

0286

BOX:

538

FOLDER:

4899

DESCRIPTION:

Schweikhardt, Carl

DATE:

10/18/93



4899

POOR QUALITY ORIGINAL

0287

Witnesses:

Frank Kertész
Max Horobin

The issues in this case are clear, properly the subject of a statement in the brief books the charge being a technical one. In any event, it seems the complainant cannot be found, (by answer affid) and I recommend clepto discharge on his own receipt and Nov 7 1899 R. W. Hays of an I Caucus.
D. Frank Lloyd.
closed.

25
JLB

Counsel,

Filed *[Signature]* 1893

Pleads *[Signature]*

THE PEOPLE

vs.

Carl Schweikhardt

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

DE LANCEY NICOLL,

District Attorney.

Discharged on his own

Decy. or order of D.C.

M. J. Hays

A TRUE BILL.

Nov 15 1899
Edward G. Taylor

Foreman.

POOR QUALITY ORIGINAL

0288

Police Court

5th

District.

Affidavit—Larceny.

City and County of New York, ss:

of No. 346 East 92nd Street, aged 42 years,

occupation Liquor being duly sworn,

deposes and says, that on the 5 day of June 1893 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the pos-

session of deponent, in the day time, the following property, viz:

One air Pump. valued at 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 Carl Schweikhardt from the fact;

that deponent bought the said property from the said defendant and thereafter is informed that the said property is the property of the Anchor Brewery Company;

wherefor deponent prays that the said defendant may be apprehended and held to answer.

Frank Hartenstein

Sworn to before me this 7th day of June 1893 at New York City
Police Justice

POOR QUALITY ORIGINAL

0289

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY OF NEW YORK.

Carl Schweikhardt 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. Carl Schweikhardt

Question. How old are you?

Answer. 66 years

Question. Where were you born?

Answer. Germany.

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

Answer. 529 1/2 Lenox Jr. from Court - 5 months.

Question. What is your business or profession?

Answer. None.

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.

Carl Schweikhardt.

Taken before me this 2 day of Dec 1899
W. J. [Signature]
Police Justice.

POOR QUALITY ORIGINAL

0290

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

Form No. 6

John Fay of No. *the 5th District Court 747 1/2nd St*
being duly sworn says that he is acquainted with the handwriting of *Thomas Heitner*
the Police Justice, who issued the annexed Warrant and that
the signature to this Warrant is in the handwriting of said *Thomas Heitner*
Sworn to before me this *2nd* day of *Oct* 18*93*

John Fay
Police Justice of the City of Brooklyn.

This warrant may be executed in the City of Brooklyn.

Dated this *2nd* day of *Oct* 18*93*

John Fay
Police Justice.

POOR QUALITY ORIGINAL

0291

1847

Sec. 151.

Police Court J 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 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 Frank Hartenstein of No. 346 E 92 Street, that on the _____ day of _____ 1893 at the City of New York, in the County of New York, the following article, to wit:

One air Pump

of the value of Fifty Dollars, the property of _____

was taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by Carl Scherckhardt

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

Dated at the City of New York, this 24 day of Sept 1893.

Chas. J. Fine POLICE JUSTICE.

POOR QUALITY ORIGINAL

0292

Carl Schweikhardt - 66. German.
529. Leonard St. Brooklyn

Police Court..... District.
THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.
Warrant-Larceny.

Dated..... 189

Magistrate.

Officer.

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

Officer.

Dated October 2^d 1893

This Warrant may be executed on Sunday
or at night

Police Justice.

[Signature]

POOR QUALITY ORIGINAL

0293

BILLED,
 No. 1, by Paul Mares
 Residence 864 Columbia Street
 Sent notes to
 No. 2, by Chas. Cummings
 Residence 151 E. 129 St
 No. 3, by _____
 Residence _____
 No. 4, by _____
 Residence _____

110 260 8910 5 12 1094
 Police Court... District

THE PEOPLE,
 ON THE COMPLAINT OF
Frank Markenslein
Paul Schurbehnell
 vs.
Larney Felner
 Offence

Dated Sept 11-2 3 189
W. H. Wells Magistrate
Frank Smith Officer
Smith Precinct

Witness: Max Horlock
Charles...
Per 059...
 No. _____
 Street _____

W. H. Wells Foreman
Smith
Smith
Smith

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 Oct 2 189 W. H. Wells Police Justice.

I have admitted the above-named defendant to bail to answer by the undertaking hereto annexed.
 Dated Oct 10 189 W. H. Wells Police Justice.

