

0009

**BOX:**

355

**FOLDER:**

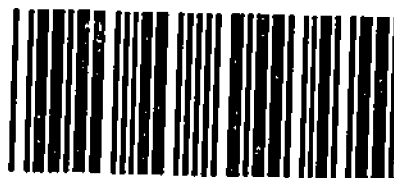
3341

**DESCRIPTION:**

Templeman, Frank

**DATE:**

05/21/89



3341

POOR QUALITY  
ORIGINAL

0010

207 B.N. May 21/89

433/89

Witnesses:

Comm

M. J. Hollahan

Comm

E. P. Parker

Arthur D. Conway

Edwin M. Bracken

Sam E. Williamson

Josephine Burn

James X. Jones

Counsel,

Filed 21 day of May 1889

Pleads, City July 21

City July 21

THE PEOPLE

31 vs.

John R. Fellows

vs.

John R. Fellows

vs.

John R. Fellows

vs.

John R. Fellows

vs.

John R. Fellows

vs.

John R. Fellows

vs.

John R. Fellows

vs.

John R. Fellows

vs.

John R. Fellows

vs.

John R. Fellows

JOHN R. FELLOWS

District Attorney.

demanded & allowed

May 29: 1889

A TRUE BILL.

Edmund Van Vorst

Foreman

June 7/89

ind and convicted

with money to money

L. P. 3 yrs & 9 mo

June 13/89

POOR QUALITY  
ORIGINAL

0011

Arthur B. Conway, residing at No 311 East 34<sup>th</sup> Street in the City and County of New York, makes the following Statement.

I am by profession a detective at present conducting business on my own account. On Saturday Evening, May 18<sup>th</sup> 1889, Frank Templeman formerly employed as a detective by James E. Wilkinson, called at my house and stated that on Friday Afternoon he received a letter from the Commissioners of Accounts, asking him to call at their office. He then asked me if I would like to make \$500. I answered yes, if I could do so legitimately. He next asked me if I had access to Wilkinson's books at any time, and would be willing to swear that a Co-partnership existed between Inspector Byrnes, John R. Fellows and Wilkinson. I answered I did not know such to be the fact. He next asked could you swear that you saw checks made out in Wilkinson's office to Thomas Byrnes. I told him I never did see any such checks. Well, never mind that won't you swear that is a fact, if you do, ~~I will~~ the Commissioners of Accounts will give you \$500 and me \$500. When we get the money we can skip. Templeman said the matter would have to be closed before 12 o'clock Monday morning. I made up my mind that Templeman was ready for desperate work so I told him to meet me at my house yesterday (Sunday morning) at Eleven o'clock. I then conferred in my friend detective Edward Bracken and we

POOR QUALITY  
ORIGINAL

0012

decided to call on Mr Wilkinson, and lay the whole matter before him and ask his advice as to the best course to follow. ~~That~~ I had arranged with Templeman to call at my house Sunday. Mr Wilkinson when he heard our story was very much astonished and vexed and advised me to see him and find out what his entire plan was. I next advised Detective Bracken to be at my house early Sunday morning, before the hour Templeman was to come, and he could hide himself in an adjoining room and hear the entire conversation. Bracken came according to promise, and shortly afterwards Templeman came. So that Bracken could hear the whole story, I told Templeman to go over the whole thing as I had an attack of vertigo the day before and could not recall the entire conversation. Templeman then started at the beginning as above related, and added that when we got the \$1000 we could skip out of the city and when we got back, the thing would all blow over. I told him it would be hard for me to take a false oath implicating Inspector Byrnes, well he says, let Byrnes out and swear that Fellows got the money. I know a lot of crooked things Fellows was into besides we have only to fight intelligence when we fight Fellows while you must fight brute force with Byrnes. He finally said, well you must swear that Byrnes got checks. After



POOR QUALITY  
ORIGINAL

0013

talking about an hour and a half he got up  
and left making an appointment to meet me  
at the Elevated R.R. Station at 34<sup>th</sup> Street and Third  
Avenue. I met him there <sup>this morning</sup> at five  
minutes <sup>to</sup> 9 o'clock and we came down together  
to the City Hall Station. He told me to remain  
on the South East Corner of Chambers Street and  
Broadway, and if I was needed he would call  
me. He then went into the Stewart Building  
and in about a half an hour came out and  
said Commissioner Holahan was not ready to  
give me the \$1000 today, but would have it  
ready Wednesday. He walked down Warren Street  
and <sup>he</sup> seemed to be very much elated over the prospect  
of getting the money out of the Commissioner. He  
then handed me an article exposing the detective  
agents at Wilkinson's and also charging that  
Byrnes and the District Attorney ~~had~~ were  
in copartnership with Wilkinson. There were a  
number of pages in the article, he asked me  
to bring it over to the World Office and sell  
it for ~~the~~ ten dollars and he would give me  
five dollars out of it. I told him I did not  
care to do it. He then said I had no nerve, I  
replied I had nerve when it was required. I would  
not take the article over, so he said he would  
bring it himself.

Arthur B. Conway

Sworn before me this  
20<sup>th</sup> day of May 1889  
Maurice J. Holahan  
Commissioner of Accounts

00:14

The People of the State of New York  
against  
Frank Templeman

First: that the ~~crimes set forth in the indictment~~ does not conform substantially to the requirements of sections two hundred and seventy five and two hundred and seventy six of the Code of Criminal Procedure

Second: that the facts stated, do not constitute a crime.

Wherefore the defendant asks judgment of the Court dismissing the indictment and that the defendant be dismissed and discharged from the said premises specified in the indictment.

Warren W. Foster  
Attorney for defendant  
261 Broadway New York

POOR QUALITY  
ORIGINAL

0015

Court of General Sessions  
of the Peace of the City  
and County of New York

The People vs

against  
Frank T. Supleman

Demurrer

Harold W. Foster  
Atty for Deft.

261 Broadway  
N.Y.

To the District Attorney



00 16

The People of the State of New York  
against  
Frank Templeman

Second: That the facts stated do not constitute a crime

Wherefore the defendant asks Judgment of the Court dismissing the indictment and that the defendant be dismissed and discharged from the said premises specified in the indictment.

Wated May 27<sup>th</sup> 1889

Marvin D. Foster  
Attorney for defendant  
261 Broadway  
New York



POOR QUALITY  
ORIGINAL

0017

Court of General Sessions  
of the Peace of the City and County  
of New York

The People vs

agut

Frank Templeman

Demurrer

Warren W Foster

Attys for defn

261 Broadway

NY



John W. Day 29/89

POOR QUALITY  
ORIGINAL

0018



Sunday -  
June 7th

Judge Martin -

Dear Sir

My dear letter + our  
relative and Chad  
Brown - with whom  
we are staying - called  
on you yesterday to  
interview for my son -  
as he had not been

POOR QUALITY  
ORIGINAL

00 19

Father - King Security - I write & intercede for  
1st of all - almost every for him + for  
entirely kind + us + Ag. you will  
utterly unable physi- He is innocent in your  
- cally - to come home sentence as the law  
- My daughter + I + Justice will allow  
at once come from He is not a married  
Baltimore & He will man as his counsel  
him in this wretched suppressed - but this  
+ trying position - trial is a crushing  
I could say much out for all!  
in his favour - but Is it not possible to

POOR QUALITY  
ORIGINAL


0020

long out of the New  
York Hospital - as  
Mr James Stuart  
can testify. Having  
undergone a critical  
operation whilst  
there - and would  
not be able to stand  
hard labour of any  
kind -  
We have heard of this  
terrible affair - but



POOR QUALITY  
ORIGINAL

0021

and Miss D. Elmina?  
Sister -  would be  
sure to testify disgrace  
Relying upon your  
generosity + nobility  
of character + trusting  
in your mercy - I am  
Truly yours  
Geo B. N. Thompson  
1204 St Paul St -  
Baltimore —

**POOR QUALITY  
ORIGINAL**

0022

Mrs B. W. Templeman  
June 7<sup>th</sup> 1889  
The People vs Templeman

POOR QUALITY  
ORIGINAL

0023

COUNTY OF NEW YORK, ss.

In the Name of the People of the State of New York, To any Sheriff, Constable,  
Marshal or Policeman in this State, GREETING:

An indictment having been found on the 24 day of May  
1889, in the Court of General Sessions of the Peace, of the County of  
New York, charging Frank Templeman

with the crime of felony

You are therefore Commanded forthwith to arrest the above named Frank  
Templeman and bring him before that Court to answer the indictment; or  
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the  
City Prison of the City of New York.

New York City, the 24 day of May 1889.

By order of the Court,

[Signature]  
Clerk of Court.

POOR QUALITY  
ORIGINAL

0024

N. Y. General Sessions of the Peace

THE PEOPLE  
OF THE STATE OF NEW YORK,

against

*Frank Thompson*

Bench Warrant for Felony.

Issued

*May 21<sup>st</sup>* 188*9*

The officer executing this process will make his  
return to the Court forthwith.



POOR QUALITY  
ORIGINAL

0025

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

May 31, 1889.

-----  
P e o p l e  
vs.  
Frank Templeman.  
-----

Gentlemen:-

The Indictment against the Defendant, charging felony under Section 113 of the Penal Code, shall be first moved for trial on next Tuesday.

Very truly yours,

Asst. Dist. Atty.

William F. Howe, Esq.

Warren W. Foster, Esq.

Counsel for Defendant.

POOR QUALITY  
ORIGINAL

0026

Court of General Sessions

The People

vs  
Frank Templeman

P

to

Mr. McCabe.

Please put the above case on for trial  
in Part for Tuesday June 4<sup>th</sup> 89  
and subpoena following witnesses

James E. Wilkison

Edward M. Bracken 243 East 35<sup>th</sup> St

Arthur B. Conway 311 East 34<sup>th</sup> St

A. Stephen Murphy 870 Broadway

M. F. Holahan Commissioner of Accounts

E. P. Barker Commissioner of Accounts

Herald  
Build

Messenger Com. of Accounts

Thomas Byrnes, Inspector Police

Edward M. Shane John R. Fellows Dist Atty

Thos. C. J. Crain, Secy to the Mayor City Hall

The latter a Duces Tecum. to bring with him

all claimant documents relating thereto made

by James E. Wilkison for Detective Services

against City of New York

To D. Schuyler

12 to Broadway  
x. 11th

Forver off

ascertain  
at Commission

POOR QUALITY  
ORIGINAL

0027

Supreme Court,  
City and County of New York.

.....  
The People of the State of New York,  
against  
FRANK TEMPLEMAN.  
.....

