthwith before me, at the 2 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 20 day of April 1892  
John P. ... POLICE JUSTICE.

0376

9<sup>10</sup> A.M. 257 W Ireland Goodman & His 21 No 17 Street

The within named

having been brought before me under this Warrant, is committed for examination to the WARDEN and KEEPER of the City Prison of the City of New York.

Dated ..... 188

..... Police Justice

Police Court 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Warrant A. & B.

Thomas Long

vs.

Michael Feeley

Dated March 20 1883

Forhis Magistrate.

Spawley Officer

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

James J. Spawley Officer.

Dated March 21 1883

This Warrant may be executed on Sunday or at night.

..... Police Justice.

0377

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

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

Dated Mar 22 1893 John Petrosich 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 he to be discharged.

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

03

227 W 327  
Police Court--- 2<sup>nd</sup> District.  
716

THE PEOPLE &c.,  
ON THE COMPLAINT OF

*H.P. Long*  
143 W. 327  
*Michael Feley*

*Offence: Assault*

2  
3  
4  
Dated *Mch 21* 19*93*  
*Voates* Magistrate.  
*Connolly* Officer.  
*Cent* Precinct.

Witnesses *Francis Merritt*  
*P.O. 7th Ave 123* Street.

No. \_\_\_\_\_ Street.  
No. \_\_\_\_\_ Street.



\$ *500* to answer  
*Connell*

BAILED.

No. 1, by *Henry Probel*  
Residence *141 E. 28th St* Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

*\$500 Bail for Est<sup>n</sup> Mar 22/93 2:00 PM*

0379

DR. W. F. WRIGHT,  
55 WEST 10TH STREET,  
NEW YORK.

March 20-1893

Re When in way Concern

This is to certify

That on April 17<sup>th</sup> 1890 I

was called to treat Mr

Thomas Long and found

him suffering from Concussion

of Brain and two large

lacerated wounds of scalp

This injurion having been

caused by a blow upon

the head with some

blunt instrument. The

blow was received upon

the back of, the right ear

which organ is still in

pain as result of the

blow.

W F Wright M.D.

0380

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Michael Feely

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

Michael Feely

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Michael Feely

late of the City and County of New York, on the eleventh day of April in the year of our Lord one thousand eight hundred and ninety-                    , at the City and County aforesaid, in and upon one

in the peace of the said People then and there being, feloniously did wilfully and wrongfully did make an assault; and the said

Thomas Lang  
Michael Feely

with a certain ~~calculation~~ which the said

Michael Feely

in his right hand                      then and there had and held, the same being then and there a weapon and an instrument likely to produce grievous bodily harm,                     , the said Thomas Lang then and there feloniously did wilfully and wrongfully strike, beat, cut, bruise and wound, 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

*Michael Kelly*

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*Michael Kelly*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, in and upon the said *Thomas Lang*

~~\_\_\_\_\_~~ in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said *Michael Kelly* the said *Thomas Lang* with a certain ~~\_\_\_\_\_~~

which ~~\_\_\_\_\_~~ the said *Michael Kelly*

in ~~\_\_\_\_\_~~ right hand then and there had and held, in and upon the ~~\_\_\_\_\_~~ head ~~\_\_\_\_\_~~ of *him* the said *Thomas Lang* then and there feloniously did wilfully and wrongfully strike, beat, ~~cut~~ bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *Thomas Lang* ~~\_\_\_\_\_~~ to the great damage of the said *Thomas Lang* 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.

0382

**BOX:**

515

**FOLDER:**

4690

**DESCRIPTION:**

Ferraro, Alfonso

**DATE:**

03/21/93



4690

Witnesses:

*C. A. Seely*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*W. A. Tracy*

Counsel,

Filed, *21 March* 1893

Pleas, *Guilty*

THE PEOPLE

vs.

*B*

*Alfonso Garza*

VIOLATION OF THE EXCISE LAW.  
[CHAP. 401, LAWS OF 1892, § 32].  
BEFORE THE JUDGE OF THE DISTRICT COURT OF THE DISTRICT OF COLUMBIA.

I hereby consent and desire  
this case against me be sent to  
Court of Special Sessions for  
and final disposition.

*Alfonso Garza*

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

*Wm. Keeler*

Foreman.

