

0895

BOX:

510

FOLDER:

4651

DESCRIPTION:

Smith, May

DATE:

01/05/93



4651

0896

POOR QUALITY
ORIGINAL

Witnesses:

H. E. Stocking
Simon Wolf
Mrs Wilson

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

May Smith

40
1/24/93

DE LANCEY NICOLL,

District Attorney.

Feb. 27/93 Part One - VED

A TRUE BILL.

L. Cathin

Foreman.

Feb 27/93
Pleads Guilty
Fines \$250

ABDUCTION.
[Section 242, Sub. 1, Penal Code.]

Mr. Stocking, agent of the S. F. P. C.
says that the ends of justice in this
case will be served by the imposition
of a fine. It is conceded that the girl was
not of chaste character and that she was
not defiled while harbored by the defendant.
Having been with her but a single day.
There are other circumstances which
attenuate the offense, and I believe that
upon a plea of guilty, the imposition of a
fine will satisfy the requirements of
justice, and so recommends as -

Feb. 27/93

Stephen J. Hane
Dist.

Concur.

H. E. Stocking.

0897

POOR QUALITY
ORIGINAL

Witnesses:

H. E. Stocking
Simon O'Loft
Mrs Wilson

Counsel,

Filed 5 day of 189

Pleads, *Smith*

THE PEOPLE

May Smith

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. Cathin Foreman

Feb 27 189

Heads Jury

James

Mr. Stocking, agent of the S. & P. C. C.
says that the ends of justice in this
case will be served by the imposition
of a fine. It is conceded that the girl was
not of chaste character, and that she was
not deflected while harbored by the defendants,
having been with them but a single day.
There are other circumstances which
attenuate the offense, and I believe that
upon a plea of guilty, the imposition of a
fine will satisfy the requirements of
justice, and so recommends as -
aptance.

Feb. 27/93

Stephen J. O'Hara
Asst

I concur.

H. E. Stocking.

ABDUCTION
[Section 22, Sub. 1, Penal Code.]

STENOGRAPHER'S MINUTES.

Third District Police Court.

THE PEOPLE &c., IN COMPLAINT OF

Ed. J. Gorman
Mary Smith

BEFORE HON.

Edward Hogan
POLICE JUSTICE,
Dec 3rd 188*9*12

APPEARANCES:

{ For the People, _____
For the Defence, _____

188

INDEX.

WITNESSES.

Direct Ex.

Gross Ex.

Re-Direct.

Re-Cross.

Simon Klotz
D. A. Doherty
Louisa Klotz
M. Goldsmith
Motions

1 ~ *11*
17, *16*
14 *25*
16 *81*

H. J. Keary
Official Stenographer.

New York Dec 3rd 1892
 United District Office
 Court

Honorable Howard Higgin
 Residing Justice

Edmund T. Gormley

Mary Smith

Abraham.

Witnesses being
 duly sworn depose and
 say,

Q. The complainant
 is your daughter?

A. Yes Sir.
 Have you a record of
 her birth?

A. I have,
 Have you it with
 you?

A. Yes Sir, I have

Q 2

Q. The day he was born
Have you other
children?

A. Yes Sir, I do.
I was married Jan
12th 1873, Rebecca Solomon
was my wife's maiden
name, I was married
by Mr Masserman, in
a private house, in
Brooklyn, Mr Masserman
resided in New York,
I do not know
where, I am positive
as to the date.

Q. When
was the first child
born?

A. Nov 2nd 1873, I
have that in my
head, I have no
written record. He
was born in Amser
2

Source was born
the 31st Dec 1876.
lived at 188 Moat

Q. General of the British
General of the British
General of the British
General of the British
General of the British

Q. General of the British
General of the British
General of the British
General of the British
General of the British

Q. General of the British
General of the British
General of the British
General of the British
General of the British

Q. General of the British
General of the British
General of the British
General of the British
General of the British

4

Q. W, Brooklyn What
is the date of your
marriage?

A. Jan 12th 1843
Q. Have you any other
children but these?

A. No I have two (2)
Q. The mother of this
girl (Levina) is dead?

A. Yes Sir,
Q. Have you any book
record of any of your
first wife's children?

A. Yes Sir, Levina is
by my first wife
Courtney Do you know
who attended your
wife when Levina
was born?

A. The Midwife is

Q. Dead Did you have

5

Q. a Physician?

A. Q. No Sir,
Have you any other
way of telling her
age except from
memory?

A. That is
all, my memory is
pretty good

Q. Were you
present at her birth?

A. Q. I was
Who besides yourself
and the Midwife were
present?

A. A sister in law,
she is dead too now,
no one else, but the
next day there was

Q. Who was that?

A. The sister in law,
she is alive, her
name is Getta Levy

5

6

I cannot tell where she lives, she lives here in this City, I cannot know what Street

Q.

Have you any other way of knowing her age?

A.

That is the

Q.

only way where did she (Louisa) live in Brooklyn, within the last two weeks

A.

At 7/6 Grand St Brooklyn

Q.

Where

A.

do you live?

am the same number

Q.

Has she (Louisa) been living here for

6

11

- Q. The last year or two? She was living home and lived out a couple of months, where was that?
- A. Central Place and Evergreen W-
Brooklyn
- Q. How long is her mother dead?
- Q. Fifteen years
- Q. When did Levisa first go away to work?
- A. About a year or two ago
- Q. How many places has she worked at since she left your house?
- Q. Two or three places
- Q. Was she in the

L

Q. habit of going to
your house? The
Always was in the
house as well as I
can remember.

Q. Did you have
any reason at any
time to speak to her
about anything in
connection with any
men?

Q. No, not as I

Q. knew. Did you ever
know of her having
improper relations
with any man?

Q. I
heard it once two
(2) years ago, but I

Q. did not believe it
since your wife's

L

Q. Death who looked
after your children?
My first wife
died in April 1880 and
I was married in
August 1880

Q. You did not
have Louisa examined
to find out whether
she had sexual
intercourse with men?
No Sir.

Q. Does it with more
than one man she
had improper
relations?

A. It was only

Q. a Boy
You do not
know whether there
was any foundation
for that report or not

A. No Sir

10.

Q. When did your sister ascertain that she came to this City?

A. I did not know anything about it, till the Officer came to my house.

Q. Had she been living out at service in Brooklyn, before she came here?

A. Yes Sir, until she lived in the house with me.

Q. Could she be away from home without knowing it?

A. She said she was going to look for work and did not come; the next morning my Wife wrote to the Society in

11

Brooklyn, and then
 it was found out
 my business keeps
 me away night and
 day. I am working
 in a slaughter house,
 I know nothing
 about the Defendant
 but what I was
 told.

Wrote to before
 me this 8th day Dec 1892
 Stephen Police Justice

11

12

Friedrich W. Doxer
being duly sworn
deposes and says, I
am an officer
attached to the 11th
Precinct Police

Q. Did you arrest
the defendant?

A. Yes sir, at 4217
Carnegie St.

Q. When did
you make the arrest?
A. Last Tuesday
night

Q. State who
you found at that
place and the
circumstance
attending the arrest?

A. I found six (6)
girls and four (4)
men there

Q. Was this

12

13

Girl Louisa Klotz

Q. There? Yes Sir,
Q. 2. Where did you find her?

A. Down stairs in the sitting room.

Q. 2. Any others there?
A. 1. Two or three (3)

Q. 2. Was the fourth girl

A. 1. Where did you find the Defendant?

Q. 2. She was also there

Q. 2. What do you know about the Defendant in connection with that house?

A. I was there on the 17th of November, I saw her there, she was behind the counter

Q. 2. Did you have

13

14.

my conversation
with her?

Q. 2. Did you see her
after that?

A. 1. On the night of
the arrest, in the
same place George
Starr, I asked her
if she was the "Madam".
She said "Yes," I told
her "all over under my
arrest." To be precise we
go to the station house

Q. 1. What do you know
of the business of
that place? I was

A. 1. I was there
on the 14th, I saw
2 men walk in
ahead of me, and
a girl asked me
if I wanted to go

15

up stairs, she said
but dollar was the
price

Q. For what?

A. To have sexual
intercourse.

Q. You arrested
all hands?

A. Yes Sir,
Cross Examination

Q. You say for the
purpose of sexual
intercourse, she
asked you up stairs,
you did not say
you wanted to?

A. Not till me

Q. Got up stairs you
had a conversation
with some girl?

A. She

15

16.

Q. Took me up stairs, I
did not see the
"Madame" when I went
in, she was not there
during the conversation.
Q. You did not
have social intercourse
with anyone there?
A. No Sir.

Sworn to before me
This 3rd day of Dec 1892
Edw. J. Police Justice

16

17

Louisa Klotz, the
girl, being very
tender, and extra
refused the day.

Q. (You are the
daughter of Simon
Klotz?)

Q. Yes, Sir,
Where do you live
where is your home?

A. At 416 Grand
St., Brooklyn.

Q. When did you
leave home?

A. Thanksgiving
morning, the 26th.

Q. Did you come
to this city alone?

A. I was brought
here by Francis Rotten.

Q. And where did
you go to?

A. I was brought
to 33 Livingston St. (17)

18

Q. Do you know
for what purpose?

Q. A. Yes Sir
Here you dressed as
you were now when
you went there?

A. I had long
clothes, she brought
these for me the
clothes I wore were
long

Q. What was said
A. I said to a friend
"Bertha" in Fifth St.,
I would like to
live out, but I
had no clothes, she
said to me, that I
should take a place
and live out and
tell the lady she
could take the
clothes out of the

19

first month the wages,
 she had been
 business with her
 husband; she, took me
 to Florence Norton
 house, "Bertha" told
 her about it, she
 was trying to keep
 me back; she said
 I would get all the
 clothes I wanted and
 it would be nice;
 that she would take
 me to 25 Livingston St
 a fast house, and
 the lady of the house
 took me to the doctor;
 he said I was too
 young, then I went
 to 9th St Brooklyn,
 and remained there,
 and "Bertha" sent me
 to Norton house, and

20

when I met there
 she was sleeping,
 I knocked at the
 door, and she said,
 "My God are you here;
 she told me, she
 would take me to
 Mrs Smith at 4-117
 Canal St.

Q.

How long

A.

were you there?

I met there

at 11 o'clock Monday

and Tuesday the

Q. place was arrested

Did you know

for what purpose

you were brought

there?

A. Q.

Yes Sir,

What was it for?

A.

She told me she

would take me there

20

Q1.

I told her I did not like that street, she said it was a nice lively street and she told me to come Monday, I went and she went with me, about 12 o'clock Mrs Smith asked us to dinner, Florence told her about me and they talked about having my hair cut.

Q2.

While you were there did anything improper take place between you and any one else?

A.

No Sir, an Italian fellow wanted me to go with him all night

Q1

22,

She said "are you
not glad to make a
few dollars", I said
I did not care to
go up; another girl
went up
Cross Examination

Q. You told Mrs Smith
you lived in
another house?

A. No Sir, but the
fellow who had been
up before, on

Q. You told her
you were 18 years
old?

A. I was told to
say that you told her

Q. You told her
you were over 18
years old?

A. Yes Sir,
" "

2.8

Q. And that you had
lived in another
house?

A. Yes Sir, late
in the evening

Q. You have told
all that took place?

A. Yes Sir,
No other conversation

Q. That you can remember
that is about

A. All
Court— You say you
did tell her (Annie)
you were over 18
years old?

A. I did, I was going on 16,

Q. But I said 18 years

A. Did you tell a
man in the house

Q. Also?
A. No Sir,
2.3

24,

Q. You say you gave
your age as 18?

A. Yes Sir

Q. You say you were
present when your
age was given as 18?

A. Yes Sir

Q. You did not deny it
A. No Sir, I

Q. said nothing
Had you spoken
about your age before
that?

A. I told her
(Kurtin) I was 16
years old, she told
me to say I was 18
years old.

Q. Did you
tell her how old
you were?

A. Yes Sir, I told
her I was 16 years

24

25

When I first got
acquainted with her,
I told Mrs Wilger
my age, but I did
not tell Mrs Smith
my right age

Sworn to before me }
this 3rd day of Dec 1892 }
A. H. Law Police Justice

25

Q. 6,

Morris Goldschmidt
being only sworn
deposes and says, I
live at No 82 East
17th St, I am in the
clothing business.

Q. Do you know the
Gire Klot?

A. No Sir,
Q. Do you know
anything of her in
connection with being
an inmate of that
house in Canal St?

A. No, I know
nothing about that.
Q. Do you know who
the proprietress is?

A. Yes Sir, Mrs
Smith, Defendant.
Q. Do you know
what business is
done there?
Q. 6

24

Q. It is a fast house
How long since
you were there?

A. Nov 22nd / 93
Q. State what you know
of your own knowledge

A. On that day, at
half past nine o'clock,
I went in there, I
sat down, I went
up stairs and paid
the girl and had
connection with her

Q. Did you see the
Defendant there?

A. No, not when I
went in but as I
came out

Q. Do you know
anything else?

A. Q. No Sir,
You have no
knowledge as to her

24

Q. S.

Q. Ownership? No Sir.

Q. Cross Examination What

Q. is your business? Clothing business

Q. What is the name of

Q. your partner? Which one?

Q. Your business is going around the 10th Ward procuring evidence against these unfortunate people?

A. I have no

Q. partner, What is the name of the Cladidge Street map?

A. Q. Nathan You do not belong to any of these Societies?

Q. S.

29

Q. 2. No Sir, I
 How many times
 have you been a
 Witness in Disorderly
 House cases?

A. I never

Q. count them
 you do
 go around procuring
 evidence?

A. When the
 Officer sent me I
 work every day at
 clothing

Q. You do not
 go around the different
 streets in this neigh-
 =borhood and induce
 people to do wrong and
 then report them to
 the police — and you
 do that as an act of
 Charity?

30

Q. Do you go about to see that the Officers do their duty?

A. Yes, I get the money & pay from the Officers.

Q. Where did you work at clothing last?

A. Yesterday —
 Friday in Jersey
 5^{1/2} hours for
 Mr Goldsmith by the

Q. Where did you work for him before?

A. All the time before.

Q. Where do you do officer's duty?

A. At night, I live in Seventh St

Q1

Q. I am not married.
Is it a fact that
you have a girl in
this immediate neigh-
borhood and that
she is a street
walker, No Sir,

A. No Sir,

I wish to be sworn
in this 3rd day of Dec 1842

Edgar Rice Justice

Mr. Justice I move for a
dismissal of the
complainant against the
Mullan Smiths - on
the ground that they
people have failed to
produce sufficient
evidence to warrant

B1

32

You in holding her
 and I never heard
 100 U. 9590 the People vs
 Smith, or in 53
 American Report, 234
 Where a person riding
 by enters a place of
 this kind there
 must be some in-
 -conveniences which the
 complaining witness
 is subjected to having
 within the premises to
 lead a life of host-
 -ility; therefore that
 the People have failed
 to put the Physician
 at the bar.

Court - Was a Physician
 called to examine her?
 Mr. Hornely - Yes that I know
 Mr. Stearns - Mrs. Smith is
 charged with keeping
 32

33

The girl there for the
 purpose, of Prostitution
 Q. (at the girl's eld's) was
 anything said to
 Mrs. Smith, by you,
 about going having
 intercourse with men
 before you went there

A. No, I never did

Q. asked Did Mrs. Smith
 ask you to go up
 with men?

A. No, never

Q. asked me, he was
 an Englishman -
 Mr. McKing what was his
 name?

Q. As a matter of
 fact before you
 went there did you
 have anything to do
 with anyone?

0932

Q. Two years ago I
saw a girl. Let her tell
me who she was.
Obedience to
Mr. Friend - the rest over
case

District Police Court.

E. J. Gravelly

vs. *Mary Smith*

W. A. Jackson

STENOGRAPHER'S TRANSCRIPT.

Dec 8 1892

BEFORE HON.

Samuel H. Hagan

Justice.

M. J. Treacy

Official Stenographer.

4660

Sec. 568. 3
CITY AND COUNTY OF NEW YORK, ss.
An order having been made on the 4 day of June 1893 by
Charles H. Smith
Police Justice of the City of New York, that
be held to answer upon a charge of
Abduction
upon which he has been duly admitted to bail in the sum of ten Hundred Dollars.
Defendant of No. 117
Street, Occupation Rocko Strake
of No. 40 Williams
Street, West 100th Street Manhattan New York
Occupation Manhattan
that the above-named Manhattan shall appear and answer the charge
above-mentioned, in whatever Court it may be prosecuted; and shall at all times render him self amenable
to the orders and process of the Court; and if convicted, shall appear for judgment, and render him self in
execution thereof; or if he fail to perform either of these conditions, that we will pay to the People of the
State of New York the sum of ten Hundred Dollars.
Taken and acknowledged before me this 4 day of June 1893
Charles H. Smith
Police Justice.

Undertaking to Answer.

District Police Court.

0935

City and County of New York, ss.

Henry Evans

the within-named Bail and Surety, being duly sworn, says, that he is a resident and holder within the said County and State, and is worth *Twenty* ~~Hundred~~ *Dollars*, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *House and lot 17 Grand*

situated at number 47 Monroe
Street this City and Valued at
Ten Thousand dollars Clear

Henry Evans

Undertaking to Answer.

THE PEOPLE, &c.
ON THE COMPLAINT OF

vs.

Taken the day of 1880

Justice.

Filed day of 1880

0936

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

Sworn before me this 3

of December

1892

day

Police Justice.

of No.

that on the

New York, in the County of New York,

Simon Klotz

being duly sworn, deposes and says,

day of

at the city of

Louisa Klotz (now here)

*is his daughter and was born
December 31st 1876 in the City
of Brooklyn and is at present
fifteen years of age*

Simon Klotz

0937

Sec. 192,

District Police Court.

Undertaking to Appear during the Examination.

CITY AND COUNTY OF NEW YORK, ss.:

An information having been laid before _____ a Police

Justice of the City of New York, charging

Defendant

with the offense of..

and he having been brought before said Justice for an examination of said charge, and it having been

Defendant of No. 117 Ave. 117

Street, by occupation, a Truckee

Street, _____ and of No. 49 _____

by occupation a _____
Surety, hereby jointly and severally under-

take that the above-named Defendant shall personally

appear before the said Justice, at the _____ District Police Court in the City of New York, during

the said examination, or that we will pay to the People of the State of New York the sum of

Hundred Dollars.

Taken and acknowledged before me this 18th day of _____ 1891

[Signature]

[Signature]

681

Taken and acknowledged before me this _____ day of _____ 189____

 May Smith
 Police Justice.

Police Justice.

