

0112

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Samuel Orchard*

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

*Samuel Orchard*

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

The said

*Samuel Orchard*

late of the City of New York, in the County of New York aforesaid, on the *nineteenth*  
day of *November* in the year of our Lord one thousand eight hundred and *ninety*;  
\_\_\_\_\_ , at the City and County aforesaid, with force and arms,

*one piece of silk of the value  
of fifty - five dollars, and twenty  
two yards of silk of the value  
of two dollars and fifty cents  
each yard*

of the goods, chattels and personal property of one

*Albert Herzog*

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. Bellows,*  
*District Attorney.*

0113

**BOX:**

421

**FOLDER:**

3888

**DESCRIPTION:**

Patterson, J. Porter

**DATE:**

12/18/90



3888

0114

POOR QUALITY  
ORIGINAL

Witnesses

Amice Raymond  
Officer Cox

Counsel,

Filed 18 day of Dec 1890

Pleads,

THE PEOPLE

35  
57 Mitchell  
real-estate vs.

J. Porter Patterson  
depts picture in request gallery

Grand Larceny, 2nd degree  
(False Pretenses),  
[Section 528, and 531, Penal Code]

JOHN R. FELLOWS,

District Attorney.

Off Dec. Term at 5th request  
H.R.J.

A True Bill.

Park II 2nd day 6/9/91

Ind. & Corrupt

S. P. 5/15/91

William J. Munroe

Foreman.

~~Handwritten signature and scribbles~~

0115

General Session Part 3 -  
Feb 16/91

Judge Martine -

Dear Sir:

When I sent letter to you on  
Saturday, I forgot to mention how  
one Inspector Byrnes men went to a  
friend of mine and told him that  
I was a thief and he and told him  
my picture was in Rogers Gallery  
The gentleman would believe him  
So this Detective took him to  
Headquarters and showed him  
my picture, Detective name is  
Joe Woolridge, the gentleman  
he was talking was Mr Hayward  
of Hayward & Barron 38 Broadway  
I was doing business for this  
gentleman for on Woolridge



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Statement to him - his firm took  
all of his claims from my office.  
This all took place last  
May 1890.

Judge I have never  
been convicted of any crime  
and you have my word of  
honor that I will never do  
anything to found guilty of.

My wife and I have made  
up all of our difficulties and  
the future will find me working  
for my wife and two little  
children.

I could mention more  
than 20 cases just like the  
above. When I was working  
for George Hosskins of the Star  
and many other persons.

Yours Respectfully  
J. P. Patterson

J. P. Patterson

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N<sup>o</sup> 1

J. P. Patterson Statement to  
Judge Martine Judge  
General Sessions Part 3<sup>d</sup>  
New York City

Bombs Prison; Cell 39.  
February 14/91.

Dear Sir,

On Monday February 16<sup>th</sup> 1891. You are to pass sentence on me for a crime that I was found guilty by a jury in your Court. I am as innocent of doing anything wrong as any person in the City of New York. It was simply a case of Circumstances. When I was on the stand I testified to true facts to the best of my knowledge. And I am confident when I get another trial my witnesses will bear me out to this effect.

I have no fault to find with your charge to the jury it was as fair as I could expect under all the circumstances known to you both in reference to my history and the case. I did all I could to give true facts and dates about this unfortunate case - even to testifying to my ride on the Elevated Rail Road on the night of Oct 15/90. It was not necessary for me to do so but I saw that you treated me fairly so I tried to give facts in full.

I cannot understand for <sup>what</sup> reasons that this Woman Raymond swore to such falsehoods without it was for "Revenge". I do not think that anyone would put any faith in Policeman S-S Corp evidence in reference to my offer to him and my proposition to him. I am confident that Inspector Byrnes would not think me so insane to make such a proposition as "Corp" swore to.

On Sunday December 9/1890 - When I was up for examination at 57<sup>th</sup> Street Court House. and I saw "Raymond Woman" for the first time since I received the \$3.00 from her. She told me she was sorry for me and gave my Lawyer to see her Lawyer and they could fix it. When my examination came up again at the same Court there was a man who she had sent to me told me she did not and would not appear against me. When her name was called out it was found she was not in the Court Room. This was on Tuesday Dec 9/90.

I could have demanded my discharge But told Judge McMahon that I wanted an examination and he put it down for Thursday December 11/90. To my surprise this Raymond woman was there and swore to an entirely different story from the one she swore to before your Honor. I was not surprised about her appearing at the Court But I was more than surprised at the falsehoods she swore to. At 57-Street Court She swore that she had never heard or knew of such house as W 338 W 45 St. N

You know just what she swore to before your Court - If I had the time I could have had the minutes of her testimony at Judge McMahon Court. I have been compelled to work at great disadvantages being locked up ever since my arrest and not having any money.

On Tuesday February 3d 91

When I was called for trial I had interview with Mr. Staples District Atty. I told him just how I was situated that my lawyer was out of the City and that I had only received notice the night before (Monday) to appear and had not any opportunity to subpoena my witnesses. I also requested him to grant me few days, and I would not put case off any longer. He refused and told me that I must state my case to you next day (Wednesday) Now Judge. I was not notified to appear at your Court next day. It is customary to inform Prisoners here (in the Tombs) on the night before trial and to put a chalk mark on slates over cell doors. So they can be ready for Court. This was not done in my case. But mind you I was notified next day at 2:15 Pm to come to Court. You fully know what took place before you. You told me I must get ready by next day 10 am and go to trial. I must thank you for your kindness

in offering to subpoena my witnesses but unfortunately they could not be found. If I had few days to find my witnesses my case would have terminated in different manner from what it did.

While I was on the stand Mr Stapler asked me if I knew a certain man who I have since found out it was Detective Riley one of Byrnes men. My answer was No. I tell you now again that I never met Riley or had any business with him in my life. Mr Stapler also showed me a Photograph of myself. I will tell you the way that picture was taken and what was the cause of my picture being taken by Inspector Byrnes orders. I will do more and tell you what I refused to tell Byrnes years ago when we had long interview in his office 300 Mulberry St. You can show the below statement to Inspector Byrnes if you wish. I did intend to give publicity to below facts but after due consideration I have come to the conclusion that I would be doing a great injustice to the head of one of greatest institution in the world "Inspector Byrnes and his men - with few exceptions I have always had the greatest respects."

The History of my Photograph which Inspector Byrnes had taken - and shown to my trial February 6/91.

Some years ago I was in a business that no one could be proud of and allow me to tell you that I was happy when I gave it up. not alone for my own interest but for my wife and children interest. While in this business I was employed to shadow one C. Y. Wemple then and at the present time manager of Mess Garner the long goods Warehouse North and Hudson Sts this city - I gained certain evidence against this Wemple and

4 When I call on him and told him what the evidence means and who my employer was. He offered me (\$1000) one thousand dollar to suppress the evidence which I accepted and did suppress it. Below I will tell you where \$300. of this 1000 went also the circumstances and why I gave it away.

Sometime before working on Wemple case Byrnes men P. Hickey and Mike Crowley took me to Headquarters and Byrnes gave me his 3d degree. Then next morning Tom Hickey took me to the Domb's and I was discharged (Party could not identify me) That is what Detective Hickey told the Judge at the Domb's. After Hickey and myself come out we went to McGowan's Cafe in Fulton Street Bet. Nassau and Broadway and had dinner. before and while at that dinner "Hickey" told me that there was no law to reach me in what I was doing. He then and there told me he could fix it so when anyone was kicking at Headquarters he would let me know so I would not be taken in. He gave me to understand that he could fix it so that Inspector Byrnes would tell him when any person would call on him in reference to me. I was foolish enough at that time to put faith in him but it was not long before I had been convinced that "Hickey" had made false statements to me when he told me that he could arrange matters as above. When I got \$1000 from "Wemple" I sent telegram to Hickey to meet me at (Crooks Bar Room) in Centre St near Chamber St when "Hickey" met me next morning in answer to the above telegram we had drink together and when I offered him the 300.\$ He refused to take it and remarked. Mr. Mike walk around the corner. He went into Patrick Hiver (Saloon) on <sup>Chatham</sup> ~~Chambers~~ St (then But now Park Row) We went into small room in back of Saloon. I then gave to him \$300. Three hundred dollars. I am sure that he told me that a part of this money would reach Inspector Byrnes. I am more

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Then confident that word of that money  
 had reached him, which I will now  
 show my reasons for thinking so. Some  
 time afterwards say about 2 months I called  
 on Mr Wemple and asked him to loan  
 me some money (the amt I forget now but  
 could tell if I had my notes here) I had another  
 interview with Hickey I told him that I was  
 trying to get this money and he told me he would  
 find out if anything was in the wind  
 and seeing Wemple had been to the (old man  
 Inspector Byrnes) as he called Mr Byrnes  
 I met Hickey next day and we went to  
 Elvins Saloon (Park Row) He told me that  
 no one had been to Inspector Byrnes,  
 This same afternoon I met C. Y. Wemple  
 at Cor 50 St and 6 Ave while talking to  
 Wemple Detective Richard Connor now  
 Capt Connor - and a young man Joe  
 Woolbridge come up and took me  
 to Headquarters. That night Hickey  
 sent me something to eat also handed

me some money. When I asked him why  
 Byrnes treated me so. He told me it  
 needed be all night next day.  
 That next <sup>day</sup> was not all night. But  
 brought me before Inspector Byrnes  
 I have always thought since then  
 that he did not think it <sup>all night</sup>. I was  
 taken before him and from what he done  
 on that occasion he must have given  
 me all the "degrees" that he is capable  
 of giving. He must have had some extra  
 degrees to give me too.

He order my picture  
 to be taken (photograph shown in your hand)  
 is the one that was taken on that day.  
 He sent me to Jefferson Market Court  
 on my return to Headquarters. He  
 had long interview with me. In  
 that interview I was convinced that  
 Hickey had taken my \$200.00 and had  
 deceived me in most shameful way.  
 And I did accused him of it  
 on street some time afterwards but

0123

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he denied and told me that was the way that Byrne <sup>and</sup> Every since this man Hickey has pointed me out as a Brooklyn Crook, a Blackmailer he has told Newspapers Reporters that I was a all round Crook.

When I returned from Jefferson White Police Court and in my interview with Byrne I told him Byrne that I had been deceived and had given up a part of that money to some one. When he asked me to tell him who got it, I refused and remarked to him which he no doubt remembers today (I remarked) that I had given money to a certain but I had been deceived and imposed upon. But I refused to tell him.

He Can now find out who I gave it to. He ought to find Hickey Picture with

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after Inspector allowed me to go free I met Detective Hickey and he Hickey accused me of telling the Inspector about this getting money from me.

This man "Hickey" has done all he could to get some case against me. He has more than 20 <sup>and</sup> that my picture was in Rogues gallery at Headquarters and I was a Crook. Last Summer when my wife met with an accident in Brooklyn that was liable to fall on a woman. What did this man and other persons connected with Byrne do but to pound me away that poor woman's shoulder. I was called a Blackmailer, a Thief in fact every vile name that could be heaped upon me. Statements came from Police Headquarters that my picture was in Rogues gallery even the number given



5 I am confident that none of that money  
 ever reached him. <sup>to</sup> which I will now  
 show my reasons for thinking so. Some  
 time afterwards say about 2 months I called  
 on Mr Wemple and asked him to loan  
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 Livermore Saloon (Park Row). He told me that  
 no one had been to Inspector Byrnes.  
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 at Cor 50 St and Ave while talking to  
 Wemple Detective Richard Connor now  
 Capt Connor - and a young man Joe-  
 Woodbridge come up and took me  
 to Headquarters. That night Hickey  
 sent me something to eat also handed

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9  
on my Picture. My Business was ruined. My  
own wife turned against me. She commenced  
proceedings against me for separation, ~~and~~ <sup>on</sup> ~~on~~  
this on acct of reports that appeared in  
our papers last Summer when my  
wife got into the trouble referred to before.  
I had a Happy Home - doing first class  
Business and I was compelled to give  
up my Business for two months last  
Summer until everything quieted down  
again in September last I again took  
up Business and was commencing to  
get back my old Customers  
and making new ones - all looked  
bright for me again - But this  
Raymond Case turns up. Compelled  
me to keep away from my office  
I am dispossessed people are  
looking for one to get Bonds

10  
Notes & Claims that I had for Collection  
I could not go to my office being afraid  
of just what has taken place and  
you are fully aware of.

I knew too  
well if Byrnes and his men heard  
anything about this Raymond Case  
that they would get her to push  
it. I was not afraid of the case or  
its own merits but just see  
how she prove it.

Mrs Raymond  
Woman has written letter to  
my wife Lawyer Foster & Backus  
stating she would give me Patterson  
grounds of a divorce. Mrs Patterson  
told me this today. I will try  
to get those letters.

Judge. in your  
Charge to the Jury you remarked that  
I had but tried to return money to  
this Raymond Woman. It is a fact  
that John L. Sullivan did

11  
Send 100\$ also a Lawyer to the  
Court House in 57 St on Tuesday  
Dec 9/90 to settle with this woman.  
But the woman did not appear on  
that day. on Dec 11/90 when she  
did appear Judge McMahon made  
the remark to my Lawyer who  
appeared for me on that day and said  
that there had been a party in this  
"my" case who had tried to "settle"  
with this woman. my Lawyer on  
that day was (S. B. Steele 53 Broadway)  
he also can testify to her evidence  
at the Court on that day.  
John L. Sullivan was pulled away  
from case on account of men that  
are very near to Byrnes. If I had  
been guilty of any wrong intention  
in this case or had intended to  
do anything to deceive or defraud the  
Woman out of money I would  
be getting my just dues but as I  
remarked before that I am

0 127

(12)  
Innocent and you will sentence an  
innocent man. When your signature  
on one Monday Feb: 16/91.

It is with the greatest reluctance that I  
give you these facts today but I owe to  
my family a duty - a duty to protect  
my poor wife and 2 little daughters  
whom some have pointed out on the  
street as the wife and children of  
a thief - a liar and a Blackmailer.  
Persons that have no feelings for  
innocent persons if they have anything  
against let them fight a man  
not females. I never betrayed a  
man in my life or I did even  
run away in my life I have  
always stood my ground and always  
ready to meet any consequences of  
any acts. Judge. Pleased  
my wife and father that to  
allow me to have a day

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So I am remain here while I am  
getting (my lawyer is) papers ready for  
my trial. This is all I ask  
you will be doing this for my  
family. Yours Very Respectfully  
J. P. Patterson

P.S. When I was arrested I was  
at Hartman Hotel returning papers to  
Chas McLean of 415 Broadway  
those papers that Officer Corp  
Sword to. Mr McLean had collected  
over \$500. from party who would  
the money. Now Judge does

it look reasonable that I would  
 steal \$53.00 when I had Bonds  
 Carter & Clayman in my safe that  
 amt'd to over \$10,000 which I could  
 cashed on and gone away if I  
 had so much to have done so.  
 my Customers was calling at my office they  
 could not see me. Some thought I had gone  
 away with Claims. But no I was  
 trying to find this Raymond woman  
 and pay back her money. If I  
 only thought of it to have left  
 it with the proprietor of Hotel Royal  
 I could have saved all this trouble  
 and disgrace to my family and  
 save lots of expenses to the County of  
 New York. I have not done anything  
 any in this matter and you have  
 my word of honor that I will  
 never do anything more.  
 so to cause so much expense

the City and County. Oh by the way  
 I understand that I was to be  
 arrested again if I had been  
 reported on this charge. on another  
 charge of obtaining money from one of  
 Collectors. I am not afraid to show  
 all my evidence in this case to  
 anyone. I saw the man the money  
 and he witnessed it and  
 would have had it long ago  
 if I had not been compelled to  
 stay away from office.