On the annexed affidavit, and on the stenographer's notes on the trial of the said Frank Templeman, held in the Court of General Sessions of the City and County of New York, upon the charge of a violation of section 113 of the Penal Code, let the District Attorney of the County of New York show cause before me at a Special Term of this Court, to be held at the Chambers thereof at the New Court House in the City Hall of the City and County of New York on the 17<sup>th</sup> day of June, 1939, at 10:30 o'clock in the forenoon of said day, or as soon thereafter as counsel can be heard, why a certificate pursuant to section 528 of the Code of Criminal Procedure, should not be granted herein, pending the appeal of the said Frank Templeman to the General Term of the Supreme Court from his conviction had in the Court of General Sessions of the Peace for said offence; and in the meantime, and until the hearing and determination of this application, all proceedings on the part of the Sheriff of the County of New York, in enforcing the sentence pronounced upon the said Frank Templeman by said Court of General Sessions, be and they are hereby stayed; sufficient reason exist-

**POOR QUALITY  
ORIGINAL**

0028

ing therfor; service of this order on or before  
the 15 day of June, 1889, shall be deemed due, timely  
and sufficient notice of said application.

Dated this 15th day of June, 1889.

*George Randless*  
Justice Supreme Court.



0029

X-X'-X-

78.

Frank Tempelman,

William F. Howe being duly sworn, deposes and  
says—

3

**POOR QUALITY  
ORIGINAL**

0030

VICES rendered in watching jurymen summoned to attend the trial of the case of the People agst. Thomas B. Kerr in the Court of Oyer & Terminer.

The first connection the said defendant had in relation to the said Commissioners, was that the said Commissioners sent for the defendant and stated to him that they had heard that he, the said Templeman, was acquainted with a person who could prove that District Attorney John R. Fellows and Chief Inspector Thomas Byrnes were partners of said Wilkinson in his detective business, and requested said Templeman to give him the name of said witness.

That said Templeman informed said commissioners that he had been employed by said Wilkinson, who claimed to possess the knowledge of the existence of such a co-partnership.

That said Commissioners, after some conversation, stated that they would pay the sum of one thousand dollars, (\$1000.) for such testimony. That thereafter said Templeman had two conversations with the said Arthur B. Conway, in the course of which said Conway stated his ability to prove that said Byrnes was interested with said Wilkinson.

That said Templeman told said Conway that he would receive \$500. in case he (said Conway) testified to said matters. That said Templeman was thereupon indicted, and on the                      day of June, 1889, placed on trial in the Court of General Sessions before Justice Martine. On said trial said Templeman was con-

POOR QUALITY  
ORIGINAL

0031

victed and sentenced to <sup>and nine months</sup> ~~three~~ years imprisonment in the State Prison.

That on said trial numerous objections were made and exceptions taken to the introduction of illegal evidence against said defendant, and also, exceptions were taken to the exclusion of proper and competent testimony on behalf of the defendant.

That errors were made by the said Justice Martine in his charge to the Jury, and that deponent, after a full investigation of the facts of said case and the exceptions taken to the rulings of the Court and to the charge of said Justice, verily believes that the said errors committed upon the said trial are sufficient in law to procure a reversal of the said conviction from the General Term of the Supreme Court of this department; and deponent has so advised the said Templeman.

That among the numerous exceptions taken upon said trial, are the following:-

That on the said trial said Arthur B. Conway was a witness for the People. Said Conway on said trial testified that the defendant had approached him and offered him \$500. to swear to the facts of which he had no knowledge. That he was then questioned on cross-examination as to whether there was any understanding or agreement between him and the said Templeman that his testimony was to be influenced by the payment of the said \$500., or whether he (said Conway) intended to be influenced by the said offer or promise, and whether said Conway had any agreement or understanding

**POOR QUALITY  
ORIGINAL**

0032

ing whatever in respect thereto.

Said Conway, in answer to said questions, replied that he never had any understanding or agreement with the ~~xxxxxxx~~ defendant, that he had never agreed to testify to such matters, and that his testimony would not have been influenced by said offer or promise, and that he did not intend to be influenced by any such offer or promise.

That notwithstanding this testimony said Justice Martine held that the evidence of the People was sufficient to justify a submission of such case to a jury, to which ruling exception was duly taken.

That in the charge of the said Justice Martine to the Jury, said Justice in effect deprived the Jury of their province to determine the credibility of the witness Conway, and charged the Jury that said Conway must be believed, to which exception was duly taken.

That the said charge of said Justice Martine was clearly an unjust and unfair criticism of the case and of the evidence given on behalf of the defendant in the case.

That the defendant intends to appeal from the said conviction to the General Term of this Court, and that said appeal is taken in good faith, not for the purpose of delay; and in deponent's opinion the said conviction will be reversed and a new trial granted by the General Term of the Supreme Court.

That the trial of said cause occupied



POOR QUALITY  
ORIGINAL

0033

days, and that the stenographer's notes are very voluminous and cannot be procured before the 18<sup>th</sup> day of June, 1889

That the said defendant is about being removed by the Sheriff of the County of New York to the State Prison at Sing Sing, to enter into the execution of his said sentence, and for this reason deponent prays that an order to show cause, with a temporary stay of proceedings, be granted herein, pursuant to section 528 of the Code of Criminal Procedure. No previous application for this order has been made to any other Justice.

Sworn to before me this  
13th day of June, 1889.

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

*J. M. A. Hore*



POOR QUALITY  
ORIGINAL

0034

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

..... being duly  
sworn, says that he resides at No. .... Street, in the City of  
New York; that he is ..... years of age; that on the ..... day of .....  
18....., at Number .....  
New York, he served the within ..... on .....  
the ..... by leaving a copy thereof with .....

Sworn to before me this  
day of ..... 18..... }

N: D. General Session

The People of the State  
of New York — Plaintiff,

against  
James Templeman

Defendant.

Copy  
of Judgment and  
Order to Show Cause.

HOWE & HUMMEL,

Attorneys for

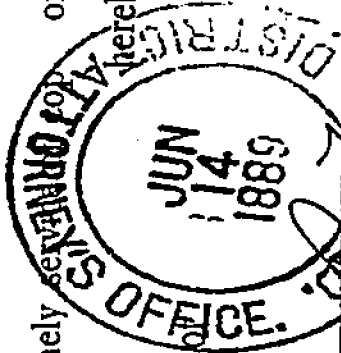
87 & 89 CENTRE ST., New York City.

Due and timely service of the within

copy hereby admitted

this day 18.....

Attorney.



James Templeman  
Defendant

Within return re  
hereby adjourned by  
Clerk to Wednesday.  
June 28/1889 de  
same him of place  
June 27/1889.  
Mrs. Hummel  
as per depts.

POOR QUALITY  
ORIGINAL

0035

Court of General Sessions, New York.

-----  
The People

vs

Frank Templeman.  
-----

Demurer to Indictment Charging  
Felony for Bribing a witness.

-----  
Memorandum of District Attorney in Opposition.

-----  
This indictment is found under Section 113 of  
the Penal Code which is as follows:

"A person who gives, or offers, or promises  
"to give, to any witness, or person about to be  
"called as witness, any bribe upon any under-  
"standing, or agreement that the testimony of  
"such witness shall be thereby influenced, or  
"who attempts by any other means fraudulently  
"to induce any witness to give false testimony  
"is guilty of a felony."

The indictment charges that the defendant promised  
to give one Arthur B. Conway, who was a witness about to

**POOR QUALITY  
ORIGINAL**

0036

2.

be called before the Commissioners of Accounts in an investigation then pending before them the sum of five hundred dollars in money, if he (Gonway) would testify on such investigation, and be influenced in his testimony in consideration of said bribe.

The second count of the indictment sets out more particularly the matters on which he was to testify before said Commissioners. No question can be raised regarding the power of the Commissioners of Accounts to conduct examinations and to compel the attendance of witnesses, and to administer oaths, and to examine such persons as they may deem necessary.

(See Section 110 of Chapter 410 of the Laws of 1882, as amended by Chapter 516 of the Laws of 1884.)

The amendment is as follows:

"They (the Commissioners) shall also make  
"such special examination of the accounts and  
"methods of the departments and offices of the  
"city government as the Mayor may from time to  
"time direct and report to the Mayor the result  
"thereof, and such other examination as said

POOR QUALITY  
ORIGINAL

0037

3.

"Commissioners may deem for the best interests  
"of the city and county. For the purpose of  
x *ascertaining*  
"~~ascertaining~~ facts in connection with those ex-  
aminations they shall have full power to com-  
pel the attendance of witnesses, to administer  
oaths, and to examine such persons as they  
may deem necessary."

Section 113 of the Penal Code is substantially the  
same as 3rd Revised Statutes, 958, Section 8.

It is not a new offence; it is simply a new  
form of defining the offence of bribing, or attempting to  
bribe a witness.

It is not necessary under this section to in-  
duce a witness to commit perjury. It is sufficient to  
offer, or promise any bribe to influence the testimony of  
a witness about to be called; and, of course, the section  
includes also the attempt to induce a witness to give  
false testimony.

All of the matters as to form and substance  
of the indictment, and as to setting forth the offence  
charged in a way intelligible to the defendant, and to  
apprise him of the charge against him, ~~that~~ are set forth in

**POOR QUALITY  
ORIGINAL**

0038

4.

the memorandum on the other demurer against the same defendant are applicable in support of this indictment.

In the case of Stratton vs The People, 81 of New York, 629, it was held that an indictment for subordination of perjury averring that the prisoner by the offer of a sum of money attempted unlawfully and corruptly to procure another to commit wilful and corrupt perjury was sufficient.

*John W. Goff*

Assistant District Attorney.



POOR QUALITY  
ORIGINAL

0039

*Count of Gen. Sherman*

THE PEOPLE OF THE STATE OF  
NEW YORK,

*against*

*Frank D. Sherman*

*Memo. on Answer  
relating.*

JOHN R. FELLOWS,  
DISTRICT ATTORNEY,  
No. 32 CHAMBERS STREET,  
NEW YORK CITY

*Filed May 24/83*

POOR QUALITY  
ORIGINAL

0040

City & County of New York

vs. Emma M. Bracken

residing at 241 East 35<sup>th</sup> St. and  
a detective employed at Steam Boats  
on Saturday Eng. last I met Arthur  
Blomay by appointment at  
34<sup>th</sup> St & 2<sup>nd</sup> Ave about 7<sup>30</sup> o'clock. He at  
that time being accompanied by Frank  
Templeman and another man  
named Jones. We all four pro-  
ceeded to front of 241 East 34<sup>th</sup> St  
where Frank Templeman entered  
a house - presently coming back  
wherefrom we all proceeded to  
2<sup>nd</sup> Ave & 34<sup>th</sup> St. Templeman and  
Blomay held a quiet conversation  
for about five minutes. Then Blomay  
joined me and we both proceeded  
along down 2<sup>nd</sup> Ave. Blomay then  
saying that he had some great news  
for me which he then told me as  
follows. Templeman was at my  
house this Eng at 7 o'clock and wants  
me to join in a great scheme. telling  
me there was a chance to make \$500  
a piece if I would contribute any  
thing he desired to in relation to  
a supposed co-partnership between  
Inspector Byrnes and Halloran.

