

0009

BOX:

509

FOLDER:

4638

DESCRIPTION:

Ilari, Carlo

DATE:

01/05/93



4638

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BOX:

509

FOLDER:

4638

DESCRIPTION:

Cerulti, Carlo

DATE:

01/05/93



4638

0011

BOX:

509

FOLDER:

4638

DESCRIPTION:

Giuseppe, Vittorio

DATE:

01/05/93



4638

Witnesses:

Officer Alarce

Counsel,

Filed

189

Pleas,

THE PEOPLE

vs.

Carlo Slapfer

Carlo Cerutti

and

Vittorio Sinschpe

DE LANCEY NICOLL,

District Attorney.

January 7/93

Presenting Jury

A TRUE BILL.

J. Lathin

Foreman.

1 v. 1

Presenting Jury

No 1. 449/6 Mo. 2

No 2. 349/6 Mo. 2

Presenting Jury

0012

COURT OF GENERAL SESSIONS, PART I.

The People of the State of New York,
 against
Carlo Cerutti impleaded with Carlo
Iliri and Vitoria Guiseppi.

:
:
:
: Before
: Hon. Fred'k Smyth
: and a jury.
:
:

Indictment filed Jan. 5, 1893.

Indicted for burglary in the third degree.

New York, Jan. 17, 1893.

A P P E A R A N C E S:

For the People, Asst. Dist. Atty. John F. McIntyre;

For the Defendant, F. S. Hyman.

JACOB BERGAMINO, a witness for the People, sworn, testified:

I have a lager beer saloon at 122 South Fifth Avenue. I was in business there on the 18th. day of December. My store is on the ground floor. There is a door from my premises leading into the hallway. There is also a door from the street leading into my place. I closed up my place at midnight on the 17th. of December by locking the front door with a key and also the hallway door. I securely fastened both doors. I live in the rear house. I left about fourteen or fifteen dollars in money in the saloon at the time I closed up. I had several boxes of cigars and a quantity of liquors in the store. At about two o'clock in the morning a police officer came and told me that my place had been broken open. I went to the place. I found the hallway door had been broken open and the lock

COURT OF GENERAL SESSIONS, PART I.

The People of the State of New York,
 against
Carlo Cerutti impleaded with Carlo
Iliri and Vitoria Guiseppi.

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: Before
: Hon. Fred'k Smyth
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A P P F A R A N C E S:

For the People, Asst. Dist. Atty. John F. McIntyre;
For the Defendant, F. S. Hyman.

JACOB BERGAMINO, a witness for the People, sworn, testified:

I have a lager beer saloon at 122 South Fifth Avenue. I was in business there on the 18th. day of December. My store is on the ground floor. There is a door from my premises leading into the hallway. There is also a door from the street leading into my place. I closed up my place at midnight on the 17th. of December by locking the front door with a key and also the hallway door. I securely fastened both doors. I live in the rear house. I left about fourteen or fifteen dollars in money in the saloon at the time I closed up. I had several boxes of cigars and a quantity of liquors in the store. At about two o'clock in the morning a police officer came and told me that my place had been broken open. I went to the place. I found the hallway door had been broken open and the lock

00 15

2.

was taken off. I found missing fourteen bottles of liquor and two boxes of cigars. I have received five of the bottles back at Police Headquarters in Mulberry Street.

Cross-examination:

Three families live in that house. The hallway that I spoke of is a common hallway used by the people living in the house.

GEORGE A. ALONCLE, a witness for the People, sworn, testified

I am a detective sergeant connected with the Central office in this city. On the 17th. day of December I was in the vicinity of the premises occupied by the complainant at about two o'clock in the morning. I saw this defendant in company with Carlo Iliri and Vitoria Guiseppi. When I saw them first I saw them at 128 Thompson Street at about half past eleven. They left there and went to 144 Bleecker Street. I waited there until ten minutes of two, when they met this other fellow, Vitoria Guiseppi. They started down South Fifth Avenue until they got to Prince St. One of them went into the hallway and the other two waited outside. Another officer and myself watched them. We saw that three of them disappeared into the store. A little after two o'clock the officer on post tried the doors. I saw this defendant come out of the premises and go down towards Spring Street. He came out of 122 South Fifth Avenue. The other two men came out and went towards Prince Street. We went over and found that the door had been burst open. The proprietor was notified and he came out and found that some articles were missing. I then went

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3.

around to 128 Thompson Street. I saw the three men come out of that house and go along the street. We arrested them and brought them to the Station House. A jimmy was concealed in the overcoat of this defendant which fitted the marks made in the door which had been broken open. In the premises 128 Thompson Street we found five bottles of liquor which were afterwards identified by the complainant.