0384

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Alfonso Ferraro*

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

*Alfonso Ferraro*

of the crime of SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER TO A CHILD actually and apparently under the age of sixteen years, committed as follows :

The said *Alfonso Ferraro*

late of the City of New York, in the County of New York aforesaid, on the 5<sup>th</sup> day of March in the year of our Lord one thousand eight hundred and ninetythree, at the City and County aforesaid, certain strong and spirituous liquors, and certain 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 *Domenico Tanno* who was then and there a child actually and apparently under the age of sixteen years, to wit: of the age of *Eleven* years, 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.

0385

**BOX:**

515

**FOLDER:**

4690

**DESCRIPTION:**

Ferrello, Domenico

**DATE:**

03/15/93



4690

Witnesses:

C. Farallo  
Pat. Corcoran

~~S. J. O'Connell~~  
Counsel  
Filed 15th day of March 1893  
Pleads, Guilty

THE PEOPLE

vs.

Assault in the Second Degree.  
(Section 218, Penal Code.)

4  
Robert  
39  
Romance Berrell

DE LANCEY NICOLL,

District Attorney.

April 10 - 1893  
1074

A TRUE BILL.

W. McKeaton  
Jurat 2 April 10, 1893 Foreman.  
Swid and Corcoran  
if Assault in the 2nd Deg.  
6 No Open

0387

**A. L. GERMANSKY,**

**PASSAGE TICKETS for all STEAMERS**

TO AND FROM EUROPE.

**DRAFTS**

ON ALL THE PRINCIPAL CITIES OF EUROPE.

Money Orders & European Express.

30 Canal Street, New York.

No. **11906**

New York, April 18<sup>th</sup> 1892

Received from And Kudzin  
Twenty 80 Dollars,

for the remittance of Twenty Dollars  
to be forwarded to And Kudzin Rudenka

Per Pawno Ruski Gm. Sekretar Obranke  
Ured Augustow. Gal. Suwalki

A. L. GERMANSKY.

Per H. Wooding

~~\$20~~  
40 July

0388

*filed March 1903*

**Court of General Sessions.**

**City and County of New York.**

**Part II.**

-----X		
<b>The People</b>	:	
	:	<b>Before the</b>
<b>vs</b>	:	
	:	<b>Hon. James Fitzgerald,</b>
<b>Domenico Ferrello.</b>	:	
	:	<b>and a jury.</b>
-----X		

**Indicted for assault in the second degree.**

**Indictment filed March 15th, 1893.**

**Tried April 10th, 1893.**

**Appearances:**

**Assistant District-Attorney Mc Intyre for the People.**

**L. S. Chanler, Esquire, for the Defense.**

*[Faint, illegible text]*

0389

2

C A R M I N O F E R R E L L O, called by the People, being duly sworn, testified, through the official interpreter that he lived at No. 35 Mulberry street. He was a butcher. On the 27th day of February he had a push cart and was selling fruit and vegetables. The defendant was his father-in-law. He, the witness, and the defendant had a basement where they conducted a butcher business together. On the 27th of February he, the witness, went down to the basement and asked the defendant for the accounts. The defendant replied that there were no accounts to be shown, because there was a loss of \$50. He, the witness, said, " Show me the accounts and then I will give you \$25 for my part. When he, the witness, told the defendant this, the defendant rushed at him with a knife. He, the witness, ran to the door with the defendant after him. He, the witness, was frightened and ran away. He went to the station house and reported the case. Two officers went back with him. They told him to go down into the butcher shop and if the defendant threatened him, they would arrest the defendant. They arrested the defendant. In cross-examination hhe witness testified that the store now

0390

3

belonged to the defendant, but at the time of the trouble belonged to both of them. They were partners. There was no contract document, because they were father-in-law and son-in-law. He, the witness, and the defendant had a discussion the Friday before the assault, and they also had words together on the morning of the assault. The defendant owed him \$20 and wanted him to take \$10 and come back on Monday. The trouble between them commenced on Friday and ended with the assault the next Monday. The defendant did not chase him into the street or come from behind the counter. He, the witness, did not know if the defendant took up the knife or had it in his hand, but the defendant told him to get out of the place at once. He did not see the defendant with the knife in his hand.

