

0968

**BOX:**

318

**FOLDER:**

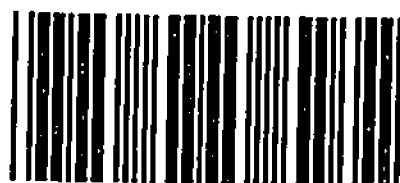
3030

**DESCRIPTION:**

Callone, John

**DATE:**

09/27/88



3030

0969

Witnesses:

378  
188

Raney

Counsel,

Filed, 27 day of Sept. 1888

Pleads, *Chinquity - Oct 1,*

THE PEOPLE,

vs.

VIOLATION OF EXCISE LAW

(Keeping Open on Sunday.)  
[III Rev. Stat. (7th Edition), Page 1089, Sec. 5.]

*John Callone*

JOHN R. FELLOWS.

District Attorney.

A True Bill.

Foreman.

*John R. Fellows*

0970

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*John Callone*

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

The said *John Callone* late of the City of New York, in the County of New York aforesaid, on the *8th* day of *July* in the year of our Lord one thousand eight hundred and eighty-*eight*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of, and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid, unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure, and suffer and permit to be open, and to remain open, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

*District Attorney.*

0971

**BOX:**

318

**FOLDER:**

3030

**DESCRIPTION:**

Cappellina, David

**DATE:**

09/27/88



3030

0972

160-379

Witnesses:

✓  
✓

Counsel,

Filed, 27 day of Sept. 1888  
Pleads, Chiquita Oct 1

THE PEOPLE,

vs.

B

David Cappellina

VIOLATION OF EXCISE LAW  
(Keeping Open on Sunday)  
[III Rev. Stat. (7th Edition), Page 1989, Sec. 5.]

JOHN R. FELLOWS.

District Attorney.

A True Bill.

W. W. Waples  
Rd. 3, May 16, 1888  
Supt. Denver  
on Becoy Day  
at Leavenworth, Kan.

0973

Court of General Sessions, PART 1

THE PEOPLE

vs.

David Cappellina

INDICTMENT

For

To

M.

No.

Street,

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *Mud* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on *October* the *4* day of *October* instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time your bond will be forfeited.

JOHN R. FELLOWS,  
District Attorney.

*Will not  
please  
case  
McCabe  
put off this  
obliging  
Mud  
Oct 3/88.*

*J.H.*

0974

Excise Violation—Keeping Open on Sunday.

POLICE COURT-

DISTRICT.

City and County } ss.  
of New York,

of No. 6<sup>th</sup> Precinct Joseph E. Surre Police Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 1<sup>st</sup> day

of July 1888, in the City of New York, in the County of New York,

David Cappolina (now here)

being then and there in lawful charge of the premises, No. 31 Bayter

Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be

drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of

the statute in such case made and provided.

WHEREFORE, deponent prays that said David Cappolina  
may be ~~arrested and~~ dealt with according to law.

Sworn to before me, this 2<sup>nd</sup> day

of July 1888

Solo B. B. B. Police Justice.

Joseph E. Surre

0975

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *David Cappolina*

Question. How old are you?

Answer. *27 years of age*

Question. Where were you born?

Answer. *Italy*

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

Answer. *31 Baxter, 6 years*

Question. What is your business or profession?

Answer. *Bar-Tender*

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

Answer. *I am not guilty.*

*I demand a trial by jury.*

*David Cappolina*

Taken before me this *27*  
day of *Aug*  
*1888*  
*John H. Smith*  
Police Justice

0976

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.....

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

Dated July 2 188

Solomon Blumenthal Police Justice.

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

to bail to answer by the undertaking hereto annexed.

Dated July 20 188

David Cappolina  
Solomon Blumenthal Police Justice.

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

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

Dated.....188

.....Police Justice.

0977

BAILED,

No. 1, by Charles Merello  
Residence 31 Baxter Street.

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

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

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

Police Court---

1017 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Joseph C. Surse  
David Cappolina

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence Violation of  
Police Law

Dated July 2 1888  
Smith Magistrate.  
Surse Officer.  
6 Precinct.

Witnesses \_\_\_\_\_

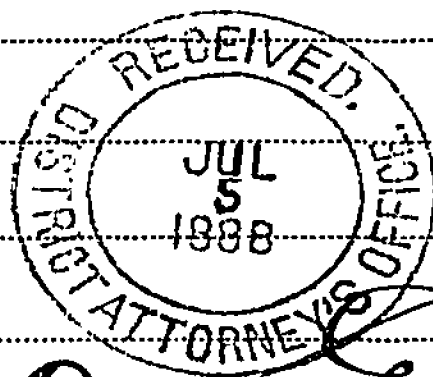
No. \_\_\_\_\_ Street.

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

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

\$ 100 to answer G.S.

Bailed



0978

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*David Capellina*

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

The said *David Capellina* — late of the City of New York, in the County of New York aforesaid, on the *First* day of *July* in the year of our Lord one thousand eight hundred and eighty*eight*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of, and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid, unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure, and suffer and permit to be open, and to remain open, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

*District Attorney.*

0979

**BOX:**

318

**FOLDER:**

3030

**DESCRIPTION:**

Carney, James

**DATE:**

09/12/88



3030

0980

Witnesses:

4157  
W. J. Sharkey  
Counsel, 330 Broadway  
Filed 12 day of Dec 1888  
Pleads, Charged by 13

THE PEOPLE

vs.

P  
James Carney

Grand Larceny Second degree  
[Sections 528, 587, 552 Penal Code].

JOHN R. FELLOWS,

Pr. Secy 24/88, District Attorney.  
Ind. & accepted.

A True Bill.

W. J. Sharkey  
Foreman.

Sept 24<sup>th</sup>  
G.S.D.

0981

Police Court— 2 District.

Affidavit—Larceny.

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

Sarah L. Ottman  
of No. 470 West 22nd Street, aged 44 years,  
occupation Housekeeper being duly sworn

deposes and says, that on the 5 day of September 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

one black lace  
dress of the value of about one hundred  
dollar, and a Bryan bowl of the value  
of about ten dollars. all of the  
value of one hundred and ten  
dollar \$110

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 James Carney (now

here) for the reason that on said date, deponent saw the defendant in the act of attempting to steal the said property, and saw him as he was about to leave the house with it, and pursued him until he escaped: deponent gave information upon which defendant was arrested and deponent now fully identifies defendant as the thief. The said attempt was made between 10 and 11 o'clock A.M. - nearer to 11 A.M.

Sarah L. Ottman

Sworn to before me, this

of

1888

day

John W. Macdonald Police Justice.

0982

Sec. 103-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James Carney* 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.

*James Carney*

Question. How old are you?

Answer.

*19 years*

Question. Where were you born?

Answer.

*US.*

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

Answer.

*59 King St. 7 years*

Question. What is your business or profession?

Answer.

*Driver*

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 Carney*

Taken before me this

day of *February* 188*8*

*John J. McNamee*  
Police Justice.

0983

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

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

Dated Sept 6 1888 John J. [Signature] Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0984

Police Court--- 2 1414 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Joseph L. Ottman*  
470 West 22  
*James Carney*

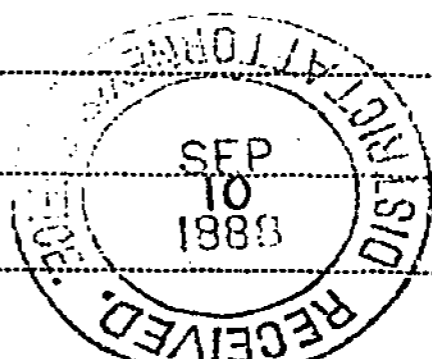
2  
3  
4

*Offence*  
*Attorney's name*

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

Dated *Sept 6* 188*8*  
*Garman* Magistrate.  
*Carey* Officer.  
*16* Precinct.

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



\$ *1000* to answer *9-1*  
*[Signature]* *[Signature]*

0985

**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 Barney*

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

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

The said

*James Barney*

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

*one dress of the value of one hundred dollars, and one sugar bowl of the value of two dollars*

of the goods, chattels and personal property of one

*Sarah L. Ottuman*

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.

0986

SECOND COUNT—

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

*James Barney*—

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

The said

*James Barney*

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 dress of the value of one  
hundred dollars, and  
one sugar bowl of the value of  
ten dollars*—

of the goods, chattels and personal property of one

*Sarah R. Ottman*

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

*Sarah R. Ottman*

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

*James Barney*—

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

JOHN R. FELLOWS,

District Attorney.

0987

**BOX:**

318

**FOLDER:**

3030

**DESCRIPTION:**

Carstens, Otto

**DATE:**

09/21/88



3030

0988

Witnesses,

150.

*Van Megen*

Counsel,

Filed

21 day of

1888

Pleads,

*Arquelt Victor*

THE PEOPLE

vs.

*Otto Carstens*

*Alleging to be*

[Section — 604 — Penal Code.]

*2d Monday*  
JOHN R. FELLOWS,  
*Hon. atty. gen.*

District Attorney.

A True Bill

*Drapes*  
Foreman.

*Dec 17/88*

*Indigefoguetted*

0989

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 5 DISTRICT.

of No. 240 East 124<sup>th</sup> Street, aged 42 years,  
occupation Clothing Dealer being duly sworn deposes and says,  
that on the 30<sup>th</sup> day of July 1888.

at the City of New York, in the County of New York, Otho Carstens  
(nowhere) did willfully and  
"maliciously, cruel and destroy a  
portion of the roof of premises No. 240  
East 124<sup>th</sup> Street doing damage  
to the amount and value of thirty dollars  
to the property of deponent. That deponent  
saw the said Carstens dash and  
throw from his hand a large stone  
at the roof of deponent's premises -  
while he the said Carstens was standing  
upon the roof of premises No. 200 East 124<sup>th</sup>

Sworn to before me, this

188

day

Police Justice.

0990

Police Court District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

vs.

Dated

188

Witness.

Disposition.

✓ Speck the stone thrown by the said  
Carstens striking and damaging  
deponents property as aforesaid  
deponent further says: That the said  
Carstens willfully cast and threw  
said stone with the intent to injure  
deponents property in violation of the  
statute in such case made and  
provided.  
From the same.

APPEAL VIT.

August 1887

Wm. V. Allen

Police Justice

Proven that

0991

Sec. 198-200.

CITY AND COUNTY OF NEW YORK.

District Police Court.

*Otto Carstens* 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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 of the charge*

*Otto Carstens*

Taken before me this

day of

188

Police Justice.

0992

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

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

Dated *Aug 1<sup>st</sup>* 188*8* *H. A. Burke* Police Justice.

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

Dated *Aug 1<sup>st</sup>* 188*8* *H. A. Burke* Police Justice.