There being no sufficient cause to believe the within named _____ guilty of the offence within mentioned. I order he to be discharged.
 Dated _____ 189 _____ Police Justice.

POOR QUALITY ORIGINAL

0294

Sec. 192.

District Police Court. 5

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Chas Weld Police Justice
of the City of New York, charging Carl Schwickhardt Defendant
with the offence of Larceny

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

WE, Carl Schwickhardt Defendant of No. 529 1/2
Leonard St. New York Street, by occupation a none; and
Emil Maurer of No. 864 Columbus Street,
by occupation a Lin Smith Surety, hereby jointly and severally undertake
that the above-named Carl Schwickhardt 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 State of New York the
sum of Five Hundred Dollars.

Taken and acknowledged before me this 3
day of Oct 1933

Chas Weld
Emil Maurer
Chas Weld Police Justice.

POOR QUALITY ORIGINAL

0295

City and County of New York, ss.

Sworn to before me this
day of
March 1909
Police Justice

Emil Maurer
house

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 *Ten* Hundred Dollars,

exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of

the stock and fixture of a hardware store situated at No 864 Columbus ave. and worth Two thousand dollars free value

Emil Maurer

District Police Court

Undertaking to Answer.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

vs.

Taken the day of 189

Justice.

**POOR QUALITY
ORIGINAL**

0296

C. R. 3603

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

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

To Frank Hartenstein
of No. 346 E 92 nd 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 10 day of November 1897 at 10 o'clock 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

Carl Schweckhardt

Dated at the City of New York, the first Monday of
in the year of our Lord 189

WILLIAM M. K. OLCOTT, *District Attorney.*

PART I.

THE COURT ROOM IS IN THE SECOND STORY
If this Subpcena is disobeyed, an attachment will immediately issue.
Bring this Subpcena 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.]

GLUED(S)
PAGES

POOR QUALITY
ORIGINAL

0297

Not found
Mrs. Beider
Mrs. Ashmore
Mrs. Dub.
Mrs. Dwyer

Court of General Sessions.

more the Magistrate, or if a fact which you think material was not here brought out, please state the same to the District Attorney or one of his Assistants.

THE PEOPLE

Hartenstein
vs.

Schweikhardt

County of New York, ss:

William Rosenthal
1269 1st Ave

being duly

and says: I reside at No.

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 13 day of November 1897, I called at 346 E 92

the alleged residence of Carl Schweikhardt

the complainant herein, to serve him with the annexed subpoena, and was informed by

Mrs. Beiders, Mrs. Dub & Mrs. G. Ashmore that no such person lived there for a year at least as Mrs. Dub lived for that time, as she lived there for that time & that she does not know him, nor has she heard of him

Sworn to before me, this
of November

15th day
1897

William Rosenthal
Subpoena Server.

James Riley

COMMISSIONER OF DEEDS
NEW YORK COUNTY

POOR QUALITY
ORIGINAL

0298

Court of General Sessions.

THE PEOPLE, on the Complaint of

Frank Hartenstein

vs.

Earl Schweikhardt

Offense:

WILLIAM H. K. O'BRYEN,

JOHN R. FELLOWS,

District Attorney.

Affidavit of

William Rosenthal

Subpoena Server.

Failure to Find Witness.

POOR QUALITY ORIGINAL

0299

C. R. 3612

COURT OF GENERAL SESSIONS, Part *One*

THE PEOPLE

INDICTMENT

For

us.
Carl Schweikhardt

not found

To M *Emil Maurer*

4 years

No. *864 Columbus Ave* Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *Trial* at the COURT OF GENERAL SESSIONS OF THE PEACE, at the New Criminal Court House, on Centre Street, between Franklin and White Streets, in the City of New York, on *Monday* the *15* day of *Nov.* instant, at 10 o'clock in the forenoon.

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

W. M. K. OLCOTT,
District Attorney.

**POOR QUALITY
ORIGINAL**

0300

864-621 m

102

POOR QUALITY ORIGINAL

0301

Court of General Sessions.

THE PEOPLE
vs.
Carl Schuckhart

City and County of New York, ss:

Michael Roach being duly sworn, deposes and says: I reside at No. *815 25th Ave* 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 *15th* day of *November* 189*7*, I called at *864 Columbus Ave*

the alleged *address* of *Ernie Mauer* *bound man* *and notice* the complainant herein, to serve him with the annexed ~~subpoena~~, and was informed by *the janitor that Mauer had moved from that house three years ago and that she did not know where he had moved to or of his present whereabouts*

Sworn to before me, this *15* day of *November* 189*7*

Michael Roach
Subpoena Server.
James Rily

CLERK OF THE COURT
CITY AND COUNTY OF NEW YORK

POOR QUALITY ORIGINAL

0302

Court of General Sessions.