Yours Very Respectfully  
 J. P. Patterson

COURT OF GENERAL SESSIONS,  
PART III.

|                                     |                         |
|-------------------------------------|-------------------------|
| -----X                              |                         |
| The People of the State of New York | : Before                |
|                                     | : Hon. Randolph B. Mar- |
| against                             | : tine and a Jury.      |
| J. Porter Patterson.                | :                       |
| -----X                              |                         |

Indictment filed December 18th, 1890.

Indicted for Grand Larceny in the Second Degree.

New York, February 5th, 1891.

APPEARANCES.

For the People Assistant District Attorney Henry B.  
B. Stapler.

For the Defendant Mr. W. C. Andrews.

FLORENCE RAYMOND, a witness for the People, being  
sworn, testified:

I reside at No. 151 West 35th Street at present. In the month of October last I resided at the Hotel Royal, 40th Street and 6th Avenue. I know Patterson, the defendant. On the 9th day of October, as I was crossing from the elevated station to the Chambers Street ferry I met him. He very kindly assisted me across the street with my eldest little boy. In the course of conversation he ascertained that I was about to locate in the City of New York and he gave me his business card; he asked me to call at his office. I called at his office, No. 18 Broadway, on

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the 10th of October. I told him I wanted to get a house in New York. He asked me what style of a house I wished, the number of rooms, &c. I told him I wanted a three story house, about ten or eleven rooms, with all the modern conveniences. I left him on that day and I next saw him on the 12th of October at my rooms in the Hotel Royal. We there had a conversation about hiring different houses which he said he had in charge for rent. He came to the hotel two days after that and told me he had a house at No. 338 West 45th Street. This was a house of which I had spoken to him previously. I asked him if he knew anything concerning that house, and he said that he could get that house for me as well as any other house. On the following day he came to my hotel at about 2 o'clock and I went with him to West 45th Street to look at a house which I desired to hire. I found the house to be everything I wished, except that there were no gas fixtures in it. He said he would see the Astors and ascertain if they would place the gas fixtures in the house and that he would let me know. On the following day he brought me two leases and asked me to sign them. I objected because they were not made out by the Astors; they were incomplete, partly made out, not fully made out. I asked him if I would call down to the Astors' office and pay the first month's rent, and he said that that was not necessary as long as I signed the lease. He said the Astors would not sign until my signature was on the paper first. That seemed to me very plausible. I signed the two leases, handed him over \$83.33, and received from him his personal



receipt for that amount. The receipt which is now shown me was the one which he handed to me. It reads as follows:

"New York, October 15th, 1890.

Received from Mrs. Florence Raymond Eighty-three Dollars and thirty-three cents for rent.

J. P. Patterson."

The defendant put the two leases in his pocket and took them away with him. He told me that he would take them to the Astors, have them signed and he would return one to me. He said the Astors would give me the house up to the first of the month without any rent. I had seen the name of Astor on a bill on one of these houses on the same block. The defendant also wished to show me several other houses in the city but they did not suit me. The defendant did not return on the following day but sent me a telegram stating that he would be up with the lease on the 18th. I did not see him after that. I never got possession of the house in 45th Street, and he has never returned to me one cent of the Eighty-three Dollars and thirty-three cents which I paid him.

CROSS-EXAMINATION.

I have resided in New York for an indefinite time. I first came to New York in 1890. Previous to that time I resided in St. Louis. I am married. I am separated from my husband by mutual agreement. I do not know my husband's business at present. His name is Harry S. Raymond. My husband contributes to my support. I have an income of my own. At one time I resided at No. 153 West 53rd Street. I had a lease of that house, but I could not

now tell you the name of the owner. I only remained there three weeks. I afterwards lived at No. 151 West 35th St., in a flat. I have now given you the different places at which I have resided in the City of New York. The little boy who was with me on the day when I first met the defendant is at a boarding school in New Jersey. I came down in the elevated train on that day, but did not notice the defendant in the train. I did not see him until he assisted myself and my child to cross the street. I don't recollect the exact conversation I had with him, but I am quite sure that during the conversation I told him that I was about to locate in New York. I have not the card which the defendant gave me at that time. I do not recollect what was on the door of the defendant's office at No. 18 Broadway, but it was something connected with real estate and collecting. I saw two men in the front office, then there was a door and Mr. Patterson was sitting in the second office. I saw the defendant in his office twice. The conversations which we had related solely to the renting of a house in this city by me. He asked me in relation to the number of rooms, the locality, and whether I would take a lease for a specified time. I described to him exactly the kind of a house which I wished to rent, and he said he would look over his books and would try and find something to suit me. I remember that he spoke afterwards of procuring the Richelieu on 5th Avenue for me. I did not state to him that the neighborhood in which the Richelieu was situated was just the neighborhood I wanted to go in. When I spoke of this house in

West 45th Street, the defendant told me that he had handled houses for the Astors, and that he could get that house for me just as well as any other house in the city. From the conversation I was led to believe that he had considerable business with the Astors. I know a man named Levy. I remember giving the defendant the card of Mr. Levy and stating to him that I thought he was a likely man to hire the Richelieu Hotel. I got the impression somehow that the house in 45th Street belonged to the Astor estate. The defendant afterwards told me that he would speak with the Astors in regard to it. The defendant called twice at my hotel and on each occasion we conversed about houses. I was anxious to locate as soon as possible, and it was I who spoke to him first about this house in 45th Street. I was walking through 45th Street one day with a friend, I saw bills on these houses, and when I met the defendant I told him that that was the neighborhood in which I would like to locate. After the defendant had secured my money and did not return the lease, I sent a messenger boy down to his office, but I got no satisfaction from him. I called at his office myself but failed to find him in. I went in company of the defendant to No. 338 West 45th Street and looked over the house. The defendant showed me the different rooms. I told him that I would like to have nice chandeliers placed in the parlor, and have an improvement made in the bath-room. He promised to see the Astors and would let me know if they would make these repairs. The following day he called at my hotel and produced two leases. They were partly written

and partly printed. They stated in substance that the Astor estate leased to Mrs. Florence Raymond the premises No. 338 West 45th Street at the rental of a thousand a year payable monthly in advance. I cannot tell any more definitely what was contained in them. I said to Mr. Patterson "these leases are not made out in due form, I would prefer to call at the office and pay the money!" He said that would not be necessary, that the Astors would not sign until after I had signed. That was at the time I handed him over the money. I knew at that time that the Astors had an office, but I did not know where it was. I asked the defendant for his personal receipt and accepted it. When I sent the messenger boy to Mr. Patterson he sent me a note stating that he would settle matters on the 20th. He did not appear on the 20th, so I went down to his office myself, and failing to find him in I went to a cigar store on Whitehall Street and found him there. He promised to settle matters.

C L A R E N C E W. B A L D W I N, a witness for the People, being duly sworn, testified:

I am in charge of Mr. Astor's office in 26th Street, No. 21 West. The renting of property in West 45th Street is in charge of that office. All the leases for that property, when it is rented, are issued from our office. I know the premises No. 338 West 45th Street. They belong to William Waldorf Astor. I had charge of those premises on the 15th of October last. I did not issue at that time or give any lease made out in the name of Mr. Astor or the Astor

estate to the defendant Patterson. I did not authorize him to negotiate a lease with Mrs. Raymond. I did not receive any money from him for the rent of these premises. I never saw the defendant before to-day to my knowledge.

CROSS-EXAMINATION.

There are three or four men employed in our office. My desk is right in the main office. We do our own renting entirely and have no agents. It is a fact, however, that agents frequently come representing some one who wishes to rent one of our houses. I am not positive that the defendant never was in our office. All I can say is that I never saw the defendant to my knowledge. No person can view our houses without a permit. We have an office on Broadway in charge of Mr. Asfort, where the permits are issued. I don't know whether the defendant called at that office and received a permit or not. In the course of our business a person makes application for a house and present their references. Those references are taken and looked into by our own men and submitted to me for approval. If they are acceptable the leases are made and all pass through my hands. I could not swear that any person ever came to me and spoke me in relation to any gas fixtures in this house in West 45th Street.

C H A R L E S   H.   C L A S S, a witness for the People, being duly sworn, testified.

I am a clerk in the employ of Mr. Astor at No. 21 West 26th Street in this city. I have charge of the

renting, and keep a record of the references. I also keep a record of the applications for leases. I have brought a book with me which we call the reference book, in which every application for a house which has been looked into is posted. I have looked in this book and I can state that there is no record of any application being made for the premises No. 338 West 45th Street either in the name of Florence Raymond or J. Porter Patterson. Mr. Astor was in Europe in the month of October last. Nobody but myself has anything to do with the renting of the particular property in question.

EDWARD ASHFORTH, a witness for the People, being duly sworn, testified.

I am a real estate agent doing business at No. 1519 Broadway. In October of last year I had charge of the premises No. 338 West 45th Street for the Astor estate. During that month, or at any other time, I did not give a lease or a form of lease, or any authority to lease the premises No. 338 West 45th Street to this defendant Patterson. I did not authorize him in any way to execute a lease of these premises.

CROSS-EXAMINATION.

The authority which I have is simply to give permits and to show the houses. I take the applications of persons, and their references, and then send them to the office of the Astor estate. There are three persons employed in our office. I have our permit book here and I can refer

to it. I find on referring to it that on October 7th, 1890, there was a permit issued from our office to J. P. Patterson to inspect the house No. 338 West 45th Street. That permit is in the handwriting of one of our clerks. We frequently at our office receive applications from people who have viewed the houses and transmit them to the main office.

F R A N K   B L A C K H U R S T, a witness for the People, being duly sworn, testified:

I am a member of the firm of Ashforth & Company doing business at 1519 Broadway. The authority of our concern is only to issue permits, show the houses and receive applications which we refer to Mr. Astor's office. I did not in the month of October issue a lease of the premises No. 338 West 45th Street to the defendant. I did not authorize him in any way to negotiate a lease of those premises.

S A M U E L   S.   C O X, a witness for the People, being duly sworn, testified:

I am a police officer attached to the 4th District Court. I arrested the defendant in the Tombs Police Court. At the time I arrested him he was a prisoner there for being drunk. From the Tombs Police Court I took him to the 57th Street Court. On the way I had a conversation with him. He said to me "Your name is Cox?" I says "yes"; he says "I have been looking for you"; and I said "I have been looking for you". He says "You look like a good fellow"

and I says "maybe I am". He says "Can't you give me a couple of days, I will go to any part of New York City you will mention, and I will make it all right with you". I said "No, I am in the Police Department to stay, I don't do business in that way". He talked to me about the case, he said he was very sorry that he got into this trouble, that he was a pretty decent fellow, and had plenty of friends; he told me that he intended to send this money back to the lady, and I said to him "Why didn't you make good this money you took from her if you have so many friends". He then said he was on a spree and that prevented him from doing it.

CROSS-EXAMINATION.

I had a warrant for the defendant's arrest, and was looking for him for two or three weeks. I went to No. 18 Broadway, to Hartman's Hotel, and also to John Cusick's at No. 15 Broadway. I did not find him or any trace of him in either of these three places.

The People rest.

Counsel for the defendant moves to dismiss on the ground that the allegation of the indictment that the defendant obtained the money from the complainant by means of false pretenses is not sustained by the evidence.

Motion denied. Exception.



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CROSS-EXAMINATION.

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The People rest.

Counsel for the defendant moves to dismiss on the ground that the allegation of the indictment that the defendant obtained the money from the complainant by means of false pretenses is not sustained by the evidence.

Motion denied. Exception.

0 14 1

J. PORTER PATTERSON, the defendant, being duly sworn, testified as follows:

In the month of October last I was in the real estate and collection business at No. 18 Broadway in this City. I had three rooms in that building. I know the complainant, Mrs. Raymond. In the latter part of September I was riding down in the 6th Avenue elevated road one afternoon. I noticed Mrs. Raymond get on at 42nd Street. She sat opposite me in the car and had her little boy beside her. There were a couple of gentlemen with me, we made some remarks about her. I looked at her and she smiled, and I smiled back at her. She got off at Chambers Street. I excused myself, followed her down stairs and spoke to her at the foot of the stairs. I escorted her down to the ferry at the foot of Chambers Street. I took the ferry boat in company with her. We went over to the other side and while going over she told me that she was a stranger in the city. I asked her to give me her address and she gave me her address as No. 127 West 41st Street. I gave her my business card. I left her on the other side and returned to my office. To my great surprise a few days afterwards this woman walked into my office, asked me if I was in the real estate business, and told me she wished to rent a house in the city. She said there was one house in particular that she had been looking at and wanted to know if I could get it for her. That was No. 338 West 45th Street. I told her I would see what I could do for her in that regard and that I would call and see her at her hotel. In the course

of the conversation about this particular house she told me that she had made application for the house at Ashforth's on Broadway. I told her I would call there the next day and see if I could get the keys of the house so that we might look at it. I went to Ashforth's on Broadway and secured a permit for the house. I went with her in a Broadway car to 45th Street and we went in and looked at the house. When we got in 45th Street she remarked to me "Joe, I better not go near the house, as I have already been in No. 334". She was familiar enough with me at that time to call me Joe. She requested me to call her Floss, because that is what her husband always called her. I persuaded her and we went together into No. 338. We found that in some respects it was in bad condition, there was no gas in it and there were some improvements needed in the bath-room. We left the house. I think it was the next day after that I called up to see her, and she requested me not to make application for the lease in the name of Levy, as we had previously arranged, but to make it in her own name. I told her I hadn't made application yet but I would do as she requested. She said she wished it made out in her own name so that she might protect her own interest. I told her that the Astor estate required reference, and she said she could give Mr. Maires, the proprietor of the Hotel Royal, and Mr. Levy as references. I told her I would look the matter up and would see her on the following day. I spoke to a friend in the real estate business, a Mr. Butts, asking him if he ever knew the Astors or if he ever had any business with them. He told

me they were very strict people. He said he would try to get the house for her. I went to her and told her that I guessed I could get the house for her, that I had the matter all fixed and she paid me \$83.33. I brought at that time two papers for her to sign which were applications upon her part to rent this house. The application was to be handed in at 26th Street. It was not in the form of a lease. It stated simply that she wished to rent this house by the year, the rent to be payable monthly. There were no seals whatever on the documents. It was simply an application, as they had informed me at Ashforth's that such an application was necessary. I wrote that application myself on a half a sheet of legal cap paper. She was anxious about the gas fixtures, and I told her that the Astors would not allow that, that she would have to put them in herself. I did take the money and gave her my own receipt for \$83.33. I sent the money back to her one night but she was not in the hotel. I did not at any time state to her that I in any way represented Mr. Astor or the Astor estate. I did not represent myself as an agent of the Astor estate. I consulted continually with this Mr. Butts about what I should do in relation to the matter. When I found out that I could not secure the premises for her I enclosed the money in an envelope and sent one of my men up to her with it. He returned with the note stating that she was not at the hotel. I intended sending it to her on the following day, but on that afternoon I was riding up town on the elevated road and being intoxicated I fell asleep and when I awoke I missed the

money. The next day I went to Philadelphia and stayed there for two days. I also went to Wilmington and Baltimore, and on my return to this city I found that there was a warrant out for my arrest. I had no intention whatever of defrauding this woman out of her money. I have been addicted to drink lately.

CROSS-EXAMINATION.

I am thirty-seven years of age. I have resided in this city about 12 years. I am acquainted with Inspector Byrnes. The picture which is now shown me is my photograph. I had never Mrs. Raymond before the day I saw her on the elevated train. It was two or three days after that that she came to my office. At that time I was in the real estate business at No. 18 Broadway. Each time that I saw Mrs. Raymond at her rooms in the Hotel Royal it was by appointment. I swear positively that the paper which I brought her there was an application and not a lease. The names of her references, Mr. Maires and Mr. Levy were upon the paper. That paper was to be handed in at the Astor estate in 26th Street. I did not hand it in because I found out from Mr. Butts that I could not secure the house for her. I could not tell you the name of the young man who gave me the permit to visit No. 338 West 45th Street. It was he who told me that it was necessary to secure references, and if the lady wished to rent that I would have to make application at the office in 26th Street. Having this in mind I prepared what I considered to be a proper application and presented it to Mrs. Raymond for her signature.