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

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

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

0993

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District

THE PEOPLE & C.,  
ON THE COMPLAINT OF

Andrew. Lewenstein  
2407 East 124th St  
Oth. Carstens

1

2

3

4

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

Bailed

0994

has not been at this  
address for a long time,  
present address not  
known.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.  
If this subpoena is returned, an attachment will immediately issue.  
Bring this subpoena with you and give it to the Officer at the Court  
Room door, that your attendance may be secured.  
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

Dis. it. 1/18

# SUBPOENA

FOR A WITNESS TO ATTEND THE  
Court of General Sessions of the Peace.

The People of the State of New York.

No. 542 576 Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your  
proper person, before the Court of General Sessions of the Peace to be holden in and for  
the City and County of New York at the Sessions Building, in the Park of the said City,  
on the 21 day of December instant, at the hour of Eleven in  
the forenoon of the same day, to testify the truth and give evidence in our behalf against

Otto Carsten

in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under  
the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall  
in our said City, the first Monday of

in the year of our Lord 1888.  
JOHN R. FELLOWS, *District Attorney.*

December

0995

Should the case assigned in Court Office about it, an If inconvenient state this early to If ill when served Attorney's Office If you know before the Magistrate was not there before District Attorney State of New York City and County of being duly sworn Subpoena, of which Sworn to before of

IN SENATE CHAMBERS

THE PEOPLE

vs.

*Otto Larstens*

City and County of New York, ss:

sworn, deposes and says: I reside at No. *161* *Essex St.*

Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the

City and County of New York. On the *4th* day of *Dec.* 188 *8*,

I called at *542 5th St.* *and on several other occasions*

the alleged *residence* of *Alfred Stern* the complainant herein, to serve him with the annexed subpoena, and was informed by

*several tenants of said premises, that said Stern had removed therefrom sometime previous, and they did not know where he now resides.*

Sworn to before me, this

of

*5* day

188 *8*

*Dec*  
*Howard Greene*  
*Notary Public*  
*City and County of New York*

*Jacob Drubert*

Subpoena Server.

0996

Court of General Sessions.

THE PEOPLE, on the Complaint of

ns.

*Otto Larstens*

Offence:

JOHN R. FELLOWS,  
District Attorney.

Affidavit of

*Joseph Deubert*

Subpoena Server.

Failure to Find Witness.

0997

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Otto Rauhens

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

Indictment accuse Otto Rauhens —

of the crime of unlawfully and intentionally  
injuring real property —

committed as follows:

The said Otto Rauhens,

late of the City of New York, in the County of New York, aforesaid, on the

thirtieth day of July, in the year of our Lord one thousand  
eight hundred and eighty-eight, at the City and County aforesaid,

certain real property, there situate. He  
with the intention of one Andrew  
Sommers, feloniously did unlaw-  
fully and intentionally injure to the amount  
of the value of thirty dollars, say three  
and three quarters unlawfully and  
intentionally casting and throwing a  
certain stone to, at, against and upon  
the roof of the said building and  
thereby breaking the said roof and  
shattering and damaging the wood,  
lime and other component parts thereof;

0998

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

John R. Bellows,

District Attorney

0999

**BOX:**

318

**FOLDER:**

3030

**DESCRIPTION:**

Casado, Dominick

**DATE:**

09/26/88



3030

1

Filed 26, day of Feb 1888

Pleads, Certainty in

vs.

2

*Dominick Sacads*

**PETIT LARCENY.**

Sections 528, 532 — Penal Code].

JOHN R. FELLOWS. 11

JOHN R. FELLOWS  
off no work for home - ~~not to be~~ ~~10/11/2~~

District Attorney, MS

~~James J. [unclear]~~ 11/20/1907

First to Clara on  
K. graduate

a charge of grandd.

# A True Bill.

True Bill,  
Oct. 1/88.

This is another. <sup>Oct. 1/88.</sup>

Complaint

Joopman  
Foreman.

1001

Police Court—

District.

Affidavit—Larceny.

City and County } ss.  
of New York,

of No.

occupation

Street, aged

years,

being duly sworn

deposes and says, that on the

day of

188

at the City of New

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

time,

the following property viz :

A Silver Watch And three  
dollars good & lawful money  
Collectively of the value of  
Seventeen 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

Dominick Casado now here  
That the defendant occupied and  
slept in the same room as deponent  
in said premises. That deponent  
retired about midnight on said day  
the defendant being in bed at the  
time. That the watch and money  
was in deponent's vest which hung  
upon a rack or nail in the room.  
That when deponent awoke about  
six o'clock on the morning following  
he discovered that said property had  
been stolen. And also discovered that  
the defendant had left the room some  
time through the night. That no person other  
than the defendant and deponent's brother was  
in the room on said night and the last named was  
still there when deponent missed his property.

Frank Lorenzo

Sworn to before me, this  
day of  
188

Police Justice.

1002

POLICE COURT 5 DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

Dominick Casado

On Complaint of

Frank Lorenzo

For

Larceny

After being informed of my rights under the law, I hereby waive a trial, by Jury, on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated

Sept 12 1888

Car. S. S. S.

Wm. J. Turner

Police Justice.

1003

Sec. 100-200.

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

5 District Police Court.

*Dominick Casado* 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. *Dominick Casado*

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. *2553 8<sup>th</sup> Avenue*

Question. What is your business or profession?

Answer. *Barber*

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 of the charge Dominick*

Taken before me this

188

Police Justice.

1004

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.....

Dominick Casals  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \$100 Hundred Dollars,.....and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Sept 12 1888 J. M. Mervin Police Justice.

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

Dated 14 Sept 1888 Alonzo Blum Police Justice.

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

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

1005

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

123 Christopher

2

3

4

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

Bailed

(Com)

p 2

1006

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Dominick Casado*

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

*Dominick Casado*

of the CRIME OF PETIT LARCENY committed as follows:

The said

*Dominick Casado*

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

*one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination and value of *two* dollars — ; *one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of *two* dollars — ; *over* United States Silver Certificate of the denomination and value of *two* dollars — ; *one* United States Gold Certificate of the denomination and value of *two* dollars — ;

*three* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination and value of *one* dollar each; *three* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of *one* dollar each; *three* United States Silver Certificate of the denomination and value of *one* dollar each; *three* United States Gold Certificate of the denomination and value of *one* dollar each; *divers coins*

*of a number kind and denomination to the Grand Jury aforesaid unknown of the value of three dollars, and one watch of the value of ~~fourteen~~ <sup>two</sup> dollars —*

of the goods, chattels and personal property of one *Frank Lorenzo*,

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

*John R. Fellows*  
*District Attorney*

1007

**BOX:**

318

**FOLDER:**

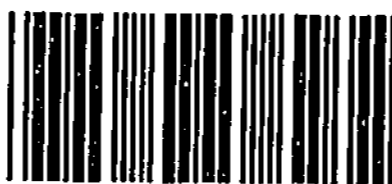
3030

**DESCRIPTION:**

Casey, Daniel

**DATE:**

09/26/88



3030

1008

Counsel,

Filed

26.

day of

Sept

1888

Pleads

Guilty

THE PEOPLE,

vs.

Daniel Carey

VIOLATION OF EXCISE LAW

(Selling on Sunday, page 188, Sec. 5, and page 188, Sec. 5.)

JOHN R. FELLOWS,

District Attorney.

SUPREME COURT PART 1,

December 22 1899

A True Bill,

INDICTMENT DISMISSED.

J. Weaver

Foreman.

FILED

1899

1009

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Daniel Casey*

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. *Daniel Casey*

Question. How old are you?

Answer. *27 years or so*

Question. Where were you born?

Answer. *New York*

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

Answer. *187. Reade St. 20 years*

Question. What is your business or profession?

Answer. *Gun & Gun*

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

Answer. *I am not guilty  
and demand a trial  
& my*

*Daniel Casey*

Taken before me this

day of *April* 188*8*

*John J. [Signature]*

Police Justice

10 10

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

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

Dated Sept 17 188 J. Henry Bond Police Justice.

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

defendant  
to bail to answer by the undertaking hereto annexed.

Dated Sept 17 188 J. Henry Bond 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.

10 11

Police Court--- 2 1484 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John P. Lappin  
vs.  
Daniel Casey

Offence: *Not Exposed*

2  
3  
4

Dated *Sept 17* 188*8*  
*2nd* Magistrate.  
*Lappin* Officer.  
*C. O.* Precinct.

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

No. *100* Street.  
\$ *to answer*  
*Bailed*

BAILED.

*Ludwig Mayer*  
No. 1, by *174 Franklin*  
Residence *Street.*

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street

10 12

Excise Violation—Selling on Sunday.

POLICE COURT—2 DISTRICT.

City and County } ss.  
of New York, }

John P. Tappin  
of No. 300 Mulberry Street,  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 16th day  
of September 1888, in the City of New York, in the County of New York, at  
premises No. 271 West Street,

Daniel Casey (now here)  
did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his  
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,  
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said Daniel Casey  
may be ~~arrested and~~ dealt with according to law.

Sworn to before me, this 17 day  
of Sept 1888.

J. Henry Ford Police Justice.

John P. Tappin

1013

**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 Carey*

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

*Daniel Carey*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

*Daniel Carey*

late of the City of New York, in the County of New York aforesaid, on the  
*16th* day of *September*, in the year of our Lord one  
thousand eight hundred and eighty-*eight*, at the City and County aforesaid,  
the same being the first day of the week, commonly called and known as Sunday, with  
force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine,  
one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial,  
one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer,  
and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,  
unlawfully did sell as a beverage to one *John F. Farvin* —

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

SECOND COUNT—

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

*Daniel Carey*

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

The said

*Daniel Carey*

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

**JOHN R. FELLOWS,**

District Attorney.

10 14

**BOX:**

318

**FOLDER:**

3030

**DESCRIPTION:**

Casey, James J.

**DATE:**

09/10/88



3030

10 15

Witnesses:

Sept 10, 1888  
John R. Fellows  
de clares to your  
any Ref as to  
Ch. 10

#119

Counsel,

Filed

day of

1888

Pleads,

Sept 10, 1888

THE PEOPLE

vs.

P

James J. Carey

Ed. M. M. M.

Grand Larceny Second degree

[Sections 529, 531, 532, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Sept 13, 1888  
Foreman.  
Sept 10, 1888  
J. R. Fellows

1016

Police Court— District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 93 Vandam Street, aged 38 years,  
occupation Trickman being duly sworn

deposes and says, that on the 4th day of September 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property viz :

One hundred and nine  
Baskets of Passes.  
Being together of the value of  
One hundred and nine dollars.

the property of Hiram Wood and 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 James J. Casey (now here)

for the reason That for said day  
said deponent was in deponent's  
employ as a trickman and on said day  
deponent gave said deponent said  
property to deliver to Hiram Wood  
at 268 Washington Street Deponent  
is informed by said Hiram Wood  
that said deponent never delivered  
the said property to him or to his place  
of business and that he never received  
the same, Deponent therefore  
charges said deponent with the  
larceny of said property

Franklin Spaulding

Sworn to before me, this  
of September 1888  
day

Samuel M. Smith  
Police Justice.