THE PEOPLE, on the Complaint of

And Warrant

vs.

Carl Schwertke hands

Offense:

JOHN R. FELLOWS,
District Attorney.

Affidavit of

Subpoena Server.

Failure to Find Witness.

**POOR QUALITY
ORIGINAL**

0303

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Carl Schweikhardt

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

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

The said

Carl Schweikhardt

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

*one air-jump of the value
of fifty dollars*

of the goods, chattels and personal property of one ~~*Frank Hartenstein*~~
a certain corporation known
as the *Anchor Brewing Company*
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.

**POOR QUALITY
ORIGINAL**

0304

Second COUNT—

532

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said *Carl Schuckhardt*
of the same CRIME OF *Grand* LARCENY, in the
second degree, committed as follows:

The said *Carl Schuckhardt*
late of the City of New York, in the County of New York aforesaid, on the
day of *June* in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, being then and there the
bailee of a certain corporation
known as the *Anchor Dressing Company*

and as such *bailee* 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:

one air-pump of
the value of fifty dollars,

did afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with
force and arms, feloniously appropriate the said *air-pump*

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.

0305

BOX:

538

FOLDER:

4899

DESCRIPTION:

Shilleto, Thomas

DATE:

10/05/93



4899

POOR QUALITY ORIGINAL

0307

1912

Police Court _____ District. Affidavit—Larceny.

City and County of New York, } ss. Henry J. Carr

of No. 178 Broadway Street, aged 62 years, occupation Real Estate

deposes and says, that on the 20 day of May 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:

Good and lawful money to the amount and value of One hundred and five dollars
\$ 105 - ⁰⁰/₁₀₀

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 Thomas Shillito (number from the fact that on said date said Shillito was in the employ of deponent and deponent entrusted to the said Shillito above sum of money to be deposited in the Hudson River Bank the said Shillito has since failed to deposit said money or to return the same to deponent whereupon deponent accused the said Shillito with having stolen said money and appropriated the same to his own use and benefit

Henry Carr

Sworn to before me, this _____ day of _____ 1893
Amos W. Smith
Police Justice.

POOR QUALITY ORIGINAL

0309

BAILLED,
 No. 1, by W. J. Ferris
 Residence 53 W. 90 St.
 No. 2, by _____
 Residence _____
 No. 3, by _____
 Residence _____
 No. 4, by _____
 Residence _____

1030
 1884
 Police Court...
 District...

THE PEOPLE, &c.,
 ON THE COMPLAINT OF
Henry J. ...
Anna ...
 Offense _____

Dated Sept 25 1893

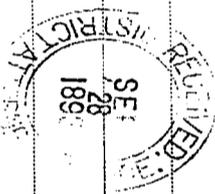
Magistrate

Witnesses
John M. ...
167 W. 90 St.

No. _____ Street _____
 No. _____ Street _____
 No. _____ Street _____

No. _____ Street _____
 \$ 500 to answer _____

Henry J. ...
Anna ...



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 Offender

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, Sept 25 1893 _____ Police Justice.

I have admitted the above-named Offender to bail to answer by the undertaking hereto annexed.
 Dated, Sept 26 1893 _____ 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.

POOR QUALITY
ORIGINAL

0310

The Tomb's Nov. 8/93

To the Hon. Jas. Fitzgerald,
Judge Court of General Sessions,
May it please your Honor
I am now in the Tomb's convicted
of "Grand Larceny" awaiting sen-
tence of your Honor on Monday
next, and although there are
circumstances connected with my
conviction which might mitigate
the enormity of my crime, I wish
to throw myself entirely upon
the mercy of the court. I confess
that for the past eighteen months
I was in Mr. Carr's employ, I have
been drawn into the society of
bad women and have completely
disgraced my family, but as my
pastor the Rev. Dr. Hughes will

POOR QUALITY
ORIGINAL

0311

testify I was a well conducted boy
not only in the Sunday school but in
Grammar school No 15 of which Mr E.
P. Pitcher is principal and where I
graduated, and also in my family as
my father and mother will testify
If your Honor will only suspend
sentence I will promise with God's
help to reform, and I will report
myself every month to the Rev. Dr.
Hughes who in the event of my
doing wrong says he will ask your
Honor to sentence me to the
Reformatory. My father who is a
Humber Inspector will take me in
his employ and I promise to
obey him and to work steadily
for him.