0938

City and County of New York, ss:

[Signature]
Sherrill A. Bickel
Police Justice.
1891

the within-named Bail and Surety, being duly sworn, says, that he is a resident and holder within the said County and State, and is worth Twenty Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of house and lot

at 1049 Avenue Louis and worth \$10000

[Signature]
Henry Evans

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Undertaking to appear during
the Examination.

Taken the day of 189

Justice.

0939

Police Court,

3

District.

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

of No. 108 East 13th Street, in said City, being duly sworn,
deposes and says, that a certain female child called Louisa Klotz
[now present], under the age of sixteen years, to wit, of the age of 15 years, is a
necessary and material witness on behalf of the People of the State of New York in a certain
criminal case now pending in the Court of General Sessions of, in and for the City and
County of New York, entitled, The People against Mary Smith,
wherein she said Mary Smith

is charged with the crime of Abduction, under
section 282 of the Penal Code of said State, in that he, the said Mary Smith
did on the 29th day of November 1891 at
premises situated at 117 Canal St in said
city and county of New York, did unlawfully
and wilfully take, receive, employ, harbor
and use a certain female (now had) called
Louisa Klotz said female being then and
that under the age of sixteen years to wit
of the age of fifteen years for the purpose
of prostitution or sexual intercourse.

and that the said Louisa Klotz
will, as deponent verily believes, unless duly held to appear on trial thereof, avoid giving his
testimony at the instance of the people.

Wherefore, deponent prays that the said child Louisa
may be held as a witness to appear on the trial of the aforesaid criminal case and be committed
temporarily to an institution authorized by law to receive children on final commitment, and to
have compensation therefor from the City or County authorities, as a witness, to appear on the
trial of the aforesaid criminal case, in pursuance of the statutes in such case made and provided,
and especially of Section 291 of the Penal Code of the State of New York.

Sworn to before me this
day of Nov 1891

Edward J. Gormley
J. D. Gormley
Police Justice.

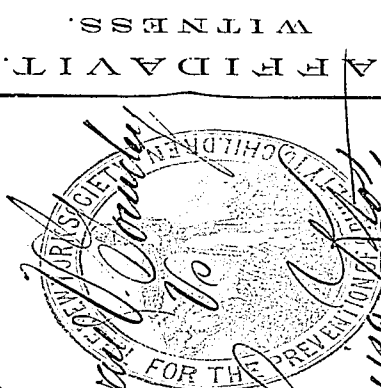
Ex Dec 3-1892

11 A.M. *[Signature]*

POLICE COURT DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward J. Connelley
to
Louisa H. Hays



AFRIDAVID.
WITNESS.

Dated *Nov 27* 189 *2*
[Signature] Magistrate.
[Signature] Officer.

Disposition *[Signature]*

0941

Third

District Police Court.

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

Edward V. Gormley

of Number 108. East 23rd Street being duly sworn, and
he has been informed and does believe and has just cause to believe
deposes and says, that on the 29th day of November 1892 at the
City of New York, in the County of New York, at premises situated
at 117 Canal Street in said City of New York
one Mary Smith (now her) did unlawfully
take, receive, employ, harbor and use
a certain female (now her) called Louisa
Klotz. said female then and there being
under the age of sixteen years to wit,
of the age of fifteen years for the
purpose of prostitution or sexual
intercourse in violation of the Statute in
such case made and provided and
especially of Section 282 of the
Penal Code of the State of
New York

Wherefore the complainant prays that the said

Mary Smith

may be apprehended, arrested and dealt with according to law.

Sworn to before me, this 30
day of November 1892

Edward V. Gormley

1892

Police Justice.

0942

CITY AND COUNTY }
OF NEW YORK, } ss.

Louisa Klotz
aged 15 years, occupation Servant of No.
716 Grand Street Brooklyn being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Edward V. Cornley
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this
day of Nov.

30

1892

Louisa Klotz

E. J. [Signature]

Police Justice.

0943

Sec. 198—200.

CITY AND COUNTY
OF NEW YORK, ss:*Thos. J. Smith* District Police Court.

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

Question. What is your name?

Answer. *Mary Smith*

Question. How old are you?

Answer. *40 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *117 Canal St*

Question. What is your business or profession?

Answer. *House keeper*

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

Answer. *I am not guilty*
Mary Smith

Taken before me this

day of

Mar 1891

Police Justice.

Thos. J. Smith

0944

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 4 1893

C. J. Hogan
Police Justice.

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

Dated, May 4 1893

C. J. Hogan
Police Justice.

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

Dated, _____ 189

Police Justice.

0945

Ex Dec 3^d 1892
11 A.M.

\$1000.00 bail
[Signature]

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Police Court,

41
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward V. Connelley
vs.
Mary. Smith

1
2
3
4

Offense, Abduction.

Dated, Nov. 30 1892

Hogan Magistrate.

Bokill Officer. 5

11th Precinct.

Witnesses Morris Goldsmith

No. 82 Seventh Street.

Simon Klotz.

No. 716 Grand Ave Brooklyn Street.

No. 1000 to answer G.S. Street.

Bailed

0946

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

516

THE PEOPLE OF THE STATE OF NEW YORK

against

Max Smith

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

Max Smith

of the CRIME OF ABDUCTION, committed as follows:

The said *Max Smith*,

late of the City of New York, in the County of New York aforesaid, on the *29th*
day of *November*, in the year of our Lord one thousand eight hundred and
ninety-*two* —, at the City and County aforesaid, did feloniously take, receive, harbor,
employ and use one *Savisa Kelly*, who was then and there a female
under the age of sixteen years, to wit: of the age of *eighteen* years, for the purpose of
prostitution, against the form of the statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

0947

BOX:

510

FOLDER:

4651

DESCRIPTION:

Solomon, Abraham

DATE:

01/24/93



4651

Witnesses:

Officer Tappin

Counsel

Filed Day of May 1893

Pleads, *Myself*

THE PEOPLE

vs. [illegible]
us.

Abraham Solomon

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

L. Catlin

Foreman.

Part 3 January 27/93

Indicted Aug 24/93

5 pro Per [illegible]

[illegible]
[Section 409, Code of Civil Procedure]
[illegible]

0949

Police Court Fourth District.City and County } ss.:
of New York,of No. 937-2nd Avenue Street, aged 58 years,
occupation Keyp House being duly sworndeposes and says, that the premises No. 937-2nd Avenue Street, 19 Ward
in the City and County aforesaid the said being a Three Story and basement
brick stone dwelling
and which was occupied by deponent as a dwellling
and in which there was at the time a human being, by name deponent and
deponents family
were BURGLARIOUSLY entered by means of forcibly opening the
wooden leading from a piazza on the
front of the house into the cellar in the
first flooron the 21 day of January 1888 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:A quantity of clothing and household
goods, jewelry and other property of the
value of a few hundred dollars
\$500.00the property of deponent
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by
Abraham Solomon, now herefor the reasons following, to wit: That at about the hour of
eleven o'clock PM on said date, deponent
locked and securely fastened the doors
and woodwork leading into the premises.
and the said property was therein that
deponent is informed by Officer Wm. F.
Tappin of the 23rd Precinct that he the officer
saw the defendant open the aforesaid
woodwork and burglariously enter the

Premises. Therefore, your honor prays
that said defendant be held to return at
the Land Office
before me this 33rd day of January 1893, Lockport, New York

Wm. M. M. M.

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1893 Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereunto annexed.
Dated 1893 Police Justice.
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated 1893 Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

1. 2. 3. 4.

Offence—BURGLARY.

Dated 1893

Magistrate.

Officer.

Clerk.

Witness, No. Stated.

No. Stated.

No. Stated.

\$ to answer General Sessions.

0951

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty

Abraham Solomon

Taken before me this

day

William J. Justice

Police Justice.

0952

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.....

.....*C. J. Sullivan*.....
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 11 1893.....*H. M. Sullivan*.....Police Justice.

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

Dated,.....189.....Police Justice.

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

Dated,.....189.....Police Justice.
1881

0953

Police Court---14 District. 89

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Barbara Slom
937 E 4th St
Maham Slom

Offense

BAILED,

No. 1, by.....

Residence Street.

No. 2, by.....

Residence Street.

No. 3, by.....

Residence Street.

No. 4, by.....

Residence Street.

Dated

189

Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

to answer.

Com
B. 10/1
all right

0954

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

aged 29 years, occupation John F Tappin
163 East 53rd of No.

Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Barbaretta Solomon
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 12 }
day of January 1893 } John F Tappin

AD Mahan
Police Justice.

THE PEOPLE,

COURT OF GENERAL SESSIONS, PART 111.

vs.

BEFORE JUDGE FITZGERALD.

ABRAHAM SOLOMON.

Friday, January 27, 1893.

Indictment for BURGLARY, in the SECOND DEGREE.

A Jury was empannelled and sworn.

BARBARA SOLOMON, sworn and examined, testified:

Where do you live? 937 Second avenue. Are you a married woman, and is your husband alive? Yes. What business is your husband in? He is supplying costumes and millinery business. How long has he been in that business? Since we are married, thirty years. Has your husband been able to do any business recently, is he actively in business? Not for the last nine years; he is not a cripple, he is blind. This defendant is your boy? Yes. How old is he? He is twenty-one. He was twelve years old when your husband was stricken blind, was he? Yes. Since that time who has carried on the business? I carried on the business. Has this boy lived with you all this time? No, not all this time, he was there that time already. How long after your husband was stricken blind did he go away, what age was he? He was thirteen years old when he left home. Did you try to get him back? No, he hasn't been back, to stay at home, since. He has visited you, has he not? No, only visited me when he stole. When did you last see him before he was arrested this last time? Two or three weeks before. Where did you see him? Behind the cellar door, in my house. Did you have a talk with him? Yes. Did he go away? Yes, I made him go away; I said he has nothing to do in the house, I asked him what he wanted. That time I had a sick sister; he said he wants to see his

aunt... Was his aunt there? She was lying sick in the bed. Did he see her? Yes, he saw her and then he went away. When did you next see him? The night when he was caught, after eleven o'clock. Where did you see him? In the basement, in charge of Officers Brett and Tappan. Did you lock up the house that night? We lock up the house every night, and this night too. As much as I know the parlor windows were closed, and latched, I think. You went to bed after that was done, and the down stairs was locked too? Yes. Tell the Court and jury how this house is occupied, where is the business portion of it, is it on the parlor or basement floor? I have a room leading to the kitchen in the basement; a middle room, and there is goods in there; the front room is a dining room; there is a little window in the kitchen; we keep satins and silks in the middle room, the goods are all kept in the middle room. Had your son been in that building before that time you saw him behind the cellar door? Some years ago. Was the arrangement when he was there before, about keeping these goods, the same, were the goods kept in the same place, in that middle room downstairs? Yes. How much was the value of the goods you had in there? Not far from a thousand dollars, on the 21st of January, 1893.

Counsel: I will concede it is worth five hundred dollars.

CROSS EXAMINATION:

How many children have you? I have nine children, I have got five boys, and the defendant is next to the oldest boy. The aunt is dead now; she lived there at the time. My husband and some of my daughters live with me. His aunt died four weeks ago. The defendant used to come to see his aunt, I never let him in, the servant girl let him in; the aunt liked him and helped him always, and he came to see her when she

was sick, we allowed him to come to see his aunt; she was alive on the 21st of January. He was coming from time to time to see the aunt, wasn't he? Not after that, not when I saw him behind the cellar door he didn't; but before that he used to come to see the aunt; my sister thought she would make him better. He loved the aunt? Yes. And he came to see the aunt when she was sick? We let him see the aunt because she was very sick and she always helped him, she wanted him to be a good boy. Do you recollect the night of the 21st of January? No, I don't recollect very well. All you know is that this boy, your son, was arrested in the house? Yes. You don't recollect whether you locked up the windows or whether you didn't lock the windows up? The windows were locked, everything was locked. Did you lock them up on the 21st of January? Yes; my daughter locked the window in the parlor, she told me so, I saw them locked myself on the night of the 21st of January. What time did you go to bed that night? I went to bed after ten o'clock. What time did you take dinner that night? Half-past six. What day of the week was it? It was Saturday evening. On the 21st of January you went down and locked up the windows yourself? Yes, the parlor and the basement windows. Who was with you when you locked them up? There was nobody with me; I don't recollect the hour I locked them up, but it was before it was quite dark. Who was in the house when you locked up those windows? There was no stranger, there was nobody in the parlor. My family were in the basement, one of my daughters and my husband. This night of the 21st of January was Saturday night, you can't be mistaken about that? No. You saw this boy, you saw this son of yours, behind some cellar door before that; did you? Yes. You have had trouble with him

before, haven't you? Yes. You want him put away in State Prison? I can't help anything, I will leave it to his Honor, the Judge. The District Attorney tells us that you had officers in your house for twenty days, detectives; did you? Yes. Were they there when you locked up the house? Not exactly when I locked the house, but they knew I locked the house. How did they know it? Because I told them the misery I was in, that he makes me entirely poor. Where were you when you told them about locking our house? When they were in my house. During those twenty days how much did you pay those officers? I didn't pay them anything. You had them for twenty days watching for your son to come in? To get hold of him, we couldn't get hold of him; he came in three or four nights in succession and stole. Did you tell those officers that you had locked the house that night? Yes. Were they there when he came in? Yes; they were not there when I locked the windows, they didn't see me lock them. Your sister was a pretty wealthy woman, the aunt that died that thought so much of this boy? She was not so wealthy; she did not make a will, she left some money. She thought the world of this boy, didn't she? Yes, she thought the world of the boy, she only wanted to have him good, she spent a good deal of money for him. You haven't spent a good deal of money for him? He took himself, he always helped himself.

JOHN F. TAPPAN, sworn and examined, testified:

What precinct are you attached to, Officer? The 23rd precinct. Were you on the premises 937 Second avenue on the night of the 21st of January last? Yes. About what time did you get there? I got there first about twenty minutes

to ten, I left there and came back about a quarter past ten, and remained there until this young man came in. What ward is that place in? The Nineteenth ward. Were you alone when you came back? No, Officer Brett was with me. Do you remember on that night lighting a taper and going into the parlor on the first floor of that house? I did, that was when I first went there, quarter to ten. I examined the room and the windows were locked and all right. I went all through that floor and two vacant rooms, and then went down stairs. Did you subsequently go down stairs when the house was quiet and hear any noise on the parlor floor, at the window over your head? Yes, at about half-past eleven I heard the window go up, I heard footsteps on the balcony outside. I heard the window go up, and then it came down again, I heard a little noise outside the door, and then the handle of the door turned, the door of the basement hallway, very gently, the room was dark, I heard somebody touch the handle of the door, and it opened very easily. This young man put his head in the door, and I grabbed him by the collar of the coat, he put his head in the door and looked around to see if there was any one in the back room, and as he did that I grabbed him by the collar of the coat; he tried to pull away from me, and I held him. Where was Brett at this time? In the same room with me. Did you go up stairs after you grabbed him and look at that window in the parlor, did you notice that window? No, I noticed the window from the street, when I was going out with this young man; it was a little up from the bottom, it was the window nearest 50th street, it was raised about an inch.

CROSS EXAMINATION:

5

You know the mother of this boy? I know her since the 2nd

of January, of this year. You were in that house for twenty days? No, I was not. How long? We spent about four hours each evening for about fifteen days. What was the amount that she paid you for your extra services? I haven't received anything. Didn't you know where to find this boy all the time? No, I did not.

EDWARD F. BRETT, sworn and examined, testified:

Officer Brett, were you in the basement of the house 939 Second avenue on the night of the 21st of January, in company with Officer Tappan? Yes. What time was it that you heard a noise up stairs, that you heard any noise? It was about twenty-five minutes to twelve. Where was the first noise you heard? Somebody stepping on the piazza in front of the house, on the window nearest 50th street. After you heard this noise, as if somebody stepping on the piazza, did you hear the window move? No. Did you hear any noise subsequent to that inside of the building? No. You were in the room down stairs with Tappan? Yes. Did you hear any noise at the door leading from the room in which you were out into the hall? No. Did you see this defendant there at any time? Yes; I didn't hear him opening the door until he put part of his body in. Tappan caught hold of him, and he caught hold of Tappan, and there was a little skirmish there in the dark, I jumped up and lit the gas, I was sitting in the corner and was in such a position that if I moved he was liable to hear me, I didn't want him to hear me. Did you hear the knob of the door turn? No. Did he walk in briskly into the place? No, he opened the knob quite stealthily, and he put part of his body in and looked to see if there was anybody in the room. He was grabbed by Tappan and

pulled right in.

CROSS EXAMINATION, by Counsel:

I am a patrolman, and Tappan and I were assigned specially to this duty by Captain Reilly, for fifteen days. We waited there for fifteen days, four hours every day, waiting for the defendant to come; we expected him there, the mother said she suspected it was him committed the robberies, and that he would come in. How much did you get paid extra? Nothing. When Tappan caught hold of him and pulled him in there, after I had lit the gas, Tappan said, "You are a nice fellow, to come in here robbing your poor father in the condition he is in, you ought to be ashamed of yourself." He said, "I can't get work outside, I have got to do something." Didn't he tell you that he came in there to sleep? No. Didn't the mother tell you that he came in there all the time to see his aunt? No. Did she tell you that he had ever come in with her permission before? She did tell us that she found him hiding in the cellar on one occasion. Was the aunt dead when you were retained? Yes, the aunt was dead, I believe; I didn't inquire; I couldn't say whether she was dead or not, we never inquired about the aunt. Didn't the mother tell you that he came there frequently to see the aunt? No. Didn't he tell you that he came in that night the same way he had been frequently before -- to sleep there? No. You didn't examine this boy's trunk in 28th street? No.

OFFICER JOHN F. TAPPAN, recalled by District Attorney:

How long did it take from the time you heard the noise on the veranda until the door opened in the room you were in? I should say four or five minutes. When you arrested this defendant, did you ask him where he lived? Yes, he told me

he lived in 150 West 28th street. Did you, subsequent to the arrest, go to 150 West 28th street? Yes. Did you find out whether he lived there or not? I found out he did not live there. When you were in court with this prisoner, and he was brought before the Judge, what address did he give? 150 West 28th street. Did you find any effects in 150 West 28th street belonging to him? No, I did not. Did you when you went to 150 East 28th street, find any effects belonging to him? Yes. Did you speak to the defendant about what you found there? No. What did you find? I found some pawn tickets and a roll of satin there, and a trunk belonging to this young man. Did you show him the trunk? No, I did not. Did you find anything addressed to him in it? Pawn-tickets with his name on them. Did you find, in addition to that, a tin box? Yes. Did you bring all these things to the station house? Only the pawn-tickets and the satin. What became of the tin case? It was just a small case, I left that in the drawer. Where is that silk -- at the station house? Yes. Was it shown to this defendant in the station house? No, it was not. Was it shown to the complainant in the case, the mother? No, she was told it was there.