PATRICK CORCORAN, called by the People, being duly sworn, testified that he was an officer attached to the Sixth Precinct. He arrested the defendant in the butcher shop No. 38 Mulberry street, on the 27th of February, on the complainant's complaint. He went into the shop with the complainant. The defendant grabbed the knife and tried to get at the complainant. The complainant ran and the customers grabbed the defendant

0391

and the defendant threw the knife into the window. The witness arrested the defendant, who did not speak English.

\*\*\*\*\*

JOHN F. MITCHELL, a witness for The People, sworn, testified, that he was an officer of the 6th Precinct. He was on the sidewalk when the other officer came up with the defendant. They went to the station-house. Officer Corcoran brought the knife with him.

\*\*\*\*\*

DOMINICO FERRELLO, the Defendant, sworn, testified, in his own behalf, that at the time of his arrest he had both of his hands in his pockets. He did not try to stab the complainant. He had lived in this country three years. He did not chase the complainant with a knife. The complainant married his, the witness's, daughter.

In

C R O S S - E X A M I N A T I O N

the witness testified that he gave the complainant \$20 not to press the case against him. The complainant

0392

5

gave the knife to the officer.

In

R E - D I R E C T - E X A M I N A T I O N

the defendant testified that the \$20 he gave his son-in-law was in settlement of the complainant's claim upon him.

\*\*\*\*\*

MICHAEL LIVORI a witness for the defense, sworn, testified that he was the defendant's assistant in the butcher shop, and was in the shop on the morning in question. The defendant did not try to stab the complainant with the knife. He did not see the defendant chase the complainant with a knife. They were father-in-law and son-in-law. They liked each other.

In

C R O S S - E X A M I N A T I O N

the witness testified that the complainant and the defendant had a few words over their accounts, but did not get mad. The defendant told the complainant to make up his accounts and he, the defendant, would pay him. He, the witness, did not see anybody use a knife

0393

6

and the defendant did not chase the complainant with a knife. When the officers arrived he saw the complainant take up the knife and hand it to the officer. He, the witness, knew that the defendant paid the complainant \$20. to withdraw the complaint.

//////////

0394

Police Court \_\_\_\_\_ District.

1081

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

of No. 35 Mulberry Street, aged 35 years,  
occupation Butcher being duly sworn,  
deposes and says, that on the 27th day of February 1893 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by  
Domènico Terello (now deceased)  
who feloniously threatened  
to cut his throat  
with a butcher knife

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

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

Sworn to before me, this 27th day  
of February 1893 Domènico Terello  
A. J. White Police Justice.

0395

Sec. 198-200.

1883

District Police Court.

City and County of New York, ss:

*Louuccio Carrullo* 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 a 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. *Louuccio Carrullo*

Question. How old are you?

Answer. *47 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *39 Mulberry St. 3 years*

Question. What is your business or profession?

Answer. *Inspector*

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*  
*Louuccio Carrullo*  
*mark*

Taken before me this

day of

*[Signature]*

Police Justice.

0396

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 \_\_\_\_\_

*Seussant*

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, *July 24* 189*3*

*A. J. [Signature]* Police Justice.

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

Dated, *July 27* 189*3*

*A. J. [Signature]* 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.

030

81 / 232  
Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Amund Tammo*  
*35 Mulberry*  
*Amund Tammo*

*Offense*  
*See back*  
*of 1893*

2  
3  
4

BAILED,  
No. 1, by *Pasquale Chilillo*  
Residence *34 Mulberry* Street.

Dated, *Sept 22* 189 *3*

No. 2, by  
Residence \_\_\_\_\_ Street.

*White* Magistrate.  
*Conoran & Mettels* Officer.

No. 3, by  
Residence \_\_\_\_\_ Street.

*06* Precinct.

No. 4, by  
Residence \_\_\_\_\_ Street.

Witnesses  
No. \_\_\_\_\_ Street.



No. *Bulwer* Street.

No. \_\_\_\_\_ Street.

\$ *50* to answer *to*

*Chilillo*

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*Ramonico Ferrello*

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

*Ramonico Ferrello*

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*Ramonico Ferrello*

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

*Ramonico Ferrello*  
in the peace of the said People then and there being, feloniously did wilfully and wrongfully did make an assault; and the said

*Ramonico Ferrello*

with a certain *knife* which *he* the said

*Ramonico Ferrello*

in *his* right hand *at* then and there had and held, the same being then and there a weapon and an instrument likely to produce grievous bodily harm, *he*, the said *Ramonico Ferrello* then and there feloniously did wilfully and wrongfully strike, beat, *cut, stab* bruise and wound, 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

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows :

The said

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, in and upon the said

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said the said with a certain

which the said

in right hand then and there had and held, in and upon the of the said then and there feloniously did wilfully and wrongfully strike, beat, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said to the great damage of the said 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.*

0400

**BOX:**

515

**FOLDER:**

4690

**DESCRIPTION:**

Fiero, Washington I.