I humbly beg your honor
to remember that I am only
eighteen years of age and that

I am beginning life. If I go
to the Reformatory I will get into
the society of young thieves.

My sin has been that I have
been in the society of bad women
and I have not associated with
dishonest boys or young men.

I therefore beg of your honor
to have pity upon me and to
give me the chance of a life
time and I will yet prove that I
can be a good honest citizen
I am your Honor's humble
servant and petitioner

Thomas St. Shillito

Witness

John P. [Signature]

POOR QUALITY
ORIGINAL

03 12

HENRY J. CARR,
REAL ESTATE AND MORTGAGES,
176 BROADWAY,

Member of the Real Estate
Exchange & Auction Room (Limited).

Special attention given to the Rental and
General Management of Property.

New York, Nov 9th 1893

W. Thos. H. Shiller Jun
Dear Sir

It is regrettable
that I should say to you that
as the jury brought in a
verdict sustaining my charge
against you I have
no disposition or wish in
any way to personate the
matter of having him
punished beyond what he
must have been by the
verdict & if the Judge finds
it proper to suspend sentence
I certainly will not
in any way use any
means to have him committed
to a Reformatory or other
place of confinement.

POOR QUALITY
ORIGINAL

0313

For his Mother's
sake I tried
myself as I think
I was assisted by your
son in carrying me
with leading him into
a den of infamy.

Yours respectfully

Henry Lane

POOR QUALITY
ORIGINAL

0314

HENRY J. CARR,
REAL ESTATE AND MORTGAGES,
176 BROADWAY,

*Special attention given to the Rental and
General Management of Property.*

Member of the Real Estate
Exchange & Auction Room (Limited).

New York, Nov 9th 1893

W. Thos. H. Shillan Jun.
Dear Sir

It is right
that I should say to you that
as the jury brought in a
verdict sustaining my charge
against you Sir I have
no disposition or wish in
any way to pursue the
matter of having him
punished beyond what he
must have been by the
verdict & if the Judge finds
it proper to suspend sentence
I certainly will not
in any way use any
means to have him committed
to a Reformatory or other
place of confinement

POOR QUALITY
ORIGINAL

0315

For his Mother's
sake I trust
you will be surprised
and I think
I was assailed by you
in charging me
with leading him into
a den of infamy.

Yours respectfully
Henry Lane

POOR QUALITY
ORIGINAL

0316

252 West 52d Street.

N. Y. Nov. 12/93.

Rev. Dr. Hughes

My dear Sir

I feel
greatly interested in
the case of Thomas
Shillito who in 1891
was graduated from
Gr. School No. 55 of
which I am prin-
cipal.

Although I cannot
truthfully say he
was a very good

POOR QUALITY
ORIGINAL

0317

boy, and although he
gave us some trouble,
I do not remember
that I had reason
to doubt his honesty,
nor to consider him
vicious.

If evil compo-
sition has brought
him here, surely
Commitment to the
Reformatory may prove
the end of all hope
of saving him.

I therefore would
pray Judge Fitzger-

also to postpone sentence
until after the boy would
your case -

Very respectfully yours

E. P. D. [unclear]

POOR QUALITY
ORIGINAL

0318

1413 Berkeley place
Brooklyn
- Nov 5/93

For: Judge Fitzgerald.
Court of Sessions
N.Y.C.

Dear Sir, I feel that I
should be wanting in all
sympathy if I were
responsible to the sorrow
that must have come to
Mrs. Shillito by the
conviction of her son; and
I have to ask of you

POOR QUALITY
ORIGINAL

0319

to mitigate the sentence
of Thomas Skillets, so far
as the law gives your
discretion, and your own
kindly feelings may.

Promptly yours

I make this appeal
for the sake of his Mother
and Sisters, regarding
of the natural resentment
I can but feel by
reason of the
upon my habits and
character, as the thing

Very respectfully

Henry Jones

**POOR QUALITY
ORIGINAL**

0320

*Commissioner's Office
Police Department
of the City of New York
300 Mulberry St*

New York,

Nov. 3rd, 1893.

Hon. James Fitzgerald,
Court of General Sessions.