The paper which I handed Mrs. Raymond I prepared at the office of Mr. Butts, No. 198 Broadway. I signed my name to it right below the name of Mr. Maires, the proprietor of the hotel. That paper contained a clause which provided that the premises for which application was being made were not to be used for the sale of liquors, or for business purposes. That clause was put in at the suggestion of Mr. Butts, who told me he knew all about leases for the Astor property. The application only took up a half a page of legal cap paper. I drafted the application first at the suggestion of the young man whom I had seen at Mr. Ashforth's office on Broadway. The \$83. which Mrs. Raymond paid me has not remained in my possession. I have used that and considerable other money for other business. I have never returned to Mrs. Raymond the particular \$83.. I lost some money on the elevated railroad while I was asleep. The following day I went to Philadelphia and stayed there a day or two. When I got through with my business in Philadelphia I went to Baltimore. After that I returned to the City of New York. In thus travelling about the country I had no intention of evading arrest in this city. After receiving the money from Mrs. Raymond and finding that I could not secure the house for her I returned the money by a messenger to her. Had she been at the hotel she would have received it and there would have been none of this trouble. I had no intention when I took the money of appropriating it to my own use. As near as I can recollect the paper which I call an application read as follows:

"New York, October 15th, 1890.

I hereby make application for the house No. 338 West 45th Street. I agree not to sell any liquors, and stipulate not to sub-let to any one or use the house for business purposes". Perhaps there were two or three other sentences, but I forget what they were. When Mrs. Raymond says that there were two documents in the form of leases, partly written and partly printed, she says what is not true. I know what a lease is, and I am confident that these were not leases. There was nobody present at the time Mrs. Raymond handed me the money for which I gave her a receipt. I took the money in good faith with the intention of getting her a lease of the premises, and made the attempt to return it to her which I have described. I was at Hartman's hotel, in John Cusick's and in other places down town at different times before my arrest. I did not know that the police were looking for me. I was arrested on the street for being drunk, and when I was in the Tombs I was taken into custody upon this charge.

R E B U T T A L.

H E N R Y C L A S S, a witness for the People, re-called.

I attended at the Police Court at the time when the defendant was examined there. I spoke with him. I told him I was very sorry that he caused me to come there, that we were very busy, and I had spent three days there. He replied "Yes, I am very sorry to have you come here, I am sorry that you have been put to so much trouble about the

case. The whole amount of it is I took the money and wanted to return it to Mrs. Raymond but unfortunately I got on a bender and didn't do it".

O F F I C E R C O X, re-called.

The defendant said nothing further to me on the day that I took him to the station house in reference to how this money was disposed of by him in addition to what I stated yesterday. He told me that through neglect he did not return the money, he went on a spree.

F L O R E N C E R A Y M O N D, re-called.

When I gave this money to the prisoner he gave me two sheets of paper in the form of leases. It was not a half a sheet of legal cap paper as he has stated. I now produce a lease which I bought at a stationer's. I positively swear that the papers which the defendant had me sign were similar to this. He told me that the Astors would not sign the lease until I signed it. I noticed the back of the paper and upon it was written the word "Lease". I recollect a clause being in the paper stating that no liquors were to be sold and that the house was not to be sub-let for business purposes. My recollection is that the paper was entirely printed with the exception of the clause relating to the use of the house for business purposes. I signed both papers, gave them back to the defendant and he put them both in his pocket. I was not aware of the fact that he had obtained a permit at Ashforth's on Broadway for that par-



ticular property. The defendant told me that he had rented property for the Astors. He spoke about the house in question, No. 338 West 45th Street and said he would go over and look at it.

J. P. PATTERSON, re-called.

I have heard the testimony which Mrs. Raymond has just given. I did not at any time state to her that I had rented property for the Astors. Neither did I state to her that I had rented property from the Astors. I did not state to her that I had any authority of any kind from the Astors. Mrs. Raymond told me that she preferred the house No. 338 to any other house. When I went to Ashforth's I procured a permit for No. 334 and 338. The only house we looked at was No. 338. I never knew of the existence of the house No. 338 West 45th Street before I heard it from Mrs. Raymond. I never had that house upon my books for renting, or any other house in that street. I did not know to whom that house belonged, or who had the renting of it, before my conversation with Mrs. Raymond. It was she who first spoke about the house belonging to the Astor estate.

The jury returned a verdict of guilty of grand larceny in the second degree.

tion, No. 338 West 43rd Street and said he would go over and look at it.

14-00000

The jury returned a verdict of guilty of grand larceny in the second degree.

I have heard the testimony which Mrs. Raymond has just given. I did not at any time state to her that I had rented property for the Astors. Neither did I state to her that I had rented property from the Astors. I did not state to her that I had any authority of any kind from the Astors. Mrs. Raymond told me that she procured the house No. 338 to any other house. When I went to Ashforth's I procured a permit for No. 334 and 338. The only house looked at was No. 332. I never knew of the existence of the house No. 338 until after I heard it from Mrs. Raymond. I never had that house up my back for renting. I never had that house up my back for renting. I did not know to whom that house belonged or whether the renting of it, before my conversation with Mrs. Raymond. It was she who first spoke about the house belonging to the Astor estate.

The People of the State of New York  
against  
J. Porter Patterson.

Abstract of Testimony on Trial  
February 5, 1891.

Indictment filed December 18, 1890

COURT OF CLERK SESSIONS PART II.

Indictment filed December 18, 1890

COURT OF GEN'L SESSIONS, PART III.

The People of the State of New York,

J. Porter Patterson.

Abstract of Testimony on Trial  
February 5, 1891.

0 150

~~Prof. S. C. C. 10/12~~

New York  
Oct. 9/1890

Mr. J. P. Patterson

Dear Sir

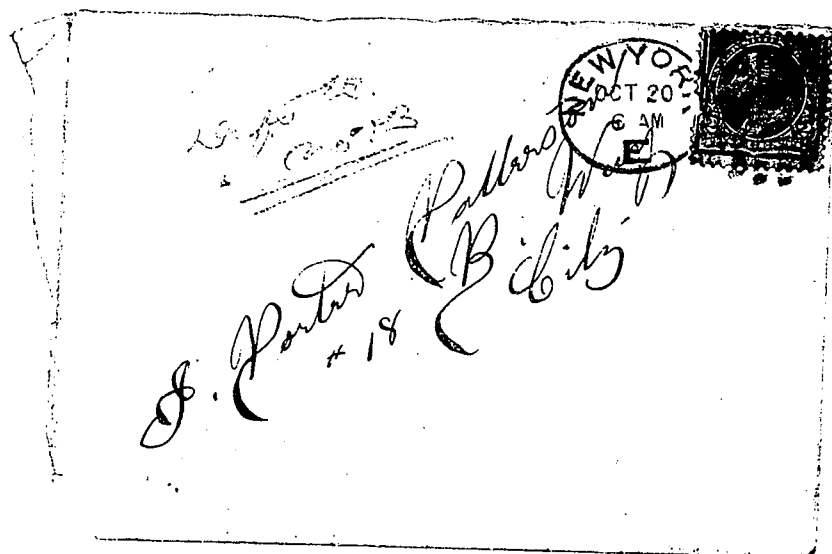
I will  
be at home Monday  
Oct 20<sup>th</sup> until One  
P. M. Should you  
feel disposed <sup>not</sup> to  
call by that  
time consider your-  
self as called to rectify  
matters. You have

0 15 1

given fully excuses  
for keeping \$83<sup>87</sup> since  
Oct 15 & as this is  
purely a matter of  
business with me -  
Will say positively  
it is my last day  
of waiting -

Most Respect  
Wm. J. Raymond

0 152



0 153

Judge Martine  
General Sessions

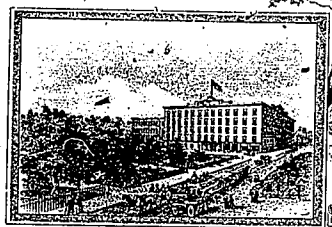
Courthouse City Office

Part 34

New York City

~~See~~  
Rec'd  
7/10

0 154



Hotel Royal,  
40<sup>TH</sup> ST. & SIXTH AVE. N.Y.



RICHARD MEARES, Prop.



Scarboro,  
LONG BRANCH, N.J.

New York, October 15 1890.

Received from Mrs Florence Raymond  
Eighty three dollars and Thirty three  
cents for Rent.

\$ 83.  $\frac{33}{100}$

J. P. Patterson.  
Pro. ex No. 1  
Pm.

0155

Form No. 1.

# THE WESTERN UNION TELEGRAPH COMPANY.

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after sending the message.

This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.

THOS. T. FOCKERT, General Manager.

NORVIN GREEN, President.

| NUMBER | SENT BY | REC'D BY | CHECK |
|--------|---------|----------|-------|
| 35     | Re Br   | 10 paid  |       |

Received at

666 6th AVE

Dated

Whitehall st Ferry N.Y. 20

To

Mrs M Raymond

Hotel Royal

40 st x 6 ave  
Sent check will see you  
this afternoon going to Philadelphia  
Joe Patterson



0 156

HON. RANDOLPH B. MARTINE ,  
Judge of General Sessions

Dear Sir:- In compliance with your request I submit  
a report on J. PORTER PATTERSON.

This man was arrested about five years ago, when  
his picture was taken for the Rogues Gallery. He has been  
arrested several times by the men in the Central Office,  
but a complainant could never be obtained to appear  
against him. He is the husband of Flora Lint, who was  
arrested in Brooklyn for shoplifting. He is a mean  
contemptible man, having been the cause of breaking up  
many families, separating husbands and wives, fathers  
and children. ~~The~~ Inspector Byrnes says of him:  
"Nothing on the calendar is too mean for him to do".  
This is the first time that the law has had a chance to  
deal with him, on account of the hesitancy of people to  
appear against him. I believe that he is wanted  
by of the police of Brooklyn. He has acted as a  
private detective to ply his blackmailing shemes and  
has also occupied an office at 18 Broadway and has  
called himself an "agent".

*Philip V. Reilly*  
*Det. Squad*

0157

Police Court 4th District.

Affidavit—Larceny.

City and County } ss:  
of New York,

Florence Raymond

of No. ~~45 West 33d~~ 151 W. 35<sup>th</sup> Street, aged 25 years,  
occupation Married woman being duly sworn,deposes and says, that on the 15<sup>th</sup> day of October 1890 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:Eighty three <sup>33</sup>/<sub>100</sub> dollars good &  
lawful money of the United States.

the property of her the said Florence Raymond

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and  
carried away by J. Porter Patterson of said New York  
City then residing at Hartman's Hotel in  
Whitehall Street, under the following circumstances:  
On said Oct. 15, 1890 the said Patterson represented  
to complainant that he had authority to lease  
the house at 338 West 45<sup>th</sup> Street, owned by  
the Astor Estate, and to receive said sum  
of \$83 <sup>33</sup>/<sub>100</sub> from complainant for the first month's  
rent thereof, & that he would bring up the lease  
the next day but one, duly executed by the owner  
together with the keys to the house; that relying  
on said representations complainant paid said  
Patterson said sum of \$83 <sup>33</sup>/<sub>100</sub> for such rent,  
that said Patterson did not bring to complainant  
said lease & keys as agreed, nor has she  
received either for any time since; that complainant  
has caused inquiries to be made at the office

Sworn to before me, this

39

day  
Public Justice.

of said owners, at 268 88 near Seaview  
 I received the information that said  
 Patterson had no authority to lease said  
 house, that he had brought them no money  
 on account of any lease of that house, or  
 from complaint, & that said Patterson  
 was not known to them; Complainant  
 further says that she has made diligent  
 efforts to find said Patterson to demand  
 repayment of said \$83.33 but without success.  
 She has however both written him & said word  
 to him to return the money, but he has not  
 done so; that said Patterson has appropriated  
 said sum of \$83.33 to his own use.  
 and benefit, wherefore defendant  
 prays that defendant be appre-  
 hended and be dealt with as the  
 law directs.  
 Submitted before me  
 this 30th day of Oct 1890  
 Charles K. Martin  
 Police Justice  
 Florance Raymond

0 159

Sec. 151.

Police Court 11 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 *James Raymond*  
of No. *152 West 53* Street, that on the *10* day of *October*  
18*87* at the City of New York, in the County of New York, the following article to wit:

*Good and lawful money of*  
*the United States*  
of the value of *Eighty three & 3/4* 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 *J. Parker Patterson*

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
*Sheriff, Marshals and Policemen*, and every of you, to apprehend the body of the said Defendant  
and forthwith bring *him* before me, at the *11* 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 *30* day of *Oct* 18*87*  
*Charles W. Linton* POLICE JUSTICE.

0 160

age 35. Mr. Geo. Coleman House

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.

*Hartmanns Hotel*

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

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

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

Magistrate

Officer.

The Defendant *Joseph P. Patterson*  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

Officer.

Dated *December 6* 188*90*

This Warrant may be executed on Sunday or at  
night.

Police Justice.

TORN PAGE

0161

Sec. 198-200.

X District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*J. Porter Patterson* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is h right to  
make a statement in relation to the charge against 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 h is waiver cannot be used  
against him on the trial.

Question. What is your name?

Answer. *J. Porter Patterson*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *Virginia*

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

Answer. *Coleman House*

Question. What is your business or profession?

Answer. *Real estate agent*

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

Answer. *I am not guilty*  
*J. P. Patterson*

Taken before me this

*7*

*day of December 1898*

*at New York*

Police Justice.

0 162

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 Dec 11 1890 H. M. Mahon Police Justice.

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

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

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

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

0163

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

#196  
Police Court

1845  
District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Samuel Raymond*  
151- vs. *Heath 35th*

1

3

4

Dated

18

Magistrate

Officer

Precinct

Witnesses

No. 26

Street

No.

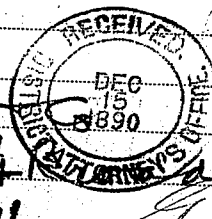
Street

No.

\$

to answer

*1000 fine & 90 days*  
*by 9 30 am*  
*by 11 20 am*





# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
AGAINST

*J. Porter Patterson*

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

*J. Porter Patterson*

of the CRIME OF *Grand LARCENY in the second degree,*—  
committed as follows:

The said *J. Porter Patterson,*

late of the City of New York, in the County of New York aforesaid, on the *fifteenth*  
day of *October*, in the year of our Lord one thousand eight hundred and  
eighty *nine*, at the City and County aforesaid, with force and arms, with intent to  
deprive and defraud *one Florence Raymond*—

of the proper moneys, goods chattels and personal property hereinafter mentioned, and of  
the use and benefit thereof, and to appropriate the same to *his* own use, did then and  
there feloniously, fraudulently and falsely pretend and represent to *the said*  
*Florence Raymond,*—

That *he* *the said J. Porter Patterson* was  
*then and there authorized and empowered*  
*by the owner of the house and premises*  
*known as number 338 West 45th Street*  
*in the said City to lease the said house*  
*and premises to her the said Florence Raymond*  
*at the annual rental of one thousand dollars*  
*and to then and there take and receive*  
*from her the sum of eighty three dollars*

and thirty three cents in payment of one month's rent therefor in advance, for and on behalf of the said owner.

And the said Florence Raymond —

then and ~~then~~ <sup>there</sup> believing the said false and fraudulent pretenses and representations so made as aforesaid by the said Porter Patterson —

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said Porter Patterson, the sum of eighty three dollars and thirty three cents in money, lawful money of the United States of America, and of the value of eighty three dollars and thirty three cents.

of the proper moneys, goods, chattels and personal property of the said Florence Raymond. —

And the said Porter Patterson — did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and personal property, from the possession of the said Florence Raymond by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said Florence Raymond. —

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

Whereas, in truth and in fact, the said Porter Patterson was not then and there authorized or empowered by the owner of the said house and premises to lease the same to her the

said Florence Raymond, at the annual  
rental of one thousand dollars, or to then  
and there take or receive from her the  
sum of fifty three dollars and fifty three  
cents in payment of one month's rent  
thereof in advance, for and on behalf of  
the said owner.