POOR QUALITY  
ORIGINAL

0041

and Mr. Dickinson. His plan of action was to claim to have certain knowledge as to the inside working of Dickinson's agency and would even claim that he had seen checks made out to Thomas Byrnes while employed at Dickinson. Templeman tells me that while pursuing his way around New York on Friday he thought he noticed a man dogging him. He finally arriving at his house 345th where the man came into the door and enquired if he Templeman lived there. That he replied yes I am the man. Whereupon the man handed him a letter from the Comm<sup>rs</sup> of Accounts office. (which Conway then showed me.) That asking him Templeman to go to that office. He agreed then to contact Mr. Dickinson. We went to his house and saw him and Conway told him as him stated. Dickinson agreed us to continue to advise Templeman on. Acting on his instructions on the next day Sunday at 10 A.M.

POOR QUALITY  
ORIGINAL

0042

and Mr. Dickinson. Her plan of action was to claim to have certain knowledge as to the inside working of Dickinson's agency and would even claim that he had seen checks made out to Thomas Byrnes while employed at Dickinson. Templeman tells me that while pursuing his way around New York on Friday he thought he noticed a man dogging him. He finally arriving at his house 345k where the man came into the door and enquired if he Templeman lived there. That he replied yes I am the man. Whereupon the man handed him a letter from the Com<sup>r</sup> of Accounts office. (which Conway then showed me.) ~~That~~ asking him Templeman to go to that office. He agreed then to contact Mr. Dickinson. He went to his house and saw him and Conway told him as he stated. Dickinson advised us to continue to harass Templeman on. Acting on his instructions on the next day Sunday at 10 A.M.



POOR QUALITY  
ORIGINAL

0043

met at Conway's house. Conway  
received me in a side room off  
the reception room on 1<sup>st</sup> floor at  
10<sup>30</sup> Templeman arrived. I  
heard Conway say to Templeman  
"Thank last night I did not pay  
the right attention to your conversation  
to start in and tell me the whole  
thing. Whereupon Templeman  
said that there was a scheme to  
make \$500 a piece or more for  
certain information which the  
Comm. of accounts desire in con-  
nection to Dickinson's bill. So Arthur  
if you will corroborate any thing  
I want we will get the money.  
Arthur then in the course of con-  
versations enquired as to Templeman's  
scruples to which Templeman  
replied, at the present stage of the  
game Arthur said the amount  
involved all conscience must  
be stripped out. Templeman  
then showed several letters that he  
had written to have published in  
the paper in relation to a tamped  
up experience of Dickinson's Agency.  
Templeman thanked Conway



POOR QUALITY  
ORIGINAL

0044

learned that while in Dickinson's  
agency he had seen books which  
he had access to, showing a  
partnership between Byrnes  
Holloway and Dickinson and that  
he had seen check made out  
payable to Thomas Byrnes - Will  
ask them if we agree to this thing  
I will go with you tomorrow morning  
to Mr. Holahan and I will be  
the spokesman and will de-  
mand \$500 before giving the  
information and \$500 more if  
the information is satisfactory.  
I will then have the first \$500.  
and if the information does not  
prove satisfactory they can go  
to hell as I will have the first  
five hundred. Temperman  
appeared to be shyly fearing some  
one would over hear what he  
said and asking if there was any  
one in the room where I was seated.  
The conversation continued for a  
while on the same subject. finally  
they agreeing to meet this morning  
at 9 A.M. at Conway's house. He  
then went away and I left shortly

POOR QUALITY  
ORIGINAL

0045

afterwards. I went back to  
Conways house in the Evening  
and his sister told me he was  
sick. I went to his room where  
he told me that Templeman had  
been there since I left and told  
him that a man had been  
across the street all the afternoon  
and he came out and then  
him off and arranged to meet  
Arthur on the Elevated Station at  
3rd Ave & 34th St at 9.9.71.

Edward M. Bracken

Given to before me this  
20<sup>th</sup> day of May 1889  
F. D. Barker  
Com: of accounts

**POOR QUALITY  
ORIGINAL**

0046

*Sample Data*

POOR QUALITY  
ORIGINAL

0047

Court of General Sessions, New York.

-----  
The People

vs

Frank Templeman.  
-----

Demurrer to Indictment Charging  
Defendant with the Crime of  
Attempt at Grand Larceny in the  
First Degree.

-----  
Memorandum of District Attorney in Opposition.  
-----

Section 528 of the Penal Code, Subdivision 1,  
defines larceny as applicable to this case:--"Takes from  
the possession of the true owner, or of any other person,  
or obtains from such possession by color or aid, or fraud-  
ulent or false representation, or pretence."

The attempt to commit this crime is what the  
defendant stands charged with.

Section 34 of the Penal Code defines what is

**POOR QUALITY  
ORIGINAL**

0048

2.

an attempt to commit crime:--"An act done with intent to commit a crime, and tending but failing to effect its commission, is an attempt to commit that crime."

The indictment in brief charges defendant with an intent to deprive and defraud the Mayor &c., by falsely pretending to the Commissioners of Accounts that in relation to a certain claim against the city which the Commissioners were then examining he could, and would, for the sum of one thousand dollars (1,000) and in consideration of receiving said sum produce certain evidence before them that would conclusively prove that two public officials, the District Attorney of the County, and the Chief Inspector of Police, were partners with the claimant and had an interest in the said claim against the city.

All of the matter constituting the crime is then negatived.

It cannot be successfully contended but that the indictment in substance contains all the requirements of Section 275 of the Code of Procedure, and that in form it complies with the requirements of Section 276.



**POOR QUALITY  
ORIGINAL**

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3.

Under Section 284 of the Code of Criminal Procedure which declares when an indictment is sufficient, this indictment certainly is not open to any of the objections which could be raised under either or any of the Six Subdivisions, and as to the Seventh Subdivision a test might be applied, and that is, if the defendant pleaded guilty to this indictment as it stands, could not the Court with certainty pronounce judgment against him, according to the right of the case?

"An indictment for a statutory offence which  
"avers the offence, as the statute defines it, is  
"sufficient. All the circumstances which constitute the  
"definition of the offence, as given in the statute, must  
"be stated, but no others are required."

Phelps vs The People, 72 New York, 334.

Dord vs The People, 9 Barb. 671.

The defendant may contend that an attempt to get the thousand dollars from the Commissioners of Accounts was not an attempt to defraud the city of New York, as alleged in the indictment. The Consolidation Act of 1882 defines the corporate powers and their distribution.

**POOR QUALITY  
ORIGINAL**

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4.

Chapter 2, Section 30, provides that the Executive power of the Corporation shall be vested in the Mayor and the officers of the departments. Chapter 5 provides for the Executive Department. Section 110 of that Chapter provides for the appointment of the Commissioners of Accounts, and defines their duties.

Therefore, the Commissioners of Accounts form part of, and belong to, the Executive Department of the Corporation. Within the line of their duties their acts certainly bind the Corporation. They were to that extent its agents.

Chapter 516 of the Laws of 1884 invested them with the power to examine all vouchers and claims as they might deem best for the interest of the city; and for the purpose of ascertaining facts in connection with those examinations, they have power to compel the attendance of witnesses, to administer oaths, and examine such persons as they may deem necessary.

This thousand dollars was to be paid by the Corporation, the manner and mode of its payment in going through the forms prescribed by law can not alter that fact that the money was to come out of the treasury of

**POOR QUALITY  
ORIGINAL**

0051

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the city of New York, and it is so alleged in the indictment.

Section 123 of the said Act provides for the mode of payment of all claims against the Corporation by the Comptroller. Section 164 Provides further for the method by which the Chamberlain of the city shall pay the warrants drawn on the treasury by the Comptroller.

Section 139 provides for the method and manner of the appropriations necessary to make all payments on behalf of the city by the Board of Estimate and Apportionment, so that it is clear that if the Commissioners of Accounts had made a warrant, or had given a voucher, for this thousand dollars to the defendant, and he had presented that voucher to the Comptroller, and obtained a warrant for its payment, there can be no question but that the money would have been paid by the Corporation.

But I urge that it is immaterial whether the Commissioners of Accounts had power to pay this thousand dollars. The gravamen of the offence charged is the felonious intent to deprive and defraud. (section 528)

And this proposition was made to the Commissioners of

**POOR QUALITY  
ORIGINAL**

0052

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Accounts by the defendant with the intent to commit a crime, and that is defined as an act done with an intent to commit a crime. (Section 34)

The false pretences are set out in full in the indictment. These were the means by which the defendant hoped to get this money. When he made these false pretences he went as far as was in his power to go towards the consummation of the crime. They were acts tending to its commission, and the crime of an attempt at larceny was completed when those acts were consummated.

The indictment clearly sets forth the facts necessary to render the charge against this defendant intelligible to him, and it fully informs him of the offence he is called upon to answer, and that offence is well pleaded.

Phelps vs The People, 6 Hun. 401.

The demurer should be overruled.

*John W. Goff*  
Assistant District Attorney.



POOR QUALITY  
ORIGINAL

0053

*And of John A. Thompson*

THE PEOPLE OF THE STATE OF  
NEW YORK

*against*

*John A. Thompson*

*Mem. on Remuneration  
Attempted at Carrying*

*May 29th 1889,*

JOHN R. FELLOWS,

DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,

NEW YORK CITY

*Filed May 29/89*



POOR QUALITY  
ORIGINAL

0054

COURT OF GENERAL SESSIONS-Part III.

The People of the State of New York,	:	Before Hon. Ran-
against	:	dolph B. Martine
Frank Templeman.	:	and a Jury.

Indictment filed May 21st 1889.

Indicted for Felony under Sec. 113  
of the Penal Code .

New York , June 4th 1889.

APPEARANCES: For the People, Asst. Dist. Atty. GOFF  
For the defendant, Messrs. William F. HOWE  
Joseph F. Moss, and Warren W. Foster .

The jurors were examined and sworn .

JAMES E. WILKINSON, a witness for the People, sworn,  
testified:

I am a private detective in this city . I pre-  
sented the bill which is shown me to the Comptroller  
of the city of New York for services in the Broadway  
cases . The amount of the bill was \$5069 40.