Dear Judge:-

Permit me to say a word in behalf of Thomas H. Shilleto, Jr., who has been convicted of grand larceny, and who will come before you for sentence on Monday next.

I know the young man's father very well and have known him for years. He is a well-known business man and is highly appreciated and respected by all who know him. A number of his friends and family reside in Buffalo, and they are recognized as amongst the very best people of that City.

I am informed that the young fellow himself has always been a very good boy and never before been in trouble of any kind. It is feared that if he is sent to prison it will result in ruining his life. If anything can be done to prevent this I know it will be greatly appreciated by the many friends of the young man's father, and in the end be of great benefit to the boy himself.

Respectfully yours,

John C. Sheehan

POOR QUALITY ORIGINAL

0321

COURT OF GENERAL SESSIONS OF THE PEACE,
City and County of New York.

.....
" The People, "
vs. "
THOMAS SHILLETTO. "
.....

Before,
HON. JAMES FITZGERALD,
and a Jury.

Tried, NOVEMBER 2ND, 1893.

Indicted for GRAND LARCENY, in the SECOND DEGREE.

Indictment filed OCTOBER 5TH, 1893.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY STEPHEN J. O'HARE,
For THE PEOPLE.

MESSRS. FOSTER & SPIER,

For THE DEFENCE.

0

**POOR QUALITY
ORIGINAL**

0322

HENRY J. CARR, THE COMPLAINANT, being duly sworn, testified that he was in the real estate business. He knew the defendant. The defendant had been in his employ about two years. He saw the defendant on the 20th of May, 1895, in his office, which was at 628 Columbus avenue at that time, about 2 o'clock in the afternoon. He saw \$105.00 in bills in the drawer at that time and about \$40.00 in checks. The 20th of May was Saturday. He told the defendant to deposit the money in the bank the first thing on Monday morning, as he would not be there. He told the defendant to deposit the money in the Hudson River Bank, in which he, the complainant, was a register. The bank book was in the defendant's charge. He, the complainant, returned to his office about 2 o'clock on the following Monday, but the defendant was not there. The defendant did not return to his place. The money which had been in the drawer was also missing.

(It is conceded that the defendant did not deposit, in the Hudson River Bank, the sum of \$105., nor did he deposit it subsequently thereto.)

**POOR QUALITY
ORIGINAL**

0323

3

In cross-examination the complainant testified that he usually entrusted the defendant with about \$2,000.00 a month. There might have been a month during which the defendant had \$5,000. in cash and \$1,000. in checks. The defendant very frequently made deposits, when he, the complainant, was not there. The defendant usually made the deposits under his, the complainant's, instructions. There were only two keys to the drawer in which the money was; the defendant had one and he had one. He had a man named Hubbard also in his employ, and he thought Hubbard was in his office on the day in question. Subsequent to the loss of the money, he called at the defendant's house several times, to see him. He had seen the defendant's mother three or four times, when he called. He had said to the defendant's mother that, beyond the \$105., he did not know how much the defendant had stolen, as he, the complainant, had been sick and away from his office. He made his complaint in the Police Court in September. He saw the defendant

**POOR QUALITY
ORIGINAL**

0324

4

in September, at the defendant's residence, and had a conversation with him. He asked the defendant why he had absented himself, and told him he had been there a number of times to see him. The defendant said that he was ashamed to see him. He asked the defendant if he would go down to the office and go over the books, so that he could see what might be wrong in the matter. The defendant promised to go to the office, but he did not go. He next saw the defendant after his arrest. The defendant did not leave his employ on the 15th of May.

JOHN McCANN, being duly sworn, testified that he lived at 101 West 95th street. He was the janitor of the Trinity building, in Columbus avenue. The complainant had his office in that building in May, 1893. He knew the defendant. He received a telegram, and in consequence of that he went to the Desbrosses street elevated station, where he met the defendant. He said, "What do you want with me, Tommy?" The defendant said, "I want to give you some checks." The defend-

**POOR QUALITY
ORIGINAL**

0325

5

ant then asked him to go to his home with him, and he went with the defendant to his home in 30th street. The defendant gave him three or four checks, which he, the witness, delivered to the complainant. The defendant asked him to give the checks to the complainant.

In cross-examination the witness testified that he last saw the defendant in the complainant's place about the 10th or 11th of May; it could not have been later than that. About that time the defendant left the complainant's employ. He was positive that the defendant was not in the complainant's office on the 20th of May.