And Whereas, in truth and in fact, the pretenses and representations so made  
as aforesaid by the said J. Porter Patterson  
to the said Florence Raymond was and were  
then and there in all respects utterly false and untrue, as she the said  
J. Porter Patterson  
at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said  
J. Porter Patterson  
in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods,  
chattels and personal property of the said Florence Raymond  
then and there feloniously did STEAL, against the form of the Statute in such case made and  
provided, and against the peace and dignity of the said people.

JOHN R. FELLOWS,

District Attorney.

0 167

**BOX:**

421

**FOLDER:**

3888

**DESCRIPTION:**

Patterson, James

**DATE:**

12/23/90



3888

0 168

**BOX:**

421

**FOLDER:**

3888

**DESCRIPTION:**

Hagan, James

**DATE:**

12/23/90



3888

Witnesses:

Chas. Chubb

Sept 20 2 1/2  
Reynolds  
in Ellet & his  
Ch. in her 900  
F8

Counsel,

Filed

Pleads,

23 Dec 1890  
20 July 1890

THE PEOPLE

vs.

James Patterson

and

James Hagan

JOHN R. FELLOWS,

District Attorney,

Jan 6 1891  
Chas. Hagan & Co. Jan 3 1891

Return in the Third degree.  
and receiving.  
[Section 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

A True Bill.

William H. Reynolds

Foreman.

Dec 24 1890

Chas. Hagan

W. L. Elmira (Ref. B. M.)

Sept 2. 2 1/2 (W. L. Elmira)

Jan 5 1891

0170

Police Court 4<sup>th</sup> District.City and County } ss.:  
of New York,of No. 560 West 58<sup>th</sup> Street, aged 19 years,occupation Butcher being/duly sworndeposes and says, that the premises No. 560 West 58<sup>th</sup> Street, 22<sup>nd</sup> Wardin the City and County aforesaid the said being a Four Story BrickBuildingand which was occupied by deponent as a residenceand in which there was at the time <sup>in</sup> human being, by namewere BURGLARIOUSLY entered by means of forcibly prying openand breaking the lock of a door leadingfrom the hall way into said room andthen opening said door and enteringsaid roomon the 18<sup>th</sup> day of December 1888 in the day time, and the

following property feloniously taken, stolen and carried away, viz:

Two Coats and Two Vestsall of the value of Fifteen Dollars(\$15.00)the property of deponent and John Beattie and in deponent's charge

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen and carried away by

James Patterson and James Hagan(both now here) and while acting in concert with each otherfor the reasons following, to wit: that at about the hour of 2.45 P.M.on the aforesaid day deponent secured fasteningsand locked the door leading into said room andat about the hour of 3.45 P.M.thereafter deponent found said door unlockedand opened and deponent was informedby Officer Robert Charlton of the 22<sup>nd</sup> PrecinctPolice that he Charlton had arrested bothsaid defendants in the Signor Store situated on

0171

the North west corner of 56<sup>th</sup> Street and 9<sup>th</sup> Avenue  
while they were together and found and  
discovered said property in their said  
defendants possession part of said  
property being concealed upon ~~his~~ James  
Patterson's person which property so  
found ~~defendants~~ defendant fully identifies  
as being the same that had been so  
gloriously taken stolen and carried away  
in the manner aforesaid.

So defendant therefore charges said  
James Patterson and James Hagan while  
acting in concert with each other with  
having committed said Burglar and Larceny  
and asks that they may be dealt with  
as the law may direct.

Sworn to before me this  
19<sup>th</sup> day December 1890

J. J. [Signature]  
Police Justice George Hornum

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 committed to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1888  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1888  
There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 1888  
Police Justice

Police Court, District

THE PEOPLE, &c.,  
on the complaint of

vs.

1  
2  
3  
4

Offence—BURGLARY.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.



0172

CITY AND COUNTY }  
OF NEW YORK, } ss.

Robert Charlton  
aged 37 years, occupation Police officer of No.  
25 Recruit Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of George Cummings  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of December 1890

Robert Charlton

J. J. Wilson  
Police Justice.

0173

Sec. 108-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, } ss.

*James Patterson* 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 Patterson*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *163 E 44th St. 1 month*

Question. What is your business or profession?

Answer. *Plumber*

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 know nothing about it.*  
*I am not guilty.**James Patterson*

Taken before me this *19th*  
day of *December* 189*8*

Police Justice.

*H. H. H. H.*

0174

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss.

H District Police Court.

James Hagan 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 Hagan

Question. How old are you?

Answer.

28 years

Question. Where were you born?

Answer.

New York

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

Answer.

737 Third Avenue; 2 years

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 know nothing about  
it. I am not guilty

James Hagan

Taken before me this

day of

December

1941

Police Justice.

J. H. Hagan

0175

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

*defendants*  
guilty thereof, I order that *they* be held to answer the same and *they* be admitted to bail in the sum of *10* 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 *Dec 19* 18*90* *J. H. [Signature]* Police Justice.

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

Dated.....18..... Police Justice.

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

Dated.....18..... Police Justice.

0176

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*George Conmerton*  
*560 West 58th St*  
*James Patterson*  
*James Hagan*  
Office *Durham*

BAILED,

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

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

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

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

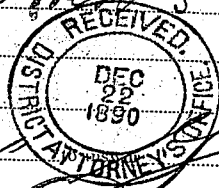
Dated *Dec 19* 18*90*  
*Kilpatrick* Magistrate.

*Charlton* Officer.  
*23* Precinct.

Witnesses *Call Officer*  
No. \_\_\_\_\_ Street.

*John Beattie*  
No. *560 West 58th* Street.

No. \_\_\_\_\_ Street.  
\$ *100.00*



**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 Patterson*  
*and James Hagan.*

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

*James Patterson and James Hagan*

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

The said

*James Patterson and James Hagan, both*

late of the *Twenty-second* Ward of the City of New York, in the County of New York  
aforesaid, on the *eighteenth* day of *December* in the year of our Lord one  
thousand eight hundred and *ninety* — , with force and arms, in the  
*day* time of the same day, at the Ward, City and County aforesaid, the  
dwelling house of one *George Commerton* —

there situate, feloniously and burglariously did break into and enter, with intent to  
commit some crime therein, to wit: with intent, the goods, chattels and personal property  
of the said *George Commerton* —

in the said dwelling house then and there being, then and  
there feloniously and burglariously to steal, take and carry away, against the form of  
the Statute in such case made and provided, and against the peace of the People of the  
State of New York and their dignity.

## SECOND COUNT—

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

*James Patterson and James Hagan*

of the CRIME OF *Petit* LARCENY

, committed as follows:

The said

*James Patterson and James Hagan, both*

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

*two coats of the value of five dollars each and two vests of the value of two dollars and fifty cents each*

of the goods, chattels and personal property of one

*George Commerton*

in the dwelling house of the said

*George Commerton*

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

## THIRD COUNT—

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

*James Patterson and James Hagan*  
 of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

*James Patterson and James Hagan, both*

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

*two coats of the value of five dollars each and two vests of the value of two dollars and fifty cents each*

of the goods, chattels and personal property of

*George Commerton*

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

*George Commerton*

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

*James Patterson and James Hagan*

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

JOHN R. FELLOWS,  
 District Attorney.



0 180

**BOX:**

421

**FOLDER:**

3888

**DESCRIPTION:**

Peters, Oscar R.

**DATE:**

12/11/90



3888

0181

104  
104

Witnesses:

Anthony Constatore

Counsel

Filed

day of

Pleads

THE PEOPLE

vs.

Oscar R. Peters

POLICY

[S 844, Penal Code]

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Adrian Van Kesteren  
Foreman.

Dec 12/90

John L. Kelly

Five \$100. RBM  
paid

0182

Coast 100

0 10 10

and myself  
your friend

with me

from the 1st of June 1880

all a friendly Greeting

come to see me and

the weather was good

Dear

100 100

100 100

100 100

100 100

100 100

100 100

100

100

St

bell

0183

*J. B. D.*

207 East 22nd

Oct 30/70

Price \$1.00

GLUED PAGE

0 184

CITY OF New York COUNTY OF New York } ss.  
AND STATE OF NEW YORK.

43 Park Row  
of ~~150 Nassau~~ Street, New York City, being duly sworn deposes and says, he  
21 years of age, and is employed as Chief agent of the New York Soc  
Suppression of Vice, that he has just cause to believe, is informed and  
believe, that O. K. Peters

whose real name is unknown, but who can be identified by J. R. Collard  
did, at the City of \_\_\_\_\_ County  
of \_\_\_\_\_ and State of New York, on or about the 30<sup>th</sup> day of September 1890,  
unlawfully use a room, table, establishment or apparatus for gambling purposes—and  
did engage as a dealer or game-keeper in a gambling or banking game, where money or  
property was dependent upon the result—and did sell, or offer to sell what is com-  
monly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing  
or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or  
other document for the purpose of enabling others to sell or offer to sell lottery policies,  
writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing  
or drawn numbers of a lottery, against the form of the statute of the State of New York  
in such case made and provided.

Deponent further says, he has just ~~come~~ <sup>cause</sup> to believe, is informed and verily does  
believe ~~from personal observation and~~ from statements made by J. R. Collard

to deponent  
that the said O. K. Peters  
aforesaid, now has in his possession, at in and upon  
certain premises occupied by him and situate and known as number  
202 East 22<sup>nd</sup> street in basement  
in the City of New York and within  
the County and State aforesaid, for the purpose of using the same as a means to commit a

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, chips, deal boxes, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this

30<sup>th</sup> day of September 1890.

Anthony Courtick

*[Signature]*

Police Justice.

CITY OF New York AND COUNTY OF New York ss.

John R. Ballard of 43 Park Row

being further sworn deposes and says that on the 30<sup>th</sup> day of September 1890,

deponent visited the said premises, named aforesaid, and there saw the said

O. K. Peters of 207 East 22<sup>nd</sup> Street aforesaid, and

had dealings and conversation with him as follows:

Deponent entered said premises, and saw said Peters sitting at a table, whereupon was the manifold book or paper for recording what are commonly called lottery policies, and the slips or drawn numbers.

Deponent handed said Peters a paper, upon which was recorded the following numbers, to wit:

4, 16, 29  
57, 67, 73  
13, 27, 34  
10, 20, 30  
6, 9, 59.

and said, give me this for all day. whereupon the said Peters wrote annexed paper, entered the same upon the manifold book, and handed annexed

0 186

papers to Deponent, and Deponent paid the sum of One Dollar for the same.

Deponent further says that from ~~personal~~ observation and dealings and conversations had with the said O. K. PETERS, he is informed and verily believes <sup>and is positive</sup> that the said PETERS <sup>now has</sup> upon premises occupied by <sup>him</sup> and situate and known as 207 Easy 22nd. Street, aforesaid, divers and sundry papers, tables, instruments and paraphernalia, writings, papers and books and documents for gambling purpose, in violation of the provision of Chapter 9 of the Penal Code of the State of New York.

Subscribed, and sworn to before me  
this 30th. day of September 1890.

*J. R. Collier*

*[Signature]*  
Police Justice

0187

Subscribed and sworn to before me this }  
\_\_\_\_\_ day of \_\_\_\_\_ 188\_\_\_\_.

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

|                               |  |
|-------------------------------|--|
| THE PEOPLE                    |  |
| ON COMPLAINT OF               |  |
| <i>Anthony J. Santolucito</i> |  |
| AGAINST                       |  |
| <i>D. K. Fisher</i>           |  |
|                               |  |
|                               |  |
|                               |  |

*Violation Sec. 844, P. C.  
Gambling and Policy.*

Affidavit of Complaint.

WITNESSES:

*A. Comstock*  
*J. R. Colcord.*



0 188

City and County of New York, ss:

In the name of the People of the State of New York:

To any Peace Officer in the City and County of New York:

Proof by affidavit having been this day made before me, by Anthony Bonuto  
and John R. Collard of 43 Park Row Street, New York  
City, that there is probable cause for believing that W. K. Peters, whose full name  
is unknown but who can be identified by  
J. R. Collard

has in his possession, at, in and upon certain premises occupied by him and situated and known number  
207 East 22<sup>nd</sup> Street in said City of New York certain and divers  
device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings,  
papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and  
other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, black-  
boards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day or night  
time to make immediate search on the person of the said W. K. Peters

and in the building situate and known as number 207 East 22<sup>nd</sup> Street aforesaid,  
for the following property, to wit: cell Faro layouts,      Roulette Wheels and layouts,       
Rouge et Noir, or Red and Black layouts,      gaming tables,      chips,      packs  
of cards,      dice,      deal boxes,      lottery policies,       
lottery tickets,      circulars,      writings,      papers,       
documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery,      books  
     documents for the purpose of enabling others to gamble or sell lottery policies,      black-  
boards,      slips or drawn numbers of a lottery,      money to gamble with, and all device,  
establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the First District  
Police Court at the Court in Centre Street in the City of New York.

Dated at the City of New York, the  
30<sup>th</sup> day of September 1890

[Signature]

POLICE JUSTICE.



0189

Inventory of property taken by Wm O Toole the Peace Officer by whom this warrant was executed :

Two layouts, Roulette Wheels, Roulette layouts, Rouge et Noir lay-  
outs, gaming tables, chips, packs of cards, dice, deal  
boxes, deal trays for holding chips, cue boxes, markers, or tally cards,  
ivory balls, lottery policies, lottery tickets, circulans, 1 box writings, 8  
papers, black boards, 1 pk slips, or drawn numbers in policy, money, 20-  
manifold books, 1 record book, 1 Agate, 1 fine

City of New York and County of New York ss:

I, Wm O Toole the Officer by whom this warrant was executed,

do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 14  
day of Oct 1890

Miriam O Toole  
Deputy C. Coleman  
Police Justice.

Police Court--- 14 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Anthony Buntrock

vs.  
A. K. Peters

207 & 22

Dated Sept 30 1890

A. J. White Justice.

Wm O Toole Officer.

Deputy H. Adams

0 190

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

*Oscar R. Peters* 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.

*Oscar R. Peters*

Question. How old are you?

Answer.

*43 years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*325-6 21<sup>st</sup> 6 months*

Question. What is your business or profession?

Answer.

*Clerk*

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

Answer.

*I am not guilty  
and I demand an examination  
Oscar R. Peters.*

Taken before me this  
day of *October*  
188*2*

*W. S. Brown*  
Police Justice

0191

Sec. 151.

CITY OF new York COUNTY OF new York } ss. Police Court, 1<sup>st</sup> District.  
AND STATE OF NEW YORK.

In the name of the People of the State of New York: To the Sheriff, or any Deputy Sheriff or Peace Officer of the County of new York, or to any Marshal, Constable or Policeman of the City of new York GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of new York, by Anthony Baustohl & John R. Collard of No. 43 Park Row Street, charging that on the 30<sup>th</sup> day of September 1890 at the City of new York, in the County of new York that the crime of selling & receiving what is commonly called a lottery policy

has been committed, and accusing O. K. Peters whose real name is unknown but who can be identified by J. R. Collard thereof.

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, Deputy Sheriffs, Peace Officers, Marshals, Constables and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 1<sup>st</sup> 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 30<sup>th</sup> day of September 1890  
[Signature] POLICE JUSTICE.

0192

POLICE COURT, <sup>4</sup>/<sub>1</sub> DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Auctioneers et al*  
vs.

*R. K. Peters*

Warrant-General.

Dated *Sept 30* 18*80*

*A. J. White* Magistrate.