DISTRICT ATTORNEY: That is the case for The People.

THE CASE FOR THE DEFENCE.

ABRAHAM SOLOMON, sworn and examined, testified:

This lady that has been on the stand is your mother, is she? Yes. What is your business? I sometimes deal with special customers, the same as my mother. How old are you? Twenty-one. You are not married? No. Where were you born? This city. In your mother's house? Yes. Not in the same house

that you burglarized? No. Where did you first live? In 5th street. How long did you live home with the family? I always lived with them until I was thirteen or fourteen years old. How many was there in the family? Nine, five boys and four girls. My father lives there, too. This aunt of yours what was her name? Mrs. Coehn. When did you have the first trouble with your mother? She missed some goods and said I took them. You did take them, too, didn't you? No, it was my brother took them. When was this? It was seven years ago. You came down here and pleaded guilty, didn't you, before Recorder Smyth? Yes. Didn't you steal the goods yourself? I knew that I would get a long term, I pleaded guilty, I knew I couldn't get off, my mother wanted me put away. Did you tell us a moment ago that it was your brother that stole the things? Yes. Where is your brother now? He is married. Was he married then? No. Your mother wanted you to plead guilty? Yes. What for, if you didn't steal the goods? They told me if I didn't plead guilty they would give me five years. Who told you that? The officers, the detectives that arrested me. You did plead guilty; how much did you get? Yes, one year in the Penitentiary. What did you work at when you came out? With clothing cutters. And then you were convicted of something again, weren't you? Yes. Who did you steal from next? A man in 47th street named Mr. Foster. Did you plead guilty? Yes. How long did you get then? Two years and a half. When was that? Three years ago. When did you come out of the Penitentiary? Last October. Did you go up home and see your people? Yes. Your mother and your aunt? Yes. When I came out I wrote a letter to the house, asking to see my aunt, and when I got to the house my sisters all got around me and made me talk to them, and after awhile -- they wouldn't let me see my

aunt for two or three weeks, they kept me out, I don't know the reason, they wouldn't let me see my aunt; so I had to go in without their permission. How did you get in? I went through the door when I could; and, when I could not, I went through the window. How many times did you go up to visit her there? A dozen times, whenever I could. Did you know when she died? No, I went up to the hospital one day to bring her some fruit, and when I got there the man told me that she was dead. Was she taken from the house to the hospital? Yes. These two officers were waiting for you for some time; did you open the window and go in there? Yes. What did you go up there to your mother's house for? To go down stairs to sleep. Hadn't you any place to sleep? No. Did you go in there to steal? No. Do you know whether your aunt left any property? I think she did. Can you account in any way to this jury for your mother's desire to put you away in State Prison? No. Have you had a talk with her at all? No, she always seemed to want to put me away. Have you had any talk with her lately, since you were arrested? No. She hasn't been down to the prison to see you? No; my sister was down, the one that is in court. What did she say? She said that my mother was going to try to put me away as soon as possible.

CROSS EXAMINATION, by District Attorney:

When you were thirteen years of age, and lived home, was this aunt of yours living with you then? Yes. Was she sick at that time? No. At that time there were eight other people in the house; is that right? Yes. Your father had gone blind, hadn't he? Not then. About nine years ago? Around that time. Did any of your brothers and sisters leave the

home till they got married? Yes; he took goods away, and they say he stole; he is married now. Is that the brother that you say that stole the goods, that you were charged with? I don't know, I don't think he did. When you pleaded guilty to taking the goods, in this court, did you take them or was it your brother who took them? At that time it was my brother took them. Was that before or after he left home that he took the goods? It was after he left home. He used to make visits to the house, and take goods, too; is that right? Yes. Do you know that man, Officer Shelly? Yes, I have seen him before. He was the man who arrested me the first time. Who told you that you ought to plead guilty? Everybody around me. Name one person? The captain of the court. What was his name, do you know? No. Do you know what part of the court it was in? Before Recorder Smyth. Did you have any conversation with Officer Shelly about it? No. Knowing you hadn't taken the goods, you came and said you had; is that what you want the jury to understand? My mother sent my aunt down to tell me to plead guilty. It was a sort of family conspiracy; is that the idea? It seems that way. You never have done anything to your mother to justify her to conspire to put you in jail? No. You were a good boy? I was not extra good, no. You hadn't done anything very bad? I didn't do what they told me. Just like other boys who didn't do what they were told; you were wild? Yes. That inspired your mother to put you away you think? No, I don't what it was, she always was hard. Do you think your mother and sisters and family were in that thing to get Mr. Foster to swear that you robbed him? I don't know, they could easily have got me out if they wanted to, but they didn't. Did they come down and tell you you ought to plead that time, or

did you plead because you did the deed? Yes, because I done it. Do you remember being arrested on the 3rd of July, 1887? (Objected to. Objection sustained.) Do you remember being arrested on April 4, 1888? (Objected to. Objection sustained.) Did you always, when you visited your mother, make your entrance to the house through the window a quarter of two o'clock? No. On the 21st of January where were you working, what were you doing? I used to deal with customers, the same as my mother. What were you doing between six and twelve o'clock that night? I stayed in my room, it was the reading room; I stayed in the reading room from six to twelve and then went up to my mother's house to go in and sleep. You hadn't any money to pay for the room in the lodging house? No.

By Counsel:

Were you searched when you were arrested? Yes. My friend asked you if you always, when you went to see your mother, entered by the window; how many times had you entered by the window to see your aunt, on these occasions when you got in? About a dozen of times. Always through this window? Yes.

The Jury rendered a verdict of GUILTY of BURGLARY in the SECOND DEGREE.

0968

Police Department of the City of New York.

Precinct No. 32.

New York, Aug. 25th 1893.Joseph O'Donohue,
23^d Precinct,
Sir.

In answer to your note of inquiry of 24th inst, relative to arrest of Abraham Solomon, I would state that: I arrested him on charge of Grand Larceny, Sept 24th, 1890, on complaint of Francis B. Foster, of # 147 - W - 4th St, and he was convicted Oct 8th, 1890 - Part 2, Gen'l Ass., and sent to Penitentiary by Recorder Smyth for 2 1/2 yrs.

Also, he was a convict at that time, having served imprisonment for other

Solomon.

Arrested July 3 - 1887. ~~Heard~~
As a suspicious person.

Discharged
April 4 '88. For stealing some
silverware - Discharged

April 6 ' For stealing some
silverware - Discharged

1889

Arrested by Det. Sheldon -
for Larceny - 1 year

Sent to Prison 5 mos. &
half year in Penitentiary
for Grand Larceny
Det. Charlton 37 Post.

0970

Police Department of the City of New York.

Precinct No.

New York, 189

offenses committed preceding.

I am free to confess that he
is one of the worst criminals
I know of in New York to day.

~~I think~~ ~~Det.~~ ~~Mr.~~ ~~Carthy~~ ~~of~~ ~~C.~~
C. was wanting him for the
robbery of a man named Wolff,
of No 30 St, at the time I had
him in custody.

Respectfully,
Robert Charlton,
32^d Precinct.

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

THE PEOPLE OF THE STATE OF NEW YORK
against

Abraham Solomon

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

Abraham Solomon
of the CRIME OF BURGLARY in the *second* degree, committed as follows:

The said *Abraham Solomon*

late of the *19th* Ward of the City of New York, in the County of New York aforesaid, on the
twenty-first day of *January* in the year of our Lord one
thousand eight hundred and ninety-*three* in the *night*-time of the same day, at the
Ward, City and County aforesaid, the dwelling house of one *Sabette Solomon*

there situate, feloniously and burglariously did break into and enter, there being then and there a
human being within the said dwelling house, with intent to commit some crime therein, to wit: the
goods, chattels and personal property of the said *Sabette Solomon*

in the said dwelling house then and there being, then and there feloniously and burglariously to steal,
take and carry away,

[Signature]
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

Abraham Solomon
 of the CRIME OF ^{attempting to commit the crime of} Grand LARCENY in the first degree, committed as follows:

The said *Abraham Solomon*

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

divers articles of clothing and wearing apparel of a number and description to the Grand Jury aforesaid unknown, of the value of two hundred dollars, and divers other goods, chattels and personal property ~~of a number~~ ^{of more particular description} whereof is to the Grand Jury aforesaid unknown, of the value of three hundred dollars

of the goods, chattels and personal property of one *Babette Solomon*

in the dwelling house of the said *Babette Solomon*

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

De Lancey Nicoll,
 District Attorney

0973

BOX:

510

FOLDER:

4651

DESCRIPTION:

Spiess, Bruno B.

DATE:

01/20/93



4651

0974

POOR QUALITY
ORIGINAL

Witnesses:

Paul Schmidt
Officer Hock

The officer in this case Hock
is the "wardman" of the
Committee on the part who has
been dismissed from the
Police force. The complaint
Schmidt affirms to have
been a man or stool
pigeon who cannot
be found as appearing
in any affidavits.
The People cannot hope
to successfully prosecute
this indictment, and in
view of the facts recited
in defendant's affidavit
which there is no reason
to dispute, I recommend
his discharge on his
own recognizance
Oct 28/96. R. J. Williams
Deputy

I certify to the above.
John J. Williams
Deputy

Counsel, *Prosky*

Filed, *29* day of *Aug* 189*3*

Pleads, *Guilty*

THE PEOPLE

vs.

B

Briggs B. Spence
Oct 20/93

Officer J. Williams
DE LANCEY NICOLL

Part 2. Oct. 28, 1896
Upon motion of Dist. Atty. Deft.
discharged upon his verbal recognizance

A TRUE BILL.

J. Catlin
Foreman.

GAMING HOUSE, Etc.
[Sections 349, 944 and 985, Penal Code.]

May 23/93
2/93

May 24/93
2/93

0975

POOR QUALITY
ORIGINAL

Witnesses:

Paul Schmidt
Officer Hook

The officer in the case Hook
is the "Wardman" of Great
Commune, who has
been dismissed from the
Police force. The complainant
Schmidt appears to have
been a burglar or stole
prison who cannot
be found as apparently
admitted affidavit.

The People cannot hope
to successfully prosecute
this indictment, and in
view of the facts recited
in defendant's affidavit
which there is no reason
to dispute, I recommend
his discharge on his
own recognizance
Oct 28/96. B. J. J. J. J.
Defendant

I Clerk in the above.

Wm. J. J. J.
Ass. Dist. Atty.

214

Counsel, Brotsky
Filed, 28 day of Nov 1893
Pleads, Not guilty

THE PEOPLE

vs.

B

Bruno B. Spiess
Oct 20/93

DE LANCEY NICOLL

Part 2. Oct. 28, 1896
District Attorney
Upon motion of Dist. Atty. Deft.
discharged upon his verbal recognizance

A TRUE BILL.

J. C. J. J.
Foreman.

GAMING HOUSE, Etc.
[Sections 343, 344 and 385, Penal Code.]

may 24/93
28/93.

0976

Police Court-- 3 District.

Paul Schmidt
of 28 Stanton
upon his oath complains that Bruno Spiess
at premises No. 292 E Houston Street, in the City
and County of New York, unlawfully keeps and maintains a Gambling House, and knowingly
permits divers, idle, disorderly and evil disposed persons to resort there, to gamble and play at
cards and games of chance for money, in violation of the law, and to the common nuisance of the
People of the State of New York.

Deponent further says that in said premises on the 8th day of
January 1893 an unknown man
did unlawfully and feloniously deal the game called Faro, and did then and there within the space
of twenty-four hours win from deponent Sixteen ⁵⁰/₁₀₀ Dollars
at said game, and ~~that within said premises are exhibited, kept and used by said~~
~~Bruno Spiess, who conducts said place known as~~
~~the "Cafe Paris" and who played in said game and~~
~~within said premises kept by defendant are kept and used~~
faro and other gambling tables, ^{and} ~~checks, cards, devices and apparatus,~~ for the purpose of gambling,
the discovery of which would tend to establish the truth of the charge herein made.

Sworn to before me, this 16 day of January 1893. Paul Schmidt
Amptker
POLICE JUSTICE.

0977

Sec. 198—200.

3 District Police Court. 1882

City and County of New York, ss:

Bruno Spies 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. *Bruno Spies*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Austria*

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

Answer. *292 East Houston St. 3 years*

Question. What is your business or profession?

Answer. *Keep a restaurant*

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

Answer. *I am not guilty
I waive examination
Bruno B. Spies*

Taken before me this

17

day of January 1893

3

Charles H. Tinter

Police Justice.

0978

Sec. 15

POLICE COURT

3rd

1846

DISTRICT.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the
POLICE JUSTICES for the City of New York, by Paul Schmidt
of No. 28 Stanton Street, that on the 8th day of January
1893, at the City of New York, in the County of New York, 13

Keep and maintain at 292 East Houston
Street, a gambling house

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

These are, therefore, in the name of the PEOPLE of the State of New York, to command you,
the said SHERIFF, MARSHALS and POLICEMEN, and each and every of you, to apprehend the said Defendant
and bring him forthwith before me, at the 3rd DISTRICT POLICE COURT, in the said City,
or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this
City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this

16th day of January, 1893
Chas. J. Kelly

POLICE JUSTICE.

0979

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, Jan 17 1895 Charles N. Linton Police Justice.

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

Dated, Jan 17 1895 Charles N. Linton Police Justice.

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

Dated, Jan 17 1895 Charles N. Linton Police Justice.

0980

W 3 77
Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Paul Schmidt
Bruno Spies

offense Keeping House
Gambling House

BAILED

No. 1, by Matz & Rosenfeld
Residence 282 E. Houston Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated, Jan 17 1893
Tauber Magistrate.

Hock Officer.
Precinct.

Witness Morris Posner
No. 13 Rutgers Street.

No. Street.

No. 500 48 Street.
\$ to answer

Bailed

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

-----X
THE PEOPLE OF THE STATE OF NEW YORK, :
Plaintiff, :
-against- :
BRUNO B. SPIESS, :
Defendant. :
-----X

City and County of New York, ss:

BRUNO B. SPIESS, being duly sworn, deposes and says, that he is the defendant herein. That in the month of January 1923, he was arrested on the complaint of one Paul Schmidt charging this defendant with maintaining a gaming house at No. 292 East Houston Street in this City.

Deponent waived examination in the Police Court and thereafter was indicted by the Grand Jury. The indictment charged the deponent with keeping a gambling establishment in the premises aforesaid, keeping gambling apparatus therein and maintaining a public nuisance. Thereafter the case appeared on the calendar of this Court for ^{Trial} several times, but the complaining witness at each time failed to put in an appearance.

Deponent further says that the charge made against him is absolutely false and untrue. At the time of his arrest he maintained a restaurant in the premises mentioned in the indictment, and deponent with his wife resided ~~in~~ the floor or apartment immediately above the restaurant. The restaurant was of a very respectable character, and among deponent's patrons were some of the most respected citizens of the neighborhood.

Deponent owned said restaurant for about two and one-half years preceding his arrest, and for about six months thereafter, and during all that time deponent never heard of any complaint whatever being made against the respectability of his establishment other than the one upon which this indictment is based. About six months after his arrest herein, deponent sold the said restaurant to Mr. Klein, who some time thereafter sold it to some other person, and the same place has ever since been maintained as a restaurant, and is at the present time being so maintained by some person unknown to deponent.

Deponent is a married man and resides with his wife at No. 259 East Third Street in the City of New York. Since deponent sold the said restaurant in 1923, he has been engaged in the real estate and insurance business, and he is now a general agent of the Mutual Reserve Fund Life Association, and has an office at No. 309 Broadway, in said City.

Deponent therefore prays that the indictment herein be dismissed, and that he be discharged.

Sworn to before me this)

28th day of October 1926.)

Moses J. Rosenberg

Com. of West

W. C. C. & Co.

0983

B. B. Spiess,

Special Representative.

*Mutual Reserve Fund
Life Association.*

Room 301.

309 Broadway,

New York City.

0984

PART II.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

To Paul Schmidt
 of No. 38 Stanton Street.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the New Criminal Court House on Centre Street, between Franklin and White Streets, in the City of New York, on the 28 day of October 1896, at the hour of 10 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Bruno B. Spiess

Dated at the City of New York, the first Monday of OCTOBER
 in the year of our Lord 1896

JOHN R. FELLOWS, *District Attorney*

0985

Court of General Sessions.

THE PEOPLE

vs.

Bruno P. Gross

City and County of New York, ss:

William Fuchslaker being duly sworn, deposes and says: I reside at No. 43 Stanton St. Street, in the City of New York. I am a Subpoena Server in the office of the District Attorney of the City and County of New York. On the 28th day of October 1896 and on various occasions prior thereto I called at No. 78 Stanton St. City

the alleged residence of Paul Schur to the complainant herein, to serve him with the annexed subpoena, and was informed by the premises were and have been formerly occupied as a cheap lodging house and restaurant and defendant was unable to find any one who could give any information as to the whereabouts of its former occupants.

Sworn to before me this

day

of

October 1896,

William Fuchslaker

Subpoena Server.

Henry W. ...
Notary Public

Court of General Sessions.

THE PEOPLE
ON THE COMPLAINT OF

VS.

Offense,

JOHN R. FELLOWS,
District Attorney.

Affidavit of

Subpoena Server.

FAILURE TO FIND WITNESS.

0986

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST

Bruno B. Spiess

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

Bruno B. Spiess

(Sec. 343, Penal Code.) of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING, committed as follows:

The said

Bruno B. Spiess

late of the ~~seventeenth~~ *eight* Ward of the City of New York, in the County of New York aforesaid, on the *eight* day of *January* in the year of our Lord one thousand eight hundred and ninety-~~three~~, and on divers other days and times as well before as after, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room, in a certain building there situate, to be used for gambling, 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. (Sec. 344, Penal Code.)

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

Bruno B. Spiess

of the CRIME OF ALLOWING A ROOM, ESTABLISHMENT, TABLE AND APPARATUS TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said

Bruno B. Spiess

late of the Ward, City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, and on said other days and times, at the Ward, City and County aforesaid, a certain room in a

certain building there situate, and a certain gambling table and establishment, and divers cards, chips, devices and apparatus, a more particular description whereof is to the Grand Jury aforesaid unknown, and cannot now be given, the same being suitable for gambling purposes, with force and arms, feloniously did allow to be used for gambling purposes, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT. (Sec. 385, Penal Code.)