Cross-examination:

It was half past eleven o'clock when I first saw the defendant coming out of 128 Thompson Street. He does not live there. Myself and the other detective were watching these men to see what they would do.

CHARLES A. FORMOSA, a witness for the People, sworn, testified:

I am a detective officer connected with the Central office. I was accompanied with Sergeant Aloncle on the night in question. We saw Carlo Iliri come out of 4 Varick Place. We followed him to 128 Thompson Street. In the vicinity of eleven o'clock we saw Iliri come out in company with the defendant. They went as far as 144 Bleecker Street, went in there and came out in about ten minutes having with them a third man Vitoria Guiseppi. The three walked down to South Fifth Avenue to No. 122. We afterwards saw the three men come out of No. 122. This defendant went towards Spring Street. The other two men walked towards Prince Street. We afterwards followed them to 128 Thompson Street. We saw three of them come out

0017

4.

and walk down the street and we arrested them. On the person of the defendant when brought to the Station House was found a jimmy concealed in his overcoat pocket. We brought them to Jefferson Market Police Court and had them remanded. We then went around to 128 Thompson Street and there found five bottles of liquor which were identified by the complainant as his property.

The prisoner pleaded guilty to the crime of burglary in the third degree.

Indictment filed Jan. 5th 1893

Count of General Sessions
Part I.

The People,
Jan. 17th 1893

Carlo Zerutti,
impleaded with Carlo
Seari, and Vittoria
Giuseppi.

Abstract of testimony
critical, New York
Jan. 17th 1893.

00 19

483

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Carlo Ilari, Carlo
Berutti and Vittorio Giuseppe*

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

*Carlo Ilari, Carlo Berutti
and Vittorio Giuseppe*

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

*Carlo Ilari, Carlo
Berutti and Vittorio Giuseppe, all*

late of the *8th* Ward of the City of New York, in the County of New York aforesaid, on the
eighteenth day of *December* in the year of our Lord one
thousand eight hundred and ninety-*two*, in the *night* time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *saloon* of
one *Giacomo Bergami*

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 *Giacomo
Bergami* in the said *saloon*
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.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Carlo Ilari, Carlo Cerutti
and Vittorio Giuseppe
 of the CRIME OF *Petit* LARCENY committed as follows:

The said *Carlo Ilari, Carlo Cerutti*
and Vittorio Giuseppe, all
 late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
 at the Ward, City and County aforesaid, in the *night* time of said day, with force and arms,
fourteen bottles of liquor of the
value of one dollar each bottle,
four bottles of toilet water of the
value of fifty cents each bottle,
two boxes of cigars of the value
of two dollars and fifty cents
each box

of the goods, chattels and personal property of one *Giacomo Bergami*
 in the *Saloon* of the said *Giacomo Bergami*

there situate, then and there being found, in the *saloon*
 aforesaid, 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.

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said
Carlo Ilari, Carlo Cerutti and Vittorio Giuseppe
 of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Carlo Ilari, Carlo Cerutti*
and Vittorio Giuseppe, all
 late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year afore-
 said, with force and arms, at the Ward, City and County aforesaid,

fourteen bottles of liquor at the
value of one dollar each bottle,
four bottles of toilet water of the
value of fifty cents each bottle,
two boxes of cigars of the value
of two dollars and fifty cents
each box.

of the goods, chattels and personal property of

Giacomo Bergami

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before felon-
 iously stolen from the said

Giacomo Bergami

unlawfully and unjustly did feloniously receive and have; (the said *Carlo Ilari,*
Carlo Cerutti and Vittorio Giuseppe
 then and there well knowing the said goods, chattels and personal property to have been felon-
 iously stolen, 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.

0022

BOX:

509

FOLDER:

4638

DESCRIPTION:

Cenci, Louis

DATE:

01/05/93



4638

Witnesses:

Officer Alonzo

The evidence in this is
absolutely insufficient to
obtain a conviction -
I recommend dismissal
of this indictment -

Mar 11/93

Wm M. Davis

Asst.

Counsel,

Filed,

Pleads,

THE PEOPLE

vs.