10 17

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 44 years, occupation Comptroller-in-Chief of No. 168 Washington Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Franklin Spaulding and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this

day of September 1885

William Hord

Sam'l C. Bull

Police Justice.

10 18

Sec. 198-200.

..... District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

*James J. Casey*

Question. How old are you?

Answer.

*26 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*596 Washington St. 1 month*

Question. What is your business or profession?

Answer.

*Truck driver*

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

Answer.

*I have nothing to say at present*  
*J. J. Casey*

Taken before me this

day of

1888

Police Justice.

10 19

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

Charles W. Stevens  
of No. Second Police Recruit Street, aged 33 years,  
occupation Police officer being duly sworn deposes and says,  
that on the 4 day of September 1888

at the City of New York, in the County of New York, he arrested  
James J. Casey (now here) on suspicion  
of having committed a larceny. Deponent  
prays that the defendant be held to  
enable deponent to produce the proper  
witnesses and further evidence.

Charles W. Stevens

Sworn to before me, this 4

of Sept

188

day

John D. Smith

Police Justice,

1020

Police Court-- District.

THE PEOPLE, & c.

ON THE COMPLAINT OF

Charles W. Stevens

vs.

James J. Casey

AFFIDAVIT.

36. n.y. 596. West St.

Dated Sept 4 1888

Smith Magistrate.

Stevens Officer.

Witness,

Disposition,

Set 5 10 am

1021

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

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

Dated *Sep 5* 188 *8* ..... *Sam'l C. Smith* Police Justice.

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

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

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

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

1022

Police Court---

1389 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Franklin Sparling

93 Van Dusen St

James J. Casey

2

3

4

Offense

Grand Larceny

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Sept 5 1888

O'Reilly Magistrate.

Stevens Officer.

2 Precinct.

Witnesses Miram Wood

No. 268 Washington Street.

Charles Porter

No. 7 Complaintant Street.

Martha Donnelly

No. 7 Complaintant Street.

\$ 1000 to answer

COMMITTED.

1023

**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 J. Casey*

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

*James J. Casey*

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

The said

*James J. Casey*

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

*one hundred and nine baskets of peaches of the value of one dollar each basket*

of the goods, chattels and personal property of one

*Hiram Wood*

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.

1024

SECOND COUNT—

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

*James J. Casey* —

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

The said

*James J. Casey*

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 hundred and nine baskets  
of peaches of the value of  
one dollar each basket*

of the goods, chattels and personal property of one

*Hiram Wood*

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

*Hiram Wood*

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

*James J. Casey* —

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

JOHN R. FELLOWS,

District Attorney.

1025

**BOX:**

318

**FOLDER:**

3030

**DESCRIPTION:**

Cassano, Domenico

**DATE:**

09/20/88



3030

1026

Witnesses;

10-10-28

Counsel,

Filed

day of

1888

Pleads,

Chargingly (in)

THE PEOPLE

vs.

P

Domenicus Cassano

of 118 1/2 St.

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

JOHN R. FELLOWS,

District Attorney.

Oct. 11/28

Pleads Chargingly.

A True Bill.

Emm. R. J.

Foreman.

Wm. J. J. J.

9.1.08

1027

Police Court—2<sup>nd</sup> District.

Affidavit—Larceny.

City and County } ss.:  
of New York,of No. 121 Christopher Street, aged 19 years,  
occupation Barber being duly sworndeposes and says, that on the 11 day of September 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the <sup>day</sup> time, the following property viz:

good and lawful money of the issue of the  
United States, consisting of notes of various  
denominations and in all of the value of  
fifty seven dollars  
and one Silver Watch of the value  
of fourteen dollars  
said property being in all of the  
value of seventy one dollars \$71.00

the property of deponent

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

From the fact that deponent had said  
property in a vest, and lying upon  
a table in a room in the above said  
premises, that said defendant was  
in said room with deponent  
occupying the same bed with deponent,  
and one Frank Lawrence deponent's brother,  
that in the night of the 10<sup>th</sup> day of September  
1888, deponent and said defendant went  
to bed, and deponent about 6 o'clock  
in the morning of said 11<sup>th</sup> day of September  
awakened, and discovered that said  
defendant was gone and said  
described property was stolen and

Sworn to before me, this  
1888 day

Police Justice.

1028

carried away that said defendant was in the employ of defendant and has not returned to his Employment that he had not given any notice to defendant that he would leave said Employment.

Defendant prays that said defendant be arrested and dealt with as the law directs.

Subscribed before me this 18 day of September 1887  
J. H. [Signature]  
Police Justice

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

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

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

Police Court, District, Offence—LARCENY.

THE PEOPLE, &c., on the complaint of

1. 2. 3. 4.

Dated, 1887

Magistrate.

Officer.

Clerk.

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

1029

Sec. 103-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

District Police Court.

*Domenico Cassano*

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, 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 in the trial.

Question. What is your name?

Answer.

*Domenico Cassano*

Question. How old are you?

Answer.

*21 years old*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*136. St. Ave. New York*

Question. What is your business or profession?

Answer.

*Barber*

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  
I don't know any  
thing about this case*

*Domenico Cassano*

Taken before me this

day of

188

*John J. Corcoran*  
Police Justice.

1030

Sec. 151.

Police Court 2 District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*  
OF NEW YORK, } *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 Domenico Lacenere  
of No. 121 Christopher Street, that on the 11 day of September  
1888 at the City of New York, in the County of New York, the following article to wit:

good and lawful money of the United States  
and one silver watch in all

of the value of Seventy one Dollars,  
the property of Complainant  
w as taken stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by Domenico Cassano

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 bod y of the said Defendant  
and forthwith bring him 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 13 day of September 1888

John J. Herman POLICE JUSTICE.

1031

120 P.M. 21. Mr. Henry Barker & Son. 136. Ave. B. Avenue

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

Vincenzo Lorenzen  
vs.

Domenico Lorenzen

Warrant-Larceny.

Dated September 13 1888

John J. Lawrence Magistrate

John J. Farrell Officer.

The Defendant Domenico Lorenzen  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

John J. Farrell Officer.

Dated Sept 14 1888

This Warrant may be executed on Sunday or at  
night.

Police Justice.

1032

POOR QUALITY  
ORIGINAL

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.....

*Depend on*  
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 *Police* and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *Sept 14* 188 *J. H. Pennington* Police Justice.

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

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

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

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

1033

POOR QUALITY  
ORIGINAL

\$700 bail for Ex  
10<sup>30</sup> AM Sept 15

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court--- 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Chicago, Bureau  
121 Christopher  
Dominic Cassano

2

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4

Dated

Sept 13 1888

Magistrate.

John D. Farrell

Officer.

Witnesses

Officer Goodspeed  
8th Precinct

No.

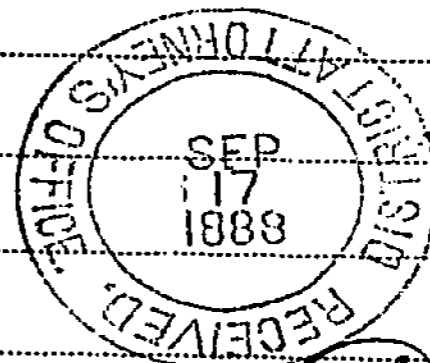
Street.

No.

Street.

\$

500 to answer



Chase

4 e

The People  
 Domenico Cassano  
 Indictment for grand larceny in second degree.

Court of General Sessions. Part I  
 Before Judge Corwin. Oct. 1. 1888.

Vincenzo Lawrence, sworn and examined through the interpreter testified. Ask him where he lives? No. 121 Christopher St.; And he is a barber is he not? Yes, I have my barber shop in 97 Hudson St. I lived at 121 Christopher St. on the 11<sup>th</sup> of Sept. last in this city. I knew the defendant at that time; he worked for my brother as a barber in his place of business in Hudson St.; he worked as a journeyman barber. The defendant was sleeping at 121 Christopher St. on the 11<sup>th</sup> of Sept. I had one room there, I, my brother and the defendant occupied one bed in this room; it is one flight up and in the rear, near to the yard; we three went to bed on the night of the 11<sup>th</sup> of Sept. 1888. in this room together. I had fifty seven dollars and a watch that night; the money was paper money - one twenty dollar note, two ten dollar notes, two five dollar notes and seven single dollar bills; this money was in the hip pocket of my pantaloons. Before I went to bed I put my hand in my pocket to see if it was there and it was. The defendant knew that I had the money; he saw me take the money out in the barber shop in the afternoon. I was counting it and he saw me counting it. He saw me put it

1035

back in the pocket. This was about two o'clock of the day before that night that I missed the money. Then I went to bed I put my trousers on the table. Did you leave the money in the pocket? Yes sir. Was the defendant there when you undressed and went to bed. He was in bed already when I undressed and went to bed before me. Who else was there? No other was in the bed; my brother was in the room but was not in bed. I had my watch just previous to going to bed; it was in my left side vest pocket. What kind of a watch was it? A silver watch. How much was it worth? Fifteen dollars. Did it have a chain to it? Yes sir, it was a plated, cheap chain worth about fifty cents, but the chain was not taken - the chain remained, only the watch was taken. I put my vest on top of the pants upon the table when I went to bed. The defendant was in bed but he was not asleep. I got into bed and then my brother also went to bed; we all three slept in the same bed. What time was this when you went to bed? About twelve o'clock. What time did you wake up? Six o'clock in the morning. Who was in the room when you woke up asleep or awake? My brother was in bed asleep yet, and the defendant was not in the room any more. I got up in order to dress myself

I saw them when I took my rest that the chain  
 was hanging down and no watch was there.  
 As soon as I noticed that my watch was miss-  
 ing I looked for the money and the money  
 was missing too. Have you seen that watch  
 since? The watch was not recovered nor  
 the money. This was about six o'clock in the  
 morning and the defendant was gone. About  
 noon time my brother and I went to One  
 hundred and Thirty seventh St. to find the def-  
 endant. I went to the barber shop first that  
 morning and he was not there. I met the defend-  
 ant in the barber shop of his brother. I entered  
 the barber shop and there is a room in the  
 rear. As soon as I entered the defendant left  
 and I could not see him any more; he  
 went through the yard. I did not know what  
 became of him. I next saw him when the police-  
 man arrested - it was the same day about  
 five o'clock in the evening I did not see him.  
 My brother saw him; he was up town in the  
 station house. Cross Examined. This money  
 was wages that I had earned. I got five dollars a  
 week and my board. I saved that money in  
 two or three months. There was nothing found  
 on the prisoner when he was arrested. I slept  
 in the middle of the bed, my brother in the  
 front and the defendant at the wall. So  
 that if the defendant got up during the night

he would have to get across my brother and I in bed. The day the defendant was arrested was not his day off; Thursday was his day off and he was arrested on Tuesday. He ran away because my brother and I were going to call a policeman to have him arrested. The policeman did not find him then - not till the evening.