Officer.

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

Officer.

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

This Warrant may be executed on Sunday or at  
night.

Police Justice.

REMARKS.

Time of Arrest, \_\_\_\_\_

Native of \_\_\_\_\_

Age, \_\_\_\_\_

Sex, \_\_\_\_\_

Complexion, \_\_\_\_\_

Color, \_\_\_\_\_

Profession, \_\_\_\_\_

Married, \_\_\_\_\_

Single, \_\_\_\_\_

Read, \_\_\_\_\_

Write, \_\_\_\_\_

0 193

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

*Defendants*

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

Dated *Oct 18 90* *J. A. D. C. W.* Police Justice.

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

Dated *Oct 18 90* *J. A. D. C. W.* Police Justice.

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

Dated..... 18..... Police Justice.

0 194

*John*  
*Anthony Condrich*

BAILED.

No. 1, by *J. C. Mund*  
Residence *1539 2nd Ave* Street.

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

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

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

*104* *80* *1571*  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Anthony Condrich*  
*vs.*  
*Oscar R. Petros*

2 .....  
3 .....  
4 .....  
Office *John*

Dated *Sept 1* 188*90*  
*John* Magistrate.  
*John* Officer.  
*Es.* Precinct.

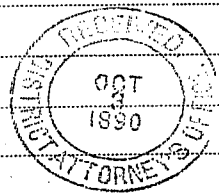
Witnesses .....  
No. .... Street.

No. .... Street.

No. .... Street.

\$ *500* to answer *G.S.*

*Bailed* *John*



0 195

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

ss.

Anthony Bontock

of No. 43 Park Row Street, being duly sworn, deposes and says,  
that O. Robert Peters (now present) is the person, of the name of  
O. R. Peters mentioned in deponent's affidavit of the 30<sup>th</sup>  
day of September 1890, hereunto annexed.

Sworn to before me, this 1<sup>st</sup>  
day of Oct 1890 }

Anthony Bontock

W. D. W.

POLICE JUSTICE.



0196

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

THE PEOPLE OF THE STATE OF NEW YORK  
against

Oscar R. Peters

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

Oscar R. Peters  
of the CRIME OF SELLING WHAT IS COMMONLY CALLED A LOTTERY POLICY, com-  
mitted as follows:

The said

Oscar R. Peters

late of the City of New York in the County of New York aforesaid, on the *thirtieth*  
day of *September* in the year of our Lord one thousand eight hundred and *eighty*  
*ninety*, at the City and County aforesaid, feloniously did sell to one

John R. Collard

what is commonly called a Lottery Policy, the same being a certain paper, and writing,  
as follows, that is to say:

$$\begin{array}{r} 463 \\ 397 \\ \hline 4-1629 \\ 576775 \\ 132734 \\ 102030 \\ 6-9-39 \\ \text{Call day} \end{array}$$

(a more particular description of which said paper and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), 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

Oscar R. Peters

of the CRIME OF SELLING A PAPER, WRITING, AND DOCUMENT, IN THE NATURE  
OF A BET AND WAGER UPON THE DRAWING OF A LOTTERY, committed as follows:

The said

Oscar R. Peters

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the City and County aforesaid, feloniously did sell to one John R. Collard

0197

a certain paper, writing and document, in the nature of a bet and wager upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document, is as follows, that is to say:

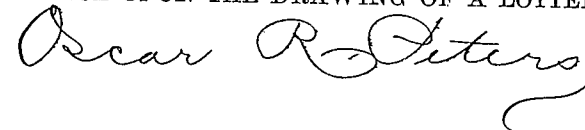
$$\begin{array}{r} 463 \\ 337 \\ \hline 124 \end{array}$$
 16 29  
 57 67 73  
 13 27 34  
 10 20 30  
 6-9-39 \$10.00  
 Call Day

(a more particular description of which said paper, writing and document, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

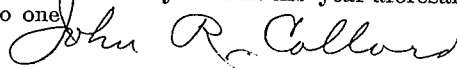
### THIRD COUNT.

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

  
 of the CRIME OF SELLING A WRITING, PAPER, AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows:

The said 

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one




a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

$$\begin{array}{r} 463 \\ 337 \\ \hline 124 \end{array}$$
 16 29  
 57 67 73  
 13 27 34  
 10 20 30  
 6-9-39 \$10.00  
 Call Day

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

### FOURTH COUNT.

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

  
 of the CRIME OF SELLING A PAPER, WRITING AND DOCUMENT IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

0198

The said *Oscar R. Peters*

late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one *John R. Collard*

a certain paper, writing and document in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

$$\begin{array}{r} 463 \\ 337 \\ \hline 14-1629 \\ 576773 \\ 132734 \\ 102030 \\ 6-9-39 \end{array}$$
*Sp 10 100*  
*Call Day*

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

FIFTH COUNT.

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

*Oscar R. Peters*

of the CRIME OF SELLING A WRITING, PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said *Oscar R. Peters*

late of the City and County aforesaid, afterwards, to wit : On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one *John R. Collard*

a certain paper, writing and document in the nature of an insurance upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

$$\begin{array}{r} 463 \\ 337 \\ \hline 14-1629 \\ 576773 \\ 132734 \\ 102030 \\ 6-9-39 \end{array}$$
*Sp 10 100*  
*Call Day*

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

0 199

**BOX:**

421

**FOLDER:**

3888

**DESCRIPTION:**

Phoebus, George R.

**DATE:**

12/23/90



3888

Witnesses:

vide inside of  
Indictment

Exhibit

A Petition in the

Supreme Court of King  
County dated Nov. 86  
to compel the defendant

to pay monies to  
the complainant, owing  
out of the same stock

of which one which this  
Indictment was found

and the Proceeding  
above still pending the  
said Court - Examined  
to me after investigation  
that it is an attempt to

use criminal machinery  
for collection of above debt.  
I therefore ask that you  
be discharged on his own recogni-  
tance dated Dec 29/90  
J.S.D.

Counsel,

Filed

23 day of Dec 1890  
Plead

THE PEOPLE

vs.

George R. Proctor

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

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

William Van Lennep  
Foreman.

Mr. W. O. Adams  
Ally, Sept. 1890  
on his own recogni-  
tance dated Dec 29/90  
J.S.D.

Dec 29/90  
J.S.D.  
J.S.D.  
J.S.D.  
J.S.D.

in the 16th day of  
January 1891, -  
The action con-  
-menced agst

George R. Proctor  
in December, 1886  
was discontinued.

Same commenced  
that there has been  
an attempt to use

the criminal machinery  
of this Court for the

purpose of forcing  
defendant to pay  
monies for which he  
was sued in 1886.

That action has  
been discontinued  
and as matter of  
justice to the defendant

I now ask the Court  
that this Indictment  
be dismissed  
J.S.D.  
J.S.D.

mi

Supreme Court of  
New York

In the matter of the  
petition of Annie T  
Ross &c

City of County of New York S.S.

George A. Prochus being duly sworn says - I am an attorney of this Court - I have read the petition herein In answer thereto I wish to state as follows:

I was first consulted by the petitioner in May last relative to her claim against Alexander Ross. Petitioner then informed me that she had a claim of \$315 against Alexander Ross, that Ross had disappeared and left the State and <sup>had</sup> left property at 1073 Third Avenue consisting of a small stock of oil cloth &c and that he wished me to collect ~~the~~ claim.

I promised to do what I could for her and informed her that she had best sue out an attachment in order to be ahead of any other creditor. I prepared the papers necessary to procure the

0202

said attachment and gave her the bond necessary to get the cause and told her she must get two bondsmen before I could attach. Two or three days later she told me she could not get the bond and I informed her that then she would have to get judgment and take her chances of being ahead of other creditors. I told her she would have to serve Ross by publication and that that would take some seven or eight weeks & that she would have to pay the cost of publishing the summons. She inquired how much it would take and I told her some thirty five dollars or thereabouts. She said she could not pay the money then but would endeavor to get it. A few days later she paid me \$10 and then a few days after that \$5. I prepared summons & complaint & papers necessary to get an order of publication. The action was commenced June 12 in the City Court of New York. A few days ~~after~~ after this petitioner sent for me to come to 1073 Third Avenue. I went up and

then witnessed that dispossession proceedings had been commenced against Ross and his daughter then living there and that they were about to be put out. I went & saw the Marshal & he told me that he was going to dispossess them & must have the property by July 1, that if they were not vacated he should take possession & put them out. I so reported to the parties and young Miss Ross then told me she wanted her aunt's claim paid, that she had authority to sell the stock & <sup>had been</sup> ~~was~~ doing so. I then advised her to sell the stock at once before the Marshal put it out of the store. A sale was regularly advertised and the stock was sold & netted \$319. Miss Ross requested me to settle up with the auctioneer & take charge of the money. That it belonged to her father & whatever creditors were entitled to receive it. I receipted for the money & I have it yet.

Almost immediately after the sale the petitioner demanded that I deliver her the money. I



refused and told her she could  
 have no title to it before she procured  
 judgment, obtained it in the regular  
 way prescribed by law. She again  
 asked how long she must wait and I  
 told her six weeks, six  
 days after service was commenced by  
 publication & then till the <sup>sheriff</sup> ~~sheriff~~  
 returned execution. She went away &  
 sent an attorney to me whom she had  
 employed to collect the money. I  
 delivered him the note & told him as  
 soon as he got judgment I would  
 pay the money. He never brought  
 another petition then after several  
 months of delay came to me &  
 demanded the money. I told her the  
 same thing I had told her before. She  
 then asked me if I would get  
 judgment for her. I said I would  
 if she paid the costs of publication.  
 I prepared papers again & wrote her  
 that I had done so. As she has  
 never paid the costs of publi-  
 cation I have never procured  
 judgment. When she gets judgment

0205

she can have the money. I have  
written this fully to petitioner's  
attorney and he knows all  
about it.

Sworn to before me  
Dec. 6. 1886

Chas. M. Bolles  
Notary Public  
N.Y. Co.

Geo. L. Phoebe

0206

*Sworn  
Dec.  
Ch  
N*

State of New York, } ss.  
COUNTY OF KINGS.

I, WILLIAM J. KAISER, Clerk of the County of Kings, and Clerk of the Supreme Court of the State of New York, in and for said County (said Court being a Court of Record), DO HEREBY CERTIFY, that I have compared the annexed with the original.

*Apparatus of George  
R. Phoebe in the name  
of Ann F. Ross in  
file*

in my office Dec 27 1886 and that the same is a true transcript thereof, and of the whole of such original.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said County and Court, this 27 day of Dec 1890

*W J Kaiser* Clerk

0207

affidavit of George  
C. Phelan - made  
Dec 6<sup>th</sup> 1886

0208

District Attorney's Office.

Dec 1890  
PEOPLE

vs.

Geo. P. Shober

Geo. P. Shober.

Application to try

~~Shober~~ 1890.

Indicted on accus-

reorganization Dec

25/90 Reorganized

Refers to Mr

Lawrence to ac-

know whether

trial connection

Shober had

Jan 2 1891

0209

District Attorney's Office.

PEOPLE

vs.

George R. Phoebe.

Mr. Neal:

I find that the indictment  
herein was dismissed  
by Rec. Smyth. upon  
application of Mr.  
Berford Jan'y 15<sup>th</sup> '91.

Robert J. Mansuet.

Deputy Atty.

Nov, 23<sup>rd</sup> '91.

Papers attached.

02 10

At a Special Term  
of the Supreme Court  
of the State of New York  
held at the County Court  
House in the City of  
Brooklyn on the 15th  
day of January 1891

Present

Wm Willard Bartlett

Justice

In the matter of the  
application of inmate  
Rosa to compel  
George R. Rhoades  
an attorney at law

Upon reading and filing  
the annotated consent and upon  
motion of George R. Rhoades  
for the petitioners in the above  
titled matter it is

Ordered that the above  
titled matter be and the same  
is hereby discontinued without  
cost to either party as against the  
~~other~~

A copy  
Wm J. Kaiser  
Clerk





02 12

Sec. 198-200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

*Geo. R. Proebus*

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

Question. What is your name?

Answer.

*Geo. R. Proebus*

Question. How old are you?

Answer.

*29 years*

Question. Where were you born?

Answer.

*MS.*

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

Answer.

*St James Hotel*

Question. What is your business or profession?

Answer.

*Journalist*

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*

*Geo. R. Proebus*

Taken before me this

day of

*1900*  
District Police Justice

02 13

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.....

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

Dated Dec 18 1890 A. J. White Police Justice.

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

Dated.....18..... Police Justice.

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

Dated.....18..... Police Justice.

02 14

Mary  
Annie R. Ross

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

Annie Ross.

22 Temple St.  
Geo R. Phoenix

1

2

3

4

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

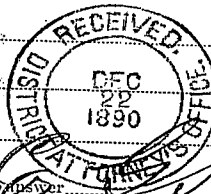
Street.

No.

Street.

\$

1000 to answer  
at 6:47.10 am  
" " 18.10 am



Copy

Fol. 1. N.Y. Supreme Court Kings County.

In the matter of the application  
of Annie F. Ross to compel  
George A. Phorbus, an attorney and  
Counsellor at law to pay over  
money collected in a profess-  
ional and fiduciary capacity.

To the Supreme Court of  
the State of New York.

The Petitioner of Annie F. Ross  
respectfully shows:

I That your petitioner is a widow  
and resides in the City of Brooklyn

II That George A. Phorbus is an  
attorney and Counsellor at law  
of the Supreme Court of the State  
of New York, & duly admitted to  
practice as such, and has his  
office in the City of New York  
and residence in the City of  
Brooklyn

III That on or about the sixth  
day of June 1886 your petitioner  
required the professional service  
of said Phorbus and as an  
Attorney and Counsellor at

law, retained said Phoenix to  
commence legal proceedings  
on a note held by the petition-  
er against Alexander Ross,  
the maker thereof, for the  
sum of Three Hundred and  
Fifteen Dollars.

II That said Alexander Ross  
carried on business at No  
1073 Third Avenue in the  
city of New York prior to the  
third day of June 1886, when  
he abandoned his business  
as well as his three orphan  
children and that your pet-  
itioner immediately thereafter  
took possession of said  
business mentioned aforesaid  
and that while said  
petitioner had charge thereof  
said attorney came to her  
and advised her to commence  
an action for the recovery  
of said amount to which  
she consented and for his  
service therein paid said  
attorney the sum of Fifteen  
Dollars.

V That about two weeks  
thereafter said attorney  
informed said petitioner

that he had obtained the judgment in her favor, which petitioner then believed to be true.

VI That on the twenty third day of June 1886 said attorney informed petitioner that he was about to cause to be sold the personal property of the maker of said note, then in the same houses as lost above described and that on the twenty fourth day of said month of June 1886. an auctioneer introduced to her by said attorney called at said place for the purpose of packing and parceling said property and making inventories thereof for the purpose of such sale which was completed on the 25<sup>th</sup> day of June when said attorney notified the petitioner that the sale would take place the next day and said sale did take place the next day and more than the amount of petitioner's claim was realized therefrom which was received and retained by said attorney and said

02 18

attorney then and there promised that he would pay <sup>the</sup> petition in full on the Tuesday next following; and on said last mentioned day petitioner called at said house but could not find him.

VII That at various and repeated times since she has called upon said attorney and demanded of him settlement and payment <sup>but he has never made any such payment of said claim</sup> of her said claim, or of any part thereof but has failed and refused and still fails and refuses to pay the same or any part thereof.

VIII that your petitioner is informed by George Gru her attorney herein and she believes the same to be true that the said Phorbis had written him the said Gru substantially admitting that he has not recovered <sup>any</sup> judgment against the maker of said <sup>note</sup> and saying that if the said Gru would perfect judgment then he the said Phorbis would pay over the money.

02 19

That your petitioner does not know in what Court if any said action hereinbefore referred to was commenced if at all.