THOMAS C. T. CRAIN, a witness for the People, sworn,  
testified:

I am the Mayor's secretary . The bill referred to  
by the last witness was received by the Mayor and by  
his order sent to the Commissioners of accounts for  
examination, together with a letter signed by me direc-

**POOR QUALITY  
ORIGINAL**

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2

the commissioners to examine into the correctness of the bill and report to the Mayor .

The letter and bill referred to were offered and admitted in evidence .

MAURICE F. HOLAHAN, a witness for the People, sworn, testified:

I am one of the Commissioners of accounts in this city . As such I received the letter from the Mayor's Secretary and the bill of J. E. Wilkinson for detective services which are here in evidence . Upon the receipt of the Mayor's direction to examine this bill, an investigation was initiated by the Commissioners of Accounts. There was testimony taken under oath . While the investigation was pending by my direction a letter was sent to the defendant Frank Templeman. I had heard that he was in possession of information regarding this bill.

Mr. Templeman came to the office of the Commissioners on Saturday the 18th of May. He asked me what my business with him was; I told him that we were investigating this bill of Wilkinson's and understood that he was in possession of information which would be of benefit to us . He said the bill was all wrong ; that Wilkinson had been receiving from the city six dollars a day for the services of his detectives and he could prove that he only paid the men two dollars a day, and that the difference between two and six dollars was being divided between certain officials. I inquired who the officials were, and he said Inspector Byrnes and District Attorney Fellows. He said that he had seen HyMr. Byrnes

**POOR QUALITY  
ORIGINAL**

0056

3

in Wilkinson's office and had seen checks made to the order of Thomas Byrnes; he had also seen the District Attorney going in and out of the office very familiarly. That there was a partnership existing upon all business in which the city was interested between Byrnes, Fellows Wilkinson and an old fraud named Canuth. I asked him if he had any one who could corroborate this statement and he said "YES". He showed me some newspaper articles which he had written on this subject and told me if the commissioners did not take the matter up he would have it published in the papers. He said he could get a man to corroborate him who was employed by Wilkinson and who was as close to Wilkinson as his undershirt. He promised to have the witness there on Monday morning at nine o'clock and then he left. He came in on Monday morning. I inquired of him if he had attended to the matter of the witness and he again went over the whole ground as he had done on Saturday. He said he had his witness within four minutes call, but that he would not appear before the commissioners until some arrangement was made as to money; that the witnesses' mouth was as close as a clam until some money was forthcoming from the commissioners. The witness, he said, would want five hundred dollars, and he would want five hundred dollars. I told him that we had no money for such a purpose and that the matter could not be arranged that day and that I would send for him again. After he left I notified the Mayor and the District Attorney of the conversation I had with the defendant and that is the last I saw of him until to-day.

POOR QUALITY  
ORIGINAL

0057

4

CROSS EXAMINATION:

I was informed of the information which Templeman had through Mr. McLoughlin, the Supervisor of the City Record . He told me that Templeman was in possession on information in regard to this bill, and ~~in~~ regard to the connection of Inspector Byrnes and District Attorney Fellows with Wilkinson's agency . I never knew of the existence of the man Conway . I did not know that he could give any evidence . I never subpoenaed Conway to give evidence regarding this bill . He never became a witness before the Commissioners in regard to this bill. Commissioner Barker was present at these conversations.

ARTHUR B. CONWAY, a witness for the People, sworn, testified:9

I am a private detective and live at No. 311 E. 54th St. I was employed with Mr. Wilkins on up to the 7th of November 1888. I know the defendant Templeman since last October . On Saturday evening the 18th of May the defendant came to my house and after some general conversation on different topics, he asked me if I was still employed with Wilkinson. I told him I was not . He then said "How would you like to make five hundred dollars?"; I told him I would like to do it, provided it could be done in a legitimate way . He said that the day before he had received a note from Commissioner Holahan, and had called on him that morning. That Commissioner Holahan asked him if he was in possession

**POOR QUALITY  
ORIGINAL**

0058

5

of any information as to a co-partnership existing between Inspector Byrnes, Col. Fellows and Wilkinson, and that he told the Commissioners he was in possession of such information, and could prove to them and that there was such a co-partnership existing between the persons named; that he knew a man named Conway who would corroborate anything he might say. At this point I told the defendant that he had no right to mention my name to the Commissioners. I did not permit him to say anything further, as I told him I had an engagement to meet a gentleman at 7,30 and it was that time now. I made an engagement to meet the defendant the following morning at 11 o'clock. He came to the house the following morning and I asked him to repeat what he had said the night before. I had Mr. Bracken concealed in the back room so that he could hear what was said. He said the same as he said the night before and continued: I have got a scheme on hand whereby I can make a thousand dollars, \$500. of which I will give to you; that I have informed the Commissioners that I will produce you before them on Monday morning". I told the defendant that I knew of no such co-partnership; and he said that I should throw my conscientious scruples one side when there was so much money involved. He said if I wished we could leave Inspector Byrnes out, and by doing that we would only have to fight intelligence. I said to him "What is your plan?"; and he said "I can swear that on several occasions I saw checks in Wilkinson's office made payable to Mr. Byrnes and in looking over



POOR QUALITY  
ORIGINAL

0059

6

the books I saw that there was a co-partnership existing between Byrnes, Fellows and Wilkinson . " He said all I would have to do would be to corroborate what he would say . He said "You have had access to the private office and they cant doubt your word when you say that you saw checks payable to Byrnes". He told me that I could tell the Commissioners that in looking over the books I saw where there was a co-partnership existing between Byrnes, Fellows and Wilkinson . . He then left. I made an engagement to meet him the following morning and go down to the Commissioners with him . I met him the next morning at the 34th St. elevated station. He showed me an article which he had written for the newspapers in which it was stated that three men were sharing in the profits of Wilkinson's agency and when I asked him who the three men were he said Byrnes, and Fellows . I went with him in the train to City Hall . He left me standing on the corner of Chambers St. while he went up in the Commissioners office . In a short time he returned and gave me the wink to follow him . I went with him to a building at the corner of Warren St. and Broadway and there he told me that the Commissioner hadn't the money ready yet but would have it by Wednesday . I then left him . That is the last I saw of him .

Case adjourned until June 5th 1889.

**POOR QUALITY  
ORIGINAL**

0060

New York, June 5th 1889.

CASE CONTINUED.

ARTHUR B. CONWAY )recalled:-

CROSS EXAMINATION:

I told Templeman all through the conversations that I would not consent to do anything that was wrong. I had never spoken to Commissioner Holahan or any Commissioner previous to this meeting of Templeman on the 18th of May. Templeman told me that he would use me as a witness. I determined from the start not to do as the defendant requested me to do.

Q You did not intend to swear falsely? A. No sir; never.

Q You never intended to complete or to make any agreement to swear falsely? A. I never intended to swear falsely.

Q And nothing which this man said to you influenced you to swear falsely? A. No sir.

Q Neither the contingent five hundred or thousand dollars or any other consideration influenced you at all?

A Not in the least.

Q And you really never agreed to do what he asked you to? A. I did not say whether I would or not.

Q Did you not tell the defendant over a year ago that Byrnes and Fellows were in partnership with Wilkinson? A. No sir.

Q Were you ever convicted of any offence? A. No sir.

**POOR QUALITY  
ORIGINAL**

0061

8

JOHN R. FELLOWS, a witness for the People, sworn, testified:

I am District Attorney of the County of New York . I know James E. Wilkinson, a private detective . When I entered the office of District Attorney I found Mr. Wilkinson in a certain employment and continued him in it I approved of his bill which is an exhibit in this case .

Q So far as the claim presented by Mr. Wilkinson is concerned or any other claim which he had at any time, did you have any interest whatever in that claim or in the moneys to be derived from it . A. I had not .

Q Have you ever had at any time any interest whatever in the profits of Wilkinson's business, or anything connected with his business ? A. Not in the slightest degree .

Q Did you ever receive any moneys or other written promises of payment from Wilkinson in relation to this or any other business ? A. No sir .

Q Or any money or consideration of any kind ?

A Not one penny , no consideration of any kind whatever .

Q And so far as you are concerned, all of the statements which have been testified as having been made by the defendant are untrue, are they ? A. Certainly they are, in so far as they connect my name with them .

EDWARD BRACKEN, a witness for the People, sworn, testified:

I am a private detective . I reside at No. 242 East 35th St. I am at present employed in Stern's in 23 St . I know the defendant and I know Arthur B. Conway

POOR QUALITY  
ORIGINAL

0062

9

On the evening of Saturday May 18th I saw the defendant at 34th Street and 2nd Avenue. The following morning, Sunday, I was present at Mr. Conway's house 311 East 84th Street in the back parlor. I went there for the purpose of listening to a conversation. When the defendant came in Mr. Conway asked him to repeat the story of the night before. The defendant said he had received a letter from the Commissioners of Accounts and had been to see them. That Commissioner Holahan had told him that he sent for him to see if he knew anything about a partnership between Col. Fellows and Inspector Byrnes with Mr. Wilkinson. Defendant replied to the Commissioner that he knew all about it, and all about the inside workings of that concern, and that he had a man named Conway who would corroborate anything he would say. When the defendant said this I overheard some argument between them as to the use of Conway's name before the Commissioners. The defendant further said that he had promised the Commissioners to bring Conway down there to testify, and that Commissioner Holihan had told him it would be worth \$1000 \$500 of which he would pay to Conway. Conway asked defendant what were his plans. Defendant replied " My plan is to tell these people that I had access to these offices and I saw the books showing this partnership, and I also saw checks made payable to Thomas Byrnes. We might leave Byrnes out of this, and then we would only have intelligent men to deal with. But if any of them ever touch me I will finish them. I have

**POOR QUALITY  
ORIGINAL**

0063

10

made arrangements for you to be down there to-morrow morning and will give you \$5000 if you go there and testify as to this partnership. The arrangement is that you saw checks down there. You have been there for a number of years and know everything that goes on there". He then drew out of his pocket an article which he said he had prepared on the subject. He then started to read the article and it went on to tell what kind of men are employed in private detective agencies. After a few more words an arrangement was made between the two men to meet at 9 o'clock the following morning and go down to the commissioner's office together. The defendant then left.

Cross-examination.

I was convicted once of Assault in the Court of Special Sessions and fined ten dollars. I know the penalty for swearing falsely is very severe.

Re-direct examination.

On the following morning the defendant came into Sterns where I am employed at about half past three or four o'clock. We had a short conversation but it was nothing in relation to this case. On that same Monday morning I was down in the Stewart Building, and I saw MR. Templeman come out of the office of the Commissioners of Accounts at about a quarter past ten.