Francis Lourene, sworn and examined, testified. I am a brother of the complainant, I keep a barber shop in Hudson St, and the defendant worked for me; he worked on the 10th of Sept. and left home on the 11th. I did not send him away I paid him on Sunday and only owed him for Monday when he worked for me. The defendant slept with me and my brother this night. I know that my brother had money that night, for I saw it. I know he had a watch. When I woke up in the morning the defendant was not there. but my brother was. Then we saw that the money and the watch was missing, we thought he might be in the barber shop, but he was not there. Then we went around and we thought we would meet him somewhere. We went to the Charles St. Station house and made a complaint. A jury was with drawn and the defendant pleaded guilty to the indictment. He was sent to the Elmira Reformatory.

1038

Testimony in the case

Domenico Passaro

filed Sept.

1988

1039

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Domenico Cassano

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

Domenico Cassano

of the crime of GRAND LARCENY IN THE Second DEGREE, committed as follows:

The said Domenico Cassano

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

1040

denomination and value of twenty dollars *each*; *five* United States Silver  
Certificate *S* of the denomination and value of ten dollars *each*; *eleven* United  
States Silver Certificate *S* of the denomination and value of five dollars *each*; *twenty-eight*  
United States Silver Certificate *S* of the denomination and value of two dollars *each*;  
*fifty-seven* United States Silver Certificate *S* of the denomination and value of one dollar  
*each*; *two* United States Gold Certificate *S* of the denomination and value of  
twenty dollars *each*; *five* United States Gold Certificate *S* of the denomination  
and value of ten dollars *each*; *eleven* United States Gold Certificate *S* of the  
denomination and value of five dollars *each*; ~~and divers coins, of a number, kind and~~  
~~denomination to the Grand Jury aforesaid unknown, of the value of~~ *and one*  
*watch of the value of fourteen*  
*dollars.*

of the proper moneys, goods, chattels and personal property of one *Guicuzo Lawrence*

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

JOHN R. FELLOWS,  
District Attorney.

1041

**BOX:**

318

**FOLDER:**

3030

**DESCRIPTION:**

Cempone, Vincenzo

**DATE:**

09/25/88



3030

1042

Witnesses:

Counsel,

Filed

188

Pleads,

THE PEOPLE

vs.

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

*Vincenzo Campione*

JOHN R. FELLOWS,

*District Attorney.*

**A TRUE BILL**

*Overseer*  
*Foreman.*  
*October 9, 1888*

*Filed & Accepted*  
*Part I*

1043

Sec. 568.

2 District Police Court.

UNDERTAKING TO ANSWER General SESSIONS.

CITY AND COUNTY { ss.  
OF NEW YORK, }

An order having been made on the 2 day of August 1888 by  
Maurice J. Power Esq a Police Justice of the City of New York. That  
Vincenzo Campore be held to answer upon a charge of

Assault (Violence)

upon which he has been duly admitted to bail, in the sum of Three Hundred Dollars.

We, Vincenzo Campore Defendant of No. 68  
Sullivan Street; Occupation, Boot Black and  
Peter Arata No. of 407 Canal Street;  
Occupation Saloon keeper Surety, hereby undertake jointly and severally  
that the above named Vincenzo Campore 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 Three Hundred Dollars.

Taken and acknowledged before me this 3  
day of August 1888

Vincenzo Campore  
Peter Arata

James J. [Signature] POLICE JUSTICE.

1044

CITY AND COUNTY } ss.  
OF NEW YORK, }

My friend  
to keep  
soon to be before me this  
1881  
Police Justice.

*Peter Anataj*  
the within named Bail and Surety being duly sworn, says, that he is a resident and *house*  
holder within the said County and State, and is worth *200* 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 *stock fixtures and lease*  
*of the premises No 407 Canal Street*  
*and is worth \$7,000, over all legal*  
*encumbrance*

*Peter Anataj*

New York Sessions.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Undertaking to Answer.

vs.

Taken the day of 188

Justice.

Filed day of 188

1045

Police Court—2<sup>nd</sup> District.City and County } ss.:  
of New York,

of No. The 1<sup>st</sup> Precinct Police Station Edward J. Gallagher aged 26 years,  
 occupation Police Officer being duly sworn  
 deposes and says, that on the 1<sup>st</sup> day of August 1888 at the City of New  
 York, in the County of New York,

he was violently and feloniously ASSAULTED ~~by~~ by

Vincenzo Campone (now here)  
 who did wilfully and maliciously  
 point and aim a pistol loaded with  
 ball cartridge at the body of deponent  
 which he defendant held in his hand  
 and said assault was committed

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

of

2<sup>nd</sup> day  
August 1888 } Edward J. Gallagher  
Police Justice.

1046

Sec. 192-200.

2nd

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer.

Vincenzo Campone

Question. How old are you?

Answer.

28 Years

Question. Where were you born?

Answer.

Italy

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

Answer.

68 Sullivan St Seven Months

Question. What is your business or profession?

Answer.

Post Black

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  
Vincenzo Campone

Taken before me this

day of August 1888

Police Justice.

1047

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 *Aug 2* 188 *er J. Over* Police Justice.

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

*Defendant*  
Dated *August 3* 188 *er J. Over* Police Justice.

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

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

1048

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

In the defense.

The defendant.

Catherine Lagotto. 68 Sullivan St.

Francis Moretto. 68 Sullivan St.

Francis Fradino 68 Sullivan St.

Police Court---

1218  
2nd District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Edward J. Gallagher  
8th Precinct  
Vincenzo Campione

1

2

3

4

Dated

August 2nd 188

Power Magistrate.

Gallagher Officer.

8th Precinct.

Witnesses

No.

No.

No.

\$

Frederick Hallentree  
8th Precinct

300 to answer G.S.

Bailed  
G.S.

1049

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Vincenzo Rampone*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse

*Vincenzo Rampone*

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

The said *Vincenzo Rampone*,

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

*Edward J. Gallagher,*

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said *Vincenzo Rampone*, *do, at and against the said Edward J. Gallagher, a certain pistol then and with a certain then charged and which loaded the said with gunpowder and one leaden bullet, which he the said Vincenzo Rampone in his right hand then and there had and held, the same being then and there a weapon and an instrument and weapon likely to produce grievous bodily harm, the said then*

*and there feloniously did wilfully and wrongfully strike, beat, aim, point and menace, with intent to shoot off and discharge the same, 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.*

*John D. X. allons*  
*Attorney*

1050

**BOX:**

318

**FOLDER:**

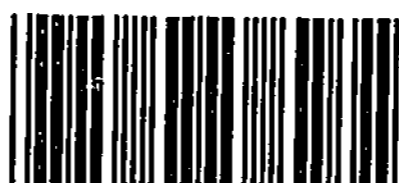
3030

**DESCRIPTION:**

Ceragioli, Frank

**DATE:**

09/20/88



3030

Witnesses;

I have examined the witnesses in this case and find the evidence to conflict and of such a character that in my opinion that a jury would not convict and therefore recommend a dismissal of the indictment and a discharge of Henry H. Williams  
Deputy District Attorney

I concur.

Wm. Davis

Asst

January 15<sup>th</sup> 1889

1889

Raymond

Counsel,

Filed

day of

1889

Pleas,

Charges - (1)

THE PEOPLE

vs.

B

Frank Beragoli

Grand Larceny, First Degree.  
(From the Person.)  
[Sections 528, 530, 532 Penal Code].

JOHN R. FELLOWS,

District Attorney.

Pro. Aug 10/89  
On rem. of Dist. Atty.  
indict. dis.  
has been discharged  
A TRUE BILL

W. H. Hooper

Foreman.

Sept 23/88

Do not indict  
I. forged  
1/89

1052

Police Court—

1st District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

of No. 29 Allen Street, aged 32 years,  
occupation Jagers being duly sworn

deposes and says, that on the 17 day of August 1888 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession and person of deponent, in the night time, the following property viz:

One plated watch chain of the  
value of one dollar

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 Frank Cerrapelli (nowhere)

from the fact that at about the hour  
of eleven o'clock and thirty minutes  
of the while deponent was sitting down  
asleep on a bench in the City Hall  
Park the defendant came from behind  
deponent and snatched the aforesaid  
chain attached to a watch and worn  
in the top right hand side of deponent's  
vest and said defendant broke the  
said chain and ran away and  
deponent positively identifies said  
defendant as the person that did take  
steal and carry away said chain

David Kramer  
Sworn

Sworn to before me, this 18th day of August 1888

Police Justice.

1053

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Frank Ceragioli* 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. *Frank Ceragioli*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *215 William St. 23 years*

Question. What is your business or profession?

Answer. *Printer*

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*  
*Frank Ceragioli*

Taken before me this

day of

188

Police Justice.

1054

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

Dated *Aug 18* 188 *6-11-1888* Police Justice.

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

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

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

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

1055

BAILED,

No. 1, by Catharine Ceragioli  
Residence 215 Williams 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

David Kramer  
29 73. Fallin St  
Frank Ceragioli

2  
3  
4

Office John W. Conroy

Dated August 18 1888  
John W. Conroy Magistrate.

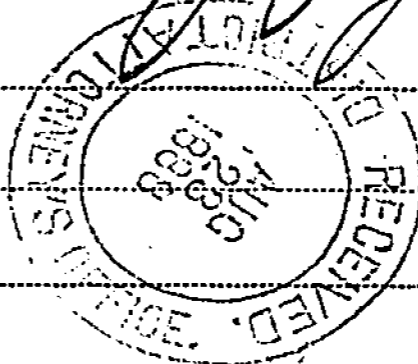
Joseph Weinberg Officer.  
3 Precinct.

Witnesses May Goldblow  
21 6th Street

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

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

\$ 1000 to answer



John W. Conroy  
Clerk

1056

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Frank Cerapoli

The Grand Jury of the City and County of New York, by this indictment, accuse  
Frank Cerapoli  
of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said

Frank Cerapoli

late of the City of New York, in the County of New York aforesaid, on the nineteenth  
day of August in the year of our Lord one thousand eight hundred and  
eighty-eight, in the night time of the said day, at the City and County  
aforesaid, with force and arms,

one chain of the value of one  
dollar

of the goods, chattels and personal property of one David Kramer  
on the person of the said David Kramer  
then and there being found, from the person of the said David Kramer  
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.

1057

SECOND COUNT—

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

*Frank Ceragioli* —

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

The said

*Frank Ceragioli*

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 chain of the value of one  
dollar*

of the goods, chattels and personal property of one

*David Kramer*

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

*David Kramer*

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

*Frank Ceragioli* —

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

JOHN R. FELLOWS,

District Attorney.

1058

**BOX:**

318

**FOLDER:**

3030

**DESCRIPTION:**

Chamberlain, James

**DATE:**

09/28/88



3030

WITNESSES:

Counsel,

188

Filed 28 day of Sept.