THE COMPLAINANT, being recalled by the District Attorney, testified that on the 25th of May, 1893, he received four checks from the witness McCann. Two of the checks were made by him; the body of his check was in the hand-writing of the defendant.

In cross-examination the complainant testified that the checks were not dated ahead.

**POOR QUALITY
ORIGINAL**

0326

8

OFFICER EDWARD J. SMITH, being duly sworn, testified that he was an officer of the Municipal Police force, assigned to the Fourth District Police Court, in 57th street. He arrested the defendant some time in September, but he could not remember the date. It was about 8 o'clock in the morning when he arrested the defendant. He told the defendant that the complainant charged him with taking some two hundred odd dollars. The defendant said to him, on the way to court, that if he, the defendant, had done anything to the complainant, the complainant was doing it to Mr. Ferris.

GEORGE B. HUBBARD, called by THE DEFENCE, being duly sworn, testified that at the time of the trial he was not doing anything. He had been employed by the New York Terminal Express Company, as cashier. He had worked for the complainant. He worked for the complainant from the 1st of April, 1893, to the 1st of June, 1893. He knew the defendant. The defendant left the complainant's employ on the 13th

**POOR QUALITY
ORIGINAL**

0327

7

of May, 1893, which was Saturday. He defendant went to the complainant's office on the 19th of May, and asked him, the witness, to go for Mr. Ferris, the owner of the property between 90th and 91st streets, on Columbus avenue. Mr. Ferris went to the complainant's office, and the defendant then showed Ferris the books of the complainant. The defendant was not at the complainant's place on the 20th of May. He, the witness, went there at 8 o'clock in the morning, and remained there until after 7 o'clock that night. The complainant went to his office about 3 o'clock on the afternoon of the 20th. On that afternoon, the complainant did not count \$105. He was out of the office about twenty minutes that afternoon, talking to the janitor, on the corner. He was in sight of the door and could see who went into the place. When he, the witness, collected money, he turned it over to the defendant. He was absolutely positive that the defendant was not in the complainant's office on the afternoon of the 20th of May, 1893.

**POOR QUALITY
ORIGINAL**

0328

8

WILLIAM H. SHILLETTO, being duly sworn, testified that he was a lumber inspector, on his own account. He was a brother of the defendant. His brother was not in town during the first three days of the week ending May 20th, 1893. His brother was at home on the 18th, 19th, and 20th of May. The complainant had spoken to him about the charge against the defendant. The complainant went to his, the witness's residence. The complainant said that the defendant had "stolen considerable money from him." He asked the complainant to state what the defendant had stolen, and the complainant said he couldn't, that his books were all complicated and he couldn't tell. The complainant said he thought maybe the defendant was sick, and he would turn up all right. The second time the complainant called, his, the witness's, brother began to question him, and the complainant wanted to know what right he had to question him. The complainant said he did not think the defendant was the responsible party, that he was sick. His, the witness's, brother asked the complainant

**POOR QUALITY
ORIGINAL**

0329

9

why he gave the defendant money, if he considered him irresponsible. The complainant jumped up, and said, "Young man, you are not a lawyer, and I am not here to be cross-examined by you." The complainant then left the house, and he, the witness, walked to the elevated station with him. On the way, the complainant said he couldn't tell how much he had lost, that his books were very complicated, but he thought he had lost between \$200. and \$300. He told the complainant to look at his books, and if he could show that there was that much loss, they would make it good. The complainant first went to the house on the 15th or 18th of May, 1893. He was positive in regard to the date, because he had gone to Philadelphia on the 18th.

In cross-examination the witness testified that he went to Philadelphia to find his brother, but he didn't find him. McCann had told his brother that the defendant was in Philadelphia.

JOHN McCANN, being recalled by counsel for the defendant, testified

**POOR QUALITY
ORIGINAL**

0330

10

that he had heard the testimony of the preceding witness, and, as far as he was concerned, it was true. He had told the preceding witness that the defendant was in Philadelphia, and had given him the address. He had asked a boy with whom the defendant associated if he knew where the defendant was, and the boy said that the defendant had gone to Philadelphia, and the boy had given him the address.