Wherefore your petitioner prays that the said George R. Phorbis may be Compelled by this Court to forthwith pay over to petitioner or her attorney the amount of Petitioner's claim so collected by him or in default thereof that an attachment issue against him and that he be punished for his misconduct as an attorney and counsellor of this Court and that your petitioner have such other or further relief in the premises as may be just.

her  
Annie X F. Ross  
mark

City of Brooklyn }  
County of Kings } S. S.

Annie F. Ross,



0220

attorney

being duly sworn <sup>says</sup> ~~that~~ that she is the petitioner named in the foregoing petition, that she has heard the same read and knows the contents thereof and that the same is true of her own knowledge except as to the matter therein stated to be alleged on information and belief and as to those matters she believes it to be true.

Sworn to before me }  
this twenty ninth day }  
of November, 1886. } <sup>her</sup> Annie X J. Ross  
mark

W. J. M. Bradford  
Com. of Deeds  
City of Brooklyn

0221

My Supreme Court  
Kings County

In the matter of the  
petition of  
Annie F. Ross

Sir:

Take notice that  
in the annexed petition a motion  
will be made on behalf of said  
petitioner at a Special Term of the  
Supreme Court to be held at the  
Court House in the City of Brooklyn  
on the 7<sup>th</sup> day of December, 1886. at  
10 1/2 a.m. for an order granting the  
prayer of said petitioner.

Dated Brooklyn.

Nov. 29, 1886.

George Gru  
Atty for petitioner  
Office and P.O. Address  
44 Court Street  
Brooklyn N.Y.

To George R. Phoenix Esq  
An Attorney at Law

0222

State of New York,  
COUNTY OF KINGS.

I, WILLIAM J. KAISER, Clerk of the County of  
Kings, and Clerk of the Supreme Court of the  
State of New York, in and for said County  
(said Court being a Court of Record), DO  
HEREBY CERTIFY, that I have compared  
the annexed with the original

*Motion Papers (decision  
endorsed) Matter of June  
v. R. R. Co.*

in my office Dec 27 1886 and that  
the same are true transcripts thereof and of  
the whole of such originals

In Testimony Whereof, I have hereunto set my hand and affixed the seal  
of said County and Court, this 26<sup>th</sup> day of Dec 1890

*W. J. Kaiser* Clerk.

The within motion  
is hereby adjourned  
to Wednesday  
Dec. 8. 1886. at  
10 1/2 a. m. at same  
time & place, date  
Dec. 7. 1886.

George R. Phorbus  
Respondent & Com.

By Supreme Court  
Kings County

In the matter of an  
application of Anne  
F. Ross to compel  
George R. Phorbus, re.

(copy)  
Petition & notice of  
motion George R.  
Attorney for Petitioner

Motion papers re,  
44 Court St.  
(copy)  
Filed Dec. 27. 1886

According to the  
affidavit of the  
respondent herein  
he collected the  
money in Contro  
very not as the  
attorney for the  
petitioner but as  
the agent of the  
daughter of the  
petitioner The  
testimony of this  
daughter showed  
to furnished to

the Court, either  
party may submit  
an affidavit  
from her to be  
considered upon  
this motion, on  
two days notice  
to the attorney for  
the adverse  
party.

N. B.

0224

Sec. 151.

Police Court \_\_\_\_\_ 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 Annice Post  
of No. 22 Henry Street, that on the 26 day of Jan  
1887 at the City of New York, in the County of New York, the following article to wit:

Money  
of the value of Five Hundred Dollars,  
the property of Complainant  
w Annice Post taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by George R. Shanks

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. of of the said Defendant  
and forthwith bring him before me, at the \_\_\_\_\_ DISTRICT POLICE COURT, in the said City, or in  
case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the  
said charge, and to be dealt with according to law.

Dated at the City of New York, this 15 day of Jan 1887

George R. Shanks POLICE JUSTICE.

0225

Police Court ..... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Amie Ross*  
*21 Trumitt Place*  
*South Brooklyn*

Warrant-Larceny.

Dated *Dec 15* 18*90*

*White* Magistrate

*Edward J. Connor* Officer.

The Defendant *Geo. P. Phoebus*  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

*Edward J. Connor* Officer.

Dated *December 16* 18*90*

This Warrant may be executed on Sunday or at  
night.

Police Justice.

Dated ..... 188

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.

*29*  
*W*  
*W. S.*  
*Reporter*  
*W*  
*Yes*  
*St James Hotel*  
*66 St May*

The within named

Police Justice.

0226

Police Court—District.

Affidavit—Larceny.

City and County }  
of New York, } ss.:*Annie Ross*

of No. *22 Dennet Place Brooklyn N.Y.* Street, aged *47* years,  
 occupation *general housework* being duly sworn  
 deposes and says, that on the *26<sup>th</sup>* day of *June* 188*6* at the City of New  
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
 of deponent, in the *day* time, the following property, viz:

*five hundred dollars*the property of *said Annie Ross*

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 *George R. Phoebe*—from the  
 following facts; That on said *26<sup>th</sup>* day of *June* 188*6*—  
 said *Annie Ross* was the owner of and in possession  
 of the stock and fixtures of a certain store No 1073—Third  
 Avenue New York City—said stock consisting of carpets  
 window shade & oil cloth the personal property of  
 said *Annie Ross*. That on that day said *Annie*  
*Ross* requested & authorized said *George R. Phoebe*  
 to cause said stock & fixtures to be sold at public auction,  
 and the proceeds of said sale amounting to over  
 the sum of five hundred dollars lawful money of the  
 U. S. ~~That said stock & fixtures~~ was as ~~the~~  
 complainant was informed by one ~~matter~~ the ~~attorney~~  
 Auctioneer who sold said goods paid by him said  
 matter to the said *George R. Phoebe*, and said

Sworn to before me, this  
 of 188*6* day

Police Justice.

0227

George R. Phobus has since retained said money and converted the same to his own use - That on or about the 29th of June 1886 said George R. Phobus admitted to complainant that he had said money - the proceeds of said sale and complainant <sup>complainant</sup> asked him to deliver the same to her but this he refused to do - and he has never since paid the same to the complainant or to any one on her behalf but he has converted the same to his own use.

Shown to before me 7  
this December 15. 1890

for Anne Rose

A. J. White  
Police Justice

made



0228

Mohawk Hotel 335 Spring St  
New York City. Jan. 2<sup>nd</sup> 1891

Hon. Delancy Nicoll Dist. Atty  
Dear Sir

Permit me to  
call your special attention to  
the discharge of George R.  
Phoebus on his own recognizance  
on motion of Gunning S. Bedford  
last Monday<sup>Dec 29<sup>th</sup></sup>. Phoebus was  
indicted for grand larceny on  
the 23<sup>rd</sup> December last.

I was coming down to have his  
bail of \$1000 increased fearing he  
would decamp if he succeeded  
in getting out on bail when  
to my astonishment I learned  
that he had been released as  
above stated

Phoebus was a clerk in Col.  
Spencer's office when the latter  
was our Atty in the estate  
matters long in litigation  
and as such clerk became  
familiar with our affairs  
and embezzled a check of  
\$227 — and to save him

from the consequences at his earnest solicitation I paid him a retainer of \$250 to make good the embezzlements, he being about to go in business for himself and he solemnly promising the utmost gratitude & zeal in my service. Col Spencer gave him consents of substitution and I gave him all our business & procured other clients for him. Phoebus sold me out in the most treacherous manner & robbed many clients and absconded to Paris in December 1885.

I procured an order of Court to take possession of all our papers in his deserted office and there found proofs of his treachery.

I am now paying interest on \$12,000 in consequence of his treachery besides great legal expenses for the last six years in trying to vacate & set aside the defaults and have been compelled to compromise and get out of law to save myself. Phoebus has not ventured to

practise law since he returned from Paris but has been a reporter on the Journal, Press Star and lately of the Herald I enclose <sup>copy of</sup> an affidavit from one of his victims now deceased and a copy of a letter from him to the victim confirming the same

State of New York  
City & County of New York S.S.  
Harriet Ann Brown of 250 West Houston St being duly sworn says that she is the widow of John H. Brown a police officer of this city, that she employed the attorney George R. Phoebe to collect from the Ohio Mutual aid fund her claim of \$614.81. That deponent has been informed & truly believes that the said attorney has absconded and fled from the country. That in the early part of December 1885 deponent gave the said George R. Phoebe her power of atty to collect the aforesaid claim of \$614.81 and bring it to her she being at that time sick and

Copy of  
the original  
Affidavit  
now  
in my  
possession

confined to the house. That the said George R. Phoebus did collect the aforesaid sum of money and appropriated it to his own use leaving deponent in the utmost poverty and distress, so much so that deponent was compelled to pawn her clothes to pay her rent and to procure the necessities of life. That from her experience of the said George R. Phoebus and from her conversation had with others who have had experience with him she knows his character for truth & veracity to be very bad and deponent further says that she would not believe the said George R. Phoebus under oath.

He arriet a Brown

I swore before me  
 this 29 day of December 1886  
 W. T. Bogert 34  
 Notary Public  
 N. Y. Co.

0232

Paris France

Jan'y 24/86

Mrs. Brown

Dr. Madame

I want to come back to New York  
and pay you the money I owe  
you on your late husband's estate

I find no one has taken hold to  
collect some securities I left from  
which I intended you should  
be paid. Of course under the  
power of attorney you gave me there  
is a year given me to settle the  
estate, but I want to get it all  
paid off. I would have paid you  
before I left if I had had the  
money but I had not. when I  
went away I only had about \$200  
all told. I can make the money  
for you in 60 days after I get  
home if you do not arrest me.

If you do, you can not get any  
money for I have none and the  
securities can not now be collected  
without me. Show this to your  
lawyer and if you are willing  
to let me come ~~home~~ and make  
the money for you send a letter

copy  
of the  
original  
letter to  
Mrs Brown  
now  
in my  
possession

0233

to that effect to Mr. G. P. Smith  
120 Broadway who will send it  
to me

Yrs.

Geo. R. Phoebe

You will see by these copies what  
a depraved wretch this Phoebe  
is and I had hoped when I  
read of his arrest on the complaint  
of Mrs. Ross of Brooklyn another  
of his victims that he had been  
caught at last and was about  
to get his deserts.

Judge Peter Mitchell has known  
me many years, will endorse me,  
and was actually employed by  
me to set aside one of Phoebe's  
treacherous defaults, and will  
inform you that I was in an  
humble way one of your most  
earnest supporters in the late  
election and you will remember  
yourself how near I came to  
being your client had I not  
been impoverished by former  
legal expenses. I trust

0234

you will order this case on  
the calendar for trial at once  
before the defendant flees or  
put him under bail which he  
was not able to get before  
Recorder Smyth refused to dismiss  
the indictment although a strong  
effort was made as I understand  
it to have the indictment dismissed

Respectfully

Cyrus Olmsted

0235

New York Court of General Sessions

The People  
against  
George R. Phoebe

City and County of New York

George R. Phoebe being  
only sworn says I am an attorney  
and Counselor at Law and an  
officer of this Court. I reside at  
the St James Hotel in the City of  
New York. I was arrested in the  
proceeding on the night of December  
15 1890 in a warrant issued by  
a Police Magistrate. I was taken  
before said magistrate and waived  
a hearing from him. The warrant  
was issued on a complaint made  
by one Anne H. Ross. Five months  
minutes or less after my arrest  
I was served by a writ of  
habeas corpus and notice that the  
same would be filed in the  
Supreme Court on December 20  
1890 in a summary proceeding  
which had been commenced in  
said Court in December 1886  
but which had never been



0236

finally determined. a copy of the  
said affidavit and notice is hereto  
attached and made part of this  
affidavit. An indictment was  
found against me in December  
23rd last, as I am informed and  
believe on the testimony of the  
said Annie H. Ross, alone. I am  
informed and believe that the  
testimony given by said Annie  
H. Ross before the said Grand Jury  
and on which the said indictment  
was found was the same as  
the deposition taken in her  
complaint in the Police Court. The  
deposition made in said Police  
Court and the deposition made by  
said Annie H. Ross in the  
summary proceeding referred to  
herein show materially contrary  
allegations. The papers filed in  
the original hearing in said  
summary proceeding and the  
decision of Mr. Justice Bartlett  
endorsed thereon are respectfully  
referred to, and made parts of  
this affidavit. Copies of them  
are annexed hereto. I was

0237

confined in the City Prison by  
 virtue of the aforementioned complaint  
 and indictment for a period of  
 two weeks and was on the 29 day  
 of December last discharged on my  
 own recognizance by His Honor  
 Recorder Smyth. The hearing on  
 said summary proceeding was  
 on December 20 1890 adjourned until  
 December 27 1890 at the request  
 of George L. You the attorney for  
 the petitioner Anne D. Ross. On  
 December 27 1890 it was also  
 at the request of said You  
 adjourned until January 10 1891 as I  
 am informed by Calvin Frost my  
 counsel in said proceedings and  
 as I believe. On January 8th as I  
 am informed by my said counsel  
 the said You called on the office  
 of said Calvin Frost and stated  
 that he was satisfied that  
 said proceedings could not be  
 maintained and asked the consent  
 of my said counsel to the  
 discontinuance of the same. Such  
 consent was given and on  
 January 10 1891 an order of  
 discontinuance a copy of which

0238

is hereto annexed and made part of  
this affidavit was entered by the  
said John the attorney for the said  
Anne D. Ross in said proceeding.

The affidavit prepared by me  
in answer to the affidavit of  
Isabella Ross hereto annexed but  
which was not submitted in said  
motion owing to the request of  
the petitioner to the discontinuance  
of the same is hereto annexed.

My course in this whole matter  
has been consistent throughout  
I have never maintained it  
constantly and at all times and  
have always been  
willing and ready to obey any  
order the Court might make in  
the premises. My main care has  
been to protect myself from other  
creditors of Alexander Ross. To do so  
was my right and my duty. - I  
respectfully ask this Court in view of  
all the facts herein set forth that  
the writ of attachment against me be  
dismissed.

Sworn to before me  
this 13 day of January  
1891

Reynolds Dimont  
Commissioner of Courts  
New York City & County.

George R. Phoenix

NEW YORK SUPREME COURT.

KINGS COUNTY.

-----X  
 :  
 I N T H E M A T T E R :  
 :  
 -o-f- :  
 :  
 the application of ANNIE F. ROSS :  
 :  
 to compel George R. Phoebus, an :  
 :  
 attorney, &c. :  
 :  
 -----X

CITY AND COUNTY OF NEW YORK, ss:

GEORGE R. PHOEBUS, being duly sworn, deposes and says I am an attorney and counsellor at law, and an officers of this court. I have not been engaged in the practice of law since the first day of December, 1887, since that time I have been engaged in journalistic work and have been connected in various capacities with the Editorial staff of several of the New York daily newspapers. This proceeding was commenced in December, 1886. Since that time I have been a resident of the city of New York constantly, and have at all times been amenable to the processes of this court, and ready to obey any order that might be made in this proceeding. The full history of my relations and transactions with the petitioner are set forth in an affidavit made by me and filed in this court in December, 1886; since said time, I have had in my possession, the moneys mentioned in said affidavit and in the petition herein, and have at all times been ready to

0240

pay them to the petitioner whenever she should obtain a title to the same that would relieve me from any responsibility to the other creditors of Alexander Ross. I have read the affidavit made in this proceeding by one Isabella Ross, and while the same is true in many respects, the statements made that she did not see me until the day of the sale of the store on Third Avenue is untrue. I met the said Isabella Ross at the request of the petitioner several days before the said sale, and then and there stated, in her presence and in the presence of the petitioner that before the petitioner could procure a title wto the moneys to be realized from the sale of said store, it would be necessary for her to obtain a judgment against Alexander Ross, who was the owner thereof. I repeated this statement in the presence of both of the said parties after the sale, and after the receipt by me of the moneys realized therefrom. I have always been willing and ready to pay over the said moneys whenever a title thereto was perfected. I now have the moneys in my possession, and am willing and ready to dispose of them in any way that this court may order. I stated to Mr. Justice Bartlett on the argument of the original motion made herein in 1886 that I was willing to deposit the moneys in this court or in any bank or trust company that this court might order, and that my only reason for refusing to pay them to the petitioner, was the fact that if I did so without an order of the court, to protect me, I would be liable to any

other creditor of the said Alexander Ross. I am willing now to deposit the moneys with this court, or in any bank or trust company that this court may direct, or to dispose of them and pay them to any one entitled to receive them.