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

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on said other days and times, at the Ward, City and County aforesaid, with force and arms, a certain common gaming house there situate, for *his* ~~here~~ and gain unlawfully and injuriously did keep and maintain; and in *his* said common gaming house, then and on said other days and times, there unlawfully and injuriously did cause and procure divers idle and ill-disposed persons to be and remain, and the said idle and ill-disposed persons, on the day and in the year aforesaid, and on said other days and times, to game together and play at a certain unlawful game of cards called *Harro* in the said common gaming house aforesaid, there did unlawfully and injuriously procure, permit and suffer, and the said idle and ill-disposed persons, then, and on said other days and times, in the said common gaming house aforesaid, by such procurement, permission and sufferance of the said *Bar* *B* *St*

there did game together and play at said unlawful game of cards, for divers large and excessive sums of money, to the great annoyance, injury and damage of the comfort and repose of a great number of persons, good citizens of our said State, there inhabiting and residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the Statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

DE LANCEY NICOLL,

District Attorney.

0989

BOX:

510

FOLDER:

4651

DESCRIPTION:

Spulberger, Betta

DATE:

01/20/93



4651

Witnesses:

Ida Davis

Officer Long

Counsel,

Filed

day of Aug 1893

Pleads

Myself

THE PEOPLE

vs.

Betta Spillberger

Grand Larceny, Second Degree.
[Sections 228, 231, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

The value of the property mentioned in the within indictment cannot be established by competent testimony to exceed \$20 & I therefore recommend the acceptance of a plea of guilty of petty larceny Feb 16. 1893.

Stephen J. Howe
Dep. Asst. District Attorney

J. Cathin

Foreman.

July 16/93

Henry A. P.

City Prison 30 days

0991

(1895)

Police Court—14 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 705 East 69th Street, aged 23 years,
 occupation Married being duly sworn,
 deposes and says, that on the 16 day of January 1893 at the City of New
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession
 of deponent, in the day time, the following property, viz:

One gold watch and one shawl,
 together of the value of Fifty Dollars,

\$50.00
 \$50.100

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

Bertha Spierberg (now here)
 from the fact, that on the aforesaid
 date defendant was in the employ
 of deponent as a domestic; that on
 said date deponent missed said property
 and as defendant was about leaving the
 above premises deponent saw defendant
 take said shawl from a basket which
 she was carrying and drop said shawl
 on the floor; that deponent is informed
 by one Jennie Stern of No. 1315 Second
 Avenue in this city that she, said Jennie,
 saw defendant having in her possession
 a watch answering the description of
 deponent's missing property; that deponent

Sworn to before me, this

189

day

Police Justice

is also informed by Officer Long of the
 25th Precinct Police, that the defendant
 admitted to said officer that she took
 said property. Wherefore deponent
 prays that the defendant may
 be dealt with according to law.

Sworn to before me this
 18th day of January 1893

Ida. Davis

[Signature]
 Police Justice

0993

1877

CITY AND COUNTY }
OF NEW YORK, } ss.

Jamie Stern
aged 39 years, occupation Rep. of Intelligence Off. of No.
1345 - 2nd Avenue Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Ida Davis
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 18 }
day of January, 1893 }

Jamie Stern

Wm. H. H. H.
Police Justice.

0994

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Bertha Spierberg

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

Germany

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

Answer.

*205 - 8th 69 St -**1 room*

Question. What is your business or profession?

Answer.

Domestic

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 -**Bertha Spierberg*Taken before me this *18*day of *June*, 1931*H. J. Mink*

Police Justice.

0995

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, Jan 12 1893 H. D. M. M. Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

Police Court---

75 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Ida Davis
Bertha Spierberg

Offense
Lawyer

2
3
4

Dated, *Jan 18* 189*3*

W. Mahan Magistrate.

Long Officer.

25 Precinct.

Witnesses *Call the officer*

No. _____ Street.

Jennies A. C.
No. *1715* Street.

No. _____ Street.

1577 to answer *G. S.*

Call the officer
at 2

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0997

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

805

THE PEOPLE OF THE STATE OF NEW YORK
against

Betta Spülberger

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

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

The said

Betta Spülberger

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

*one watch of the value of
forty dollars and one shawl
of the value of ten dollars*

of the goods, chattels and personal property of one

Ida Davis

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

SECOND COUNT—

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

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

The said

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

*one watch of the value of
forty dollars and one shawl
of the value of ten dollars*

of the goods, chattels and personal property of one

Ida Davis

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

Ida Davis

unlawfully and unjustly did feloniously receive and have; the said

Betta Spülberger

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

DE LANCEY NICOLL,

District Attorney.

0999

BOX:

510

FOLDER:

4651

DESCRIPTION:

Stanbeg, Leopold

DATE:

01/12/93



4651

Witnesses:

Sam. McNeil

Officer Gary

(12)

Counsel,

Filed 12 day of

Plends,

THE PEOPLE

us.

Leopold Stanbeg

Grand Larceny, 2nd Degree.
[Sections 528, 529, Penal Code.]

James B. Lacey Nicoll,
District Attorney.
True & Corrected of
J. B. Lacey Nicoll
James B. Lacey Nicoll

A TRUE BILL.

J. Lacey
20

Foreman.

May 17-93
White
J. B. Lacey Nicoll
May 20/93

1000

POOR QUALITY
ORIGINAL

1002

Police Court

District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Samuel McNeil

of No. 199 Washington Street, aged 22 years,
occupation superintendent being duly sworn,
deposes and says, that on the 23 day of October 1892 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the day time, the following property, viz:

One Gold watch valued at
Thirty 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 Leopold Staube (nowhere)

for the reasons following to wit: on said date

deponent gave the defendant the said watch

to have the same repaired - defendant

informed deponent that he left said watch with

Barton & Rich at no 20 John Street -

deponent visited said place and was

there informed that the said watch was not

left there - deponent caused the defendant to be

arrested and he informed deponent and Officer

Curry of the Central Office that he had repaired said

watch at Silberstein's Pawn Office no 10-6 Ave

and appropriated the proceeds to his own use

deponent visited said Pawn Office and there saw

said watch and fully identified it as his property

and the same that was given to defendant as aforesaid

S. McNeil

Sworn to before me, this day

1892

of

Police Justice.

1003

Sec. 198—200.

District Police Court. 1882

City and County of New York, ss:

Leopold Stanbeg 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. *Leopold Stanbeg*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *England*

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

Answer. *Too far to refuse*

Question. What is your business or profession?

Answer. *Proof reader*

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 -
L Stanbeg

Taken before me this

4th

day of *January* 1893

Police Justice.

1004

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

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, Jan 11 189 3 W. M. M. M. M. Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated, _____ 189 _____ Police Justice.

There being no sufficient cause to believe the within named

guilty of the offense within mentioned, I order he to be discharged.

Dated, _____ 189 _____ Police Justice.

The presiding magistrate is authorized to hear and determine this case in my absence, and to accept bail.

Wm. H. Grady
Police Justice.

Police Court--- District. ³⁵

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel McNeil
149 Washington St
Leopold Stanbeg

Offense *Larceny*

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated, *Jan 14* 188*3*

Grady Magistrate.

Carr Officer.

C.O. Precinct.

Witnesses *officer*

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *1000* to answer *G.S.*

\$500 & July 6, 1883.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Leopold Stambeg

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

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

The said *Leopold Stambeg*,

late of the City of New York, in the County of New York aforesaid, on the *23rd*
day of *October* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms,

one watch of the value of
thirty dollars

of the goods, chattels and personal property of one

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

De Lancey Nicoll,
District Attorney.

1007

BOX:

510

FOLDER:

4651

DESCRIPTION:

Starratt, Walter H.

DATE:

01/26/93



4651

1000

Witnesses:

John V. Reynolds

Counsel.

Filed,

day of

1893

Pleads,

Wm. H. Reynolds

THE PEOPLE

vs.

Walter H. Starnatt

March 1/93

Spred by my design

11 for 1000

De LANCEY NICOLL

De LANCEY NICOLL

District Attorney.

(Pleasance)

A TRUE BILL.

L. Cathin

Foreman.

Part I

Feb. 28/93 Part I

Feb 24

(Sections 528 and 53 of the Penal Code.)
LANCEY NICOLL
(MISAPPROPRIATION)

THE PEOPLE,

COURT OF GENERAL SESSIONS, PART 1.

vs.

BEFORE JUDGE COWING.

WALTER H. STARRATT.

Tuesday, February 28, 1893.

Indictment for GRAND LARCENY in the SECOND DEGREE.

Assistant District Attorney MacDonna, for the People.

Messrs. Purdy and Moss, for the defence.

JOHN J. REYNOLDS, sworn, and examined by Mr. MacDonna:

- Q. What is your name? A. John J. Reynolds.
- Q. And you are of the firm of A. L. & J. J. Reynolds?
- A. Yes, sir.
- Q. Is that a corporation, or partnership?
- A. A corporation.
- Q. Organized under the laws of the State of New York?
- A. We have a certificate from the Secretary of State.
- Q. Are you organized under the laws of the State of New York?
- A. No, sir -- New Jersey.
- Q. A certificate filed here?
- A. Yes, sir; I have that here in court.
- Q. Do you know this defendant, Starratt? A. I do.
- Q. Was he employed by this corporation? A. He was.
- Q. When did he begin his employment?
- A. About the first of April, nearly a year -----
- Q. Of what year? A. Of 1892.
- By the Court:
- Q. The first of April, 1892? A. About that time.
- By Mr. MacDonna:
- Q. In what capacity was he employed?
- A. As salesman and clerk.
- Q. What business are you in? A. In the butter and

cheese business.

By the Court:

Q. Doing business where?

A. No. 368 Greenwich street.

Q. The City of New York?

A. Yes, sir.

By Mr. MacDonna:

Q. As salesman and collector for you, what were his duties?

A. To take our goods and sell them to grocers, to receive the cash for them in most cases, and occasionally to make a credit; and, when that credit was paid, to turn it immediately into the firm, the same day it was paid.

Q. He had a wagon belonging to you, and a horse?

A. A wagon and horse, and goods.

Q. Was it his habit to go to the place in the morning and get goods, and then distribute along the route?

A. Yes, sir, take his load in the morning and account for it at night.

Q. Account for it at night?

A. Yes, sir.

Q. About this particular bill of Mr. Frank Harnes; do you know Mr. Harnes, a customer of your firm?

A. Yes, sir.

Q. His place of business is where?

A. At 1,603 1/2 Fulton avenue, Brooklyn.

Q. Brooklyn?

A. Yes, Brooklyn.

Q. That was on the route belonging to this man, Starratt?

A. Yes, sir; that was one of his customers.

By the Court:

Q. One of your customers?

A. Yes, sir; the firm's customers.

By Mr. MacDonna:

Q. On his route?

A. Yes, sir; on his route.

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Q. Did you, on or about the 16th day of January last, send a statement of an unliquidated account according to your books, to Mr. Harmes, in Brooklyn?

A. I did, I sent it.

Mr. Purdy: Objected to, as immaterial.

Mr. MacDona: I will withdraw the question.

By the Court:

Q. Did this Corporation of A. L. Reynolds, if you know of your own knowledge, sell a bill of goods to this man Harmes?

A. Indirectly, through Mr. Starratt.

Q.. Had you any conversation with the defendant, with reference to any transaction with Harmes?

A. I asked him, the defendant, I spoke to him on the Saturday night, the 14th of January, and I asked him why it was that there was a bill in 125th street, in this city, that he had not account for? He says, "That's all right, thatt bill, Mr. Fiat owes that money." That is another party.

Objected to. Objection sustained.

Q. What about the Harmes charge?

A. At that time I didn't know that Harmes's money had been appropriated.

Objected to.

Q. We are confined to the one transaction which he is indicted for, and what we want to prove is if the goods were sold and delivered to Harmes, how you know it, how you got your information, whether he collected this money and put it in his pocket?

A. I am trying to explain how I know it; he told me the accounts were all right.

Q. What did he say about Harmes's account, if anything?

A. I didn't ask him about Harmes.

Mr. Purdy: I ask that that be stricken out.

The Court: Yes, strike it out.

By the Court:

Q. Any conversation that you had with this defendant, with reference to this account which is the subject-matter of this indictment -- that you may give to the jury to the fullest?

A. I have never spoken with him with regard to this bill.

Q. Never in your life?

A. No; I didn't just at the moment recollect.

By Mr. MacDona:

Q. Are you familiar with the hand-writing of the defendant, Starratt?

A. I am.

By the Court:

Q. Did he ever make any report to you that he had sold any goods to Harnes?

A. Yes, sir; they were regularly charged through our books.

Q. Did he report to you?

A. It is not customary; he

turns his books in every night; the books are here.

Q. In his hand-writing?

A. Yes, sir.

By Mr. MacDona:

Q. Are you familiar with the hand-writing of this defendant?

A. I am.

Q. Do you know what his habit was in signing the receipts for your firm?

Objected to.

Objection overruled.

Q. Did he sign a signature?

A. The defendant had

different ways of receipting his bills; sometimes he would put "W." and sometimes he would put "Walter," and sometimes monogram or anything at all, on his bills.

Q. Now, I hand you one paper; I ask you if that last writing on that paper is not in the hand-writing of this defendant?

A. That is in his hand-writing.

Mr. MacDona: I offer that in evidence.

Mr. Purdy: We admit it is his hand-writing; we object to it as immaterial and irrelevant.

Q. I hand you another paper, and ask you, in whose hand-writing is that? A. It is the same hand-writing.

Q. The defendant's? A. The defendant's hand-writing.

Q. Now, Mr. Reynolds, will you produce the account book in which the Harries account was kept, the book in the writing of the defendant, Starratt? A. Yes, sir.

Q. The date of those bills is December 23 and December 14?

A. December 14 there is a charge of \$18.60.

Q. What does that book state it is for?

A. For sixty pounds of butter, at thirty-one cents.

By the Court:

Q. What is that book? A. This is a sales book.

Q. Kept by whom? A. By the salesman and collector.

Q. Kept by this defendant? A. Yes, sir.

Q. What you are reading from is in his hand-writing?

A. Yes, sir.

Q. On what date? A. On the 14th of December.

Q. He charged this man Harries how much?

A. \$18.60.

Q. For goods sold and delivered? A. Yes, sir.

Q. Which entry is in the hand-writing of the defendant?

A. Yes, sir.

By Mr. MacDona:

Q. Now, this is December 23, from the same book?

Objected to, as immaterial and irrelevant.

Q. The grand larceny is made up of two amounts, December 14 and 23; what is the entry of December 23rd?

A. Charging the same party with sixty pounds of butter at thirty cents, making eighteen dollars.

By the Court:

Q. That is in the hand-writing of the defendant?

A. Yes, sir.

Q. And shows the sale and delivery of goods to this man Harmes, on that day, consisting of butter of the value of \$18.00?

A. Yes, sir.

By Mr. MacDona:

Q. Now, Mr. Reynolds, does that book, in the hand-writing of this defendant, also show the credits and collections made by him?

A. Yes, sir.

Q. Will you say if that book contains anywhere from the date of December 14 to the date alleged in the indictment, January 11 -- whether it shows any credit of the two amounts?

A. This is rather tedious, I have been over it, and my book-keeper -----

Q. Is it credited in that book?

A. It is not there.

Q. The \$29.51 is not there, making up the two amounts?

A. No, sir; it is not there.

CROSS EXAMINATION:

By Counsel:

Q. Now, the book shows a charge on December 14th of \$18.00?

A. I think that is what I said, \$18.60.

Q. Now, come to the other one, that is on the 23rd, how much is that?

A. The 23rd, about \$18.00.

By Mr. MacDona:

Q. Read the amount there?

A. Sixty pounds of butter,

at thirty cents a pound.

By the Court:

Q. Mr. Harms's store?

A. Yes, sir.

By Mr. Purdy:

Q. That bill for eighteen dollars, didn't he exchange that?

A. No, sir, he didn't. He changed another tub of butter, which was nothing to do with this case, and this \$18.30 was his mode of -----

Objected to.

Q. This man is under bonds to you, is he not, to-day?

A. Yes, sir.

Q. Five hundred dollars, a good bond?

A. A good bond, yes, sir.

Q. Does he owe you anything?

A. Of course he does.

Q. Why haven't you sued on your bond and tried to collect it, instead of sending a young man to the State Prison?

A. Because the bond does not give him the privilege to steal -- that I received from my counsel.

Q. Didn't he write a letter to you before he was ever arrested, saying -- asking you if he owed you anything, saying that he would pay everything?

A. He wrote to me.

Q. Where is that letter, have you got it?

A. I have the letter from him; yes, sir.

Q. Produce it?

A. That is the letter I received from him (producing the letter).

Q. Didn't this man have customers of his own?

A. I never knew that he had any.

Q. How long had he been in your employ?

A. Nearly a year, nine months or so.

Q. He came well recommended to you, didn't he?

A. We didn't know much about his former history.

Q. You didn't?

A. No, sir.

Q. You take a man into your employ without knowing anything about his history?

A. We knew a little of it, not very much.

Q. He gave a bond?

A. Yes, sir.

Q. Have you a copy of the bond?

A. No, I haven't; the bond has nothing to do with this.

Q. Will you produce it to-morrow morning?

A. I don't know; if it is necessary, I will.

Mr. Purdy: We think it necessary, we ask that that bond be produced, to show what this man's obligation is. I offer this letter in evidence.

Mr. MacDona: I have no objection.

Mr. Purdy: I will read it. (Defendant's Exhibit A)

The Court: When was this letter dated?

Mr. Purdy: Dated January 20, 1893.

Q. You received this letter before you had the man arrested, didn't you? A. I don't remember, I was trying to think -- you are excited, if you will tell me the date of the arrest, I can tell you.

Mr. MacDona: It appears that this affidavit was sworn to the same day, January 20.

Witness: I think that I received the letter in the evening, and this was made out in the afternoon.

By Mr. Purdy:

Q. Now, be careful; hadn't you received that letter before you ever went and made any complaint at all?

A. I think not.

8 Q. You think not?

A. No, sir.

Q. Have you got the envelope that that letter was mailed in?

A. No, sir.

Q. Did you receive that letter as well?

A. It was laid on my desk, on my return to the office.

Q. On your return to the office from where?

A. I think the court, the Police Court.

Q. You don't know how long it had been laying there, do you?

A. No, sir, I don't.

Q. Then it was before he was arrested; was it?

A. Yes, sir; before he was arrested; I think so.

By the Court:

Q. Had you ever made any demand of him for this money which he collected in Brooklyn?

A. I went to his bondsman.

Q. Have you to him personally?

A. No, sir.

Q. Has he ever refused to pay you?

A. No, he has never refused to pay it.

Q. You never have asked him to pay it, and he never has denied that he collected it?

A. Oh, yes.

Q. What was the conversation about that between you and him, in reference to the collection?

A. On Saturday night, the 14th of January -----

Q. Before you commenced this action?

A. Yes, sir. I asked him about his accounts being irregular. He says, "My accounts are all straight; everything is right." I said that we would look about, and I wanted him to lay off until I investigated them thoroughly, which I did.