Pleads *Charging vol 1*

THE PEOPLE,

vs.

**VIOLATION OF EXCISE LAW**

(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and  
page 1989, Sec. 2.]

*James Chamberlain*

JOHN R. FELLOWS,

District Attorney.

*pr vol 3/11*

*Transferred to Corp S.D. for trash by*  
**A True Bill.** *Enacted.*

*W. Hooper*

Foreman.

1060

**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 Chamberlain*

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

*James Chamberlain*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

*James Chamberlain*

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

*James B. Jones*

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

SECOND COUNT—

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

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

The said

*James Chamberlain*

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

**JOHN R. FELLOWS,**

District Attorney.

1061

**BOX:**

318

**FOLDER:**

3030

**DESCRIPTION:**

Clark, Frank W.

**DATE:**

09/10/88



3030

#97  
per 2 for col.

Witnesses:

Counsel,  
Filed, 10 Sept. 1888  
Pleads, Chas. W. Clark

THE PEOPLE,

vs.

Forgery in the Second Degree.  
(Sections 511 and 521, Penal Code.)

2

Frank W. Clark  
(recovered)

JOHN R. FELLOWS.

District Attorney.

A True Bill.

J. W. Vaper  
Foreman.

1063

**BOX:**

318

**FOLDER:**

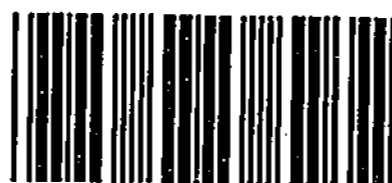
3030

**DESCRIPTION:**

Clark, Frank W.

**DATE:**

09/10/88



3030

1064

#92  
per 2 for ed.

Witnesses:

Counsel,  
Filed, 10 day of Sept. 1888  
Pleads, Chittenden 714

THE PEOPLE,

vs.

2

Frank W. Clark  
(recovered)

Forgery in the Second Degree.  
(Sections 511 and 521, Penal Code.)

JOHN R. FELLOWS.

District Attorney.

A True Bill.

J. W. Draper  
Foreman.

Algernon S. Fissell, being  
 duly sworn deposes and  
 says, that he is 43 years  
 of age and the President  
 of the Fifth Avenue Bank  
 New York City; that he is  
 familiar with the signature  
 of James G. Cannon, the Cashier  
 of said Bank; that the sig-  
 =nature on, and the Certifi-  
 of the annexed Check is not  
 the genuine signature, nor  
 the Certification of said  
 Cashier, but a Forgery  
 thereof; that Defendant now  
 charges one Frank W.  
 Clark with feloniously  
 making, uttering, counter-  
 =feiting, forging and Cir-  
 =culating said Check, that  
 said Check was presented  
 to Joseph Harris of No 189 Grand  
 St. Therefore Defendant prays  
 that said Clark be dealt  
 with as the Law directs.

sworn to before me  
 this 28th day of January 1888  
 Notary Public

W. S. Fissell

1066

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 24 years, occupation Clara of No. 189 Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of German Schell

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

Sworn to before me, this 28

day of Aug 1888

v Joseph J. Thomas

P. J. Duffy

Police Justice.

1067

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

3 District Police Court.

*Frank H. Clark* 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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 decline to say anything by advice of my Counsel

*Frank Clark*

Taken before me this

day of

Police Justice.

1068

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 Defendant

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

Dated Aug 78 188 [Signature] Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

1069

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

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

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

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

Police Court---

1342 District.

THE PEOPLE &c  
ON THE COMPLAINT OF

*R. S. Trissey*  
*of 5th Ave Bank*  
*vs W. Clark*  
1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Offence \_\_\_\_\_

Date *Aug 28* 188*8*  
*W. H. Duffy* Magistrate.

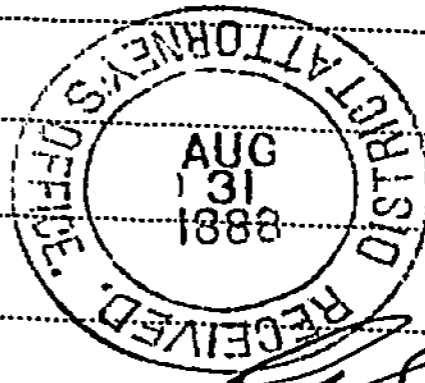
*James G. Cannon* Officer.  
Precinct.

Witnesses.  
*531-5th* Street.

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

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

*To* to answer \_\_\_\_\_



George L. McAlpin, being duly sworn deposes and says; That he is a Manufacturer at No 146 Av D, New York City; That the signature "G. L. McAlpin" (Deponent's father) on the annexed Check is a Forgery; That Deponent now charges one Frank D. Clark (now here) with feloniously and falsely making, uttering, counterfeiting and forging said signature, and circulating said Check; That said Check was presented to Joseph H. Benney & Co 189 Grand St; now therefore Deponent charges said Clark with the Forgery of the same and prays that he be dealt with as the Law directs

George L. McAlpin.

Deponent to before me  
 J. H. Benney & Co  
 189 Grand St  
 New York City

1071

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 24 years, occupation Clerk of No. 189

Franklin Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Geo C McElpin

and that the facts stated therein on information of deponent are true of deponents' own

knowledge.

Sworn to before me, this 28

day of Aug 1888

Joseph J. Henner  
P. J. Duffy  
Police Justice.

1072

Sec. 100-200.

CITY AND COUNTY OF NEW YORK, ss.

3 District Police Court.

*Frank W. Clark* 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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 decline to say anything  
by advice of my counsel  
Frank Clark*

*10-15-4-3*

Taken before me this  
day of *Nov* 19*38*

Police Justice.

1073

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

Dated *Aug 28* 188 *W. Puffy* Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

1074

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

7146 vs. 1074

Dated \_\_\_\_\_ 188

Magistrate.

Officer.

Precinct.

Witnesses

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

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

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

\$3000 to answer

Witnesses on back

Com.

1075

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

*Exhibits in*

*People vs. Clark*

1076

No 1720	NEW YORK.	Dec 4 1893
<b>New York National Exchange Bank</b>		
Pay to the order of <i>E. C. Pomeroy</i>		
One hundred and forty		Dollars
\$100.00	<i>E. C. Pomeroy</i>	

1077

No. 1785

*Mo A/C* Sep. 3<sup>rd</sup> 1890

SIXTH NATIONAL BANK.

Pay to the order of *Merrill Hunt and Co.*

*Forty one* 50 Dollars.

*\$41.50* *Walter Wathey*

1078

FOR DEPOSIT IN THE  
Importers & Traders Nat'l  
BANK TO THE CREDIT OF

*Wm. H. H. H. H.*

1079

No. 1786 *ma c* New York, *Sept. 4 - 1891*  
SIXTH NATIONAL BANK.  
Pay to the order of *Gluth and Gable*  
*Four* <sup>*57*</sup> Dollars.  
\$ *450*  
*Walter M. Maltby*

1080

Gluth & Coyle

2

15/10/10

1081

No. 1784

New York

Sept. 4th

1890

SIXTH NATIONAL BANK.

Pay to the order of

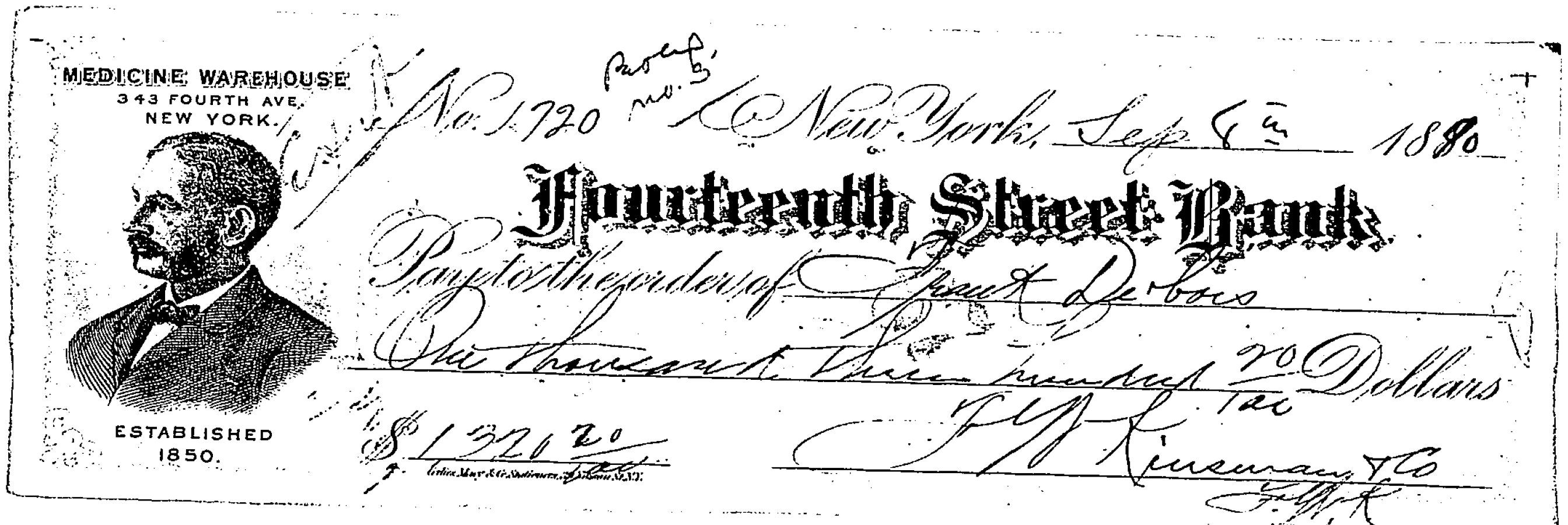
Casperfeld and Co.

One hundred and ninety Dollars.

\$190.00

Walter P. Kelley

1082



Court of General Sessions of the Peace  
County of New York

The People  
against  
Frank W. Clark

To the Hon. Frederick Smyth  
Recorder

The petitioner, Leo G. Rosenblatt, respectfully shows and alleges as follows: I have for many years past known the prisoner above named; I have been counsel for his father and mother for a long time; I am acquainted with his family and know them to be highly respectable and hardworking people. His father is a plumber who at one time carried on an independent shop but through sickness was compelled to abandon such shop and resume work as a journeyman. His mother is a dressmaker and is a lady for whom I have the highest respect. His sister, a young girl of nineteen years, is just entering upon a business career as milliner. Young Clark, the prisoner, was also brought up to earn a livelihood by honest toil. As long as I have known him, a period of perhaps ten years, I always until recently, regarded

him as an honest, trustworthy boy, incapable of crime and I would not have hesitated to trust him in any business of my own involving financial responsibility. I was surprised and shocked to hear of his fall from rectitude, and cannot account for it upon any other theory except that of a great and irresistible temptation. I believe even now that he is weak rather than malicious; I do not believe him to be at heart a criminal; I honestly believe that he is a subject more fit for reformation than for punishment.