These facts have been communicated by me to the petitioner, and to the several attorneys the petitioner has sent to see me, and who she has employed to collect said moneys, and many times since my receipt of the moneys.

Sworn to before me this

13 day of January, 1891.

)  
:  
)

*Geo. R. Phorson*

*Benjamin Patterson*  
*Notary Public*  
*N.Y. Co.*

0242

m

At a Special Term of  
the Supreme Court of  
the State of New York held  
at the County Court  
House in the City of  
Brooklyn on the 10<sup>th</sup> day  
of Jan'y 1891.

Present

Hon Willard Bartlett

In the matter of the } Justify  
application }  
of }  
Annie F. Ross to }  
compel George R. }  
Phobus an Attorney &c. }

Upon reading and filing the  
annexed consent and upon motion  
of George Gru Attorney for the sub-  
stituter in the above entitled matter  
it is

Ordered that the above entitled  
matter be and the same is hereby  
discontinued without costs to either  
party as against the other.

A copy

Wm J. Kaiser

clerk

0243

N. Y. Supreme Court  
Kings County

In the matter of the  
application  
of  
Annie F. Ross to  
compel George R.  
Phoebe an Attorney &c.

It is hereby mutually  
consented that the above en-  
titled proceeding be discon-  
tinued without costs to either  
party and that an order to  
that effect be entered herein  
without further notice.  
Dated Jan'y 8/91

Calvin Frost  
Atty for Respondt  
George Gou  
Atty for Petitioner



N. C. Supreme Court  
King County

In the matter of  
the application

of

Annie F. Ross

to compel George

R. Roberts an Attorney

vs.

Consent & Order

of discontinuance

Geo. Ross

Att. for Petitioner

441 Court St.,

B. K. C.

Filed Jan. 1901

0245

N.Y. Supreme Court  
Kings County

In the matter of  
the application of  
Annie F. Ross  
to compel George R.  
Phaebus &c.

Sir:

You will please take notice  
that in pursuance of the  
direction of Mr Justice Bartlett  
in the above entitled matter,  
the within affidavit a copy of  
which is hereto annexed will be  
presented, as part of the moving  
papers in this matter in court to  
Justice Bartlett on the 20th day  
of December 1890 at 10 1/2 A.M.  
Dated Dec 12th 1890

Yours &c  
George Gru  
Atty for Pet'r.

To

George R. Phaebus  
Respondent in ~~Petition~~ <sup>Proper</sup>

Fol. 1.

N.Y. Supreme Court  
Kings County

In the matter of the  
application of Anne F.  
Ross to compel George  
R. Phoebe an attorney and  
Counselor at Law to pay  
over money received in  
a personal and fiduciary  
capacity

State of Colorado  
City of Denver  
County of Chaffee SS:

Isabella Ross being  
duly sworn deposes and says; that she  
resides at No 2745 Larania street in  
Denver Colorado; that she is the  
niece of the petitioner in the above  
entitled matter, that she knew her  
father who had suddenly disappeared  
and mysteriously disappeared on or  
about the 3<sup>rd</sup> day of June 1886  
was and had been indebted to  
the petitioner, her aunt in the  
sum of three hundred and  
fifteen dollars; that immediately  
after applicant's father disappeared  
applicant sent for her aunt to  
come to her residence at 1073

Third avenue in the city of New York; that deponent's aunt ~~did~~ the petitioner came to her and deponent who was in charge of her father's said business handed the same over to the petitioner, I saying to petitioner "I give this place up to you and want you to get your money out of it"; ~~that~~ that deponent had no other intention.

That deponent never ~~seen~~ or saw the respondent George R. Phoebe until about the 26th day of June 1886 when the petitioner introduced said me to said Phoebe, this being the first time that ever seen said Phoebe; that at the time of receiving said introduction to said Phoebe the petitioner was in and had had full control of my father's business; that deponent never ~~shown~~ gave any authority to said Phoebe concerning said business directly nor indirectly and never at any time consulted ~~him~~ with him in reference thereto and never at any time had any business or private dealings with said Phoebe; that deponent never retained said Phoebe ~~or~~ nor did deponent ever authorize or request any any person whatever on her

behalf part to retain him and  
 that whatever professional  
 services rendered ~~were~~ <sup>was</sup> solely and  
 exclusively for the petitioner and  
 as her attorney and counsel; that  
 deponent was present when said  
 Phoebe informed petitioner that he  
 had obtained judgment in favor of  
 petitioner and was ready to sell  
 the business then in my aunt's  
 possession on the following Saturday  
 and that said Phoebe took control  
 and possession of the proceeds of  
 said sale and promised my aunt  
 in my hearing and presence to  
 settle in full with her the  
 following Tuesday; that deponent  
 has since been informed and  
 on or about the 5th day of  
 January learned that petitioner  
 had not been paid her ~~own~~  
 money from her said attorney Phoebe.

5

Sworn to before me  
 this 26 day of  
 January 1887

Isabella Ross

William R. Perry  
 Clerk

Sec. 8 of  
 County Court  
 Arapahoe Co. Colorado.

People

vs

George R. Phobus

Disruptance  
the Proceeding  
of civil suit.

at Phobus.

who was dis charged  
(inde within Peter?)

on his own

consequence.

as the fact of

civil suit are

the same ~~that~~  
as things are done  
the judgment way

found - I think

the judgment

should be

dis missed ~~the~~  
request that the same be

January 14 / 1891

G. L. A.

Court of General Sessions -

The People  
 against  
 George R. Phoebeus

City and County of New York:

George R. Phoebeus being  
 duly sworn deposes and says. I am  
 an attorney and Counselor at law duly  
 admitted to practice by the Supreme  
 Court of the State of New York - I reside at  
 the St James Hotel in the city of  
 New York. Since the first day of  
 December 1887 I have not been  
 engaged in the practice of the  
 law and since that time I have  
 been engaged as a journalist and  
 have been during said period of  
 time and up to the day of my  
 arrest in this proceeding engaged  
 in journalistic work with several  
 of the daily newspapers of this city.  
 I was arrested at a ~~10~~ minutes  
 before midnight on Monday Dec 15  
 on a warrant issued by Police

Justice White on the complaint of one Annie Ross -

The true history of this matter is set forth in the records now on file in the office of the clerk of the County of Kings unreplicated copies of which are attached hereto and made part of this affidavit.

A few minutes after my arrest I was served with ~~notice~~ that the motion made in the Supreme Court in Kings County would be renewed. The said motion to compel me to pay these moneys to the complainant is now pending in said Supreme Court and has not been heard because of my imprisonment in this proceeding.

I am ready to meet the same as soon as I am free to do so.

From 4 December 1886 until December 15 1890 this matter slumbered and no effort ~~was~~ <sup>has been</sup> made on behalf of the Complainant to collect said moneys or to give herself a title to the same. The moneys have been in my possession ever since they were first received and they are



in my possession now. The Complainant has never recovered a judgment against Alexander Ross and <sup>has</sup> ~~never~~ ~~off~~ as I am informed after causing diligent inquiry to be made in all of the Courts of this woddings County brought any action on said ~~notes~~ notes - I have been ready at all times during said period to pay over these moneys to any one who may be entitled to receive them and to obey any ~~order~~ order the Supreme Court might make in the premises but I ~~have~~ have steadily refused to pay them unless I had some order or judgment that would protect me from the other creditors of Alexander Ross for any one of them might wish as much color of right have me indicted for larceny as this complainant.

This arrest and indictment is not the ~~voluntary~~ ~~action~~ action of the complainant - It is brought about through a man well known as Perrin H. Sumner whom I report in "The New York Herald"

in the regular pursuit of my vocation  
as a journalist, on Tuesday Dec. 2  
1890. The said Sumner then  
declared he would get even with  
I am informed and believe that he  
hunted up this complainant and  
maliciously induced her to  
make this false complaint. The  
said Sumner accompanied the  
officer who arrested me and  
seemed to enjoy himself much  
on the way to the station house  
by taunting me and saying "now  
Dive". got you fixed you will be  
now caught how you attack  
people next time". The said  
Sumner is too much of a coward  
to proceed against me for libel  
and seeks this method of doing  
what he calls getting even.

I waived my examination in  
the Police Court and was  
indicted by the Grand Jury on  
Dec 23rd 1890 on an I am  
informed and believe the  
statement of the complainant  
above. I have been confined  
in the city prison since

0254

✓ Day of my arrest, not having  
been able to furnish the bail  
required - I am ready to pay this  
money to any one entitled to receive  
it as soon as the Supreme Court  
by its order or judgment  
protects me in doing so and I  
in the mean time as I always have  
been <sup>I am</sup> ready to deposit them in  
any Trust Company or any other place  
✓ of safety the Supreme Court may  
name -

Sworn to before me  
This 27 day of December 1890

George R. Thorburn -

Louis B. Allen  
Notary Public  
N.Y. Co.

*affidavit of*  
*George R. Phaboy*  
*dated Dec 27*

I, the undersigned, do hereby certify that the  
 above is a true and correct copy of the  
 original as the same appears in the  
 records of the Court of the County of  
 [ ] State of [ ]  
 this 27th day of December, 19[ ]  
 at [ ]  
 [ ]

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*George A. Sheldons*

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

*George A. Sheldons*

of the CRIME OF *Grand* LARCENY, in the second degree, committed as follows:

The said *George A. Sheldons*,

late of the City of New York, in the County of New York aforesaid, on the *fourth* day of *June*, in the year of our Lord one thousand eight hundred and eighty *six*, at the City and County aforesaid, being then and there the clerk and servant of

*Attorney and agent*

*of one Annie Ross,*

*Attorney and agent*

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

the true owner thereof, to wit: *the sum of five hundred*

*dollars in money, lawful money*

*of the United States of America*

*and of the value of five hundred dollars.*

the said *George A. Sheldons* afterwards, to wit:

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

to his own use, with intent to deprive and defraud the said *Annie Ross.*

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said *Annie Ross,*

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

JOHN R. FELLOYS,  
District Attorney.

0257

**BOX:**

421

**FOLDER:**

3888

**DESCRIPTION:**

Piercy, Jr. Hugh

**DATE:**

12/16/90



3888

In Day

Witnesses;

Official signature

Right President  
of the  
Honor information  
which led to the  
Recovery of the  
Greater part  
of property  
of

#170 W. R. Engham  
Counsel,  
1231 Bay

Filed 16 day of Dec 1890

Pleads Not guilty

THE PEOPLE

vs.

Grand Larceny, 2nd degree.  
[Sections 528, 531, Penal Code.]

Hugh Piercy, Jr.

W. R. Engham  
District Attorney.

JOHN R. FELLOWS

District Attorney.

A True Bill.

Michael J. McConville

Foreman.

James J. Kelly  
James J. Kelly  
James J. Kelly  
James J. Kelly  
Jan 9/91

0259

Police Court 2 District.

Affidavit—Larceny.

City and County } ss:  
of New York,

Edith Nicholl

of No. 400 W 59 Street, aged 38 years,  
 occupation Iron being duly sworn,  
 deposes and says, that on the 11 day of January 1890 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 satin dress of  
 the value of Fifty 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 Hugh Pierce (nephew)

from the fact that said defendant  
 acknowledged and confessed in  
 the presence and hearing Michael  
 Lyman & John Mc Guinness  
 that he took stole and carried  
 away said property and thereafter  
 pledged the same in Mc Aleenans

Sworn to before me, this

day

Police Justice.



0260

Learn office 811 Avenue <sup>West</sup> 19th  
Street where the same was  
found by Officer Michael  
Lyman — Dependent further  
says that said defendant  
took other property <sup>at days times</sup> of the amount  
and value of three hundred dollars  
the property of defendant.

Edith Nicholl.

SWORN TO BEFORE ME

THIS 13 DAY OF

Dec 1970  
J. J. [Signature]  
JUDGE

0261

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation \_\_\_\_\_ of No. \_\_\_\_\_

300 Mulberry Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Edith Mitchell

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

Sworn to before me, this \_\_\_\_\_

day of \_\_\_\_\_

1887

John P. McEnnis  
Police Justice.

0262

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation Officer of No.

300 Mulberry Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Edith Nicholl

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

Sworn to before me, this 13

day of Dec 1898

Michael J. Lyman

[Signature]  
Police Justice.

0263

Sec. 198-200.

CITY AND COUNTY OF NEW YORK

District Police Court.

*Hugh Percy Jr* 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 guilty of the  
Charge & waive  
further examination  
*Hugh Percy Jr*

Taken before me this  
day of DECEMBER.

Police Justice.

0264

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

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

Dated Dec 13 1890 P. J. Bull Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

0265

Police Court--- 2 1847 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Edith Nicholl  
400 West 57th  
Hugh Percy Jones

Office of the District Attorney

BAILED.

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated Dec 13 90  
B.O. Reilly Magistrate.

Lyman McQuinn Officer.

Central Precinct.

Witnesses: Michl J. Lyman

John McQuinn Street.

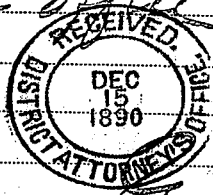
Central Street.

No. .... Street.

No. .... Street.

\$ 1000 to answer.

COMMITTED



0266

CHARLES H. DANIELS,  
COUNSELLOR AT LAW,  
7 MURRAY STREET.

New York, Jan'y 24<sup>th</sup> 1881

My dear Sir,

Mr. Hugh Finley, who  
I am informed is about to be  
brought before you on a charge  
of grand larceny, was formerly  
of a bachelor apartment  
house at No 5 East 17<sup>th</sup> Street  
during the time I had apart-  
ments there for about a year,  
and I cheerfully certify that  
during that period I found him  
to be a sober and strictly honest  
and trustworthy person.

Although he had many opportunities to publish articles carelessly left about the papers I never heard of any complaint against him and personally know that implicit confidence was placed in him by all the tenants.

Resptly Yours  
C. W. Daniels.

Hon. Frederick Smyth  
Recorder De



0268

W. T. MERSEREAU.  
F. D. MERSEREAU.



**W.T. MERSEREAU & Co.**  
MANUFACTURERS OF

**STAIR RODS, UPHOLSTERERS' HARDWARE,**

BRASS FENDERS, FIRE SETS, CORNICE POLES AND STAIR PLATES.

BRASS BEDSTEADS.

39 UNION SQUARE.

New York, Jan 9 1891.

To whom it may concern -  
The writer has  
known Hugh Perry for many  
years - has never known  
nor heard of any act of his  
that he should be ashamed  
of.

I would cheerfully  
recommend to any position  
that would be offered him.  
Jno. J. Murray

0269

FIRST PRESBYTERIAN CHURCH,

FIFTH AVENUE AND TWELFTH STREET.

RICHARD D. HARLAN, MINISTER.

NEW YORK,

June 12 1889

To whom it may concern:

I have known the beaver  
Hugh Percy (whose signature is  
known) for three years - He is  
a capable engineer and janitor.  
Intelligent, diligent <sup>and</sup> sober.

I have always found him  
strictly honest and faithful  
in every way - in the three  
years during which he was  
the janitor of the Apartment  
House in which I have lived.

attn: Hugh Percy for Rich<sup>d</sup> D Harlan  
Rich<sup>d</sup> D Harlan

0270

NORTH EASTERN DISPENSARY, 222 EAST 59TH ST.