Q. That is not a contradiction that he collected this money -- he had a right to collect money?

A. He said his books were right, and they were wrong.
By Mr. Purdy:

Q. You had a contract with him?

A. We had a bond, yes, sir.

Q. And a contract?

A. No; no contract outside of the bond.

Q. Was there not a verbal contract, for this man not to go into the same business again in six months?

A. Yes, sir, that was in connection with the bond.

Q. Didn't he have this conversation and insist upon his discharge, ask you to discharge him?

A. No, sir.

Q. Did you discharge him?

A. I told him I wanted him to stop work until I investigated his accounts.

Q. Stop work?

A. Yes, sir.

Q. Didn't he ask you then to discharge him and release him upon his bond?

A. No, sir; he did not.

Q. Can you give all the conversation that took place that night?

A. I can.

Q. Give us all, as near as you can recollect it?

A. On his coming to the office I called him one side, and told him his accounts were irregular, and he seemed to be very much surprised; he says he will do as much as a certain man.

Q. Who was the certain man, tell us the conversation?

A. Mr. Eidt, 254 West 125th street; and he said that the account was right, our collector had been there and Mr. Harmes denied owing a bill or ever receiving the goods.

Q. What did you say to him?

A. I told him there was an irregularity, and he must stop until I investigated his

accounts.

Q. What did he say? A. He came in a sort of pugilistic manner, as though he was going to wipe the floor with me, and he used vile language; he swore at me, and I ordered him to leave the place.

Q. You ordered him to leave the place?

A. Yes, sir.

Q. What was the date of this?

A. January 14, I think, Saturday.

Q. That was how long before you had him arrested?

A. Something like five days.

Q. Now, did he do any business for you after that?

A. Not at all.

Q. Did you give him permission to collect any bills for you after that? A. I told him no. I gave him no permission to collect any bills.

Q. Why do you hesitate? A. I am trying to speak the truth, that is why I am hesitating; I don't want to make a false statement.

Q. Didn't you give him the right to collect bills for you after that date? A. No, sir.

Q. Bills from his own customers or customers of your firm?

A. No, sir.

Q. Didn't he, as matter of fact, collect bills for you from customers? A. No, sir; if he did, we didn't know it.

Q. Aren't there bills due to the firm even now that you don't know whether he has collected or not?

A. No, sir.

Q. Turn to the Harmes account on the book, and show us whether Harmes has paid anything since that time on these very bills.

subsequent to the 14th of December, or any other items ---
 you say you didn't give this man any privilege to collect
 any money, see if he collected any money for you from Harnes,
 after the 14th of December?

A. Here is the book you want (producing a book).

Q. No, we want the other book.

A. The account is here altogether; in the other book it
 is scattered.

By Mr. MacDona:

Q. Is all this book in his hand-writing (The small book)?

A. I can't say about that. I would like to state, re-
 garding the cash transactions, I have the cash book here. If
 he should turn the money in without making the entry, the
 cash would have been over any day; our cash book is balanced
 every day.

The Court: Is it claimed that you did collect this money and pay
 it over?

Mr. Purdy: One of the bills is paid, and the other there was a
 mistake about it.

The Court: Here is \$29.00 which is claimed this defendant collect-
 ed and put in his pocket, and spent it feloniously. If we
 can keep our mind right on that one transaction, we can
 simplify it.

By Mr. Purdy:

Q. Turn to December 23; there is a credit of ten dollars?

A. Yes, sir; that is for a previous bill.

Q. How do you know anything about it?

A. Because it corresponds with the previous account.

Q. You think it was a previous account, you don't know any-
 thing about it? How do you know that that credit of ten

dollars there was not a credit on this very bill that you are trying to charge this man with stealing the money?

A. It is paid on the same day that the bill is charged; if it had been charged it could not have been a paid bill.

Q. That is the way you reason it? A. Yes, sir; it cannot be a charged and a paid bill together.

Q. This man owes you \$170.00? A. More than that.

Q. He has agreed to pay you at any time, he has offered to pay you at any time you demand it?

A. That is not the idea, the money part of it; we want to make an example of him to our other employees.

Q. You want to send him to State Prison?

A. If he deserves it.

Q. The contract was that he should never go into business in six months after he left the firm?

A. That has nothing to do with this, how we agreed to it.

Q. He asked you to discharge him; did he not?

A. No, sir.

Q. You didn't discharge him? A. No, sir.

Q. You held him in abeyance, so that he cannot go into business for six months? A. That is the agreement.

FRANK HARMES, sworn, and examined by Mr. MacDona:

Q. Do you speak English? A. Yes, sir.

Q. What is your business? A. I am keeping a store, in Fulton street.

Q. In Brooklyn? A. Brooklyn.

Q. Grocery store? A. Delicatessen and grocery.

Q. Do you know this defendant, Starratt? A. Yes, sir.

Q. You bought goods from him, did you, at various times ---
from this corporation?

A. Yes, sir.

Q. You dealt with Reynolds & Co., through him?

A. Yes, sir.

Q. Do you remember buying goods from him on the 14th of December, amounting to \$11.21?

A. I don't remember; I

bought goods from him, but I cannot remember the dates.

Q. Do you remember on the 23rd of December buying \$18.00 worth of goods from him?

A. Yes, sir; I remember that.

Q. Now, Mr. Harnes, do you remember paying him for those goods and getting a receipt from him?

A. Yes, sir.

Q. Do you remember what day that was?

A. I can't remember.

Q. Was it prior to the 11th of January?

A. I think it was; yes, sir.

By the Court:

Q. That is your best recollection, it was before the 11th of January?

A. Yes, sir; I always got a receipt when I

paid.

By Mr. MacDona:

Q. You always took a receipt when you paid him?

A. Yes, sir.

Q. I hand you People's Exhibit I for identification, and I ask you if that is one of the receipts you got, the day you paid those bills?

A. Yes, sir, this is one of the receipts; the goods were got on the 23rd, and it was paid ---

not on the 23rd, it was paid later.

Q. It was paid subsequently to that date?

A. Paid to the defendant, Walter Starratt.

By the Court:

Q. How much?

A. This calls for \$18.30, I paid him that.

By Mr. MacDona:

Q. Did you see him sign that "W." on there?

A. Yes, sir; I saw him sign that "W.," I can't remember the date, I saved the receipt.

Mr. MacDona: I offer that in evidence.

Q. I show you People's Exhibit 2, marked for identification; I ask you if, on the same day and the same time, you saw him sign that paper?

A. Yes, sir; I saw him sign that.

By the Court:

Q. Did you pay him that at the same time you paid him the other?

A. I didn't.

By Mr. MacDona:

Q. Another day? A. Another day, yes, sir; on this bill there are two payments.

Q. Explain that? A. The first payment is \$4.00, and the last is \$14.60.

By the Court:

Q. Both those payments were made on a different day from the other \$18.30 was paid?

A. Yes, sir.

CROSS EXAMINATION:

Q. How long have you been dealing with this firm, through this young man?

A. About eight or nine months.

Q. And during that time how much have you bought through him?

A. I couldn't exactly say.

Q. About how much, three, four or five hundred dollars?

A. Yes, sir, I suppose so; I couldn't name it exactly.

Q. You didn't know the firm yourself, did you, the corporation?

A. No; I didn't know them.

Q. You knew this young man? A. I knew that young man.

Q. And he solicited your business, you did the business through

him?

A. Yes, sir.

Q. He was the salesman?
man.

A. Yes, sir, he was the sales-

Q. He first solicited and got your business?

A. No; I was a customer to the firm before he got there.

Q. But you had stopped?

Objected to as immaterial.

Q. You had a running account with the firm, they gave you credit at times, didn't they?

A. No, sir.

Q. Was it all cash?
man came.

A. It was all cash until this

Q. Then he gave you credit?
only on butter.

A. He gave me credit

Q. How much credit on butter?

A. One or two tubs at a time.

Q. For how long a time?

By the Court:

Q. Thirty or sixty days?

A. He didn't give me any particular time.

By Mr. Purdy:

Q. You had credit for one or two tubs of butter from him all the time?

A. Yes, sir.

Q. With no particular time you should pay it?

A. No.

Q. Has he ever changed any butter for you?

A. Yes, sir, he has, sometimes.

Q. Sometimes changed butter?

A. Yes, sir.

Q. Now, wasn't it your habit to pay so much on account, pay ten dollars on account and four dollars on account, or other

matters on account?

A. I generally paid the full bill, but sometimes I paid a little on account, like that bill there.

Q. Like you did there?

A. Yes, sir.

By the Court:

Q. There is one item, \$18.30; that was for butter?

A. That was one tub of butter; that was paid in full.

Q. And that butter you purchased from Reynolds, through the defendant?

A. Yes, sir.

By Mr. Purdy:

Q. Look at this, and say if that is not changed to \$18.00, is not that changed to \$18.00?

A. The bill was not that way when I had it.

Q. Do you know what that "18" means?

A. When I took the receipt the bill was without \$18.30.

Q. What does that "18?" mean?

A. I don't know.

Q. Didn't that mean that he changed the tub and gave you another bill for that tub?

A. No, sir.

Q. Do you recollect about that?

A. Yes, sir, I know all about this; when I showed this receipt to Mr. Reynolds -----

Q. Never mind what Mr. Reynolds said.

A. If you want to know about this "18," I will tell you.

Q. Do you have a distinct memory of any of these bills except what is here?

A. Yes, sir.

Q. How many bills have you ever received, of that character, from this man?

A. I don't know.

Q. Hundreds?

A. No, not hundreds.

Q. You had five hundred dollars worth of goods, you say?

A. Like that, I received about five --- if I received

17 as many I don't recollect.

Q. Where are the other ones?

A. I have got some home.

Mr. MacDonna: That is my case, is your Honor please.

THE CASE FOR THE DEFENCE.

Mr. Purdy: I ask your Honor to advise the jury to acquit of the charge of grand larceny, as charged in the indictment, second degree.

The Court: I will reserve my decision; it looks as if the highest offence that could be claimed would be petty larceny.

Mr. Purdy: I ask your Honor to advise the jury to acquit on the ground that the allegations charged in the indictment have not been proven.

The Court: Motion denied.

JOHN J. REYNOLDS, recalled by Mr. MacDonna:

Q. Now, Mr. Reynolds, was this amount of \$18.30, dated December 23, in the Harnes account, ever paid to your firm?

A. No, sir.

By Mr. Purdy:

Q. How many members of the firm are there, in the corporation?

A. There are three officers.

Q. Are you the only man that is allowed to receive money?

A. Oh, no.

Q. How do you know it has not been paid to some other of the members of the firm?

A. I go over my books.

Q. It doesn't appear in the books, and hence you say it has not been paid?

A. Certainly, I have charge of the books.

18 Q. And because it does not appear on the books, then it has

not been paid?

No answer.

Q. Look at the last bill; what does that "18" mean?

A. That "18" means that there was a charge on his books of \$18.00, and that he paid \$18.30, which is the habit in paying in the petit accounts -- I can bring people here today to prove it.

Q. His habit was to steal thirty cents, and enter it on the books as having stolen it?

A. Oh, no, it was entered on the books as \$18.30, and the bill is \$18.30.

By the Court:

Q. The defendant, in his own hand-writing, entered a sale of \$18.00, and, in point of fact, the sale amounted to \$18.30?

A. Yes, sir.

By Mr. Purdy:

Q. How did that \$18.00 get on the receipt?

A. I put it there this morning to remember it, that is all.

Q. You put it on there to refresh your memory?

A. Yes, sir.

Q. That is the only reason, you don't find that \$18.00 upon your books ---did anybody ever pay you or any members of your firm any money and not have it entered on the books, is it possible that such a mistake would occur?

A. Oh, yes; but our cash would be over.

Q. How many men do you employ to go out on your routes?

A. On the routes we employ fourteen.

Q. It does sometimes happen that money is paid in to members of the corporation, and not put on the books?

A. It does not go to the members of the corporation,

I do not remember such a case.

Q. You don't think it possible that that should occur?

A. I don't think it would, because the cash would be over.

By the Court:

Q. Did you ever draw the attention of the defendant to the fact that he had not paid in this amount?

A. He has never called to our office to give me an opportunity.

Q. You didn't know that he had collected it until after he left your firm?

A. No, sir.

Q. You say you had him arrested for this particular sum?

A. Oh, no, about five days after.

Q. You never demanded it of him?

A. No.

Q. He never refused in so many words to pay you?

A. No, not at all.

Q. Is he owing you money or do you owe him money?

A. There is a balance due him now; any time he calls he can have it; but he never came to our office; there is \$5.02 on our books to his credit.

Q. Taking into consideration this?

A. No; that is on account of his salary.

The Court (to the District Attorney): You have evidence thus far in the case showing a sale of these goods in question to Harnes, in Brooklyn. Harnes says that he bought from this corporation, through the defendant. Harnes takes the stand and says before this action was brought he paid \$18.30 to this defendant. So far so good. Now, this party, the witness on the stand, says that their custom and habit is to enter all collections, when they are collected, on the bill;

on the examination of that book he finds there is no credit of this \$18.30.

Q. That is as I about understand your testimony?

A. Yes, sir.

By Mr. Purdy:

Q. This man had a right to collect this money, didn't he?

The Court: He concedes that, he was the collector.

By Mr. Purdy:

Q. He had a right to keep it until he turned it over to your firm?

A. No, sir, not at all -- he knew he hadn't.

Q. Hadn't he a right to keep it?

A. He was to turn it to the firm --- it depended how long he kept it.

Q. Was there any contract, any bond --- you had an agreement with him by which he was not to enter into business inside of six months. Was there anything in that agreement as to how long -----

A. There was nothing in the bond which prevented him going into business.

Q. Was there anything in any agreement that you ever made with him about his turning in money at any specified time?

A. Nothing in the bond; we have our rules.

Q. Nothing in the agreement?

A. Nothing in the agree-

ment, we have rules.

Q. Didn't he write you that letter, saying if you had any claims against him he would pay it on demand?

A. Yes, sir.

Mr. Purdy: Where do you make embezzlement out of that --- I am asking your Honor where the embezzlement comes in?

By Mr. MacDonna:

Q. Now, Mr. Reynolds, it was not the habit of these fifteen or sixteen collectors of yours, when they came into the building, to throw the money at anybody that came near them, they had some habit, didn't they?

Objected to.

Q. What was the rule?

Objected to.

By the Court:

Q. What was the agreement between you and the defendant as to the collections made?

A. The agreement and understanding was that at every night, on returning to the office, the money or the goods should be accounted for.

By Mr. MacDonna:

Q. Every night?

A. Every night.

Q. To whom was it to be returned?

A. To the cashier.

Q. Who was the cashier?

A. Mr. cashier, sir.

Q. What is his name?

A. Alexander Crawford. He has the full charge of the accounts and is cashier part of the time. He understands all about the accounts and keeps a full record of the accounts.

Q. Who since the 11th of January has had charge of the accounts in that office, receiving money, has he been cashier-- Crawford?

A. Part of the time ---of course, our hours are long, they are relieved -----

Q. Who else?

A. My brother.

Q. Your brother?

A. Yes, sir.

Q. Those are the only two who have acted as cashier?

A. The only two; I may have sat down for a few moments when they stepped out.

Q. Did you ever receive that \$18.30 from this man?

A. I did not.

By Mr. Purdy:

Q. You speak about an agreement; did you hire this man?

A. No, I didn't.

Q. How do you know what agreement was entered into at all?

A. Because we have it written.

Q. Where is that writing?

A. No answer.

ALEXANDER CRAWFORD, sworn, and examined by Mr. MacDonna:

Q. What is your business?

A. Book-keeper.

Q. Are you employed by A. L. & J. J. Reynolds?

A. I am.

Q. At 368 Greenwich street, in this city?

A. Yes, sir.

Q. You are cashier there, are you?

A. Hold both positions.

Q. Book-keeper and cashier?

A. Yes, sir.

Q. As book-keeper and cashier, is your business to receive the various collections made by the salesmen and collectors of that firm?

A. It is.

Q. How long have you been cashier?

A. I have been with them three years.

Q. As cashier?

A. Not always.

By the court:

Q. How long have you been cashier?

A. I have been receiving money about that time.

By Mr. MacDon a:

Q. You are familiar with this defendant, you know him?

A. Yes, sir.

Q. You are familiar with this particular Hermes account, are you not?

A. I think I am.

Q. You have been over the books frequently since?

A. Yes, sir.

Q. Have you had in your charge the books of collections, have you received them?

A. Yes, sir.

Q. And the cash book do you keep?

A. Yes, sir.

Q. I show you People's Exhibit 1, and ask you if that account of the Hermes bill was ever paid to you by this defendant?

A. Well, December 23, I wouldn't answer that question unless I saw the book.

Q. Refresh your memory; there are the books; whether or not that particular item has ever been paid to you by this defendant?

A. I have no such charge.

Q. Has it ever been paid to you?

A. If I haven't it charged, how could it have been paid?

Q. The question is, has the defendant ever paid that particular sum to you as cashier?

A. He may have paid that sum.

Q. Did he ever pay that money?

A. He hasn't paid me that bill, so far as I know.

CROSS EXAMINATION:

By Mr. Purdy:

Q. Has he paid anything on account of that bill?

A. On account of this bill?

Q. Yes?

A. Sometimes they paid ten dollars, perhaps, and he may have turned in that amount of money.

Q. Didn't the books show that he turned in ten dollars?

A. I didn't say that he turned in ten dollars, I say he had been paying on account.

By the Court:

Q. You don't know but that this whole amount had been paid in to the firm?

A. I have no such charge. How can a man pay me if I have never charged it?

Q. This man is charged with larceny, stealing \$18.30; you are cashier of this concern, you may refresh your recollection; has this defendant ever paid from your memory to your firm, or to the corporation of which you are the cashier --- this is a simple question?

A. It may be simple enough being the first time I ever had anything to do with the court-room; I know I haven't charged on my books that date.

Q. Whether he has paid or not you don't remember?

A. He hasn't paid it.

By Mr. Purdy:

Q. Don't you find there amounts up to ten dollars paid?

A. On that bill?

Q. I didn't say that bill, any bills, -- didn't he, on that very day, pay ten dollars to the credit of Harnes?

A. On the day the charge is made?

Q. Yes, December 23, in the small book?

A. He paid on account ten dollars.

Q. On account of Harnes?

A. Yes, sir; on account of Harnes.

Q. That was his habit, to pay on account of Harnes from time to time?

A. Yes, sir.

Q. To the credit of Harnes from time to time?

A. Yes, sir.

Q. If his habit was to credit Harnes, how can you say that particular bill has not been paid, \$18.30?

A. I can say it has not been paid, not having any charge; I am not going to give a man credit on something that there is no charge on the books.