Louis Cenci

RECEIVING STOLEN GOODS.
(Section 550, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

10 March 1893

13 March '93 - Wm. &

A TRUE BILL.

J. Cathin

Foreman.

Part 2.

Wch 13/93

Indictment Dismissed

0023

0024

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 28 years, occupation Police Officer of No. Central Office Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Dacomo Bergami and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 21st day } Charles Formica
of 1892 }

John F. Bergami Police Justice.

0025

CITY AND COUNTY }
OF NEW YORK, } ss.

1021

aged 27 years, occupation Detective Sergeant of No. Central Office Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Giuseppe Bergami 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 Dec 1892 } George A. M. C.

Thos. J. M. C. Police Justice.

0026

Sec. 198-200.

1882

District Police Court.

City and County of New York, ss:

Vittorio Guicciardi

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. *Vittorio Guicciardi*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *2 years*

Question. What is your business or profession?

Answer. *Writer*

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*
Vittorio Guicciardi

Taken before me this *20*
day of *June* 188*2*

Wm. H. Brady
Police Justice.

0027

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, / DISTRICT.

Giacomo Bergamiof No. 122 South 5th Avenue Street, aged 40 years,
occupation Saloon being duly sworn deposes and says
that on the _____ day of _____ 188

at the City of New York, in the County of New York, Louis Cenci now here
did receive a quantity of property that were
burglariously stolen from defendant's premises on the
18th day of December. The said property being five bottles of
liquor - 2 boxes of cigars and four boxes of toilet
water. Defendant charges the said Cenci with knowingly
receiving the stolen property, knowing them to be stolen and
defendant is informed by a detective Sergeant George
Aloncle that he found the said property in defendant the said
Cenci's premises - defendant identifies the same as property
stolen from him and charges the defendant with receiving
stolen property. Giacomo Bergami

Sworn to before me, this 20of Dec

188

day

Police Justice.

0028

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 37 years, occupation Detective Sergeant of No. Central Office Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Giuseppe Bergami and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 20 day } George Alonch
of 189 }

W. H. H. H. H. Police Justice.

0029

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss:

Carlo Benetti 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. Carlo Benetti

Question. How old are you?

Answer. 25 years

Question. Where were you born?

Answer. Italy

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

Answer. 541 'Avenue' place 7 months

Question. What is your business or profession?

Answer. Optician

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
Carlo Benetti

Taken before me this

day of

20

1892

Police Justice.

0030

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss:

Carlo Mari 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. Carlo Mari

Question. How old are you?

Answer. 430 years

Question. Where were you born?

Answer. Italy

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

Answer. 52 South 5th Avenue

Question. What is your business or profession?

Answer. Agent

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. Mari Carlo

Taken before me this 21st

day of

Dec

1892

Police Justice.

0031

had been taken away. Defendant is further informed by the said Alonzo and Emma that they saw the three defendants after they left defendant's premises in South Fifth Avenue - between at premises 128 Thompson Street ten minutes after leaving defendant's premises. They found in a closet at said premises in Thompson a portion of the property taken from defendant's premises at South 5th Avenue which is identified by this defendant as property stolen from his premises. Wherefore defendant charges the three defendants with Burglary and prays they be held to answer.

Giacomo Bergamini

Brought to before me this
20th day of December 1892

Wm. J. Bergamini
Plaintiff

0032

Police Court— District.

City and County { ss.:
of New York,

Diacomu Bergami
 of No. *122 East 5th Avenue* Street, aged *40* years,
 occupation *Saloon keeper* being duly sworn
 deposes and says, that the premises No. *122 East 5th Avenue* Street, *8* Ward
 in the City and County aforesaid the said being a *four story brick*
Dwelling House - the ground floor of
 and which was occupied by deponent as a *Saloon*
 and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly *opening the side*
door leading to the hall way in said premises

on the *18* day of *December* 1892 in the right time, and the
 following property feloniously taken, stolen, and carried away, viz:

Five fountain bottles of assorted liquors of the
value of fountain dollars and four bottles of
toilet water of the value of two dollars, two
boxes of cigars of the value of five dollars
all together of the value of twenty one dollars
\$21.