Name, *14 Nov 1892*

**R** Mrs Matthews is  
still unable to go out.  
J. Smith M.D.

0271

TORN PAGE

Parkinson Hospital

Nov 16th 1911

May Mathews is suffering from  
an incised wound of chest  
the injury is not considered  
serious and she will be per-  
mitted to go home. <sup>Thos M.D.</sup>

House Surgeon

0272

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*  
*Hugh Percy, the younger*

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

*Hugh Percy, the younger* —

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

The said

*Hugh Percy, the younger*

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

*one dress of the value of fifty dollars*

of the goods, chattels and personal property of one

*Edith Nicholl*

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 C. Fellows*  
*District Attorney*

0273

**BOX:**

421

**FOLDER:**

3888

**DESCRIPTION:**

Postori, Angelo

**DATE:**

12/18/90



3888

0274

Witnesses:

Frank Raymond  
William Davis  
Off. Foreman

Counsel,

Filed

1890

Pleads,

Prigault '9

THE PEOPLE

vs.

Angelo Boston

Burglary in the Third degree.  
and Grand Larceny.  
First degree.

[Section 498, 504, 525, 545-50 ]

JOHN R. FELLOWS,  
District Attorney.  
Fried and Acquitted

A True Bill.

William H. Foreman

Foreman.

Dec 23<sup>d</sup>  
9.50

0275

Police Court— District.

City and County }  
of New York, } ss.:of No. 50 Mulberry Street, aged 23 years,occupation leguer defalon being duly sworndeposes and says, that the premises No. 50 Mulberry Street,in the City and County aforesaid, the said being a tenement thesecond floor of whichand which was occupied by deponent as a dwelling-placeand in which there was at the time a human being by namewere BURGLARIOUSLY entered by means of forcibly breakingopen a door leading intosaid premiseson the 1<sup>st</sup> day of December 1886 in the day time, and the

following property feloniously taken, stolen, and carried away, viz:

A quantity of jewelry valued  
at three hundred and fifty dollars  
and valued at ten hundred  
and fifty dollars, the whole  
being valued at five hundred  
dollars

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

Angelo Pastori (now here,  
for the reasons following, to wit: deponent is informed

by Teresa Ramundo, the wife of  
deponent that at the hour of  
1 o'clock P. M. on said date, she  
securely locked and fastened  
the doors and windows of said  
premises the said property  
being in trunks and a suitcase  
deponent having found the said



0276

door broken open and said that  
after missing he is informed by  
Catherine Oliva that she Oliva saw  
the defendants standing near the said  
door at about the hour of two o'clock  
P.M. on the said date. Dependant further  
says that the defendants in the presence  
of Concetta Oliva admitted to  
him (dependant) that if he (dependant)  
would let him (dependant) go he would  
return to dependant the said family.

Sworn to before me  
this 10<sup>th</sup> day of December Frank Kaimowitz  
Solomon S. S. S.

Police Justice

Police Court District.

THE PEOPLE, & C.,  
ON THE COMPLAINT OF

Degree.

vs.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.

0277

CITY AND COUNTY  
OF NEW YORK, } ss.

aged 16 years, occupation Married of No.

57 Murray Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of John Ramme

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

Sworn to before me, this

day of

188

December } John Ramme  
Solon Blum

Police Justice.

0278

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 13 years, occupation Catherine Oliver of No. 57 Mulberry Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Frank Ramin

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

Sworn to before me, this

day of December 1888

Catherine Oliver

John Blum

Police Justice.

0279

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer. *Angelo Postor*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *18 Munnings 2 years*

Question. What is your business or profession?

Answer. *Bag - 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*  
*Angelo Postor*

Taken before me this

*20th day of June 1933**John J. Smith*  
Police Justice.

0280

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.....

*Alfred J. Smith*  
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..... *Dec 18* 18..... *John B. Smith* Police Justice.

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

Dated..... 18..... Police Justice.

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

Dated..... 18..... Police Justice.

0281

1000 for Ex  
DEC 13  
10 am

Police Court---

1855 District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

*Juan Ramon*  
50 - 78. *Mulberry St.*  
*Angelo Pistori*

2  
3  
4

*W. J. Connelley*

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *Dec 11* 188*90*

*Smith* Magistrate.

*Tamm* Officer.

*6* Precinct.

*Catherine Oliva*

No. *50 Mulberry* Street.

*Terese Ramon*

No. *50 Mulberry* Street.

*Cecilia*

No. *146 Mulberry* Street.

*150*



Committed

*Bing 30th*  
*9.1*

0282

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Angelo Postori*

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

*Angelo Postori*

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

The said *Angelo Postori*

late of the *Sixth* Ward of the City of New York, in the County of New York  
aforesaid, on the *first* day of *December* in the year of our Lord one  
thousand eight hundred and *ninety*, with force and arms, in the  
*day* time of the same day, at the Ward, City and County aforesaid, the  
dwelling house of one *Frank Ramonde*

there situate, feloniously and burglariously did break into and enter, with intent to  
commit some crime therein, to wit: with intent, the goods, chattels and personal property  
of the said *Frank Ramonde*

in the said dwelling house then and there being, then and  
there feloniously and burglariously to steal, take and carry away, against the form of  
the Statute in such case made and provided, and against the peace of the People of the  
State of New York and their dignity.

0283

SECOND COUNT—

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

*Angelo Postori*

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

The said *Angelo Postori*

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

*divers articles of jewelry, of a number and description to the Grand Jury aforesaid unknown, of the value of three hundred and fifty dollars, and the sum of two hundred and fifty dollars in money, lawful money of the United States and of the value of two hundred and fifty dollars*

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

in the dwelling house of the said *Frank Raimonde*

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

*John R. Galloway*  
District Attorney



0284

**BOX:**

421

**FOLDER:**

3888

**DESCRIPTION:**

Praino, Joseph

**DATE:**

12/16/90



3888

0285

**BOX:**

421

**FOLDER:**

3888

**DESCRIPTION:**

Caggiano, Felicia

**DATE:**

12/16/90



3888

Witnesses

*Wm. Davis*

Upon the evidence in  
this case two can be  
no conviction of  
deft No 2.

I recommend dismissal  
of this indictment as  
to her.

Jan 5/91 W.M. Davis  
Acst

*Wm. Davis*  
*Wm. Davis*

Counsel,

Filed 16 day of Dec 1890

Pleads *Not guilty*

THE PEOPLE

vs.

*Joseph Bruno*  
*and*  
*Sichew Caggiano*

Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code.)

JOHN R. FELLOWS,

Dist. Attorney,  
No. 1 Bond and Acquitted

On Motion of District Attorney  
indictment dismissed as to No. 2.

A True Bill.

*William H. Penner*

Foreman.

Dec 22<sup>nd</sup>

*G. L. B. v. H. Penner*  
*Wm. H. Penner*

0287

Police Court—4<sup>th</sup> District.City and County { ss.:  
of New York, }

of No. 328 East 63<sup>rd</sup> Street, aged 42 years,  
 occupation House-keeper being duly sworn  
 deposes and says, that on the 15 day of November 1899 at the City of New  
 York, in the County of New York, —

He was violently and feloniously ASSAULTED and BEATEN by Joseph Praino  
and Felicia Caggiano (both now here)  
 and while acting in concert with each  
 other, and said Felicia did attempt  
 to assault deponent and followed  
 deponent to the stoop of deponent's  
 house, No. 328 East 63<sup>rd</sup> Street and  
 said Joseph did then and there  
 grab and stab deponent in the  
 back with some sharp instrument  
 then and there held in his Joseph's  
 hands 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 26<sup>th</sup> day  
 of November 1899

Charles W. Smith Police Justice.

Mary Mathews  
Mark

0288

Sec. 198-200.

44

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Joseph Perano* 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 Perano*

Question. How old are you?

Answer. *44 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *336 East 63rd Street. 1 year*

Question. What is your business or profession?

Answer. *Shoemaker*

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*  
*Joseph Perano*

Taken before me this

76

day of November 1891

Charles H. Smith, Police Justice.

0289

Sec. 198-200.

4th District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *Felicia Caggiano*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *336 East 63rd Street 2 weeks*

Question. What is your business or profession?

Answer. *Keep house*

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

Answer.

*I am not guilty*  
*her*

*Felicia* & *Caggiano*  
*marj*

Taken before me this

7th

day of November 1889

*Charles W. Winter*  
Police Justice

0290

Sec. 192

District Police Court

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.  
OF NEW YORK,

An information having been laid before Charles H. Taintor a Police Justice  
of the City of New York, charging Joseph Praino Defendant with  
the offence of assault

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

We, Joseph Praino Defendant of No. 33A  
East 53rd Street, by occupation a Shoemaker  
and Pasquale Venturiere of No. 62 Mulberry  
Street, by occupation a Shoemaker Surety, hereby jointly and severally undertake  
that the above named Joseph Praino Defendant  
shall personally appear before the said Justice, at the 4th District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Five  
Hundred Dollars.

Taken and acknowledged before me, this

day of

November

1890

Charles H. Taintor

POLICE JUSTICE.

Joseph Praino  
Pasquale Venturiere

0291

CITY AND COUNTY } ss.  
OF NEW YORK,

Any of  
1890  
Justice.

Sworn to before me, this

19

*Pasquale Venturiere*

the within named Bail and Surety being duly sworn, says, that he is a resident and *free*  
holder within the said County and State, and is worth *Ten* Hundred Dollars,  
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,  
and that his property consists of *a home and lot situate*  
*at No 238 Mulberry Street valued at*  
*\$33,000 - subject to a mortgage of*  
*\$25,000 -*  
*Pasquale Venturiere*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear  
during the Examination.

Taken the ..... day of ..... 18

Justice.



0292

Sec. 192.

4<sup>th</sup> District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Charles A. Taintor a Police Justice  
of the City of New York, charging Felicia Baggiano Defendant with  
the offence of assault

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

We, Felicia Baggiano Defendant of No. 336  
East 63<sup>d</sup> Street; by occupation a Housekeeper  
and Bernard Lynch of No. 991 3<sup>d</sup> Avenue  
Street, by occupation a Liquor Dealer Surety, hereby jointly and severally undertake  
that the above named Felicia Baggiano Defendant  
shall personally appear before the said Justice, at the 4<sup>th</sup> District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Five  
Hundred Dollars.

Taken and acknowledged before me, this

17<sup>th</sup>

day of

November

1896

Charles A. Taintor POLICE JUSTICE.

Felicia Baggiano  
Bernard Lynch

0293

CITY AND COUNTY } ss.  
OF NEW YORK, }

day of November, 1890  
Charles W. Barker Police Justice.

Sworn to before me, this 17<sup>th</sup> of

the within named Bail and Surety being duly sworn, says, that he is a resident and free  
holder within the said County and State, and is worth Seven 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 1/2 Interest in house  
+ Lot situate N: 991. 3<sup>d</sup> avenue  
valued at \$10000 over encumbrances  
Bernard Lynch

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Undertaking to appear  
during the Examination.

vs.

Taken the ..... day of ..... 18

Justice.

0294

CITY AND COUNTY } ss.  
OF NEW YORK,POLICE COURT, 4 DISTRICT.

Michael J. Keane  
of the 25th Precinct Police Street, aged 28 years,  
occupation Police Officer being duly sworn deposes and says  
that on the 15 day of November 1890

at the City of New York, in the County of New York, deponent arrested  
Joseph Praino and Felice Caspiano for the reason  
that deponent was informed by one Herman  
Buch that one Mary Matthews was  
deliciously assaulted by said Praino  
who cut and stabbed said Mary  
with a knife then and there held in  
his, Praino's, hands inflicting such injuries  
that she Mary is now confined in the  
Presbyterian Hospital and unable to appear  
in Court, deponent therefore prays that said Joseph  
Praino may be committed to await the result of the  
injuries so inflicted.

Michael J. Keane

Subscribed before me, this

18th day of November 1890

day

Charles J. Smith  
Police Justice.

0295

Police Court, 4<sup>th</sup> District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Michael J. Keane

vs.  
Joseph Praino

Felicia Casagiovanni

AFFIDAVIT.  
*Warrant*

Dated Nov 16 1890

Timothy Magistrate.

Keane Officer

Witness, Herman Birch

328 East 63<sup>rd</sup> Street

Disposition, \_\_\_\_\_

Paired

*\$500. each for ex*  
*Nov. 17-90. 9 AM.*  
*Adj to Nov 18-90 9 AM.*  
*Nov 18-90 9 AM.*  
*Nov 20-90 2 PM.*  
*Nov 22-90 10 AM.*  
*Nov 24-90 10 AM.*  
*Nov 26-90 10 AM.*  
*Nov 26-90 2.30 PM.*

0296

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

guilty thereof, I order that they be held to answer the same and they be admitted to bail in the sum of Five 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 November 1890 Charles Smith Police Justice.

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

Dated Nov 26 1890 Charles Smith Police Justice.

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

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

0297

BAILED,

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

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

No. 2, by Arnold Lynch

Residence 991-3 Ave Street.

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

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

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

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

N  
NYC

Police Court---4 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Mary Mathews  
vs. 328- East 63

1 Joseph Perano  
2 Felicia Caggiano  
3  
4

1764  
Offence Assault  
Felony

Dated November 26 1890

Tamitor Magistrate.

Keane Officer.

25th Precinct.

Witnesses Herman Buch

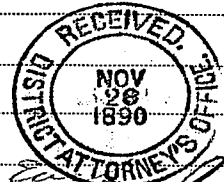
No. 328 East 63 Street.

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

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

500 to answer.

Not Bailed



0298

Police Department of the City of New York.

Precinct No. 25

New York, Nov. 24<sup>th</sup> 1890.

This is to certify that I  
have this day examined  
Mary Mathews of 328 E  
63<sup>d</sup> St, at about 3.30 P.m.  
I find her weak from  
the effects of a stab-wound  
of the back; but in my  
opinion she will be able  
to appear in court on  
Wednesday next.

Respectfully  
Wm. J. M.D.  
Surgeon of Police

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against  
*Joseph Prains and  
Felicia Caggiano*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Joseph Prains and Felicia Caggiano*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Joseph Prains and Felicia Caggiano*, both

late of the City of New York, in the County of New York aforesaid, on the  
*fifteenth* day of *November* in the year of our Lord  
one thousand eight hundred and *ninety*, with force and arms, at the City and  
County aforesaid, in and upon the body of one *Mary Mathews*  
in the Peace of the said People then and there being, feloniously did make an assault  
and *her* the said *Mary Mathews*  
with a certain *sharp instrument to the*  
*Grand Jury aforesaid unknown* -  
which the said *Joseph Prains and Felicia Caggiano*  
in *their* right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent *her* the said *Mary Mathews*  
thereby then and there feloniously and wilfully to kill, 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  
*Joseph Prains and Felicia Caggiano*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Joseph Prains and Felicia Caggiano*, both

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said *Mary Mathews* in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and *her* the said  
with a certain *sharp instrument to the*  
*Grand Jury aforesaid unknown*,  
which the said *Joseph Prains and Felicia Caggiano*  
in *their* right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab 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.



0300

THIRD COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Joseph Prains and Felicia Caggiano.*  
 of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Joseph Prains and Felicia Caggiano*, both

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
 aforesaid, at the City and County aforesaid, with force and arms, in and upon the said  
*Mary Mathews* in the peace of the said People then  
 and there being, feloniously did wilfully and wrongfully make another assault, and  
 her the said *Mary Mathews*  
 with a certain *sharp instrument to the*  
*Grand Jury aforesaid unknown*  
 which *they*, the said *Joseph Prains and Felicia Caggiano*  
 in *their* right hand then and there had and held, in and upon the *back*  
 of *her* the said *Mary Mathews*  
 then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and  
 wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
 fully inflict grievous bodily harm upon the said *Mary Mathews*  
 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.