**POOR QUALITY  
ORIGINAL**

0064

11

DANIEL F. McCARTY, a witness for the people sworn testified:-

I am a messenger in the office of the Commissioners of Accounts. On the 17th of May I delivered a letter into the hands of the defendant. . When I handed it to him he said, " I dont think I will have time to go down to-morrow, I will have to send my counsel".

THOMAS BYRNES, a witness for the people sworn testified:-,

I am Inspector of Police of this City. I have been on the police force for 26 years. I know a detective named J. E. Wilkinson. I know he was engaged by the District Attorney's Office to do certain work in relation to the Broadway Cases.

Q It has been testified to that one Frank Templeman the defendant at the bar, stated that he knew there was a partnership existing between yourself, Col. Fellows and Mr. Wilkinson, whereby the profits of his office were to be divided between you. It that true or false?

A It is false.

Q Did you have any business relations of any kind in which you were interested with Wilkinson? A. Never in my life.

Q It has been testified to here that checks were seen drawn to your order. Have you ever received any checks from Wilkinson? A. Never in my life.

Q Or any money or thing of value of any kind?

A. Never.

Q Have you ever had any interest in his business or the

**POOR QUALITY  
ORIGINAL**

0065

12

the profits of his business? A. No sir.

Q And all the matters which I have recited to you, as far as they relate to you are untrue? A. Untrue in every particular.

JAMES E. WILKINSON, recalled.

I have been in the business of private detective since 1871. I have been engaged by the District Attorney of this City for some years past doing private detective work. I presented a bill to the Comptroller which has been offered in evidence in this case. The defendant was employed by me for about thirty days. It is not true that Inspector Byrnes and Col. Fellows had an interest in my business. Neither of them are interested in my business in any way, shape or manner. They simply gave me employment.

Q It has been testified to that Templeman said he saw checks in your office made by you payable to the order of Inspector Byrnes. Did you ever make any such checks? A. No sir., and as evidence of that I have the check books here with the stubs attached.

Q. And so as far as you are concerned, and as far as the District Attorney and Inspector Byrnes are concerned you say that the statements made by Templeman are untrue  
A. They are untrue.

POOR QUALITY  
ORIGINAL

0055

13

D E F E N S E .

FRANK TEMPLEMAN, the defendant sworn, testified:-

I was born in Maryland. I am 31 years of age. I live at No. 241 East 34th Street New York. About three months ago I was talking with the witness Bracken in Stern's store, and he was telling me that he secured his position there through Inspector Byrnes. I asked him what Inspector Byrnes had to do with Wilkinson, and he said "He is a partner there". A short time after that I met the witness Conway whom I had known when I was employed with Mr. Wilkinson. I said to Conway, "I see Brady walking up and down 14th Street. What right has he got to do that"? He said, "Looking for crooks." and I said "What right has he got to look for crooks?". Conway turned around and looked at me and said, "Byrnes". These were the two first intimations I had as to any partnership existing between Byrnes and Wilkinson. On Friday the 17th of May about half-past five o'clock as I was going into my house a young man followed me up the stoop and handed me a letter from the Commissioners of Accounts. I read it and told the young man I would attend to it, and try and be there the next morning. I did go down to the Commissioners of Accounts office the next morning. I first saw Commissioner Barker, and he asked me to wait until the other Commissioners came in. Commissioner Holihan came in in a few minutes and said: "I hear that you know something about Mr. Wilkinson. Do you know that In-

**POOR QUALITY  
ORIGINAL**

0067

14

spector Byrnes has any connection with Wilkinson's office, or any interest in the profits?" and I said ;  
" I know nothing about Wilkinson's office. I have not been inside of his office for nine months". I asked him why he had sent for me in this matter, and he said " Wilkinson refuses to give any information". I said " Isn't there some law by which you can make him produce his books"? and the Commissioner said":  
"Wilkinson is no fool, and Inspector Byrnes is no fool. The first time there is anything said against the payment of this bill, the books would be destroyed". Commissioner Barker then said " Do you know that Col. Fellows has any connection with this matter"? I said that I had never heard his name being mentioned in the matter at all. Commissioner Barker replied that Col. Fellows must be pretty hard up. I told him that I didnt know anything against Col. Fellows excepting the Gescheidt matter which has all been settled up honorably. Commissioner Holahan remarked that Wilkinson must be pretty hard up as he was in there begging for his bill all the time. I said I think I can get you a man but supposing that I should know anything or he should know anything, and we gave you this information every agency in the City would be down on us. We should have a consideration for our services. He asked me if \$100 would do, and I said I didn't know until I saw this man and found out if he knew anything. I told him that \$250 apiece would be little enough in case this man knew anything. He told me to see my man and



POOR QUALITY  
ORIGINAL

0068

15

bring him there the following Monday morning. On that evening I called on Arthur B. Conway at his house in 34th Street and I said to Conway that I had been to the Commissioners' office and they had asked me whether I knew of any partnership between Inspector Byrnes and Wilkinson. I told him that I had said to the Commissioners "I know nothing whatever myself". I told him if he knew anything it would be worth something to the Commissioners. They would pay us \$500. I said "Have you ever seen any checks made payable to Inspector Byrnes"? and he said; "I am <sup>ignorant</sup> ~~unfamiliar~~, I don't understand these things". I told him that if there was a partnership existing between these men, Byrnes name would be at the top of the page. I says, then you can identify the books and he says, "Why certainly". I told him that would be sufficient for the commissioners. I then made an engagement to meet him the following Sunday morning at 11 o'clock. On that Sunday morning the conversation which occurred was about the same as the night previous. I then made an engagement to meet Conway the following morning at nine o'clock and go down to the Commissioners' office with him. We went down on the elevated train. I left him standing at the corner of Chambers Street and Broadway, and I went up to the Commissioners' office. Holahan asked where my witness was and I told him within four minutes reach. He asked me if the witness knew anything, and I told him he stated to me he had seen checks drawn to the order of Inspector Byrnes and had seen the accounts, and had



POOR QUALITY  
ORIGINAL

0069

16

been in the office on the sly and seen the books. The commissioner said that that was pretty good evidence. I asked Commissioner Holihan what the object was in getting this and he said it was to get at the ends of justice, and that if Inspector Byrnes, Col. Fellows or anybody else, tried to trifle with the accounts of his office, he would bring them to justice. He followed this up with a long string of oaths. . He asked me why I didn't bring the witness in and I told him that the man has got to be paid. . He said they have no money on hand with which to pay him. I asked him if the Commissioners had not had the Market Investigation and if they did not have some money from that, and he said, "no," but he would try and arrange it and would let me know by Wednesday. I left the office and met Conway on the corner and walked with him as far as Warren St. I told him it was all right that the Commissioners would have the money ready by Wednesday. I didn't ask Conway to ~~perjure~~ himself at all. I had no such intention. I believed what he stated to me. I wanted him to tell his story before the commissioners. I was arrested a very few days after that by a detective. Conway was the person who told me about the connection of Byrnes and Fellows with Wilkinson's Agency. I did not tell it to him. I didn't make any agreement with Conway that he was to swear falsely. I didn't ever promise to give him any sum of money upon any understanding or agreement that his testimony before the Commissioners should be influenced.

CASE ADJOURNED TO JUNE 6th. 1889

**POOR QUALITY  
ORIGINAL**

0070

17

New York, June 6th, 1889.

C A S E C O N T I N U E D .

FRANK TEMPLEMAN, recalled.

Cross-examination:

I did show Conway an article which I had written for the papers. I wrote that article from memorandums I made for a month before. I was employed in two other Private Detective Agencies besides Wilkinson's. I never was in the divorce brokerage business. I did have some connection with a man named Spear a reporter for the New York Sun. Mr. Spear came to me one day and said he was anxious a divorce for two parties in Pennsylvania. I went to a lawyer's office in Temple Court named Latson and procured a paper which is an agreement for separation and gave it to Mr. Spear. Mr. Spear paid me twenty five dollars for that paper. It was not a decree of divorce. I received \$25 simply for getting that paper. I think the paper is printed by Leach in Nassau Street. I am not certain where I got the paper, whether in Leach's or in the lawyer's office in Temple Court. The lawyer simply filled in the names and I gave him for that service \$5 .00. I don't remember anything that was in the paper. It was published in the New York Sun one Sunday last December. I didn't read the article. The article which I had written was in relation to private detective agencies. It didn't mention the names of Inspector Byrnes and Col. Fellows in connection with Wilkinson's agency. I didn't know Mr. McLoughlin editor of the ~~M~~etropolis. I didn't take

POOR QUALITY  
ORIGINAL

0071

18

any article to him relating to Byrnes and Fellows and ask him to publish it. The two occasions ~~which~~ <sup>on all</sup> I have stated at the intimations I had from Conway and Bracken as to a partnership.

Q Was there anything in the note which you received from the Commissioners of Accounts which indicated the nature of the business they wished to see you upon.

A No sir, I went and saw my personal friend Mr. Stewart who is a lawyer.

Q You swear that Commissioner sa Holahan said to you before you said anything. "Do you know of any connection that Inspector Byrnes has with Wilkinson's agency?" A. Yes sir.

Q Is that as true as everything else you have testified to on the witness stand? A. Yes sir. I think he asked me if I knew what connection Byrnes had with the profits of Wilkinson's agency. The first time Commissioner Barker opened his mouth was to ask me if I knew anything about Col. Fellows. I had no interest whatever in this matter. I didn't want to be a witness before the commissioners. Commissioner Holahan was the first one to suggest any word of money. He asked me if \$100 would do and I said that \$500 would do.

Q What did you want \$250 yourself for as long as you knew nothing about this. A. I told the Commissioner that that was contingent upon this man knowing anything.

Q You had stated that you knew nothing? A. Yes sir.

**POOR QUALITY  
ORIGINAL**

0072

19

I told him it would be necessary for both of us to leave the City in case this testimony was given.

Q You did not intend to give any testimony? A. No sir.

Q How could anybody hurt you if you didn't testify.

A I dont know. I proposed to procure Conway as witness before the Commissioners.

POOR QUALITY  
ORIGINAL

0073

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The money that I personally was to receive from Mr. Holahan was for getting this man . . . Mr. Holahan asked me if there was not some one I could get . I did not propose to give any information at all. . I positively knew nothing . . Bracken was the only man who had spoken to me about the partnership between Byrnes and Wilkinson . Conway never did except to make use of the word "Byrnes". I did not tell the Commissioners Conway's name on Monday .

Q If you knew as a good citizen that Conway had this information, why didn't you tell the Commissioners where he was so that they could subpoena him ? A. They did not make that request of me . If they had I would have done it . I told them the man did not want to give his name until the money was ready .