I am interested in him mainly because of my sympathy with and pity for his mother and sister. If he can be punished in any way that will do justice between the People and him, and yet lighten the disgrace which he has brought upon his family, I respectfully pray that such punishment may be meted out to him.

I am reliably informed that prior to the commission of his first offense, he was in every respect a boy of exemplary character, free even from the vices which are most common among boys of his age. And I feel assured that an investigation among his neighbors and those whom he worked for and with, will, if required, substantiate my belief that he

is not a man of criminal tendencies, and that an attempt to reform him will be easily successful.

Wherefore I pray that the prisoner be sentenced to such punishment as will accomplish the results above indicated, tempering justice with mercy, and saving as far as possible those innocent members of the family upon whom the prisoner's punishment will inevitably bring unmerited disgrace.

Leob Rosenblatt

City & County of New York as

Leob Rosenblatt being duly sworn says:  
That the foregoing Petition is true of his own knowledge except as to the matters therein stated as information and belief as to which he believes it to be true.

Sworn to before me

Leob Rosenblatt

this 14<sup>th</sup> day of September 1888

Lavinia Calway  
Notary Public  
N.Y.C.

I, Frank W. Clark, of the City of New York, a prisoner charged with forgery, having pleaded guilty to the charges and indictments brought against me and throwing myself upon the mercy of the Court of General Sessions, do hereby make the following statement as the basis of my appeal for judicial clemency:

I am the son of respectable parents who reside in the City of New York; I was born in November 1867 and am accordingly not quite twenty one years of age. I am by trade a gasfitter. Prior to February last I was employed by Mr. Crotty, on Sixth Avenue, near 51<sup>st</sup> Street. In that month, my mother advanced to me her small savings to enable me to start an independent business, as I had been thrown out of employment by the prevalence of strikes. My business proved unsuccessful. I found myself in a position which rendered it impossible for me to repay my mother the amount she had advanced to me. I knew that my mother owned certain furniture which she had stored in New York, with a Mr. Ferber, when she broke up house there; I also knew that she owed Mr. Ferber for storage the sum of Fifty Dollars and that in default of payment thereof, she was likely to lose her furniture. In order to raise money to pay this bill, I committed the first offence

of which I had ever been guilty. I borrowed  
 from a friend of my father one hundred and  
 fifty dollars, for which I gave him a check  
 for an amount in excess of my balance  
 in bank. I paid the Fifty dollars to Mr. Fisher,  
 sending him the money by mail. When I had  
 thus paid the money out, I realized that I  
 had obtained money by a false pretence and  
 that I had rendered myself liable to arrest  
 and punishment. I wrote to my mother  
 notifying her that I had paid the storage on  
 her furniture, but that I had placed myself  
 in such a predicament that it was necessary  
 for me to leave the state in order to avoid  
 imprisonment. In point of fact, I went  
 into hiding. But I felt that I could not  
 long remain concealed in this city and then  
 conceived the project of raising enough money  
 to enable me to flee from justice. It was  
 in pursuance of this project that I committed  
 the crimes to which I have pleaded guilty.  
 The proceeds of my crimes I used to get out  
 of the way and to keep out of the state. I  
 remained away for about three months and  
 then returned simply to see my father.  
 My parents had heard of my first offence  
 and had, I believe, received assurances of  
 some sort that the victim of that offence

would not guess his charge against me. But they did not know what I had done to escape, and were unaware, until my capture, that I had committed other offences against the law.

I have nothing to say in extenuation of my crimes. I hope to prove by my subsequent conduct, better than I can prove by my mere statement, that I deeply and sincerely regret the crimes of which I am guilty. I ask for clemency, for the sake of my mother and my sister, who will suffer innocently, whatever punishment the law may inflict upon me.

I cannot refer to my father for a certificate as to my past conduct, because he has refused even to see me since he has learnt that I committed more than the first offence to which I have referred.

I do not fear an examination into my record prior to the commission of my first offence. Even my father and his friends, who have refused to take any notice of me since my arrest, must admit that until I gave way to the first serious temptation my character was above reproach.

If I could, I would make restitution for what I have wrongfully obtained as the proceeds of my crimes. And if hereafter I am ever able to earn sufficient to make

restitution I will do so.

If I ask for clemency, it is not because I think that I ought not to be punished. I simply ask such a disposal of my case as will lighten the burden of disgrace which I have cast upon my family, and will enable me, when my sentence has been carried out, to lead an honest life and endeavor to show by my future conduct the sincerity of my penitence for the past.

Respectfully

In the Tombs,

N.Y. Sept. 17/1888

13

Frank N. Clark

Pro. Exhibit no. 6 ed.

1090

Court of General Sessions  
of the Peace

The People

against

Frank W. Clark

Petition for Clemency

1091

**PART III.**

THE COURT ROOM IS IN THE FIRST STORY.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.  
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To Florence Raymond  
of No. 151 W. 35th Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 23rd day of **DEC** 1890, at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

J. Peter Patterson  
Dated at the City of New York, the first Monday of **DEC** in the year of our Lord 1890.

JOHN R. FELLOWS, *District Attorney*

1092

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frank W. Frank

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

Indictment accuse Frank W. Frank

of the crime of Forgery in the second degree,

committed as follows:

The said Frank W. Frank,

late of the City of New York, in the County of New York, aforesaid, on the

thirteenth day of August, in the year of our Lord one thousand

eight hundred and eighty-eight, at the City and County aforesaid,

deliberately did forge, and cause and procure to be forged, and with intent and assist in the forging a certain instrument and writing, which said forged instrument and writing is as follows, that is to say:

"No. 1234 New York, Aug 13<sup>th</sup> 1888  
The Fifth Avenue Bank of New York,  
Transfer to New York Savings & Loan Association  
Pay to William Woodruff on Order,  
Two hundred & twenty —  $\frac{40}{100}$  Dollars  
\$220  $\frac{40}{100}$  W. H. McAdams  
Witnessed by the Cashier of the Bank of New York."

1093

with intent to defraud; against the  
form of the Statute in purpose made  
and provided and against the peace of  
the People of the State of New York, and  
their dignity.

1094

Second COUNT.

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

Frank W. Blader  
of the CRIME of Burglary in the second degree,

committed as follows:

The said Frank W. Blader,

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid,  
at the City and County aforesaid, did feloniously enter, dispo-  
se and put off as true, a certain forged  
instrument and writing, which said forged  
instrument and writing is as follows,  
that is to say:

"No. 1235 New York, Aug 13<sup>th</sup> 1888  
The City of New York  
To the Honorable Board of Aldermen  
of the City of New York  
Pay to William Woodruff - on Order,  
Two Hundred & Twenty  $\frac{40}{100}$  Dollars,  
\$ 220  $\frac{40}{100}$  D. M. McAlpin  
Cashier of the City of New York  
with intent to defraud, the said  
Frank W. Blader then and there well  
knowing the same to be forged, against

1095

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

John B. Jones

District Attorney

POOR QUALITY  
ORIGINAL

1096

Witnesses,

*Robert L. ...*

*SA*

Counsel,

Filed

10 day of

Pleads,

THE PEOPLE

vs.

*Frank W. Clark*

*(2 cases)*

JOHN R. FELLOWS,

District Attorney.

A True Bill

*J. V. ...*

*Sept 14/98*

*Henry ...*

*Sept 20/98*

[Section 1096, Penal Code.]

1097

POOR QUALITY  
ORIGINAL

Court of General Sessions

The People v.  
vs  
Frank W. Clark }

City and County of New York ss.

John M. Kennedy

being duly sworn says:

I am a practicing physician and have an office at No. 123 West 97 Street in the city of New York.

I was called to attend Mrs. Clarke, the mother of defendant, at her residence 181 West 97 St. on Saturday evening, Dec. 6, 1890, professionally. I found her suffering from an acute attack of tonsillitis accompanied by severe constitutional disturbance, and have since treated her for the same.

The lady should not leave her bed for the present and in my opinion she cannot safely leave her house for at least a week.

Sworn to before me this  
2<sup>nd</sup> day of December 1890

J. M. Kennedy M.D.

Notary Public N.Y.C. No. 143

1098

M. Gen. Sec.

The People's

vs.

Frank W. Clark

Applicant

JOHN R. HEINZELMAN,

Attorney for *Def.*

~~SECRET~~

NEW YORK CITY.

23 Chambers St.,

Service of a Copy of the within is hereby  
admitted.

Dated \_\_\_\_\_ 188

To

1099

Court of General Sessions.

The People vs. ~~Joseph~~ ~~Frank~~ ~~Clark~~

City & County of New York ss.

J. Joseph F. Moore

Being duly sworn do depose & say:

I am of Counsel for the above named defendant.

I have spoken to the mother of ~~defendant~~ <sup>of defendant</sup> different times about the merits of the case & the defense herein.

The mother of defendant has stated to me & so has defendant that at the time defendant is alleged to have uttered the cheque the subject of this charge, the defendant was at another place to wit his home.

Said Mrs. Clarke is a material & necessary witness for defendant & without her defendant cannot safely proceed to trial.

Sworn to before me this

7<sup>th</sup> day of December, 1890

James D. Danforth

Notary Public N.Y. Co

Joseph F. Moore

1100

Grand Jury Room.

PEOPLE

<sup>vs.</sup>  
Clark

1. James G. Cannon -  
Cashier of 5<sup>th</sup> Ave. Bk.

2. Mary Meissner  
Asst Cashier of French  
'Line'.  
~~cashier~~ Examined the check  
in witness's presence  
and said he was  
Wm Woodruff.  
Cashier then gave  
him the difference  
in money. - Passage  
has \$252<sup>00</sup> difference  
pd in cash \$226<sup>40</sup>.

Other utterances  
to show character

1. Joseph J. Henness -  
Check signed R. H. M. & Co.  
\$220<sup>00</sup>  
Diamond ring watch etc  
given check diff in  
cash \$11<sup>00</sup> - 2000

check in witnesses presence  
~~then~~ by in name  
 Wm Woodruff.

2. D. H. McAlpine.

3. Jas. J. Smith of  
 Baker Smith & Co.  
 Plumbers Supplies. Audited  
 in name of Wm Woodruff  
 + got difference in money  
 \$187 <sup>20</sup>/<sub>100</sub>. Check drawn by  
 D. C. Leach.

4. George T. Egbert  
 W & O Finerworks Co.  
 attempt to pass \$138 <sup>00</sup>/<sub>100</sub>  
 check to Wm Woodruff  
 drawn by H. G. Mangum.  
 Officer has check. Seized  
 check + man shipped.

5. Messrs. Eugene Foster  
 with Messrs. Morris & Co  
 Plate Glass. Bot goods.  
 amt \$115 gave check for  
 \$190 <sup>00</sup>/<sub>100</sub> and got check in  
 return. Officer has check  
 check paid by G. Corbin

1102

District Attorney's Office.