**DATE:**

03/20/93



4690

0401

**POOR QUALITY ORIGINAL**

Witnesses:

*Wm J Smith*

Counsel:

*Bealinger*

Filed,

*30th* day of *March* 1893

Pleads,

*Guilty*

THE PEOPLE

vs.

*Washington J. Fiero*

*off of fine term*

*James LAROCENY, 2nd defndt*  
**(MISAPPROPRIATION,**  
*Sections 598, and 667 of the Penal Code.)*

DE LANCEY NICOLL,

*District Attorney.*

*Part I*  
*May 5*

A TRUE BILL,

*Wm W. Heater*  
*May 9 / 93* Foreman.

*Tried & acquitted.*

0402

**POOR QUALITY ORIGINAL**

Witnesses:

*Wm. J. Smith*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

279

Counsel, *DeLinger*  
Filed, *30* day of *March* 189*3*  
Pleads, *Guilty*

THE PEOPLE

vs.

*Washington J. Fiero*  
*off of fine term*

*Grand LARCENY, 2nd degree*  
**(MISAPPROPRIATION.)**  
(Sections 528 and 53 / of the Penal Code.)

DE LANCEY NICOLL,

District Attorney.

*Part I*  
*May 5*

A TRUE BILL.

*Wm. W. Heaton*  
*May 9 / 93* Foreman.  
*Tried & acquitted.*

0403

Police Court 3<sup>rd</sup> District.

Affidavit—Larceny.

City and County of New York, ss:

of No. 142 East 97<sup>th</sup> Street, aged 24 years, occupation or about Salesman being duly sworn, deposes and says, that on the 4<sup>th</sup> day of February 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 the following name, the following property, viz:

Two Watches together of the value of Eighty eight dollars

the property of Nassau Watch Company in the care and custody 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 J. Tiero

from the fact that at about said date the deponent applied to said Company for the position of agent or salesman, and presented references and at the request of said references said Company authorized deponent to furnish the deponent with said watches as samples on a Memorandum with the understanding that at the expiration of five days the deponent was to return said watches and at the expiration of five days the deponent failed to return said watches and still retains the same wherefore deponent charges said defendant

Subscribed and sworn to before me this 1899

Police Justice

with failing to return said watches and  
with appropriating said watches to his  
own use and saying that said  
defendant may be apprehended and  
dealt with according to law

Sworn to before me

this 20<sup>th</sup> day of March 1893, W. J. Smith.

Wm. Welde  
Justice

0405

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Washington Irving Fiero

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. Washington Irving Fiero

Question. How old are you?

Answer. 36 years

Question. Where were you born?

Answer. New York City

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

Answer. 151 West 90th Street New York

Question. What is your business or profession?

Answer. Salesman

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

Washington Irving Fiero

Taken before me this 23 day of March 1893

Police Justice

0406

1847

Sec. 151.

Police Court 5 District.

CITY AND COUNTY } ss. In the name of the People of the State of New York; To the Sheriff of the  
OF NEW YORK, } County of New York, or any Marshal or Policeman of the City of New York:

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 William Smith of No. 142 East 97 Street, that on the 4th day of February 1893, at the City of New York, in the County of New York, the following article, to wit:

Two Watches together

of the value of Eighty Eight Dollars, the property of Mr. Carl and Custody of Complainant was taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by Washington C. Ciers

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 5 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 20 day of March 1893

Marshall  
POLICE JUSTICE.

0407

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 Olford

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

Dated, March 23 1893

H. A. Beldie Police Justice.

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

Dated, March 24 1893

H. A. Beldie 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.

040

P. 330 W 279-343  
Police Court, District,

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William Smith  
Washington J. Fiers

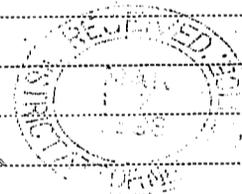
offense  
Grand Jurors

Dated, March 23 1893  
Welde Magistrate.  
Kickey Officer.  
Cout Precinct.