R E B U T T A L .

MAURICE F. HOLAHAN, recalled:-

The statement of the defendant that I was the first to mention Byrnes and Fellows name in this matter is false . He insisted that he could prove what he said . Commissioner Barker did not say Col. Fellows was hard up. I did not say that Wilkinson was . On Saturday there was no conversation whatever in regard to money . That took place on Monday . I never asked him if \$100. would do; he said they wanted \$500. a piece . On Saturday he showed me an article he had prepared for the papers and in it was mention of this partnership . I did not make use of any oaths .



POOR QUALITY  
ORIGINAL

0074

2

21  
EDWARD P. BARKER, a witness for the People, in rebuttal,  
testified:

I am one of the Commissioners of Accounts . I was present at the interviews had by Commissioner Holahan with the defendant . I did not make inquiry of the defendant as to whether he knew Col. Fellows shared in the profits of Wilkinson's agency . I did not say that Col. Fellows was hard up . Commissioner Holahan did not make use of any oaths . Commissioner Holahan did not mention the sum of \$100. or any amount at all at interview on Saturday . On that day there was no mention of money . The talk about money was had on Monday when the defendant said they would want \$500. each . He wanted this money for a party that he would produce to give testimony about this bill. He refused to produce the man until the matter of compensation was arranged . The man whom he was produce he said would corroborate what he had told us . He told us that he could produce to corroborate him a man who was as close to Wilkinson as his undershirt .

ALMET . R. L. ATSON? a witness for the People, sworn,  
testified :

I am a lawyer in Temple Court . I know the defendant Templeman slightly .

Under objection the witness was not allowed to testify in contradiction of the defendant

Case adjourned until June 7th 1889.

POOR QUALITY  
ORIGINAL

0075

3

New York, June 7th 1889. 22

FRANK TEMPLEMAN, recalled:-

I desire to correct the testimony I gave yesterday in relation to that divorce paper. I said it was Mr. Latson prepared it. I now know that it was ~~Mr.~~ not Mr. Latson but some other lawyer, I think his name is Washburn. I think his office was on the 5th floor of Temple Court. I did not pay any money to Mr. Latson in connection with that divorce paper.

CROSS EXAMINATION:

Through a mistake yesterday I identified Mr. Latson in Court as the man to whom I paid the five dollars for preparing this divorce paper. I am now sure that he was not the man. I requested my counsel to allow me to take the stand to-day in order that I might correct that statement. I would know the man that I paid the five dollars to if I saw him now.

Counsel for defendant asked the Court to take the case from the jury on various grounds.

Motion denied.

The Jury returned a verdict of GUILTY with a recommendation to the mercy of the Court.

POOR QUALITY  
ORIGINAL

0076

Indictment filed May 21-1889

COURT OF GENERAL SESSIONS

Part III.

The People &c.  
against

FRANK TEMPLEMAN

Abstract of testimony on  
trial New York, June 4th,  
5th, 6th and 7th 1889.

POOR QUALITY  
ORIGINAL

0077

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
AGAINST

*Frank Templeman*

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

*Frank Templeman of the crime of attempting  
to commit*

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

The said *Frank Templeman,*

late of the City of New York, in the County of New York aforesaid, on the *eighteenth*  
day of *May,* 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 *the Mayor, Aldermen and Commonalty*  
*of the City of New York, a municipal corporation*  
*then and there duly organized and existing*  
*under and by virtue of the laws of the State*  
*of New York,*

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 Commissioners*  
*of Accounts of the City and County of New York, officers of*  
*the said municipal corporation, and by whom an exam-*  
*ination was then being duly made as to the correctness and*  
*validity of a certain claim, demand and account of one*  
*James E. Wilkinson then lately before by him presented to the*  
*said municipal corporation for the payment of a large sum of money*  
*for services by the said James E. Wilkinson claimed to have been rendered*  
*done and performed at the request, and by the authority and direction*  
*of John R. Fellows, Esquire District Attorney of the said County of New*  
*York, in the conduct, management and prosecution by the said*  
*District Attorney of a certain criminal action,*

*That there was then, and for a long time prior thereto*

POOR QUALITY  
ORIGINAL

0078

there had existed, a copartnership between the said James E. Wilkinson, John R. Fellows, Esquire, District Attorney as aforesaid, and one Thomas Byrnes, Chief Inspector of Police of the City of New York, by means whereof the said District Attorney and Chief Inspector of Police derived a pecuniary benefit <sup>business, and a share of the</sup> from the profits and income of a certain detective agency conducted by the said James E. Wilkinson in the said City in consideration of the procuring by them and through their efforts, influence and procurement, of business for the said James E. Wilkinson, and that he the said Frank Templeman ~~could then~~ knew a man who was cognizant of the existence of such a copartnership and who could and would give evidence sufficient to establish its existence, and that he could and ~~and the said~~ produce such man before the said Commissioners ~~accounts, and could and would establish by~~ commencing evidence the existence of such copartnership upon the payment to him of the sum of one thousand dollars, then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said.

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

By color and by aid of which said false and fraudulent pretenses and representations he the said Frank Templeman did then and there feloniously attempt to obtain from the possession of the said municipal corporation, the sum of one thousand dollars in money, lawful money of the United States of America and of the value of one thousand dollars, of the proper moneys, goods, chattels and personal property of the said municipal corporation, with

And the said ~~did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and personal property, from the possession of the said~~

~~by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said municipal corporation~~

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~~ there was not then and there had not for a long time prior thereto existed, a copartnership between the said James E. Wilkinson, John R. Fellows, Esquire,



POOR QUALITY  
ORIGINAL

0079

District Attorney as aforesaid and the said Thomas Byrnes, such Chief Inspector of Police, by means whereof the said District Attorney and Chief Inspector of Police derived a pecuniary benefit from the business, or a share of the profits or income of the said detective agency as conducted by the said James E. Wilkinson, in consideration of the procuring by them and through their efforts, influence or procurement, of business for the said James E. Wilkinson; and the said Frank Templeman did not then know a man who was cognizant of the existence of such copartnership or who could or would give evidence sufficient to establish its existence, and he could not nor would he produce such man before the said Commissioners of Accounts, and he could not nor would he establish by convincing evidence, the existence of such copartnership upon the payment to him of the said sum of one thousand dollars.

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said Frank Templeman to the said Commissioners of Accounts was and were

then and there in all respects utterly false and untrue, as he the said Frank Templeman at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said Frank Templeman, in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said municipal corporation then and there feloniously did attempt to 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.

POOR QUALITY  
ORIGINAL

0080

206 Bk May 21/89  
7337 189

Warren W. Foster

201 Broadway

Counsel,

Filed May 1889

Pleads,

Chas. J. [Signature]

THE PEOPLE

vs.

AMOUNT OF ALIENATION & FRAUD DEGREE  
(False Pretenses)  
[Section 528, and 530, Penal Code].

Frank Templeman

May 21/89 (2 cases)

JOHN R. FELLOWS,

District Attorney.

Dismissed disallowed

May 29, 1889.

A True Bill.

[Signature]

Foreman.

Sentenced on 12-10-1889

June 13/89 - R.B.H.

Witnesses:

Commr

M. F. Hollahan

Commr

E. D. Barker

Arthur B. Conway

Edwin M. Bracken

Sam. S. Wilkinson

Josephine Brown

John R. Fellows

POOR QUALITY  
ORIGINAL

00001

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Franka Samdeman*

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

Indictment accuse *Franka Samdeman* of a Felony,

~~of the crime of~~

committed as follows:

The said *Franka Samdeman*,

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

*nineteenth* day of *May*, in the year of our Lord one thousand

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

*did unlawfully and feloniously offer and promise to give to one Arthur C. Conway, then and there being a person about to be called as a witness upon a certain investigation and inquiry then and there duly depending before the Commissioners of Accounts of the City and County of New York, a bribe, to wit: the sum of five hundred dollars in money, upon an understanding and agreement that the testimony of the said Arthur C. Conway as such witness, upon*

POOR QUALITY  
ORIGINAL

0002

The said investigation and inquiry, shall  
be thereby influenced; 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.

POOR QUALITY  
ORIGINAL

0003

Second COUNT.

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

Franka Tempehman of the same Felony,

~~of the Crime of~~

committed as follows:

The said

Heretofore,

~~late of the City and County aforesaid, afterwards~~ to wit: On the day and in the year aforesaid,  
at the City and County aforesaid, there was duly demanded

and for the Commissioned Accounts of  
the City and County of New York, a certain  
investigation and inquiry as to the cor-  
rectness and validity of a certain claim,  
demand and account of one James R.  
Williamson then lately deceased by him  
presented to the Mayor, Aldermen and  
Commonalty of the City of New York,  
for the payment of a large sum of  
money to wit: the sum of five thousand  
and sixty nine dollars and forty cents,  
for services by the said James R. Williamson  
claimed to have been rendered, done and  
performed at the request and by the  
authority and direction of John R. Williams,



POOR QUALITY  
ORIGINAL

00004

Esquire, District Attorney of the said  
County of New York, in the management  
conduct and prosecution by him the said  
John R. Edwards, Esquire, as and District  
Attorney of the said, of a certain criminal  
action between the People of the State of  
New York, Plaintiff, and one Thomas  
B. Kerr, defendant, upon an indictment  
for larceny, directed and demanded to be tried  
and tried in the Court of Oyer and Terminer  
of the City and County of New York.

And the said Francis Templeman,  
late of the City and County of the said, well  
knowing the premises, at length, to wit:  
on the day and in the year aforesaid, at  
the City and County of the said, did unlawfully  
and feloniously offer and  
promise to give to one Arthur B. Conway,  
then and there being a person about to  
be called as a witness upon the said  
investigation and inquiry, a bribe, to wit:  
the sum of five hundred dollars in  
money, upon an understanding and agree-  
ment that the testimony of the said Arthur  
B. Conway as such witness, upon the  
said investigation and inquiry  
should be thereby influenced,  
against the forms of the Statute  
in such case made and provided,  
and against the peace of the

POOR QUALITY  
ORIGINAL

0085

People of the State of New York,  
and their dignity.

John R. Fellows,

District Attorney

0086

**BOX:**

355

**FOLDER:**

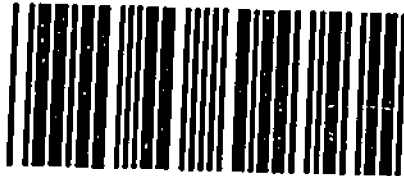
3341

**DESCRIPTION:**

Toohey, James

**DATE:**

05/15/89



3341

POOR QUALITY  
ORIGINAL

0087

WITNESSES:

Frank S. Gregory

16th west  
to 16th west  
to 16th west  
to 16th west

Counsel,

Filed

15

day of

1889

Pleads

16

THE PEOPLE,

vs.