PEOPLE

vs.

People on whom  
he passed  
check.

Moses Jacobus -  
Glyette & Coyle -

1103

Clarks Mountain

1104

Valley  
15/8 '32 '64 Parah  
plain skeleton setting  
— " —  
Diamond Ring

O. S. Bartlett medals movement 4342665  
15 at gold case no 52562

K+W trade mark —

Gold watch

(K)

\$116-

3190

\$80-

1105

Convent of Mercy  
1045 Madison Ave  
Feb. 23<sup>d</sup> 1912

Answered

Feb 29/12

Hon Randolph Martin

Dear Sir,

This is the first opportunity I have had of telling you how pleased I was to see your name on the Judicial list. Your justice tempered with benevolence has not been forgotten by me and I have prayed for your welfare since we labored together in former years.

I am about to ask you a favor and, as it is the first one I have asked of you since you have taken your seat upon the bench and since I have returned to my old study, I hope

1106

It will be in your power to grant  
it and it is this.

Charles Clark, now in the South,  
is very desirous of having his  
bail reduced from \$10,000. The  
family are unable to find bail  
for such a large amount, and  
I would be glad if you could  
use your influence with the  
District Attorney to have it  
made as low as possible.

The boy has been in prison  
two years already and I believe  
that is a good part of the origi-  
nal sentence.

I think he said the matter  
was to be settled Wednesday but  
I may be mistaken.

With gratitude and prayers  
for success in all your undertakings  
William Austin.

1107


Police Court—

3

District.

Affidavit—Larceny.

City and County  
of New York,

ss.: 

*Louis de Bibian*  
of No. *165 West 57<sup>th</sup>* Street, aged *52* years,  
occupation *agent of Transatlantic Steamship Company* being duly sworn  
deposes and says, that on the *6<sup>th</sup>* day of *July* 188*8* at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the *day* time, the following property viz:

*Gold and lawful money of  
the United States amounting to  
Two hundred and twenty six Dollars  
and forty Cents*  
( *\$226.<sup>40</sup>/<sub>100</sub>* )

*the property of Company General Transatlantic Steamship  
and in Care and Charge 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 Frank Clark (now here) for  
the reasons following to wit: Deponent is  
informed by Emile Gendal of No 95  
Greenwich Avenue who is in the employ  
of said Company in the Capacity of passenger  
Clerk that on said date about the hour  
11:30 o'clock p.m. the said deponent  
entered the office of said Company  
No 3 Bowling Green, and purchased from  
the said Gendal two tickets to Paris, France  
and two railroad tickets altogether amounting  
to Two hundred and fifty-two dollars—  
that the said Gendal made out a  
check for said amount of money and  
forwarded the same to *the deponent**

Subscribed before me this  
1888

Police Justice

1108

Marc Meissner assistant Cashier of  
Sail Company.

That defendant is informed by said Messner that on said date the said defendant presented the <sup>certified</sup> check hereto annexed to the said Messner <sup>in</sup> payment for said tickets and that said defendant then and there represented to said Messner that the said check was good and genuine.

That said Member believing the representations so made to him to be true handed to said defendant the balance amounting to Two hundred and forty six dollars and forty Cents.

That defendant was subsequently informed by Algernon S. Fessell president of the 5th Avenue Bank, said City, upon which said check was drawn, that no such person as D. C. Leach the maker of said check ever had an account in said bank.

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

Dated 188 \_\_\_\_\_  
John Justice

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

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

1109

CITY AND COUNTY }  
OF NEW YORK, } ss.

Algerman S. Trissell  
aged 43 years, occupation President of No.

45 West 52<sup>nd</sup> Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Louis de Ribain

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

Sworn to before me, this 28  
day of August 1889.

A. S. Trissell

J. G. Caffy

Notary Justice.

1110

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 24 years, occupation Cashier of No.

30 East 3<sup>rd</sup> Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Louis de Ribian  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 28  
day of August 1888.

Marc Meissner  
P. G. Rafferty  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Emile Gondas  
aged 24 years, occupation clerk of No.

95 Greenwich Avenue Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Louis Le Pelan  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me this 28  
day of August 1889.

[Signature]

Police Justice.

Emile Gondas

1112

Sec. 108-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

3 District Police Court.

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

Question. What is your name?

Answer. Frank Clark

Question. How old are you?

Answer. 20 years

Question. Where were you born?

Answer. New York City

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

Answer. No 48 west 48<sup>th</sup> street New York City

Question. What is your business or profession?

Answer. Gas fitter

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

Answer. I am not guilty

Frank William Clark

No 5  
Ed.

Taken before me this

day of

Police Justice.

1113

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

Dated August 28 188 8

P. G. Duffy Police Justice.

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

Dated \_\_\_\_\_ 188

\_\_\_\_\_  
Police Justice.

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

Dated \_\_\_\_\_ 188

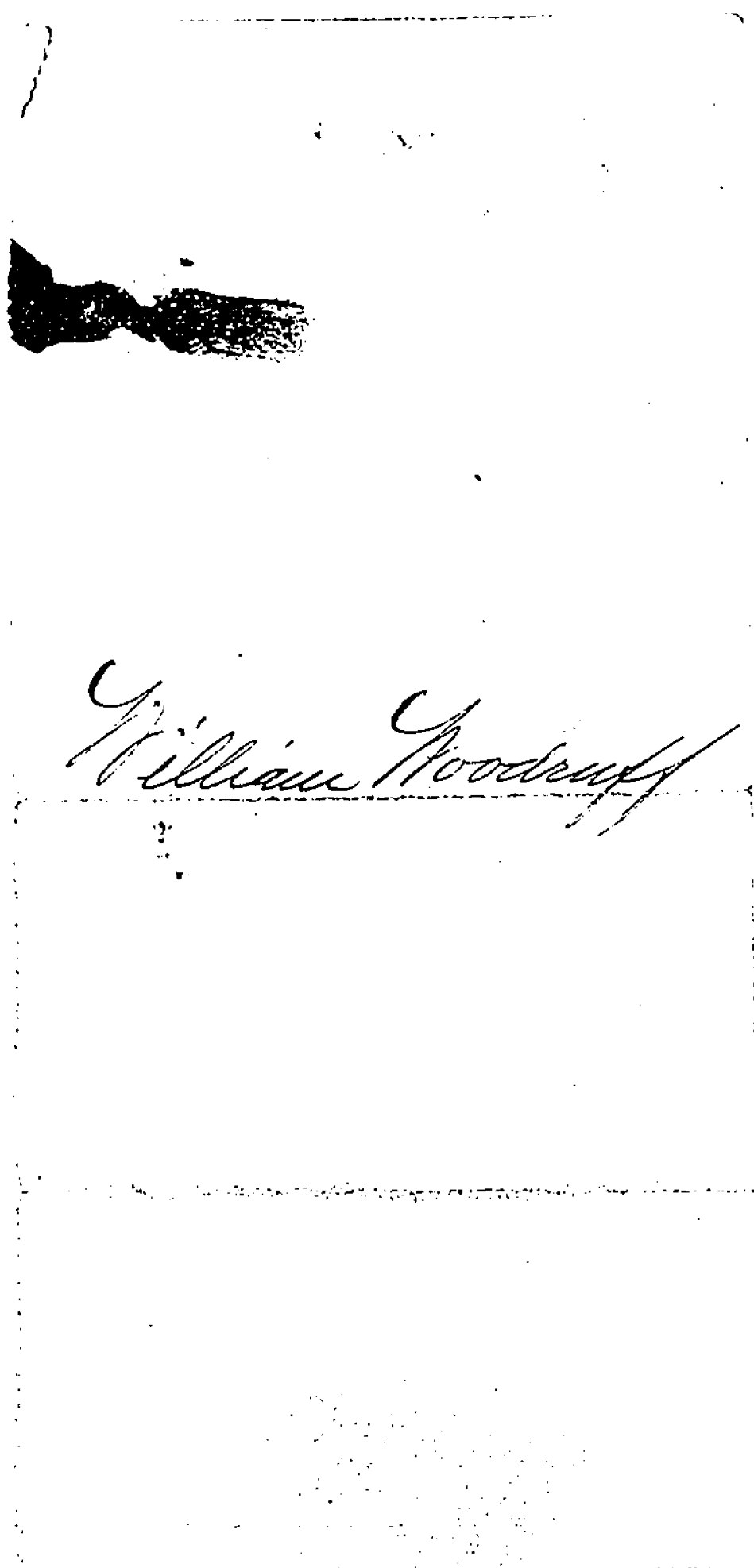
\_\_\_\_\_  
Police Justice.



1115

No. 1235  
New York, Aug 13<sup>th</sup> 1884  
THE FIFTH AVENUE BANK  
THROUGH THE NEW YORK SAVINGS-HOUSE ASSOCIATION  
Pay to *William A. Smith*  
in hundred and no Dollars  
\$ 220 70  
J. G. McAlister

1116



1117

No. 1117 New York, July 5<sup>th</sup> 1888

**THE FIFTH AVENUE BANK**  
OF NEW YORK.

Pay to Charles F. Fordrup or Order,  
Four hundred Seventy eight 40/100 Dollars.

\$ 478.40  
D. C. Leach

1118

ENDORSEMENT  
GUARANTEED  
JUL 7 1888  
NATIONAL CITY BANK

*John W. Woodruff*  
FOR DEPOSIT IN  
NATIONAL CITY BANK  
TO CREDIT OF  
Cie Gle TRANSATLANTIQUE  
JUL 7 1888

*Louis de Bédian, Agent.*  
*John W. Woodruff*

1119

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Frank W. Rader*

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

*Frank W. Rader*

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

The said *Frank W. Rader*,

late of the City of New York, in the County of New York aforesaid, on the

*twelfth* day of

*July*

in the year of our Lord

one thousand eight hundred and eighty-eight, with force and arms, at the City and County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly act and assist in the forging a certain instrument and writing,

*to wit: an order for the payment of money of the kind called certified checks, -*

which said forged *certified checks*, -  
is as follows, that is to say:

"No. 1034

New York, *July 1st* - 1888

*The Fifth Avenue Bank of New York*  
*Manager of the New York Economic*  
*Source Association*

Pay to William Woodruff or Order,  
Five hundred & seventy eight  $\frac{40}{100}$  Dollars  
*5478  $\frac{40}{100}$*

*D. R. Seader*

*Certified Fifth Ave Bank - New York*"

with intent to defraud, 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.