Q. From what does that ten dollars come you have given him credit for?

A. You mean what bill that has been credited on?

Q. Yes. Is it not a credit on this \$18.00? How can you swear it is not? A. I know that it is not, it is not a credit on that bill; and the bill it was credit on I couldn't tell you, because this book was started January 1st.

Q. You can't tell where it is credited?

A. At present, no. It is credited, because there is my check on it, I don't put a check on it unless it goes in against some bill.

By Mr. MacDonna:

Q. Is it against that \$18.30 bill that that credit is given?

A. This ten dollars?

Q. Yes? A. Being in December, I don't care to say on my oath that that is it.

Q. This bill was not paid, it is not alleged or sworn that this bill was paid in December at all, that is the date of the delivery, according to Mr. Harnes?

A. According to my book, that bill, December 23 --- do you want to know the charge I have made?

Q. What is the charge against Harnes? A. \$18.00.

Q. What credit subsequent to that day?

A. There is no credit on that bill.

By Mr. Purdy:

26 Q. What credits are there there after the date of this bill?

A. January 4 there is \$15.00.

Q. Go on? A. Do you wish to know what bill it is credited on?

By Mr. MacDonna:

Q. Give us the credit for that particular bill?

A. \$15.00 was on account of bill of November 21, \$18.91, leaving a balance of \$3.91.

Q. Go on? A. On January 9 there was paid \$18.30.

Q. Doesn't this bill call for \$18.30?

A. That bill, I believe, calls for \$18.30, but our rules say-----

By the Court:

Q. Is this \$18.30 credited to the defendant after this \$18.30 was against the books? A. After that charge, but

that was not the only charge that was upon the -----

Q. He was in the habit of collecting money and paying it at different times? A. Yes, sir.

WALTER H. STARRATT, THE DEFENDANT, sworn, and examined by Mr. Purdy:

Q. How old are you? A. Twenty-six.

Q. Have you ever been convicted of any crime?

A. No, sir.

Q. Were you ever arrested at any time except on this charge?

A. No, sir.

Q. Where did you come from, Boston? A. Yes, sir.

Q. How long have you been in the city of New York?

A. Since March.

Q. March of what year? A. 1892.

Q. you went to work for these people as soon as you arrived

here?

A. In April.

Q. Gave a bond for the faithful performance of your duty?

A. Yes, sir.

Q. Did you have customers yourself before going to work for these people?

A. No, sir; none before going to work with them.

Q. Now, what about this collection, about this \$18.30, explain that?

A. This man, when I first took him, was a customer of the firm, but was not buying butter; at my solicitation he bought butter of me, and I gave him credit for it; he had thirty days in which to pay bills, if those bills were not paid at the end of thirty days the firm made me pay them. This man got after a time so that he didn't pay bills promptly, he would pay amounts on the account from time to time. On that tub of butter for \$18.30, he found fault with it; it was left on Wednesday, the day I didn't usually go over; he thought that he wanted it on Wednesday, Monday and Friday was the days I am going there; Wednesday I took it to him, and he found fault with it; on Friday I changed it for him, and gave him another tub of butter for \$18.00. On the last day I stopped at his store in Brooklyn I asked him for the \$18.00, and he and I had a disagreement about certain bills; I asked him for the receipts, and he said he destroyed them; I told him he should not have done so, I had to get a statement off the firm. That was the Friday before I was discharged.

By the Court:

Q. Did you collect \$18.30?

A. No, sir; that \$18.30

was the tub of butter which I changed.

Q. The proceeds never came into your hand?

A. No, sir, never..

By Mr. Purdy:

Q. You gave a tub of butter for it?

A. Yes, sir, it was paid in that way; I checked it, and marked him off.

Q. He said he destroyed the receipt?

A. He said he destroyed his other receipts.

Q. Come down to the conversation, how you came to leave the firm?

A. On the night I came to leave the firm Mr. Reynolds and I had a disagreement; I asked him to say that I was discharged, I didn't want to be held under five hundred dollar bonds not to be engaged in business until six months after leaving him, for I had several good offers. The man that had the route ahead of me, they took him off and gave me the route; he claimed that they did not discharge him; they got out an injunction against the man who had the route ahead of me. When I left him I asked him to say I was discharged; his brother and his book-keeper did say so in Jefferson Market Court, he said he discharged me.

Q. Well, then what?

A. Then he got right up and said that he wanted me to pay those bills there immediately that I had out; I told him that I didn't carry that amount of money with me, but he could look to me for the bills, as I was perfectly able to pay outstanding bills.

Q. Of your customers?

A. Yes, sir.

By the Court:

Q. That was before you were arrested?

A. Yes, sir.

Q. You offered to pay all that you owed?

A. Yes, sir, every cent that I owed, if they would give receipted bills. They had me arrested, and never made a settlement with me; I wrote them that letter after I was arrested.

By Mr. Purdy:

Q. He said he would hold you to pay all the bills?

A. Yes, sir, he said that he held me or my bondsman. I didn't want to have trouble with the bondsman and told him. I asked him if I would collect the bills, and he said yes. I collected some, and there is others owing me now; I collected \$55.00, I have it in my pocket.

Q. He authorized you to collect of your own customers?

A. He told me yes the night I left him, before leaving his store.

By the Court:

Q. Have you ever been in any trouble before this?

A. No, sir.

Q. Not even arrested?

A. No, sir; not even arrested.

CROSS EXAMINATION:

By Mr. MacDonna:

Q. Was this conversation you had with Mr. Reynolds the conversation referred to him by him as of December 14th, when he talked to you about that bill up in 125th street and about the Harmes bill, is that the night you speak of?

A. You are mistaken, January 14th.

Q. I think it was December 14?

A. January 14th that I left him.

Q. That was the night you had the discussions about the Harmes bill and the 125th street?

A. The Hermes bill was not mentioned that night.

Q. It was not?

A. No, sir.

Q. Did you leave him in heat -- he says you became pugilistic and you wanted to sweep up the floor with him?

A. I had a wordy altercation, I had occasion for it.

Q. In that wordy altercation, do you want the jury and the Court to understand that before coming to the wordy altercation, that he gave you authority to go on and collect bills for him?

A. No, sir, I want you to understand it was afterwards, he came out on the floor, outside of the office; it was after.

Q. Tell us the conversation, what did you say and what did he say -- mind you you had a row there and was very hot?

A. No, sir, I was not excited nor mad, either one.

Q. He followed you out? A. Yes, sir, he followed me out, and he said he would hold me or my bondsman for the bills. Outside he became very quiet indeed. I told him that I would collect my own bills, I asked him if I could, and he said yes. I immediately turned and went out of the house, and went home.

Q. And then and there you offered to pay him anything which was found due on any account? A. Yes, sir; I offered to pay him that night, or any time he would bring a statement.

Q. What did he say? A. He said it was satisfactory. I never attempted to hit him, I would be ashamed to.

Q. Mr. Starratt, do you know a man named Walter Sinclair?

A. No, sir.

Q. Never heard of Walter Sinclair, did you?

A. No, sir.

Q. Did you ever know that you were known by the name of Walter Sinclair?
A. No, sir, I never was.

Q. You never were?

A. No, sir.

Q. Do you know Mr. Spennetti, proprietor of the Hotel America, corner of 15th street?

A. Bartow & Spennetti, I know them.

Q. Do you remember that you charged them with goods which you never sold them, which are now on the books of the firm of Reynolds?
A. No, sir, I don't.

By the Court:

Q. You didn't do it?
A. They had a tub of butter, but the party that orders for the Hotel America --- at one time the clerk will order it and another time it is the head bell-boy, a party who speaks Spanish, and the fact of my being able to speak Spanish, I sold him the butter; the clerk not being there, he took the bill, the butter was delivered in the kitchen of the Hotel, as I told them. They disputed it since, the clerk has, that they had the butter; but they did have the butter.

By Mr. MacDonna:

Q. Do you know Clapper, No. 108 East 109th street, in this city?
A. Yes, sir, I do.

Q. Do you remember selling him a tub of butter for \$19.32, and turning \$18.30 to cover that amount to the firm?

A. I beg your pardon, that is not 109th street.

Q. No. 108 East 109th street, Clapper?

A. No, sir, that is all wrong; that is 2,006 Second avenue.

Q. You know Mr. J. Eidt, because you had some conversation about his bill?
A. I do.

Q. Do you remember charging him, on January 29, with a tub of butter which you never delivered to him?

A. No, sir, I do not.

Mr. Purdy: I object.

Mr. MacDonna: This is all as to his credibility.

The Court: The prosecution went to show that he made charges of butter which was never delivered, it is only admitted as affecting his credibility.

By Mr. MacDonna:

Q. Do you know Mr. C. Freiberg, 1,158 Third Avenue?

A. I do.

Q. Did you ever credit on the books of the concern, on the very day that this conversation which you had, January 14, \$20.40 that he paid you?

A. I don't remember the circumstance.

Q. Do you know Mrs. Edward Grass, of 1,909 Broadway, Brooklyn?

A. I do.

Q. Do you remember going to Mrs. Grass as soon as this trouble of yours came up, and saying to Mrs. Grass if anybody from your office came to collect a bill which she had paid you, to tell him it was all right?

A. She has never paid me that bill, I went to see her.

Q. Did you tell her to tell the people in the office it was all right?

A. I didn't tell her anything of the kind.

Q. Do you know a man named William Kemper?

A. I do.

Q. At 1,147 Broadway, Brooklyn?

A. Yes, sir.

Q. Did you ever credit a bill which you collected, for \$13.12, which you collected from him on January 11, 1893, for the firm of Reynolds?

A. I collected a bill of him since I left him, on the following Monday morning.

Q. You left them on January 14, I ask you now once more if you credited the bill that you collected on the morning of January 11, 1893, of \$13.12?

A. I didn't collect the bill on that morning.

Q. Do you know Mr. Crawford, the book-keeper of this firm?

A. I know him as cashier of the firm, yes.

Q. In addition to selling groceries, you are something of a sport, aren't you?

A. No, sir, I am not.

Q. Patronize horses?

A. I understand Mr. Reynolds tries to find out if I played the races; he is entirely wrong.

Q. You don't patronize pool-rooms and play horses?

A. No, sir.

Q. And have no interest in them whatever?

A. No, sir.

By a Juror:

Q. What did you say about the \$18.30 for that tub of butter?

A. It was an exchange, and he was given one costing \$18.00 in the place of it.

Q. Is it customary to receipt bills?

A. That was his receipt for having it returned; but he got the butter for the \$18.00, though.

Q. When you make an exchange do you receipt a bill?

A. Yes, sir, for the goods that he returns to me; if I didn't receipt his bill, or some way check it, he wouldn't have credit for the bill.

Q. You gave him no receipt for a bill of that kind, you never receipted a bill when you exchanged goods?

A. When I exchanged that tub of butter, I gave him one costing \$18.00, together with a bill for it. That is the

transaction as it occurred between he and I, he was given credit, the bills were marked off.

Q. You receipted a bill that you had formerly given of goods when you exchanged the goods?

A. Why shouldn't I? The man returns the goods, he was not to be held accountable for it.

The Court: This man is charged with \$18.30 for a tub of butter; he takes a tub of butter back as payment of that bill -- that is the explanation; he collects a new tub of butter, with a new bill.

Witness: That's the way it occurred.

By Mr. MacDonna:

Q. Why, when you took such a bill in as the return of the butter was, couldn't you take the piece of paper along with you, instead of leaving it behind you?

A. I left it for Mr. Harries.

Q. You left him this paper, why didn't you tear it up?

A. I might claim that he owed me for that tub of butter, for taking it out, then he would have two tubs charged against him; the man had his receipt for the goods.

By Mr. Purdy:

Q. Has Harries paid on account since you left that place, since you left that bill has he paid?

A. He has paid different sums on account, different amounts.

By the Court:

Q. Your statement to the jury is that this \$18.30 you never collected from Harries?

A. No, sir.

Q. Did you ever collect \$18.00 for the other tub of butter?

A. No; he and I had a disagreement before leaving their

employ.

Q. So both tubs of butter are in dispute?

A. They are in dispute.

Q. You sold two tubs of butter to Mr. Harnes?

A. Yes, and took one back.

Q. Have you ever received the pay for the one you did deliver to him?

A. Not more than money on account.

Q. Have you turned that in to the firm?

A. Every cent that he paid me, he was behind in his bills, anyway.

Q. You state to this jury every cent Harnes paid you for butter you turned in to the firm which employed you?

A. I do, emphatically.

By a Juror:

Q. Did he pay you in cash or checks? A. Cash.

Q. Always? A. Always -- I took one check from him.

By Another Juror:

Q. Did you ever receipt any bills where you didn't get money from him? A. If I took them back from parties who were dissatisfied with the goods -- that is what I did with the tub of butter.

Q. You never gave a receipt for goods that you took back?

A. They were charged to him; I took it back and exchanged it; they were bills of different amounts.

By Mr. Purdy:

Q. Is that the way you did business, if you sold a man a tub of butter you would exchange it for the fresher article?

A. Yes, sir.

Q. What other things did you sell, beside butter?

A. Cheese.

Q. If a man didn't like that you would exchange it?

A. Yes, sir, I always tried to please him in the matter of cheese; the bills were usually paid when it was delivered. If I changed any cheese I gave him credit for it, I took it up and gave him other goods that were satisfactory. If it was a cash sale, and he paid for the goods already, I didn't have to charge it.

Q. If you brought a tub of butter you would make a bill to him?

A. Yes, sir.

Q. You would receipt the bill for this tub if he exchanged it?

A. Yes, sir.

Wednesday, March 1st, 1893.

JOHN J. REYNOLDS, recalled by Mr. Purdy:

Q. Have you the contract and the bond with you?

A. Yes, sir. (Producing it.)

Q. This is it, is it?

A. Yes, sir.

Q. Was there anything else in writing, except this?

A. No, sir, nothing else.

Q. It was under this bond that he entered your employ, was it?

A. Yes, sir. I would like to state right here, if I would be allowed, that I can prove that no butter was exchanged.

Mr. MacDonna: The Prosecution has rested.

Mr. Purdy read the contract.

HERMAN F. WILKINS, sworn, and examined by Mr. Purdy:

Q. What is your business?

A. Grocer.

Q. Where is your place of business?

A. 939 Third avenue, and 1,012 Avenue A.

Q. Do you know this young man? A. Yes, sir.

Q. How long have you known him?

A. Ever since he was working for Mr. Reynolds, April 4.

By the Court:

Q. You have known him about a year? A. Yes, sir.

By Mr. Purdy:

Q. Had you ever patronized Mr. Reynolds before that?

A. Yes, sir.

Q. And this young man came and served you with butter and eggs, I suppose? A. Yes, sir.

Q. Had you any other means of knowing, except his being there as agent for Reynolds & Co.? A. No.

Q. At the time that you saw him, from time to time, can you speak about his character?

A. I have always found him to be as straight as any man.

Q. What is his reputation so far as you know?

A. Good one.

Q. You formerly dealt with Reynolds & Co., did you?

A. Yes, sir; I am dealing with them still.

Q. But did you send them word you wouldn't deal with them unless you did it through this young man?

A. Yes, sir. After I started another store they sent me another man -----

Objected to.

Q. You liked this man best as a salesman, they sent you another man who didn't understand the business?

A. Yes, sir.

GEORGE H. A. KIRKMAN, sworn, and examined by Mr. Purdy:

- Q. Do you know this defendant? A. Yes, sir.
- Q. What is your business? A. Grocer.
- Q. Where is your place of business?
- A. 41 Third avenue.
- Q. How long have you known him? A. I think ever since he has been working for the firm of Reynolds & Co.
- Q. Were you one of the customers of the firm before he came there?
- A. Yes, sir.
- Q. You are on his route -- are you one of his customers?
- A. Yes, sir.
- Q. Can you speak of his character, as far as you know?
- A. I can say he is one of the finest young men I ever done business with.
- Q. Is his character good or bad for honesty, as far as you could judge?
- A. I always found him upright and square.
- Q. That is his reputation, as far as you know?
- A. Yes, sir.

EDMUND MAHR, sworn, and examined by Mr. Purdy:

- Q. What is your business? A. In the gas business.
- Q. Are you a resident of the city of New York?
- A. Yes, sir.
- Q. Where do you reside? A. 139 Lexington avenue.
- Q. How long have you lived in New York?
- A. I lived here for the past twenty years.
- Q. What is your business?
- A. Gas business, I work for the Consolidate Gas Company.
- Q. Do you know this defendant? A. Yes, sir.
- Q. How long have you known him? A. The last four years.

Q. He lives in the same house with you?

A. Yes, sir.

Q. You are a married man?

A. Yes, sir.

Q. And he is a single man, is he not?

A. He is a single man.

Q. You have known him intimately, have you?

A. Yes, sir.

Q. Can you speak as to his character, is it good or bad, for honesty?

A. I have always found him to be of the highest character for honesty, never heard anything against him.

The Jury DISAGREED.

1049

Testimony in the
Case of
Wm. H. Harvath.

1050

Form No. 1.

THE WESTERN UNION TELEGRAPH COMPANY.

21,000 OFFICES IN AMERICA. CABLE SERVICE TO ALL THE WORLD.

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

THOS. T. ECKERT, General Manager.

NORVIN GREEN, President.

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Dated Sept 9 1893

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Dist atty office N.Y.

Impossible to see

you today will

call Monday 3

o'clock

John Jay Reynolds

1051

A. L. & J. J. REYNOLDS COMPANY

SOLE AGENTS FOR THE UNITED STATES FOR

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"LOUIS SÉREY," CAMEMBERT,

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822 GREENWICH ST.

New York,

July 19th., 1893.

Mr. Bartow S. Weeks,

Ass't Drist. Atty.

Dear Sir:—

As all action in the case of People vs. Starratt has
ceased, will you kindly give bearer papers and Bond belonging to
us used in the case and oblige.

Yours very truly,

A. L. & J. J. Reynolds Co.

*Received New York July 20. 1893 Bond, Letter,
Bill and two receipts, Exhibits in above case*

L. A. Buckner,

*for
A. L. & J. J. Reynolds Co.*

1052

A. L. & J. J. REYNOLDS COMPANY

SOLE AGENTS FOR THE UNITED STATES FOR

"SOCIÉTÉ ANONYME," ROQUEFORT,

"LOUIS SÉREY," CAMEMBERT,

"EXCELSIOR," EDAM,

IMPORTERS & WHOLESALE DEALERS IN



OF EVERY DESCRIPTION.

EMMENTHAL SWISS,
LIMBURGER,
PARMESAN,
SAP SAGO,
GOUDA,BRANCH OFFICE,
822 GREENWICH ST.

MAIN OFFICE:

368 GREENWICH ST.

CABLE ADDRESS—AIRLESS.

New York

May 17th., 1893.

Col. Delancey Nicholl,
District Atty.