ELIZABETH SHILLETTO, being duly sworn, testified that she was the mother of the defendant. She knew the complainant. The complainant called on her, to the best of her knowledge, on or before the middle of May, 1893. The complainant asked her if Thomas was in; the complainant said that he had given the defendant some money and checks, to deposit for him, and that the defendant had deposited them. She asked the complainant how much the amount was, and the complainant said he could not tell exactly, and the complainant said, "I wouldn't like to charge him with being

**POOR QUALITY
ORIGINAL**

0331

11

guilty of taking it, because the boy has been sick, and there were times when I did not think he would be really accountable." The complainant said that the defendant might return, and then it would be all right. The next time the complainant called was after the defendant had given the checks to McCann. The defendant had the checks in his overcoat pocket. The complainant said to her that he wanted the affair settled. She asked him the amount, and he said it was \$333.37. The complainant did not say anything to her about \$105.00.

In cross-examination the witness testified that she did not know that the defendant gave McCann checks out of his overcoat pocket; she saw some papers, and she thought they were checks.

THOMAS H. SHILLETTO, THE DEFENDANT, being duly sworn, testified, in his own behalf, that he would be nineteen years of age in February, 1894. He had been in the complainant's employ about a year and a half. He was in the habit of collecting money for the complainant

**POOR QUALITY
ORIGINAL**

0332

12

He usually collected \$2,000. or \$3,000. in a month, in cash. He deposited the money without getting any special instructions. He had general instructions to deposit the money. He left the complainant's employ on the 13th of May, 1893. At that time he told the complainant that he was sick, and would not be back on Monday. He had only been in the complainant's office once after the 13th of May. On that occasion, he met Mr. Ferris, the owner of the property, in the office. He showed Mr. Ferris the complainant's books, which showed that the complainant had not accounted for certain moneys which had been received by him. He was not in the complainant's office on the 20th of May, 1893. He had retained \$95.00, on May 13th, because Mr. Ferris told him to keep it; it was money that had been collected for Mr. Ferris, and belonged to him. He had never taken one dollar of the complainant's money. The money which he retained was not handed to him to deposit. The checks in evidence were drawn on the 13th of the month, and were dated the

**POOR QUALITY
ORIGINAL**

0333

13

the 17th, because the complainant told him to date them ahead, for there was not enough money to meet them.

In cross-examination the defendant testified that he had a venereal disease which prevented him doing the work which he had to do for the complainant. He was in a doctor's care, but the doctor did not cure him. He then went to Philadelphia and took a furnished room, at 1,621 Ogden street, and was cured in five days. Mr. Ferris told him, the defendant, if he had any money belonging to him, Mr. Ferris, to keep it, as the complainant had been defrauding him, Ferris, of money. He returned to New York on the 18th, and it was about a week later than that that he met McCann.

In re-direct examination the defendant testified that he had gotten the venereal disease in a house in Forsyth street, No. 74, where he had gone with the complainant.

THOMAS PATRICK HUGHES, being duly sworn, testified that he was the

**POOR QUALITY
ORIGINAL**

0334

14

rector of the church of the Holy Sepulchre. He knew the defendant, and had known him about six years. The defendant had been in his Sunday-school class for a number of years. He knew nothing against the defendant's character.

IN REBUTTAL, THE COMPLAINANT, being recalled by the District Attorney, testified that he had heard the defendant's testimony, to the effect that he had accompanied him, the complainant, to a disorderly house in Forsyth street, where the defendant had contracted a venereal disease; that statement was absolutely false. He never had been out with the defendant for five minutes.

In cross-examination the complainant testified that if the checks in evidence had been drawn on the 13th of May, and sent out at that time, they would have overdrawn his account. There was no record in his cash book of any wages having been paid to the defendant on the night of the 20th of May. The defendant was in the habit of paying himself,

**POOR QUALITY
ORIGINAL**

0335

15

and making the entry. He had entered the payment which was made to him on the 13th of May.

OSCAR C. FERRISS, being duly sworn, on the part of the DEFENCE, testified that he had no occupation; he owned real estate. He knew the complainant, and had known him about four years. He also knew the defendant, whom he had known about eight months. The complainant had charge of a block of buildings for him, on Columbus avenue. He saw the defendant at the complainant's office on the 13th of May. He fixed the date by entries in his books. He was standing outside the complainant's office, in company with the complainant; the defendant came along and had some conversation with the complainant. The complainant and the defendant then went into the office, and he, the witness, followed them in, expecting to have a talk with the defendant. The complainant started the defendant at writing in the books. The defendant called on him about the 18th or 19th of May. Between the 13th and the 19th, the complainant