1120

SECOND COUNT:—

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

*Frank W. Clark* —

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

The said *Frank W. Clark*;

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, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, *to wit: an order for the payment of money of the said called certified, cheques* which said forged *certified Frank-Clarks* is as follows, that is to say:

" No. 1034 New York, July 5th 1888  
Fifth Avenue Bank of New York,  
Through the New York Clearing - House  
association.  
Pay to William Woodruff or Order,  
Five hundred & seventy eight  $\frac{40}{100}$  Dollars.  
D. R. Sachs  
Certified Fifth Ave. Bank of New York

with intent to defraud — *he* — the said *Frank W. Clark*  
then and there well knowing the same to be  
forged, against the form of the Statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

1121

**BOX:**

318

**FOLDER:**

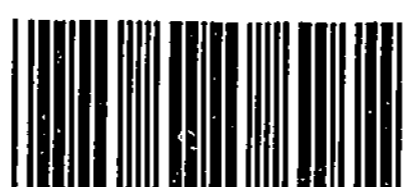
3030

**DESCRIPTION:**

Collins, Michael

**DATE:**

09/24/88



3030

1122

**BOX:**

318

**FOLDER:**

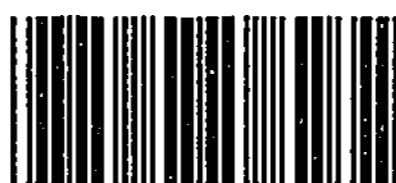
3030

**DESCRIPTION:**

Rafferty, Joseph

**DATE:**

09/24/88



3030

Witnesses:

W. G. Ch. bar  
[Signature]

#293 M. C. [Signature]

Counsel,

Filed 26 day of Sept. 1888

Pleads, Guilty (20)

THE PEOPLE

vs.

[Signature]

Michael Collins

[Signature]

[Signature]

Joseph Rufferty

Robbery, [Signature] [Signature] [Signature]  
[Sections 224 and 228, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

[Signature] Foreman.

Sept 25/88.

[Signature]

[Signature] Robt. Day  
Book 10456

1123

1124

CITY AND COUNTY }  
OF NEW YORK, } ss.

POLICE COURT—FOURTH DISTRICT.

of No. 500 East 11th Street,being duly sworn, deposes and saith, that on the 27 day of August  
1888, at the 18th 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:One double Case gold watch  
and one gold chainof the value of Twenty Dollars,the property of deponentand 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, byMichael Collins and Joseph Rafferty  
(both now here) for the reason that  
on the above date at about Eleven  
O'clock PM while deponent  
was walking along Avenue  
A between 18th and 19th streets  
said deponent Collins came up  
to deponent and said "who the hell  
are you talking to" and at the same  
time struck deponent a blow behind  
the left ear knocking deponent  
down and when deponent was lying  
prostrated said Collins jumped upon  
deponent and forcibly took said property  
from deponent's vest pocket and  
then ran by deponent and ran away.Deponent is informed by Officer  
Charles J. Wade that said Rafferty admitted  
and confessed to him that he was in company  
with said Collins on the aforesaid date and  
accompanied said Collins to the Pawnshop  
and said property and shared with Collins  
in the proceeds therefromv. Prize deponent

day of

Sworn to before me, this

1888

Police Justice.

1125

CITY AND COUNTY }  
OF NEW YORK, } ss.

Charles J. Wade  
aged 34 years, occupation Police Officer of No.

18th Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Paul Krohn

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

Sworn to before me, this

day of Sept 188

Charles J. Wade

J. M. Platten

Police Justice.

1126

Sec. 102-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

H District Police Court.

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

Question. What is your name?

Answer.

Michael Collins

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

Scranton, Pa.

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

Answer.

No 240 East 23rd St. New York

Question. What is your business or profession?

Answer.

Umbrella maker

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

Answer.

I have nothing to say at present

Michael Collins

✓

Taken before me this

day of

188

Police Justice.

1127

Sec. 192-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Joseph Rafferty* 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.

*Joseph Rafferty*

Question. How old are you?

Answer.

*17 years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*No 430 East 17<sup>th</sup> St. 5 months*

Question. What is your business or profession?

Answer.

*Machineist*

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

Answer.

*I have nothing to say  
at present  
Joseph Rafferty*

Taken before me this

day of *Sept* 188*8*

*William*  
Police Justice.

1128

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.....

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

Dated *Sept 11* 188 *8* *J. M. Platterman* Police Justice.

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

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

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

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

1129

Police Court---

1457 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Paul Drosch  
500 East 11 St  
Michael Collins  
Joseph Rafferty

Offence Robbery

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated Sept 11 1888

Patterson Magistrate.

Wade Officer.

18 Precinct.

Witnesses Call the Officer

No. 602 Sept 13 Street.

No. 912 4th St Street.

No. 1870 6th St Street.

\$ 1500.00 to answer

Comd

1130

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 Rollins and  
Joseph Rafferty

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

Michael Rollins and Joseph Rafferty —

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

The said Michael Rollins and Joseph Rafferty, both —

late of the City of New York, in the County of New York aforesaid, on the *twenty-seventh* day of *August*, in the year of our Lord one thousand eight hundred and eighty-eight, in the *night* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *Paul Drosin*. —

one watch of the value of *sixty*

dollars, and one chain of the

value of *thirty* dollars.

of the goods, chattels and personal property of the said *Paul Drosin*, from the person of the said *Paul Drosin*, against the will, and by violence to the person of the said *Paul Drosin*. — then and there violently and feloniously did rob, steal, take and carry away, *(the said*

*Michael Rollins and Joseph Rafferty, and each of them, knowing them and there aided by an accomplice actually present, to wit: each by the other)*

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

*John R. Williams*  
*Attorney*

1131

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 Rollins and  
Joseph Rafferty

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

Michael Rollins and Joseph Rafferty —

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

The said Michael Rollins and Joseph Rafferty, both —

late of the City of New York, in the County of New York aforesaid, on the *twenty-seventh* day of *August*, in the year of our Lord one thousand eight hundred and eighty-eight, in the *night* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *Paul Brosnan*, — in the peace of the said People, then and there being, feloniously did make an assault, and

*one watch of the value of sixty dollars, and one chain of the value of thirty dollars,*

of the goods, chattels and personal property of the said *Paul Brosnan*, from the person of the said *Paul Brosnan*, against the will, and by violence to the person of the said *Paul Brosnan*. — then and there violently and feloniously did rob, steal, take and carry away, *(the said Michael Rollins and Joseph Rafferty, and each of them, knowing them and there aided by an accomplice actually present, to wit: each by the other)* against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*John R. Williams*  
*Attorney*

1132

**BOX:**

318

**FOLDER:**

3030

**DESCRIPTION:**

Collins, Wilbur

**DATE:**

09/13/88



3030

Witnesses:

Self. Refused  
to give name  
of person  
as to person  
as to person  
as to person

#168

Counsel,  
Filed 13 day of Sept 1888  
Pleads,

THE PEOPLE

vs.

William Collins

Grand Larceny Second degree  
[Sections 528, 531, 532, Penal Code].

Self

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

W. Weaver  
Foreman.

Sept 14/88  
John R. Fellows  
D. W. Collins  
W. Collins

1134

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William H. Suggan*  
aged \_\_\_\_\_ years, occupation *Police Officer* of No. *23rd Avenue* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Herman Ringer*  
and that the facts stated therein on information of deponent are true of deponents own  
knowledge.

Sworn to before me, this *7th* day of *September* 188*8* *William H. Suggan*

*A. J. White*  
Police Justice.

1135

Sec. 198-200.

X District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK }

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

Question. What is your name?

Answer.

Wilbur Collins

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

MS

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

Answer.

Bleeker St & South 5<sup>th</sup> Ave

Question. What is your business or profession?

Answer.

nothing

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

Wilbur Collins

Taken before me this

day of September 1888

Police Justice.

1136

Police Court—4 District.

Affidavit—Larceny.

City and County } ss.  
of New York, }of No. 102 Eighth Avenue Street, aged 39 years,  
occupation Guard being duly sworndeposes and says, that on the 7<sup>th</sup> day of September 1888, at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property viz :

One horse harness and wagon  
said wagon containing a quantity  
of market truck together  
the value of five hundred  
dollars

the property of Deponentand that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Wilbur Collins (cross true)

from the fact that at about the  
hour of 6:30 Am of said date  
deponent left said property  
standing in Duane street between  
Nassau and Greenwich Streets  
and that when deponent returned  
said street he found said property  
missing, that deponent was subsequently  
informed by Officer William R. Duggan  
of the 23 Precinct that he saw said  
Collins acting in a suspicious manner in  
act of that that he was selling  
produce from a wagon and that he  
ran away upon the approach of  
him (said Duggan) that he arrested  
him. Deponent now says that he

Sworn to before me, this  
day of  
1888  
Police Justice.

1137

has seen the horse wagon harness  
and produce found in the possession  
of said Collins and fully identifies  
the same as that stolen from him.

Harmon Ringard

Sworn before me this 7<sup>th</sup>  
day of September 1888

A. J. White

Police Justice

1138

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 500 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Sept 7<sup>th</sup> 188 A. J. White Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 188 Police Justice.

There being no sufficient cause to believe the within named

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

Dated 188 Police Justice.

1139

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court---

1411 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Remond Ruggan*  
*102. 3. 8*  
*Alfred Ruggan*

1 .....  
2 .....  
3 .....  
4 .....

Offence *Grand Larceny*

Dated *Sept 7* 188*8*

*White* Magistrate.

*Ruggan* Officer.

*23* Precinct.

Witnesses .....

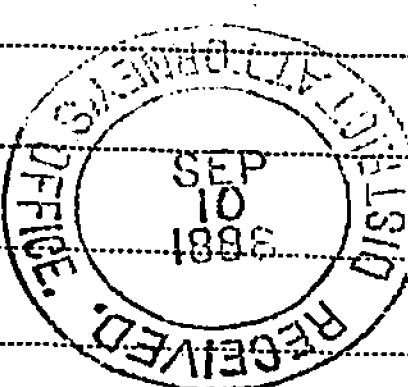
No. .... Street.

No. .... Street.

No. .... Street.

No. .... Street.

\$ *50.00* to answer *Ed*



*me* *522*

1140

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Wilbur Collins*

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

*Wilbur Collins*

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

The said

*Wilbur Collins*

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

*one horse of the value of two hundred and fifty dollars, one set of harness of the value of fifty dollars, one wagon of the value of one hundred dollars, and a quantity of market truck, a more particular description whereof is to the Grand Jury aforesaid unknown, of the value of one hundred dollars*

of the goods, chattels and personal property of one *Hermann Ruigen*

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.

1141

SECOND COUNT—

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

*Melbur Collins*—  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

*Melbur Collins*

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

*one horse of the value of two hundred and fifty dollars, one set of harness of the value of fifty dollars, one wagon of the value of one hundred dollars, and a quantity of market truck a more particular description whereof is to the Grand Jury unknown, of the value of one hundred dollars*

of the goods, chattels and personal property of one

*Hermann Riegen*

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

*Hermann Riegen*

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

*Melbur Collins*—

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

JOHN R. FELLOWS,

District Attorney.

1142

END OF  
BOX