the property of *Defendant*
 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
Carlo Blasi, Carlo Cerutti and Vittorio
Giuseppe

for the reasons following, to wit: that on the *17th* day of *December* 1892
 at midnight defendant securely locked, fastened and left
 said premises. Defendant is informed by Sergeant *George*
Aloncle of the Central Office that he *Aloncle* and Officer
Permora of the Central Office saw the other defendants
 leave defendant's premises about two o'clock A. M. on
 the *18th* day of *December*. Defendant then visited, and saw that
 the side door leading to the hall way in said premises
 had been forced open and the above described property

had been taken away. Defendant is further informed by the said Alonzo and Ferna that they saw the three defendants after they left defendant's premises in South Fifth Avenue - between at premises 128 Thompson Street ten minutes after leaving defendant's premises. They found in a closet at said premises in Thompson a portion of the property taken from defendant's premises at South 6th Avenue which is identified by this defendant as property stolen from his premises. Wherefore defendant charges the three defendants with Burglary and prays they be held to answer.

Giacomo Bergamini

Done to before me this
20th day of December 1892

Wm. J. Murray
Plaintiff

0034

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

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

Dated, Dec. 22 1892

Wm. H. Brady
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.

0039

1607

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Carlo Ianni
129 13th Ave
1. *Carlo Ianni*
2. *Carlo Centi*
3. *Vittorio Giuseppe*
4. _____
Offense *1st degree*

BAILED.

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated, *Dec 20* 189 *2*
Grady Magistrate.
Alm and Ferraro Officer.
C.O. Precinct.

Witnesses *George Alm*
No. *C.O.* Street.

Charles Ferraro
No. *C.O.* Street.

W. Cascani
No. *129 13th Ave* Street.
\$ *1500* to answer *Ans.*

Witness *L. Olcese*
524 13th Ave

\$1500 Ex. Dec. 22 2 P.M.

0036

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

Ennis Cenci 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. Ennis Cenci

Question. How old are you?

Answer. 38 years

Question. Where were you born?

Answer. Italy

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

Answer. 441 Varick Place. 2 years

Question. What is your business or profession?

Answer. Saloon keeper

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

Answer. I am not guilty

Ennis Cenci

Taken before me this

day of

189

Police Justice.

0037

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

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

Dated, *Dec. 22* 189 *2* _____ *Thos. F. Brady* Police Justice.

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

Dated, *Dec 22* 189 *2* _____ *Thos. F. Brady* 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.

0031

1614

Police Court

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Guido Bergami
122 So. 10th Ave
1. *Law Office*
2.
3.
4.

Offense: Leaving
Stolen Goods

BAILED,

No. 1, by *Emanuel Baiocchi*
Residence *81 1/2 Thompson* Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated, *Dec 20* 189 *2*
W. Brady Magistrate.
Alvin and Herman Officer.
C. O. Precinct.

Witnesses *George Alvin*
No. *C. O.* Street.

No. Street.

No. Street.
\$ *300* to answer *E. A.*
Bailed

\$1500 E. Dec. 22. H. H.

0039

489

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

THE PEOPLE OF THE STATE OF NEW YORK

against
Louis Bence

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

Louis Bence
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

Louis Bence

late of the City of New York, in the County of New York aforesaid, on the *18th*
day of *December* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms,

*five bottles of liquor of the value
of one dollar each bottle, two boxes
of cigars of the value of two dollars
and fifty cents each box, and
four bottles of toilet water of
the value of fifty cents each bottle*

of the goods, chattels and personal property of one

Giacomo Bergami, by
Carlo Ilari, Carlo Bernetti and Vittorio Giuseppe and
by — certain *other* persons to the Grand Jury aforesaid unknown, then lately
before feloniously stolen, taken and carried away from the said *Louis Bence*

Giacomo Bergami
unlawfully and unjustly did feloniously receive and have; the said

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

DE LANCEY NICOLL,
District Attorney.

0040

BOX:

509

FOLDER:

4639

DESCRIPTION:

Johnson, James F. L.

DATE:

01/03/93



4639

0041

BOX:

509

FOLDER:

4639

DESCRIPTION:

Stanard, Hally

DATE:

01/03/93



4639

Witnesses:

Henry May

Walter Gale

Officer Sang

The only witness in whom the People can rely, I am compelled to say I believe is unworthy of belief; his story is absolutely impossible. The officer in this case joins with the complainant in saying that in their opinion the defendants are innocent. In my opinion it would be utterly impossible to secure a conviction in this case with their statements coming from complainant & the officers who were the arrest.

I suggest that indictment be dismissed
Jury 12. 1893
Wm H. Nichols
Attest Dist Atty

①

J.B. Allen

Counsel,

Filed

Plends,

1893

day of May

THE PEOPLE

vs.