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

\$ 1000 to answer  
of District  
Apr 24th 2, 1893  
1000 Bail

BAILED,  
No. 1, by Mary A. Stephens  
Residence W. Boulevard Street.  
No. 2, by Feb 95+96 ato.  
Residence Street.  
No. 3, by  
Residence Street.  
No. 4, by  
Residence Street.



0409

Pepper, A  
N.Y. Jan 12<sup>th</sup> 1893

Gents

I think I can do some  
business for you. I have  
had fifteen years experience  
as city salesman, have a  
large acquaintance & can  
furnish excellent reference.  
Hoping you will favor me  
with a reply I am

Yours Truly

W. J. Fiero.

85 West 104<sup>th</sup> St

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Washington J. Fiers*

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

*Washington J. Fiers*  
of the CRIME OF *Grand LARCENY, in the second degree,* committed  
as follows:

The said *Washington J. Fiers*

late of the City of New York, in the County of New York aforesaid, on the *fourth*  
day of *February,* in the year of our Lord one thousand eight hundred and  
ninety-*three,* at the City and County aforesaid, being then and there the *clerk*  
*and servant* of a certain corporation known  
*as the Nassau Watch Company*

and as such *clerk and servant* then and there having in his  
possession, custody and control certain goods, chattels and personal property of the said

*Corporation*  
the true owner thereof, to wit:

*two watches of the*  
*value of forty-four dollars*  
*each.*

the said *Washington J. Fiers* afterwards, to wit:  
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,  
did feloniously appropriate the said *watches*

to his own use, with intent to deprive and defraud the said *corporation*

of the same, and of the use and benefit thereof; and the same goods, chattels and personal  
property of the said *corporation*

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

DE LANCEY NICOLL,  
*District Attorney*

Second COUNT:—

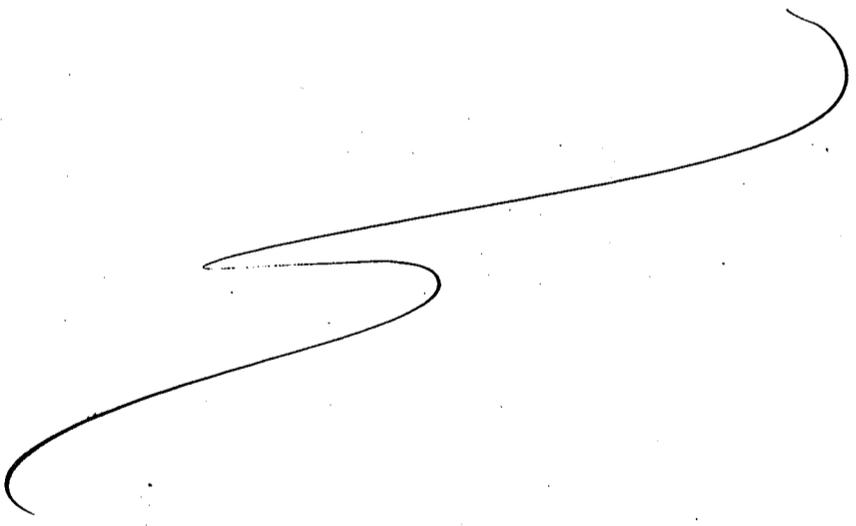
AND THE GRAND JURY AFORESAID, by this indictment further accuse  
the said *Washington I. Fiers*

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

The said *Washington I. Fiers*

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

*two watches of the value of  
forty - four dollars each*



of the goods, chattels and personal property of ~~one~~ *a certain corporation*  
*known as the Nassau Watch 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.

*De Lancey McCall*  
*District Attorney*

04 12

**BOX:**

515

**FOLDER:**

4690

**DESCRIPTION:**

Fitzgerald, Michael

**DATE:**

03/29/93



4690

0413

**BOX:**

515

**FOLDER:**

4690

**DESCRIPTION:**

Coulter, Charles

**DATE:**

03/29/93



4690

0414

Witnesses:

Charles Christian

Walter Good

In the case of

between my execution

can be had upon the

price in possession of

the people. I signed that

myself on the 13th of

May 13, 1893

Wm. M. D. M. D.