VIOLATION OF EXCISE LAW

(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1083, Sec. 21 and  
page 1089, Sec. 6.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Edward W. [unclear]

foreman

off fall [unclear]

Fined \$10. [unclear]

POOR QUALITY  
ORIGINAL

0088

Excise Violation-Selling on Sunday.

POLICE COURT- 6th DISTRICT,

City and County } ss.  
of New York,

of No. the Thirty-fourth Precinct Street,  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 31st day  
of March 1889, in the City of New York, in the County of New York,  
at premises No. Fordham Square Street,  
James T. Doohy (now here)  
did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his  
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,  
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said James T. Doohy  
may be arrested and dealt with according to law.

Sworn to before me, this 1st day  
of April 1889

Frank J. Gregory

Police Justice.



POOR QUALITY  
ORIGINAL

0089

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

6th District Police Court

*James Torrey* 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 Torrey*

Question. How old are you?

Answer. *Twenty three*

Question. Where were you born?

Answer. *England*

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

Answer. *131 E 86 St; Three months.*

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 may think will tend to your  
exculpation?

Answer. *I am not guilty and desire to  
be tried at General Sessions  
after examination if held.*

*James T Torrey*

Taken before me this

188

Police Justice.

0090

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

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

Dated April 1881 / Wm. H. H. H. H. Police Justice.

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

Dated April 1 1889 John J. [Signature] Police Justice.

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

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

POOR QUALITY  
ORIGINAL

0091

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 T. Doohy*  
The Grand Jury of the City and County of New York, by this indictment, accuse  
*James T. Doohy*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

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

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

SECOND COUNT—

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

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

The said

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

JOHN R. FELLOWS,

District Attorney.

0092

**BOX:**

355

**FOLDER:**

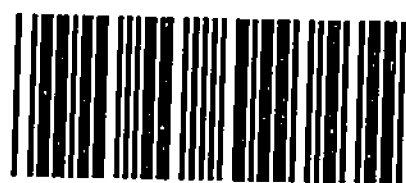
3341

**DESCRIPTION:**

Torre, Mariano

**DATE:**

05/07/89



3341

POOR QUALITY  
ORIGINAL

0093

Witnesses:

The child appeared  
was not examined  
as a witness &  
consequently cannot  
now be found.  
That the defendant  
be discharged on his  
own recognizance  
May 17<sup>th</sup> 1889 G.D.A.  
17<sup>th</sup> 1889 a.d.a

Counsel,

Filed

Pleas,

day of May 1889

THE PEOPLE

vs.

Mariano Torre

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

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL

Foreman.

Rec'd on her own  
Rec'd on her own  
May 17<sup>th</sup> 1889



POOR QUALITY  
ORIGINAL

0094

*The New York Society for the  
Prevention of Cruelty to Children*

100 EAST 23<sup>d</sup> ST. (COR. FOURTH AVE.)

*New York, May 3<sup>d</sup> 1889*

*Court of General Sessions of the Peace in and for the  
City and County of New York.*

*The People  
against  
Mariano Torce*

*Notice of Prosecution.*

*To the District Attorney of the  
City and County of New York,*

*Sir: This Society is interested in the prosecution of  
the above defendants, and is familiar with the facts of the  
case. It respectfully requests that before sending the papers  
to the Grand Jury, fixing the day of trial, consenting to  
any postponement thereof, or to any reduction of bail, or  
final disposition of the charge, you will duly notify me as  
its President and Counsel, so that I may confer with you  
in regard thereto. This request is made pursuant to the  
statute (Laws of 1886, Chapter 30, Section 4), and in  
furtherance of the ends of Justice.*

*I have the honor to remain, with great respect,*

*Elbridge T. Gerry,  
President, &c.*

POOR QUALITY  
ORIGINAL

0095

N. Y. GENERAL SESSIONS

THE PEOPLE



CRUELTY TO CHILDREN.

*Delivered at Cooper's*

NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,

*President, &c.*

POOR QUALITY  
ORIGINAL

0096

Police Court— District.

City and County }  
of New York, } ss.

Robert B. Munson  
of No. 448 West 146<sup>th</sup> Street, aged 49 years,  
occupation Laborer being duly sworn

deposes and says, that on the 25 day of April 1888 at the City of New  
York, in the County of New York, Frank Torre now here

was violently and feloniously ASSAULTED and BEATEN by Mariano

Torre now present that on said  
day deponent saw the defendant  
willfully and maliciously cut and  
stab said Frank Torre upon  
his left side with and by means  
of a certain shears or scissors and  
sharp dangerous weapon which  
he Mariano then held in his hand

Said Frank Torre  
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 27 day  
of April 1888

Police Justice.



POOR QUALITY  
ORIGINAL

0097

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

3 District Police Court.

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

Question. What is your name?

Answer. *Mariano Torre*

Question. How old are you?

Answer. *42 Years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *2752 W. Avenue*

Question. What is your business or profession?

Answer. *Barber*

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

Answer. *I am not guilty of the  
charge. It was the result  
of an accident*

*Torre Mariano*

Taken before me this

188

Police Justice

POOR QUALITY  
ORIGINAL

0098

BAILLED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

District,

642

THE PEOPLE vs.,

ON THE COMPLAINT OF

William J. McNamee

vs. William J. McNamee

Offence

Felony  
Assault

Dated

188

April 27

Magistrate.

Wm. J. McNamee

Officer.

Wm. J. McNamee

Officer.

Wm. J. McNamee

Officer.

Wm. J. McNamee

Officer.

No. 100 East 23rd

Street.

No.

Street.

See Report of T. S. P. C. C.

for information about defendant

filed with these papers. If lost,

notify the Society at once.

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

William J. McNamee

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 April 27 1889 Police Justice.

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

Dated 1889 Police Justice.

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

Dated 1889 Police Justice.



POOR QUALITY  
ORIGINAL

0099

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Mariano Torre

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

— Mariano Torre —  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Mariano Torre

late of the City of New York, in the County of New York aforesaid, on the  
twenty-fifth day of April in the year of our Lord  
one thousand eight hundred and eighty-nine, with force and arms, at the City and  
County aforesaid, in and upon the body of one Frank Torre  
in the peace of the said People then and there being, feloniously did make an assault,  
and him the said Frank Torre  
with a certain shears —

which the said Mariano Torre  
in his 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 him the said Frank Torre  
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

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

The said Mariano Torre

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 Frank Torre  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault, and him the said  
Frank Torre  
with a certain shears —

which the said Mariano Torre  
in his 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.

POOR QUALITY  
ORIGINAL

0100

THIRD COUNT—

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

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

The said

Mariano Torre  
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  
Frank Torre in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and  
him the said Frank Torre  
with a certain shears

which

he the said Mariano Torre  
in his right hand then and there had and held, in and upon the side  
of him the said Frank Torre

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 Frank Torre

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 10 1

**BOX:**

355

**FOLDER:**

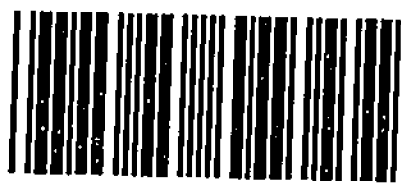
3341

**DESCRIPTION:**

Townsend, Edward

**DATE:**

05/07/89



3341

POOR QUALITY  
ORIGINAL

0102

*[Faint handwritten notes and signatures at the top of the page]*

Counsel,  
Filed  
Pleads,

1889

Grand Larceny, (From the Person.)  
[Sections 528, 580 Penal Code].

THE PEOPLE

*vs. Edward Townsend*

JOHN R. FELLOWS,  
District Attorney.

*Ind 3 day 13 at 11*  
**A True Bill.**

*[Signature]*

Foreman.  
1st Tuesday of October 1889. V. M. D.  
Part III October 9/89.  
Plead - Guilty -

*[Signature]*

Witnesses:

*[Blank lines for witness signatures]*



POOR QUALITY  
ORIGINAL

0103

VENTURA M. PARERA,  
DEALER IN ALL KINDS OF  
Machine and Hand Cut Corks,  
704 EAST 13TH STREET,

New York, October 2<sup>nd</sup> 1889

I certify that I know Mr. Edward  
Townsend for four years and always find  
him to be honest and laborious

Ventura M. Parera

POOR QUALITY  
ORIGINAL

0104

New York, October 10 1889

No



American Cork Cutting Company,

JOSEPH GARCIA, MANAGER.

416 East Eleventh St., near 1st Ave.

Dear Sir  
I have known the bearer, Mr. Edward  
Courrains for the last five years, and I know  
him to be an honest and industrious  
young man.

Yours Respectfully  
Joseph Garcia

New York, Oct. 5<sup>th</sup> 1889

No

To ADOLPH JOHN, Dr.

CARPENTER AND JOBBER,

Near First Avenue.

No. 336 EAST 21st STREET.

To whom it may concern

This is to certify that the  
bearer, Edward Townsend, has been in my  
employ, on and off, for the past one or two years  
and I have always found him honest,  
willing & obliging.

Respectfully

Adolph John

POOR QUALITY  
ORIGINAL

0105

Established 1760.



P. Lorillard & Co.,

Refer to No. \_\_\_\_\_

Jersey City, N.J. Oct-3<sup>rd</sup>-1889

To Whom it May Concern,  
I the undersigned having  
had, Edward Townsend under my  
supervision, whilst in the employ  
of P. Lorillard & Co. of above address  
during the years 1888 to 1889—  
do certify as to his having shown  
himself to be an honest & faithful  
employee & having given every satisfaction  
in every respect,

Wm. J. H. H. H.  
Superintendent

POOR QUALITY  
ORIGINAL

0106

Monday Oct 7<sup>th</sup> 89

To Whom this may concern.

Edward Townsend has been in  
my employ four years, and during  
that time, has always been honest  
punctual, and <sup>an</sup> industrious young  
man.

Respectfully Yours

Morris M<sup>r</sup> Mamara

Asst Superintendent

William Hall & Sons  
Builders

Foot 106<sup>th</sup> St

East River

City



POOR QUALITY  
ORIGINAL

0107

New York  
Oct 7<sup>th</sup> 1889

To whom it may concern.  
This is to certify that  
Edward Townsend, and  
parents have been my  
tenants for the last eight  
years. In all that time  
I have found him to be  
an honest upright young man.  
living on the same premises  
with him. He must certainly  
have been drinking if he  
committed what he is accused  
of. Hoping the Court will  
deal leniently with him as  
it is the first trouble he has  
ever been in

Yours. Respectfully  
Martin L. Aldrich.