James B. E. Johnson

and

Valley Starnes

DE LANCEY NICOLL,

District Attorney.

Grand Larceny,
(From the Person),
[Sections 223, 224,
Penal Code.]

A TRUE BILL.

J. Cathin

Foreman.

May 12. 1893

Indictment
desch'd from Circuit
by
Jury 12. 1893

0043

Police Court 2nd District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Walter Gale
of No. 232 West 41 Street, aged 19 years,
occupation Clerk being duly sworn,
deposes and says, that on the 25 day of December 1892 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:

A silver watch, of the amount
and value of Eighteen dollars

\$ 18 ⁰⁰/₁₀₀

the property of deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by James Johnson and

Wally Standard (both now here from the
following facts to wit: that about the hour
of 6.30 o'clock A.M. of said date, deponent
sat down on a chair in the Legion Store
situated at No 127 West 26th Street. And at
that time the aforesaid property was in a
pocket of the vest then and there worn
on his person, and that deponent shortly
after fell asleep, and that about the hour
of 7.15 o'clock A.M. deponent woke up and
immediately missed the aforesaid property.
and that deponent is informed by Henry Shea
of Elizabethport, State of New Jersey, that he
saw the defendant Johnson take and

Carry away the aforesaid property from
 defendant's person - and that he saw
 the defendant Johnson after taking said
 property, pass. and give the same to the
 defendant Standard who was in said
 liquor store at the time. and that the
 defendant Standard after receiving the
 aforesaid property from the defendant Johnson
 left said premises - Defendant therefore
 charges the defendants while acting in
 concert with each other in having committed
 a Larceny and asks that they may be
 held and dealt with as the Law may
 direct -

Sworn to before me
 this 25th day of December 1892

Walter Gale

H. J. Smith

Police Justice

0045

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry Shea
aged *22* years, occupation *Moulder* of No. *Elizabeth - State of New Jersey* Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *Walter Gale*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this

day of

1890,

Henry Shea
[Signature]

Police Justice.

0046

Sec. 198-200.

District Police Court.

1882

City and County of New York, ss:

Hally Standard 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.

Hally Standard

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

Wis.

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

Answer.

137 West 25 Street - 3 Weeks

Question. What is your business or profession?

Answer.

Cleaner

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 -
Hally Standard

Taken before me this

day of

1882

Police Justice.

0047

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

James Johnson 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. *James Johnson*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *W. J.*

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

Answer. *207 W. 10th St. New York 9 months*

Question. What is your business or profession?

Answer. *Student*

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

Answer. *I am not guilty.*
James F. L. Johnson

Taken before me this

day of *April* 189*9**W. J. [Signature]*
Police Justice.

0048

1.
It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named 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, Five and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.
Dated, Dec 15 189 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 he to be discharged.

Dated, 189 Police Justice.

0040

Police Court---

1611 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Walter Tall
232 West 41
James Johnson
Wally Standard

Wm. J. Johnson
officer

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

3

4. HOUSE OF DETENTION CASE

Dated, *Dec 25* 189

White Magistrate.

Officer.

19 Precinct.

Witnesses *sent to the House*

No. *of detention in default* Street.

100 Bail

No. *Henry Shea* Street.

No. Street.

\$ *125.00* to answer

Wm. J. Johnson

GT 2

0050

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT.....DISTRICT.

CITY AND COUNTY } ss.
OF NEW YORK,

of the 19 Adam Lang
Precinct Police, being duly sworn, deposes
and says that Henry Shea

(now here) is a material witness for the people against
James Johnson & Harry Handard charged
with Larceny.

As deponent has
cause to fear that the said Henry Shea

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

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

Adam Lang

Sworn to before me, this
day of December 1899

Police Justice.

District Attorney's Office.

Dear Mr. McInnes.

I know Mr. McInnes
the Prison Assn
agent who has
rendered many
courtesies to this
office, and would
feel obliged if
you can accom-
modate him
in any way.

Yours
H. W. H.

0052

District Attorney's Office
City & County of
New York

January 6th 1893

John F. McIntyre Esq

Dear Sir:

I cheerfully certify
that I have known Mrs Herbert
the mother of James Johnson
on trial to-day, for the
past six or seven years
as a conscientious upright
and thoroughly honest woman
I have such confidence in
her statements that I fully
believe what she says in
reference to the innocence
of her son. She has been
in business opposite the
West 30th St Station House
for many years and
is well and favorably

0053

District Attorney's Off.
City & County of
New York.