Wm. M. D. M. D.

Counsel,

Filed

Pleas,

THE PEOPLE

vs.

Michael Fitzgerald

and

Charles Coulter

DE LANCEY NICOLL,

District Attorney.

Case  
Put this on with

Michael O'Brien

Burglar

A TRUE BILL.

Wm. M. D. M. D.

Foreman.

Sept 2 - April 13, 1893.

Our Brother of District

Attorney Indictment

Gravissed,

Burglary in the Third Degree.  
[Section 498, Penal Code.]

0415

Police Court 4 District.

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

of No. 96 Essex Street, aged \_\_\_\_\_ years,  
occupation Painter being duly sworn

deposes and says, that the premises No. 625 East 18 Street, 18 Ward  
in the City and County aforesaid the said being a Four story and basement  
Brick Storage House the basement of which  
and which was occupied by deponent as a Storage House  
and in which there was at the time a human being, by name \_\_\_\_\_

were **BURGLARIOUSLY** entered by means of forcibly bursting open  
the door leading from the street to the cellar  
of said premises by prying the same open  
with a cant rump

on the 13 day of March 1893 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

Ten thousand dollars worth of costumes

the property of Rosenfeld Brothers  
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
**BURGLARY** was committed and the aforesaid <sup>attempted to be</sup> property taken, stolen and carried away by

Charles Coulter

for the reasons following, to wit: that deponent securely fastened said door  
on the night of the 12<sup>th</sup> day of March 1893 and found  
the said door open on the morning of the 13<sup>th</sup> of March  
1893 and found this defendant in company with ~~two~~ <sup>two or five</sup>  
other persons about said premises before and after  
said door had been forced open. Deponent is informed  
by Charles C. Webber of 633 East 15<sup>th</sup> that that he  
advs the defendant in company with others about the  
door of said premises before and after the said

0416

premises had been forcibly entered. Myself  
deponent charges this defendant with Burglary.

Walden Goods

Sworn to before me  
this 20<sup>th</sup> day of March 1893 }  
W. Walden  
Police Justice

Walden Goods

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated \_\_\_\_\_ 188\_\_\_\_ Police Justice.  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated \_\_\_\_\_ 188\_\_\_\_ Police Justice.  
There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated \_\_\_\_\_ 188\_\_\_\_ Police Justice.

Police Court, \_\_\_\_\_ District.  
THE PEOPLE, vs.,  
on the complaint of \_\_\_\_\_  
vs.  
1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Dated \_\_\_\_\_ 188\_\_\_\_  
Magistrate.  
Officer.  
Clerk.  
Witness, \_\_\_\_\_  
No. \_\_\_\_\_ Street,  
No. \_\_\_\_\_ Street,  
No. \_\_\_\_\_ Street,  
§ \_\_\_\_\_ to answer General Sessions.

0417

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

aged 34 years, occupation Manufacturer of No. 632 East 15<sup>th</sup> Street, being duly sworn, deposes and

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

Sworn to before me this 20 day of March 1893 } A. C. Weber,

A. C. Weber Police Justice.

Answer. I am not guilty.

Chas. Coulter

Taken before me this 20 day of March 1893 } A. C. Weber

Police Justice.

0418

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

Dated, *March 20* 189 *3*

*H. J. M. ...* 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.

041

274 4 330  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Walter Good  
96 Essex  
Charles Conner

Offense *Burglary*

2  
3  
4

**BAILED,**

No. 1, by.....

Residence ..... Street.

No. 2, by.....

Residence ..... Street.

No. 3, by.....

Residence ..... Street.

No. 4, by.....

Residence ..... Street.

Dated, *March 20* 189 *3*

*McM* Magistrate.

*McMannus* Officer.

*18* Precinct.

Witnesses *Chas. C. Webber*

No. *632 East 15<sup>th</sup>* Street.

No. .... Street.

No. .... Street.

No. .... Street.

\$ *1500* to answer *G.S.*

*Conner*



0420

New York, March 29<sup>th</sup> 1893

To whom it may Concern

T THOMAS CUNNINGHAM, DR.

CONTRACTOR,

NO. 602 E. 15<sup>TH</sup> STREET.