546, 548, 550 East 16<sup>th</sup>  
260 to 268 Ave B

POOR QUALITY  
ORIGINAL

0108

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

Affidavit—Larceny.

City and County } ss.:  
of New York,

of No. 341 West 13<sup>th</sup> Street, aged 40 years,  
occupation Laborer being duly sworn  
deposes and says, that on the 2<sup>nd</sup> day of May 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession ~~and~~  
of deponent, in the night time, the following property, viz:

One silver watch, of the value  
of fifteen 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 Edward Townsend

Now here, from the fact that  
while deponent was in the  
act of entering his own home  
at said premises, at about the  
hour of 1 o'clock A. M. on said  
day the said deponent seized  
hold of the chain fastening said  
watch to deponent's vest and  
breaking off the watch ran  
away with said watch in  
his possession. That deponent  
pursued him and caught  
him before he had left the  
sight of deponent.

Michael Caravan

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

of May 1888

John J. Sullivan Police Justice.

POOR QUALITY  
ORIGINAL

0 109

Sec. 193-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

3 District Police Court.

Edward Townsend 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.

Edward Townsend

Question. How old are you?

Answer.

21 years 20 days

Question. Where were you born?

Answer.

New York

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

Answer.

550 East 14<sup>th</sup> St. 8 years.

Question. What is your business or profession?

Answer.

Wood worker

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. That is  
all I desire to say.  
Edward Townsend

Taken before me this

day of

188

Amos

Police Justice.

POOR QUALITY  
ORIGINAL

0 1 1 0

BAILED,  
No. 1, by John E. Smith  
at 1110 Broadway  
Long Island City  
Residence  
No. 3, by  
Residence  
No. 4, by  
Residence  
No. 5, by  
Residence

Police Court...

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Michael Conaway  
vs. 346134

William Conaway

Offence Larceny from  
the person

Dated

May 2<sup>nd</sup>

188

Magistrate

Paterson

Officer

Jamine

Witness

William Conaway

No. 1, by

William Conaway

No. 2, by

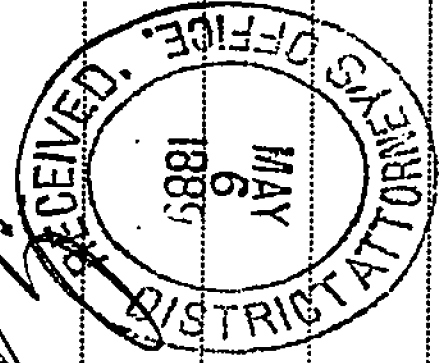
William Conaway

No. 3, by

William Conaway

No. 4, by

William Conaway



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

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

Dated May 2<sup>nd</sup> 188 9 W. M. Patterson Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.



POOR QUALITY  
ORIGINAL

0 1 1 1

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Edward Townsend*

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

— *Edward Townsend* —  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

*Edward Townsend,*

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

*one watch of the  
value of fifteen dollars*

of the goods, chattels and personal property of one

on the person of the said

then and there being found, from the person of the said

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.

*Michael Canavan*  
*Michael Canavan*  
*Michael Canavan*  
*John R. Fellows,*  
*District Attorney.*

0112

**BOX:**

355

**FOLDER:**

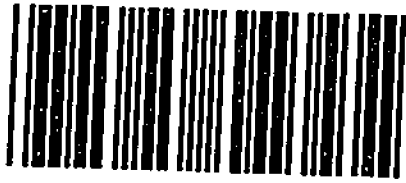
3341

**DESCRIPTION:**

Tracy, William

**DATE:**

05/17/89



3341

POOR QUALITY  
ORIGINAL

0113

WITNESSES:

*Officer Pitroini*

Counsel

Filed

Pleads

1889

May

THE PEOPLE,

vs.

VIOLATION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1883, Sec. 21 and  
page 1889, Sec. 5.]

*William J. Tracy*

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Foreman.

*F. May 29 1889*

POOR QUALITY  
ORIGINAL

0114

Excise Violation—Selling on Sunday.

POLICE COURT—

2 DISTRICT.

City and County } ss.  
of New York, }

of No. 19th Street Joseph Petronio  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 24 day  
of February 1885, in the City of New York, in the County of New York, at  
premises No. 43 East 18th Street,  
William J. Tracy (now here)

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

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

Sworn to before me, this 25 day  
of February 1885.

Police Justice



POOR QUALITY  
ORIGINAL

0115

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Wm J. Tracy* 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. *William J. Tracy*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *227 West End 24*

Question. What is your business or profession?

Answer. *Bar tender*

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

Answer. *I am not guilty and I demand a trial by jury*  
*Wm J. Tracy*

Taken before me this

day of

*October*

188

*25*

Police Justice.

POOR QUALITY  
ORIGINAL

0115

BAILED,  
No. 1, by Charles Connor  
Residence Hebner 12 Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court--- 2 District. 3/4

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Joseph Polster

William J Tracy

Offence Vi & Sec 1 Lem

Dated February 25 1889

Patterson Magistrate.

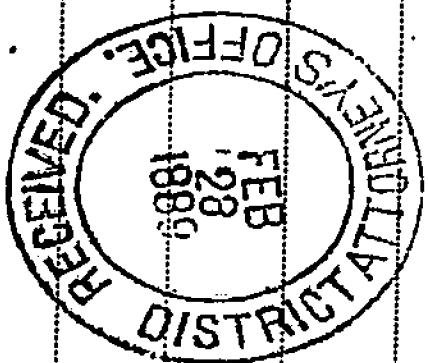
Sturges Officer.

19 Precinct.

Witnesses

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

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



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

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

Wm J Tracy to answer

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

William J Tracy

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

Dated Feb 25 1889 J M Patterson Police Justice.

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

Dated Feb 25 1889 J M Patterson Police Justice.

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

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

**POOR QUALITY  
ORIGINAL**

0117

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*William J. Tracy*

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

*William J. Tracy*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

*William J. Tracy*

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

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

SECOND COUNT—

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

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

The said

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

**JOHN R. FELLOWS,**

District Attorney.

0118

**BOX:**

355

**FOLDER:**

3341

**DESCRIPTION:**

Tyrrell, Edward

**DATE:**

05/24/89



3341



POOR QUALITY  
ORIGINAL

0119

Witnesses:

Mamie St Clair  
Mamie Morton  
Orra Motney

The complainant  
having appeared in  
open Court and  
expressed a wish to  
withdraw her Com-  
plaint, it not appearing  
that defendant was  
indicted by malice  
I recommend  
the clerk to allow  
the withdrawal  
Andrew Dawson  
Dist. D. A.

274  
Counsel,  
Filed  
Pleads  
Friend House  
L. J. Day  
1889

THE PEOPLE  
vs.  
Edward Syrelli

[Section 654, Penal Code.]  
INJURY TO PROPERTY.

JOHN R. FELLOWS,  
District Attorney.  
June 7<sup>th</sup> Seventh

A True Bill.  
Foreman.  
Indicted & Examined  
June 7/9

POOR QUALITY  
ORIGINAL

0120

CITY AND COUNTY  
OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

of No. 207 West 33<sup>rd</sup> Street, aged 23 years,  
occupation Boarding House being duly sworn deposes and says,  
that on the 21<sup>st</sup> day of May 1889  
at the City of New York, in the County of New York,

Edward Sprell, now here,  
did peacefully and unlawfully  
break and destroy a plate  
glass in the door of said  
premises, of the value of ten  
dollars, property of defendant.  
That he deliberately threw  
a beer bottle at said  
glass shattering and destroying  
the same.

Mamie St. Clair

Sworn to before me, this

of May

188

day

Police Justice.

POOR QUALITY  
ORIGINAL

0121

Sec. 193-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

2 District Police Court.

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

Question. What is your name?

Answer. Edward Ignell

Question. How old are you?

Answer. 22 years 9 months

Question. Where were you born?

Answer. New York

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

Answer. 414 West 25<sup>th</sup> St. 22 years.

Question. What is your business or profession?

Answer. Hack-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. If  
needed I demand a trial  
by jury. Edward Ignell

Taken before me this

day of

188

Police Justice.

POOR QUALITY ORIGINAL

0122

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

Police Court... 2 439  
District...

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Miriam M. Weiss  
207 West 33 St  
Schmiedguter  
Offence: Rape & Injury to property

2  
3  
4

Dated May 21 1885

Paterson Magistrate.

Mr. Maloney Officer.

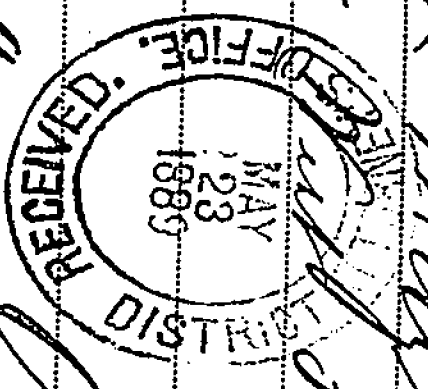
20 Precinct.

Witnesses Miriam Menden

No. 207 West 33 Street.

Lee Mary

No. 207 West 33 Street.



No. 500 to answer.

Carroll

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 May 21 1885 J. M. Patterson Police Justice.

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

Dated 1885 Police Justice.

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

Dated 1885 Police Justice.



POOR QUALITY  
ORIGINAL

0123

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
*against*

*Edward Syrett*

The Grand Jury of the City and County of New York, by this indictment, accuse,  
*Edward Syrett*  
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying*  
PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *Edward Syrett*,  
late of the *Fourth* Ward of the City of New York, in the County of New York  
aforesaid, on the *twentieth* day of *May*, in the year  
of our Lord one thousand eight hundred and eighty-*nine*, at the Ward, City and  
County aforesaid, with force and arms, *a certain*  
*plate glass*.

of the value of *ten dollars*,  
of the goods, chattels and personal property of one *Mamie D. Blair*,  
then and there being, then and there ~~feloniously~~ did unlawfully and wilfully *break*  
*and destroy*.

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

POOR QUALITY  
ORIGINAL

0124

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said  
Edward Sugrue  
of the CRIME OF UNLAWFULLY AND WILFULLY destroying  
REAL PROPERTY OF ANOTHER, committed as follows:

The said Edward Sugrue.  
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, with force and arms, a certain  
pane of plate glass,

of the value of ten dollars,  
in, and forming part and parcel of the realty of a certain building of one Mamie  
St. Clair,  
there situate, of the real property of the said Mamie St. Clair,  
then and there ~~feloniously~~ did unlawfully and wilfully break and

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

JOHN R. FELLOWS,

District Attorney.