Dear Sir:-

We wish to call your attention to case of "People against Staratt" tried Feby. term Part 3, before Judge Cowing. We do not like to complain, but candidly think if Mr. Macdona had taken some interest in the case the defendant would have been convicted instead of jury disagreeing. Judge Cowing ordered a new trial and we have tried in vain to have the case brought up again, and are of the opinion his Counsel is using his influence to keep it back.

This man Staratt collected and retained about \$130.00 in cash, his plea to Jury was; he was anxious to return it, since the trial he has made several appointments through his Counsel to call at our office and settle but he has not kept his agreement

We would like you to have the case brought up again soon and would consider it a favor if you would appoint another Counsel.

Yours very truly

A. L. & J. J. Reynolds Co.

*Mr. Davis =
Ollave has his
case on your calendar
what is.
D.L.R.*

1053

Police Court 2 District.

Affidavit—Larceny.

City and County } ss:
of New York,

John J. Reynolds

of No. 822 Greenwich Street, aged 32 years,
 occupation Butler & cheese dealer being duly sworn,
 deposes and says, that on the 11 day of January 1893 at the City of New York,
 in the County of New York, was feloniously taken, stolen and ~~carried away~~ ^{unlawfully detained} from the possession of deponent, in
 the day time, the following property, viz:

Good and lawful
money of the United States to the
amount and value of twenty nine
dollars and fifty one cents
\$ 29 51

the property of A L & J J Reynolds Co
of which firm deponent is a member

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 Walter H. Harral

Defendant was employed as a billman
and collector for said firm and the
defendant on or about said date
collected the said money on
account of debt due the said firm
from Frank Harms, now Lur. as
deponent is informed by the
said Harms, and defendant did
not pay over said money to said
firm of A L & J J Reynolds Company
but feloniously appropriated the same
to his own use. and he refused to
pay over the same when deponent
demanded of him to pay over the
same John J. Reynolds

Subscribed and sworn to before me, this

of January 1893

day

Police Justice.

1054

CITY AND COUNTY }
OF NEW YORK, } ss.

1931

aged 28 years, occupation Street dealer of No. 1603 1/2 Waller Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of John J. Reynolds and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 20 day } J. Harnes
of January 1893 }

John H. Harnes Police Justice.

1055

Sec. 198—200.

District Police Court. 1883

City and County of New York, ss:

Walter H. Starratt 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.

Walter H. Starratt

Question. How old are you?

Answer.

26 years -

Question. Where were you born?

Answer.

Mary Scott.

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

Answer.

139 Lex Avenue - One year

Question. What is your business or profession?

Answer.

Sales man

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 -**Walter H. Starratt.*

Taken before me this

day of

1897

Police Justice.

1056

1847

Sec. 151.

Police Court.....District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by John J. Resnold
of No. 822 Greenwich Street, that on the 11 day of January
1897, at the City of New York, in the County of New York, the following article, to wit:

and several money of the United States
of the value of Twenty Nine Dollars and fifty one cents Dollars,
the property of John J. Resnold
w. Walter W. Starratt taken, stolen and carried away, and as the said Complainant has cause to suspect, and does
suspect and believe, by

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the bod. of the said Defendant and forthwith bring him before me, at the 2 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 11 day of January 1897

John J. Resnold POLICE JUSTICE.

105

Police Court 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John R. Reynolds

vs.

Walter H. Harrold

Warrant - Larceny.

Dated January 20 1893

Worshis Magistrate.

Barrell Officer.

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

John D. Barrell Officer.

Dated January 20 1893

This Warrant may be executed on Sunday or at night.

Police Justice.

9 pm Canada 26 N. W. Salmon River Apr 1910

139 December 1893

1058

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, January 189 3

John H. Wood Police Justice.

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

Dated, January 189 3

John H. Wood Police Justice.

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

Dated, 189

Police Justice.

1054

Police Court--- 2 District. N 93

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John J. Kennedy
82 1/2 Elmwood
Walter H. Starrett

Offense
Carrying
gun

2
3
4
Dated, January 21, 1893

Porter's
Farrell
Court
Magistrate.
Officer.
Precinct.

Witnesses Saml. Karmax
No. 1603 1/2 Fulton Street.
(21 1/2 W. 1st St.)

No. _____ Street.

No. 1000 G Street.
\$ _____ to answer

Paillon 9/1/93

BAILED
Francis Higgins
No. 1, by
Residence 308 W 30th Street.

No. 2, by
Residence _____ Street.

No. 3, by
Residence _____ Street.

No. 4, by
Residence _____ Street.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Walter H. Starratt

The Grand Jury of the City and County of New York, by this indictment, accuse
Walter H. Starratt
of the CRIME OF *Grand LARCENY*, in the second degree, committed
as follows:

The said

Walter H. Starratt

late of the City of New York, in the County of New York aforesaid, on the *eleventh*
day of *January* in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, being then and there the *clerk*
and servant of a certain corporation known
as the *A. L. and J. J. Reynolds Company*

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

Corporation

the true owner thereof, to wit:

the sum of twenty-nine
dollars and fifty-one cents in money,
lawful money of the United States
of America, and of the value of twenty
nine dollars and fifty-one cents; —

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

to his own use, with intent to deprive and defraud the said *Corporation*
of the same, and of the use and benefit thereof; and the same goods, chattels and personal
property of the said *Corporation*

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

DE LANCEY NICOLL,
District Attorney.

1061

BOX:

510

FOLDER:

4651

DESCRIPTION:

Sternfeld, Moritz

DATE:

01/05/93



4651

Witnesses:

Ellen a Dennis

(112)

Counsel

Filed

Pleads,

day of *May*

1893

THE PEOPLE

vs.

Marty Sternfeld

Grand Larceny, *Second*
(From the Person, Degree,
[Sections 629, 631, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. Catlin

Foreman.

Part 3. January 10/93

Trind and Acquitted

Police Court 2nd District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Ellenor Dennis
of No. 121 West 41 - Street, aged 18 years,
occupation Housekeeper being duly sworn,
deposes and says, that on the 23 day of December 1892 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent ^{and person} in the day time, the following property, viz:

A pocket-book - containing - good and
lawful money of the United States
of the amount of four dollars and
five cents -

the property of deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Moritz Sternfeld (now here)
from the following facts to wit: that about
the hour of 11 o'clock A.M. of said date
whilst deponent was in the entrance of the
firm of Zeimer and Co. at the South West
corner of 15th Street and 6th Avenue, she was
accosted by an unknown man, who informed
her that he had seen a man take her
pocketbook - and that deponent immediately
missed the aforesaid pocketbook, from a pocket
of the Coat which she then and there wore
on her person - and that deponent saw the
defendant standing behind her with the
aforesaid property in his hand, and that
deponent immediately took the aforesaid

property from defendants possession - defendants
therefore charges the defendants with having
committed a Larceny and asks that he may
be held and dealt with as the Law may
direct -

From before me } Eleonora Dennis
this 24 day of December 1892 }

By which
Police Justice

Sec. 198—200.

2 District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer.

Moritz Sternfeld

Question. How old are you?

Answer.

30 years

Question. Where were you born?

Answer.

Russia

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

Answer.

312 E. Houston - 2 years

Question. What is your business or profession?

Answer.

Printer

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

Answer.

I am, not guilty
Moritz Sternfeld
Manner

Taken before me this
 day of *September* 189*4*

J. J. [Signature]
 Police Justice.

1066

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.
Dated, Dec 27 189 Police Justice.

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

Dated, Dec 27 189 Police Justice.

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

Dated, Dec 27 189 Police Justice.

1626

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OFElena Derrig
121 5th St
Moritz Sternfeld

1

2

3

4

Dated,

December 24

189

Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ to answer

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

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No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Please attach

Identified by
Counselor Alex.
S. Rosenthal
10 Essex St.

Samuel J. Steinhart

6 Clinton Street.

C. Mann & Kemp

19

Larcom
from the Prison

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Monty Sternfeld

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

Monty Sternfeld
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:
The said *Monty Sternfeld*

late of the City of New York, in the County of New York aforesaid, on the *23rd*
day of *December* in the year of our Lord one thousand eight hundred and
ninety-*two*, in the *day* time of the said day, at the City and County aforesaid,
with force and arms,

the sum of four dollars
and five cents in money, law-
ful money of the United States
of America, and of the value
of four dollars and five cents and
one pocketbook of the value of
fifty cents

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

AD

SECOND COUNT—

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

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

The said

Monty Sternfeld

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,

the sum of four dollars and five cents in money, lawful money of the United States of America, and of the value of four dollars and five cents

of the goods, chattels and personal property of one

Eleanora Dennis

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

Eleanora Dennis

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

Monty Sternfeld

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

DE LANCEY NICOLL,

District Attorney.

1070

BOX:

510

FOLDER:

4651

DESCRIPTION:

Stetson, Thomas B.

DATE:

01/12/93



4651

Witnesses:

James B. Stinson
Stuart J. Nelson

Sept has
seems a letter
for in Ed. Ref -
for G.L. V. in
Mrs. Cur. he
has signed
Chester on the
Sankow 19th
aggregating
#1201. May

Counsel,

Filed

day of Aug 1893

Pleads,

THE PEOPLE

vs.

N.A.

Thames B. Stinson

Forgery in the Second Degree.
[Sections 511 and 521, Penn Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. Catlin
Aug 19/93 Foreman.

Charles J. Pugh
J. B. S. P. May 27/93

1071

Police Court, 10th District.

(1353)

City and County } ss.
of New York,

of No. 18 Broadway, Street, aged _____ years,
 occupation Vice President, Seaboard National Bank, being duly sworn, deposes and says,
 that on the 19 day of December, 1893, at the City of New
 York, in the County of New York, Thomas B. Stetson

did feloniously make, forge, utter
 and counterfeit with intent to
 defraud the name J. B. Stetson
 to a cheque purporting to be
 drawn on The Seaboard National
 Bank of this City for the sum
 of Three Hundred and Ninety in
 words. Section 511 of the
 Penal Code of the State of
 New York for the reasons follow-
 ing to wit: on the said date
 this defendant presented the
 aforesaid cheque marked "A"
 at the Seaboard National Bank
 at 18 Broadway of which Bank
 this defendant is Vice President
 and defendant claiming the signature
 J. B. Stetson to said cheque to be
 genuine cashed said cheque.
 Defendant is informed by James
 Boyd Stetson that the signature
 J. B. Stetson to said cheque is
 not in his J. B. Stetson's hand-
 writing nor did he authorize any
 person to sign to said cheque his
 (J. B. Stetson's) name to said cheque.
 Wherefor defendant prays that the
 said defendant be apprehended
 and bound to answer said Com-
 plaint.

Sworn to before me
 this 11th day of January
 1894
 C. E. Dunning
 Police Justice

Stuart G. Nelson
 Police Justice

1073

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 31 years, occupation Barber of No. 1442 Broadway Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Thomas J. Nelson

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

Sworn to before me, this 11 day
of January 189 3

J. B. Stearns

W. E. Smith Police Justice.

1074

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

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

Dated,.....189.....Police Justice.

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

Dated,.....189.....Police Justice.

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

Dated,.....189.....Police Justice.

1079

123

Police Court--- 11th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Stuart G. Nelson

vs.
J. W. Nelson

2

3

4

Offense

Forgery

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated,..... 189

..... Magistrate.

..... Officer.

..... Precinct.

Witnesses.....

No. Street.

No. Street.

No. Street.

\$..... to answer.....

1076

No. 53 Ex^{ch} New York, Dec 19 1897

THE SEABOARD NATIONAL BANK
OF THE CITY OF NEW YORK,

Pay to the order of W B Peterson
Three Hundred # 00 Dollars.

\$ 300

ARTHUR A. BONNELL, N. Y.

1077

J. B. Stearns

1078

HENRY J. OLDING, JR.
PRESIDENT.TIMOTHY PERRY,
VICE PRESIDENT.GEO. W. PAYNTAR,
CASHIER.**Mechanics & Traders Bank**
OF BROOKLYN, NEW YORK.CAPITAL \$ 100,000.00.
SURPLUS \$ 150,000.00.

Brooklyn, N.Y. July 24, 1893.

Recorder Smyth.

Dear Sir,

It is with regret that I learned of one of the members of the Church to which I belong, also a member with me in one of the Sabbath School classes, being now in the Tomb, guilty of crime, awaiting sentence by you.

This young man, by name - Thomas Hutton - became a member of the Marcy Ave. Baptist Church of Brooklyn, some four months ago, but like many others has fallen.

If I thought the young man a hardened criminal, I would

not write to you as I do, but I be-
 lieve there is ^{within him} yet the making of
 an honest man, if given a chance
 to try once more. Although I
 fully realize how apparently
 hopeless a task I am entering
 on, I ask you, if you will make
 the sentence as light as possible,
 for I know God will forgive him,
 & if He will do so much for
 us, we certainly should do as
 much for Him.

Respy yours

W. H. Olney

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas B. Stearns

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

Thomas B. Stearns

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

The said

Thomas B. Stearns

late of the City of New York, in the County of New York aforesaid, on the *nineteenth* day of *December* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with intent to defraud, feloniously did forge a certain instrument and writing, which said forged instrument and writing is as follows, that is to say:

No 3-2

New York, Dec 19 1892

The Seaboard National Bank
of the City of New York

Pay to the order of J. B. Stearns

Three Hundred

Dollars

\$ 300

J. B. Stearns

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

Thomas B. Stetson

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

The said

Thomas B. Stetson

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 intent to defraud, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, which said forged instrument and writing is as follows, that is to say :

No 33

New York, Dec 19 1892

The Second National Bank
of the City of New York

Pay to the order of J. B. Stetson

Three Hundred

" Dollars

\$ 300

J. B. Stetson

the said

Thomas B. Stetson

then and there well knowing the same to be forged, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

1082

BOX:

510

FOLDER:

4651

DESCRIPTION:

Stillman, Oscar

DATE:

01/09/93



4651

Exhibit 1
concern in the recommendation
of Mr. Wagon and consent to the
discharge on his own recognizance
Winnipeg ch. 314/897

Ernie King A.D.A.

Anna Schneider

The people interested in
this case cannot be
found. The accused
papers show defendant
was a male last
of 17 at the time of
the alleged offense (over
than four years ago) to
be of excellent character
who is now engaged
in respectable employment
earning his own living.
All over! No public
interest requires the
further prosecution
of this indictment,
even if the people were
in position to do so
and I therefore recommend
defendants be discharged
on their own recognizance
3rd 31/7897
J. S. Smith A.D.A. 10/1/89

James H. L. H. H. H.
114 H. H. H.

Counsel,
Filed
Pleads
day of May 1893
Winnipeg

THE PEOPLE
vs.
Oscar Sullivan
Burglary in the second degree
[Section 49] 5063 & 5064

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

J. L. Carter
April 7/97
Foreman.
Paul J. Prochard

COURT OF GENERAL SESSIONS
NEW YORK CITY.

.....X
THE PEOPLE OF THE STATE OF NEW :
YORK :
against :
OSCAR STILLMAN. :
.....X

CITY & COUNTY OF NEW YORK, SS:

OSCAR STILLMAN being duly sworn says that he is the defendant above named and the person charged with burglary herein; that on December 21st 1928, the day on which the alleged burglary is said to have been committed, this deponent was employed in the State of New Jersey by one Charles Koons who was a constable in the employ of the Erie Railroad Company; that on the day in question, he left the residence of said Koons intending to pay a visit to his mother who was then residing in Brooklyn; that he left Jersey City at about 1 o'clock P. M. taking the ferry boat Annex which runs between Jersey City and Brooklyn and landed in the latter city about 20 minutes after one; that from there he went to where his mother was employed, remaining with her until about 7 o'clock that evening, when he came to New York for some shirts and collars which he left the week previous in the laundry at the place where the alleged burglary is said to have taken place; that deponent called at the laundry for the purpose of securing said collars and cuffs and taking them back to Jersey with him; that upon entering said laundry at about 8 P. M. on said date and after remaining there about two or three minutes a man unknown to this de-

deponent came into said laundry, took hold of deponent and stated to deponent, "You are one of the parties who burglarized this laundry at 3 o'clock this afternoon", which deponent denied; that deponent was arrested, taken to the Station House, from thence to the Police Court and there held for trial in this court, this deponent giving bail to appear for trial thereafter; that on the day in question at the hour at which this burglary was alleged to have been committed, deponent was not in the City of New York, nor was he in this city during any part of said day, excepting about 7.30 in the evening thereof, and would not have been in this city at all had it not been for the purpose of securing his said shirts and collars at said laundry; that since deponent had been admitted to bail he has constantly been employed except for a short time when he was ill in a hospital. That he was employed for three years by one employer and gave up this situation on account of illness and has never been discharged from any employment since his arrest; that deponent affixes hereto the affidavit of his employer for whom he worked for over three years, as to deponent's character; that deponent is now employed, but having only recently secured employment on account of said illness and confinement to the hospital, his present employment has only been of short duration.

Sworn to before me, this : *Oscar Hillman*
 29 day of March 1897. :

W. H. Hoffman *Notary*

Notary Public, Kings Co.
 Cert. filed in N. Y. Co.

Fol. 1. COURT OF GENERAL SESSIONS
NEW YORK CITY.

.....X
THE PEOPLE OF THE STATE OF NEW
YORK :
:
:
against :
:
OSCAR STILLMAN. :
:
.....X

CITY & COUNTY OF NEW YORK, SS:

JOHN JOHNSON being duly sworn says that he is a
boss truckman in the City of Brooklyn keeping a place of
business at 219 36th Street in said City; that he is well
acquainted with the defendant Oscar Stillman and also with
his mother, who is a widow partially dependant upon her son
for support; that he has known said Oscar Stillman for sever-
al years last past, in fact ever since his infancy; that on
or about December 31st 1893 the defendant was arrested
charged with the crime of burglary committed on Canal Street
near the Bowery in this city; that since the arrest of said
defendant and his admission to bail he has been employed
almost constantly and is a good, industrious hard-working
young man and was never before nor has he been since arrest-
ed for any offense and is of good moral character.

Sworn to before me, this :

27th day of March 1897. :

John Long
Jas. H. Strain
Notary Public
Kings Co

COURT OF GENERAL SESSIONS
NEW YORK CITY

.....x
THE PEOPLE OF THE STATE OF NEW
YORK

against

OSCAR STILLMAN.
.....x

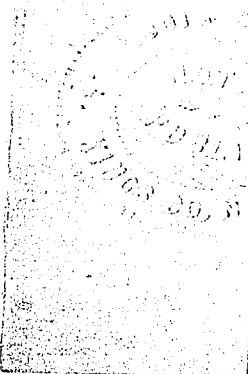
CITY & COUNTY OF NEW YORK, SS:

HENRY KASTNER being duly sworn says that he is
a grocer doing business at 268 Marcy Avenue in the City of
Brooklyn; that he is well acquainted with the defendant
and has known him for over 4 years last past; that during 3
years of said time, said defendant was in the employ of de-
ponent and left said position of his own accord; that depon-
ent found said defendant to be an honest, trustworthy and
sober young man and can recommend him to be such; that this
deponent has never known the defendant to be in any trouble
other than that referred to in the defendant's affidavit
hereto affixed.