The Bearer Michael Fitzgerald  
has worked for me as a hoisting boy  
for twelve months. I have always known him  
to be a very industrious boy, working all  
the time with the perseverance of an  
aged person. Also I used always  
to advise him, for his lack in keeping  
out of the company of those lot of  
more mischievous boys, which got the  
little fellow unfortunately into trouble.

Edward Cunningham

Manager

0421

  
 DEALERS IN  
 SWEET BREADS,  
 SAUSAGES,  
 BEEF TONGUES,  
 BEEF LIVERS,  
 BEEF HEARTS,  
 BEEF KIDNEYS,  
 OX TAILS  
 AND TRIPE.  


New York, ..... 189

*M* .....  
 BOUGHT OF MILLER BROS.,  
**BUTCHER SUPPLIES,**

TERMS NET CASH. 207 EAST 7th STREET.

*To Whom it may concern*

*This is to certify that Charles  
 Coulter has been in my employ for the past 6 months  
 and found him to be a sober and Industrious young  
 man and it gives me pleasure to recommend him*

*Yours Respectfully*

*Miller Brothers*

0422

Police Court - 4 District.

City and County of New York, ss.:

Walter Good

of No. 96 Essex Street, aged 19 years, occupation Painter being duly sworn

deposes and says, that the premises No. 625 East 15th Street, 18 Ward in the City and County aforesaid the said being a 4 1/2 story Brick Building and the basement which was occupied by deponent as a Storage Basement and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly opening a cellar door leading from East 15th Street into said basement

on the 13 day of March 1893 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

A quantity of scenery and stage costumes of the value of about ten thousand dollars & the property of Rosenfield Brothers and in deponent's care and custody

the property of Rosenfield Brothers and deponent further says, that he has great cause to believe and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen and carried away by Michael O'Brien - (already held) and Michael Fitzgerald now here

for the reasons following, to wit: that deponent securely fastened and locked said door on Sunday Evening March 12th 1893. Deponent found the said door had been forced open on Monday Morning March 13th 1893. and is informed by Charles C. Weber of 633 East 15th Street that he saw the defendant in company with others force open the said cellar door by using a truck using wherefor deponent charges the defendant with attempted Burglary.

Walter Good

Norman & John me also  
17th day of March 1893  
Michael O'Brien  
Michael Fitzgerald

0423

1921

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 32 years, occupation Manufacturer of No. 633 East 15<sup>th</sup> Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Walter Good

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

Sworn to before me, this 17 day } C. Weber  
of March 1893 }

W. M. ... Police Justice.

0424

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Michael Fitzgerald* 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. *Michael Fitzgerald*

Question. How old are you?

Answer. *15 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *614 E 16 St 3 months*

Question. What is your business or profession?

Answer. *Drum*

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-*

*Michael Fitzgerald*

Taken before me this

day of *March* 189*8*

*H. M. ...*

Police Justice.

0425

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

Deferdant

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

Two Hundred Dollars, and be committed to the Warden and Keeper of

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

Dated, March 17 1893. [Signature] 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.

274 H 309  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Walter G. Giff  
96 Essex  
Michael Fitzgerald

Altimperik  
Burglary  
Offense

2  
3  
4

Dated, March 17, 1893

W. E. Mahon Magistrate.

W. M. Annis Officer.

18 Precinct.

Witnesses Charles E. Heblen

No. 633 E 15 Street.

Edward Gormley

No. 108 East 23 Street.

No. Street.

\$ 1000 to answer G. S.

RECEIVED  
MAY 20 1893  
MAGISTRATE  
BANK

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

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

THE PEOPLE OF THE STATE OF NEW YORK  
*against*  
*Michael Fitzgerald*  
*and*  
*Charles Coulter*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Michael Fitzgerald and Charles Coulter*  
*of the crime of attempting to commit*  
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said *Michael Fitzgerald and Charles Coulter, both*

late of the *18th* Ward of the City of New York, in the County of New York aforesaid, on the  
*thirteenth* day of *March* in the year of our Lord one  
thousand eight hundred and ninety-*three* in the day - time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the *building* of  
one *Theodore Rosenfeld*

*attempt to*  
there situate, feloniously and burglariously did break into and enter, with intent to commit some  
crime therein, to wit: with intent the goods, chattels and personal property of the said *Theodore*  
*Rosenfeld* in the said *building*  
then and there being, then and there feloniously and burglariously to 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.

*W. Lacey Swooll*  
*District Attorney*