189

2
know to the present and
former officials in that
present. She has assisted
the work of the Prison
Association by employing
men who have been in
prison and has been the
means of helping a number
of men to reform and
lead honest lives. If she
believed her son to be guilty
of the crime charged against
him I am certain that
she would not spend
any time or money to bring
about his release.

Respectfully Yours

13561551

W. C. Kimball
for Prison Assoc. of N.Y.

0054

504

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

THE PEOPLE OF THE STATE OF NEW YORK

against
James F. L. Johnson
and
Hally Stanard

The Grand Jury of the City and County of New York, by this indictment, accuse
James F. L. Johnson and Hally Stanard
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said *James F. L. Johnson and Hally Stanard*, both
late of the City of New York, in the County of New York aforesaid, on the *25th*
day of *December* in the year of our Lord one thousand eight hundred and
ninety-*two*, in the *day* -time of the said day, at the City and County aforesaid,
with force and arms,

one watch of the
value of eighteen dollars

of the goods, chattels and personal property of one *Walter Gale*
on the person of the said *Walter Gale*
then and there being found, from the person of the said *Walter Gale*
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.

0055

SECOND COUNT—

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

James F. L. Johnson and Hally Stanard
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *James F. L. Johnson and Hally Stanard, both* —
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,

*one watch of the value of
eighteen dollars*

of the goods, chattels and personal property of one *Walter Gale*

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

unlawfully and unjustly, did feloniously receive and have; the said *James F. L. Johnson and Hally Stanard*
then and there well knowing the said goods, chattels and personal property to have been
feloniously stolen, taken and carried away, against the form of the statute in such case made
and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0056

BOX:

509

FOLDER:

4639

DESCRIPTION:

Johnston, Daniel D.

DATE:

01/16/93



4639

0057

Witnesses:

Wm. A. Giles

(147)

Counsel,

Filed

16 day of May 1893

Pleaded

Purdy

THE PEOPLE

vs.

David D. Johnston

Grand Larceny, second Degree.
[Sections 228, 229, Penal Code.]

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. C. Lathin

Foreman.

Part 3. January 24/93

Pleaded. Petition Larceny 130.

George W. ...

0058

Police Court

2nd District.

Affidavit—Larceny.

City and County } ss:
of New York,

of No. 351 East 52nd Street, aged 32 years,
 occupation waiter being duly sworn,
 deposes and says, that on the 3 day of January 1893 at the City of New York,
 in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
 the day time, the following property, viz:

One overcoat of the value of
Twenty Seven dollars and fifty
Cents

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 Michael D. Johnson (now here)
from the fact that deponent missed
said coat from the wall in the cellar
in a Keillo Oyster House on E 6th Avenue
and 22nd Street and deponent when
the defendant was arrested identified
said coat worn on the person of the
defendant which is here shown
in Court

Wm. J. Giles

return to before me, this

of

189

Police Justice.

0059

Sec. 198—200.

District Police Court.

City and County of New York, ss:

Samuel Johnson 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. *Samuel Johnson*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *Chicago*

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

Answer. *27 1/2 W. Randolph Chicago one year*

Question. What is your business or profession?

Answer. *Cook*

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*
S. S. Johnston

Taken before me this

day of *August* 189*9*

Police Justice.

0060

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, June 3 189 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 he to be discharged.

Dated, _____ 189 _____ Police Justice.

006

BAILED.

No. 1, by.....

Residence Street.

No. 2, by.....

Residence Street.

No. 3, by.....

Residence Street.

No. 4, by.....

Residence Street.

Police Court---

District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William Giles
vs
John D. Jones

2

3

4

Dated,

189

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

1000 & 24/50
COM

0062

505

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Daniel D Johnston

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

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

The said

Daniel D. Johnston

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

*one overcoat of the value of
twenty-seven dollars and
fifty cents*

of the goods, chattels and personal property of one

William J. Giles

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

SECOND COUNT—

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

Daniel D. Johnston

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

The said

Daniel D Johnston

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

*one overcoat of the value of
twenty-seven dollars and fifty
cents*

of the goods, chattels and personal property of one

William J. Giles

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

William J. Giles

unlawfully and unjustly did feloniously receive and have; the said

Daniel D. Johnston

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

DE LANCEY NICOLL,

District Attorney.