Sworn to before me, this :
29th day of March 1897. :

Henry Kastner

Louis V. Johnson
Notary Public
in New York & Co.
Certificate filed



COURT OF GENERAL SESSIONS
NEW YORK CITY.

.....X
THE PEOPLE OF THE STATE OF NEW
YORK.

against
OSCAR STILLMAN.
.....X

CITY & COUNTY OF NEW YORK, SS:

SUSAN S. STILLMAN being duly sworn says
that she resides at 219 26th Street Brooklyn and is the
mother of the defendant; that the defendant since he has been
able to work has always contributed to the support of this
deponent and has always been an honest, hard-working and so-
ber son; that this deponent asks that the indictment herein
be dismissed and this defendant discharged.

Sworn to before me, this

29th day of March 1897.

Jas. H. Strain
Notary Public
Kings Co.

Susan S. Stillman

1089

Sec. 108-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

Oscear Stillman 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty
Oscear Stillman

Taken before me this
day of June 1893

Police Justice.

1090

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

Emm Schaubler
aged 22 years, occupation Domestic of No. 137 Canal Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Harry Sung
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 2 day of June 1893 by Emm Schaubler

[Signature]
Police Justice.

Police Court—3 District.

City and County { ss.:
of New York,of No. 132 Canal Street, aged 38 years,
occupation Laundryman being duly sworn

deposes and says, that the premises No 132 Canal Street, 10 Ward

in the City and County aforesaid the said being a Three story and Basement
brick Tenements house - the basement
and which was occupied by deponent as a dwelling and laundry
and in which there was at the time a human being, by namewere BURGLARIOUSLY entered by means of forcibly breaking the
pad lock from the door leading into
said premiseson the 2nd day of June 1894 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:A quantity of Men's Stockings and
under clothing and thirty five dollars
in gold and lawful money of the
United States the whole valued
at about sixty dollars
\$ 60 ⁰⁰/₁₀₀the property of Deponent
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Defendants Oscar Stillman (number

for the reasons following, to wit: deponent securely locked said
premises by placing a pad lock on the
door of said premises at the hour
of 7:30 p.m. on said date that he returned at
the hour of 9:30 p.m. on said date and found
that the pad lock had been forcibly removed
and that said property was missing.
Deponent is informed by Anna
Schandler that she saw the defendants

in said place and thus she saw him hand said property to another person unknown to her.

Wherefore charges the defendant with Burglary and prays that he be held to answer

Summons before me this } his }
2nd day of June 1893 } made }
J. H. [Signature]

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1893
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1893
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1893
Police Justice.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—BURGLARY.

Dated 1893

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

1093

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 Charles Wilson

~~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, Jan 2 1893

Police Justice.

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

Dated, Jan 4 1893

Police Justice.

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

Dated, Jan 4 1893

Police Justice.

1094

Ex Jan'y 4th 1893
 2 ³⁰ P.M.
 \$1000.00 bail
[Signature]

BAILED,

No. 1, by *John Long*
 Residence *219 76th St.* *South Brooklyn* Street.

No. 2, by _____
 Residence _____ Street.

No. 3, by _____
 Residence _____ Street.

No. 4, by _____
 Residence _____ Street.

Police Court,

District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

James Sug
132nd St.
Brooklyn

2 _____
 3 _____
 4 _____

Dated, *Jan 2* 1893

J. J. Morgan Magistrate.
Brain Officer.

Witnesses *call to office*

No. _____ Street.

No. *137* *St.* Street.

No. _____ Street.

\$ *1000* to answer *Jan 2*

Call to office
Jan 2

COURT OF GENERAL SESSIONS
NEW YORK CITY.

THE PEOPLE OF THE STATE OF NEW YORK
YORK

against

OSACR STILLMAN.

State of New Jersey
Passaic
CITY & COUNTY OF ~~NEW YORK~~, SS:

CHARLES KOONS being duly sworn says that he resides at Passaic and is a conductor in the employ of the Erie Railroad Company; that deponent has known the defendant herein for over four years last past and during a portion of said time, the defendant was in the employ of this deponent in fact was in the employ of deponent at the time of defendant's arrest; that the defendant left the employ of deponent for the purpose of bettering himself and was not discharged that deponent found said defendant to be an honest, trustworthy, sober and industrious young man and can recommend him as such and that since defendant left the employ of this deponent, he has earned an honest living and is an has been of good moral character.

Sworn to before me, this :

29th day of March 1897.

Char Koons

Charles Rush
Notary Public
g. r. f.

1096

JOHN FEITNER,
MONUMENTAL WORKS,

Vaults Built and Cemetery Lots Enclosed,
24th and 25th Streets, near 5th Avenue, Greenwood Cemetery,

Brooklyn, N. Y., March 12, 1897.

To whom it may concern

Dear Sir,

The Bearer

Mr. Oscar Stillman is a young man
of steady habit and reliable, having known
him for some time I can recommend him
to your favorable consideration

Respectfully yours

John Feitner Jr.

1097

JOHN YOUNG,
Granite and Marble Monuments,
: Vaults Built : Lots Enclosed :
223 Twenty-fifth St.

BROOKLYN, March 27, 1897.

To whom it may concern,

This is to certify that the
bearer, Mr. Oscar Stillman,
has been known to me for
five years, and that I know
him to be a young man of
steady habits, and honest and
conscientious in the performance of
every duty.

I have great pleasure in
recommending him to anyone
who may desire the services of
an active & trustworthy young
man.

John Young

County of Hudson

vs The People et

against

Dean Johnson

Applicant

JAMES A. DONEGAN,

Attorney for Applicant

114 NASSAU STREET,

Nassau Chambers.

N. Y. CITY.

1099

463

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

THE PEOPLE OF THE STATE OF NEW YORK

Oscar Stillman

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

Oscar Stillman

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

The said

Oscar Stillman

late of the *10th* Ward of the City of New York, in the County of New York aforesaid, on the
first day of *January* in the year of our Lord one
~~thousand eight hundred and ninety-three~~ in the *day* - time of the same day, at the
Ward, City and County aforesaid, the dwelling house of one *Quong Sing*

there situate, feloniously and burglariously did break into and enter, there being then and there a
human being within the said dwelling house, with intent to commit some crime therein, to wit: the
goods, chattels and personal property of the said *Quong Sing* -

in the said dwelling house then and there being, then and there feloniously and burglariously to steal,
take and carry away,

[Signature]

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

SECOND COUNT—

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

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

The said *Oscar Stillman*

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

*the sum of thirty-five dollars in money,
lawful money of the United States of
America, and of the value of thirty
five dollars, ten shirts of the value
of one dollar each, twenty stockings
of the value of twenty-five cents
each, and divers ^{other} articles of under-
clothing and wearing apparel, of a
number and description to the
Grand Jury aforesaid unknown,
of the value of fifteen dollars*

of the goods, chattels and personal property of one *Leong Sing*

in the dwelling house of the said *Leong Sing* —

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

De Laurey McCall
District Attorney

1101

BOX:

510

FOLDER:

4651

DESCRIPTION:

Stout, Joseph

DATE:

01/20/93



4651

Witnesses:

Ida Travers
Officer Angelina

After an examination of the written
case and in view of the severity
the complainant to withdraw, I
do not feel that the interests of
justice require the return of a
writ of this writ and
therefore recommend its dismissal.

July 21. 90
Rados J. M. B. K.
Ida.

1102
Counsel, Alfred C. Bowman
154 Nassau St.
Filed day of May 1890
Pleads, *Not Guilty*

THE PEOPLE

vs.
J. P.

Joseph A. Stiel

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

DE LANCEY NICOLI,
District Attorney.

May 30 1893

A TRUE BILL.

L. Cathi
Foreman.
July 21/93
Indictment
D. J. J. J.

Police Court—5th District.

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

of No. 212 East 97th Street, aged 36 years,
occupation 16 rep. house being duly sworn
deposes and says, that on the 1st day of January 1889 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Joseph Stout
(now here) who willfully and maliciously
cut deponent in the neck with a
razor, deponent further says that
this assault was committed

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

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

Sworn to before me, this 15th day
of January 1889

Mrs. Ida Fraizer

John P. Morris Police Justice.

1104

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY } ss:
OF NEW YORK,

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

Question. What is your name?

Answer.

Joseph Stout

Question. How old are you?

Answer.

23 years old

Question. Where were you born?

Answer

New York City

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

Answer.

158 East 98 St Two months

Question. What is your business or profession?

Answer.

Laborer

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

Answer.

I Am Not Guilty
Joseph Stout

Taken before me this

day of *February* 189*3*

John H. Bell

Police Justice.

1105

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

Defendant

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

Dated, *July 15* 189*3* *John R. Williams* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

Police Court--- 570 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Ida Fraizer
212 E 97
Joseph Stout

Offense
Assault & battery

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated, Jan'y 15 1893
Voorhis Magistrate.
Cincinnati Officer.
21 Precinct.

Witnesses H Smith
No. 204 E 97 Street.

Lizzy Smith
No. 204 E 97 Street.
Adams & Leckert

No. 200 E 98 Street.
\$ 1.00 to answer

Cum Asst 2

1107

-----x
)
 PEOPLE ON MY COMPLAINT)
)
 versus)
)
 J o s e p h S t o u t .)
)
 -----x

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

The complainant further says that she is in sympathy with the present delicate condition of the defendant's wife knowing that she has no other support except that of her husband, the defendant and that the assault complained of was not of a serious nature as was likely to produce death as was alleged by said complainant. She did not fully understand at the time of the complaint the meaning of the legal phraseology of the words therein used of the said complaint.

Complainant prays that the Court may discharge the
prison-er upon reading and considering the within withdraw-
al.

Signed before me this 14th. day of February. 1893.

her
Nat. Frazier
mark

New York General Session

People of my Com-
plaint

= versus =

Joseph Stout

Order of Withdrawal
of John Thayer, Complain-
ant

ALFRED C. COWAN,
ATTORNEY, for self,
TRIBUNE BUILDING, NEW YORK.

1108

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Joseph Stout

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

Joseph Stout

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

The said

Joseph Stout

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

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

Joseph Stout

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

Joseph Stout

in *his* right hand *then* and there had and held, the same being then and there a weapon and an instrument likely to produce grievous bodily harm, *when*, the said *Ida Frazier* then and there feloniously did wilfully and wrongfully strike, beat, *cut*, *bruise* and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

1110

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said
Joseph L. Stunt
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Joseph L. Stunt
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, in and upon the said *Ida Traeger*

in the peace of the said People then and there being, feloniously
did wilfully and wrongfully make another assault; and the said *Joseph L. Stunt*
the said *Ida Traeger*
with a certain *stick*

which *he* the said

Joseph L. Stunt
in *his* right hand then and there had and held, in and upon the
neck of *her* the said *Ida Traeger*
then and there feloniously did wilfully and wrongfully strike, beat, *and*
~~bruise~~ and wound, and did then and there and by the means aforesaid, feloniously, wilfully
and wrongfully inflict grievous bodily harm upon the said *Ida Traeger*
to the great damage of the said *Ida Traeger*
against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

DE LANCEY NICOLL, *District Attorney.*

BOX:

510

FOLDER:

4651

DESCRIPTION:

Stuh, Henry

DATE:

01/16/93



4651

Witnesses:

Alfred Eaton

Dec for appear

supphat
been on the
ground

W

(136)

Counsel,

Filed

Pleads,

day of

1893

THE PEOPLE

vs.

Henry E. Turk

Grand Larceny, First Degree.
(DWELLING HOUSE.)
[Sections 522, 523, 524
Penal Code.]

Dr LANCEY NICOLL,
District Attorney.

A TRUE BILL.

C. C. Catlin
Foreman.

Henry E. Turk

Dec. 11, 1893
any 20/93

1112

1113

Police Court 1 District.

Affidavit—Larceny.

City and County }
of New York, } ss:

William North

of No. 200 Prince Street, aged 25 years,
occupation Liquor Dealer being duly sworn,
deposes and says, that on the 6 day of January 1893 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the night time, the following property, viz:

One suit of clothes - one over coat
one pair of gloves - a diamond pin
and a quantity of underclothing
all of the value of Fifty dollars

the property of

Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Henry Stehr

(now here) for the reasons following to wit:
on said date deponent had said property
in his bed room at No 200 Prince Street
deponent missed said property and
was informed by Officer Liston of the 6
Precinct that the defendant admitted
and confessed that he had stolen said
property -

William North

Sworn to before me, this 11 day

of January 1893

John J. Mumford Police Justice.

1114

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

James Liston
aged _____ years, occupation *Police Officer* of No. *6*
Precuriet Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *William North*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this _____ day
of *January* 189 *9*

James E. Liston

C. E. Smith Jr. Police Justice.

1115

Sec. 198—200.

1883

District Police Court.

City and County of New York, ss:

Henry Stuber

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.

Henry Stuber

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

New York

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

Answer.

52 South 5th ave

3 days

Question. What is your business or profession?

Answer.

Driver

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

Answer.

I am guilty

Henry Stuber

Taken before me this

day of

1893

Police Justice.

1116

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 1 DISTRICT.

William North

of No. 200 Prince Street, aged 23 years,
occupation Liquor Dealer being duly sworn deposes and says,that on the 6th day of January 1893
at the City of New York, in the County of New York, he lost from his

premises at 200 Prince Street one suit
of clothes, one over coat, one diamond ring,
one pair of gloves and a few other articles. Dependent
believes the same to have been taken by the
defendant Henry Stuber (now here) for the
reason that he has been informed that the said
Stuber has sold the said gloves to a bartender.
Wherefore dependent prays that the said Stuber
be held to enable dependent to produce said bartender
in Court to testify. The value of the stolen property is
about fifty dollars - W. North

Sworn to before me, this

of

1893

day)

M. J. M. Police Justice.

Police Court, _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Henry Rubin

AFFIDAVIT.

Henry Rubin
Filed to await

Dated Jan 9 1893

W. H. M. Magistrate.

L. Rubin Officer.

Witness, le

Disposition, _____
\$ 1000 fine & Jan 11 - 2 P.M.

1118

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

Dated, Jan 3 189 3 W. E. Cunningham Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

1891

Police Court--- / District. 57

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William North
206 Pryor St
Henry Stuber

Offense Larceny

BAILED,

No. 1, by.....

Residence Street.

No. 2, by.....

Residence Street.

No. 3, by.....

Residence Street.

No. 4, by.....

Residence Street.

Dated, Jan 11 1893

Simms Magistrate.

Liston Officer.

6 Precinct.

Witnesses Call the Officer

No. Street.

No. Street.

No. Street.

\$ 1500 to answer 98

921

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry Stuk

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

Henry Stuk

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

The said

Henry Stuk

late of the *5th* Ward of the City of New York, in the County of New York aforesaid,
on the *sixth* day of *January* in the year of our Lord
one thousand eight hundred and ninety-*three* in the night time of the same day, at the
Ward, City and County aforesaid, with force and arms,

*one coat of the value of ten dollars, one
vest of the value of five dollars, one pair
of trousers of the value of five dollars,
one overcoat of the value of fifteen dollars,
one pin of the value of fifteen dollars,
one pair of gloves of the value of one
dollar, and divers articles of underclothing,
of a number and description to the
Grand Jury aforesaid unknown, of the
value of ten dollars*

of the goods, chattels and personal property of one *William Worth*

in the dwelling house of the said *William Worth*

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

*De Lancey Nicoll,
District Attorney*

1121

BOX:

510

FOLDER:

4651

DESCRIPTION:

Sullivan, Edward

DATE:

01/03/93



4651

Mr. Thompson
James. Martin
Carpenter
Starrs. Guild
Steen Salomon

newspaper

New York
 Ch. Apper
 Blue Jan
 March Room
 22

Counsel, 3
 filed day of Aug
 Pleads, 1893

572

THE PEOPLE

DE LANCEY NICOLL,
District Attorney

A TRUE BILL.

L. Catlin
 Henry B. 1893
 George W. 1893
 Wm. D. 1893
 J. D. 1893

Foreman,

1123

Police Court

District.

Affidavit—Larceny.

City and County } ss:
of New York,

of No. 117 Greenwich Avenue Street, aged 21 years,
occupation Expressman being duly sworn,
deposes and says, that on the 21 day of Dec 1892 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the day time, the following property, viz:

One trunk and trunk contents all together
the value of twenty eight dollars

the property of Nada A. Phung and in deponent's
care and custody

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by Edward Sullivan
(now here) for the reason that on said date
deponent missed the above described
property from his trunk in West street
deponent saw the defendant with the said
trunk on his shoulder about to walk
away with the same. Wherefore deponent
charges the defendant with larceny and prays
that he be held to answer.

Wm. Sturges

Sworn to before me, this 22 day

of

1892

Notary Public, Police Justice.

1124

Sec. 198-200.

District Police Court.

1882

City and County of New York, ss:

Edward Sullivan 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. Edward Sullivan

Question. How old are you?

Answer. 25 years

Question. Where were you born?

Answer. New York

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

Answer. 17 Albany

Question. What is your business or profession?

Answer. Fireman

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 don't know whether I took it with the intention of keeping it or not I was drunk.

E. Sullivan

Taken before me this

22

day of

Dec

1880

Police Justice.

1125

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

Dated, *Dec 22* 189 *Wm H. Brady* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

1121

Police Court---

1609
1354
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Hughes
117 Greenwich Avenue
Edward Sullivan

Offense, Larceny
Felling

1
2
3
4

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated, Dec 22 1892
Grady Magistrate.
Coughlin Officer.
2 Precinct.

Witnesses Wm A Strong
No. 258 West 21st Street.

No. Street.

No. Street.

\$ 1000 to answer G.S.

C
G.P.

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 Sullivan

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

Edward Sullivan

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

The said Edward Sullivan

late of the City of New York, in the County of New York aforesaid, on the 21st
day of December in the year of our Lord one thousand eight hundred and
ninety-two, at the City and County aforesaid, with force and arms,

one trunk of the value of ten
dollars, one dress of the value of
fifteen dollars, two quilts of the value
of three dollars each, one cage of the
value of one dollar and divers other
goods, chattels and personal property
(a more particular description whereof
is to the Grand Jury aforesaid unknown)
of the value of fifteen dollars
of the goods, chattels and personal property of one Uda A. Strong

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

De Lancy Nicoll,
District Attorney.