**POOR QUALITY
ORIGINAL**

0336

16

told him, the witness, that the defendant had stolen about \$450. from him. He said to the complainant, "Mr. Carr, that will hurt you very much; won't it?" The complainant said, "Well, I don't think it will be over \$85.00." He said, "Well, you can stand it." The complainant said, "Well, I think it will be over \$250.00." The complainant told him the three different amounts inside of ten minutes. He asked the complainant why he did not have the defendant arrested, and the complainant replied that he did not know anything about law, that he hated law, and hated to do anything of that kind. He was around his property a good deal, nearly every day, and was frequently in the complainant's office. He did not see the defendant in the office or around the property during the week beginning May 14th. He asked Mr. Carr, the complainant, during that week where the defendant was, and the complainant said he did not know. He had a conversation with the defendant about certain money which the defendant had, which had been collected from his, the witness's,

**POOR QUALITY
ORIGINAL**

0337

17

property. He advised the defenant to retain certain money, until he could get a receipt for it, from the complainant.

POOR QUALITY
ORIGINAL

0338

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 Shilleto

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

Thomas Shilleto

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

The said

Thomas Shilleto

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

*the sum of one hundred and
five dollars in money, lawful
money of the United States
of America, and of the value
of one hundred and five dollars*

of the goods, chattels and personal property of one

Henry J. Carr

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.*

0339

BOX:

538

FOLDER:

4899

DESCRIPTION:

Smith, Jacob

DATE:

10/06/93



4899

POOR QUALITY ORIGINAL

0340

Witnesses:

A. Crosonman

69 *MSD*

Counsel,

Filed

day of

1803

Wm. M. Smith

THE PEOPLE

1942 6 8 27
vs
James M. Smith
vs
Jacob Smith

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

Part 2 - 84 - 18, 1898
District of Maryland

Smith and Criminal

A TRUE BILL.

Edward G. Taylor

Foreman

Ed. G. Taylor

POOR QUALITY ORIGINAL

0341

Witnesses:

A. Croseman

Counsel,

Filed

1893

day of

6 *Oct*

At

Myrtle

THE PEOPLE

19 *Hay* *6* *82* *7* *08*

Robert
W. Smith

Jacob *Smith*

Witness

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

Oct 2 - 84 *18* *1891*
LANCEY NICOLL,
District Attorney

Smith and Corwitt

A TRUE BILL,

Edward G. Taylor

Foreman

Ed. G. Taylor

POOR QUALITY ORIGINAL

0342

COURT OF GENERAL SESSIONS OF THE PEACE,
City and County of New York

The People,

vs.

JACOB SMITH.

"
"
"
"
"
"

Before,

HON. JAMES FITZGERALD,

and a Jury.

Tried, OCTOBER 18TH, 1893.

Indicted for GRAND LARCENY, in the SECOND DEGREE.

Indictment filed OCTOBER 6TH, 1893.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY STEPHEN J. O'HARE,

For THE PEOPLE.

MR. JAMES W. McLAUGHLIN,

For THE DEFENSE.

ARPAD S. GROSSMAN, THE COMPLAINANT, being duly sworn, testified that he lived at 1 West 81st street. On the 27th of September, 1893, he owned a tourist bicycle, manufactured by the Bidwell manufacturing company. The bicycle was valued at \$150.00. He kept the bicycle in the basement of the apartment house in which he lived. He saw the bicycle about the 24th or the 25th of September. He next saw the bicycle in the police station. There was a number on the bicycle and one or two others marks by which he could positively identify the bicycle as his.

OFFICER AUGUSTUS J. CHRIST, being duly sworn, testified that he was attached to the 27th police precinct. He arrested the defendant on the 30th of September, at East End avenue and 82nd street. The defendant was riding the bicycle at the time of his arrest. He first saw the defendant at 81st street and East End avenue, and the defendant went back again to 81st street, and he jumped out and caught the defendant and asked him whose bicycle it was that he

was riding. The defendant said the bicycle belonged to a man of the name of Waters, at Sea Cliff. He arrested the defendant, on suspicion, and took him to the station house. A man named Becker went to the station house but failed to identify the bicycle. The defendant was discharged the next morning, in the Police Court, by Judge Welde. The bicycle was retained at the station house after the discharge of the defendant. The bicycle which had been taken from the defendant was the bicycle identified by the complainant.

FOR THE DEFENCE, JACOB SMITH, THE DEFENDANT, being duly sworn, testified, in his own behalf, that he resided at 427 East 82nd street. He had never been arrested before. He did not steal the bicycle from the apartment house at the corner of 81st street and Eighth avenue. He did not know the bicycle was stolen when he received it from a man of the name of Waters. He met Waters standing on the corner, talking to a friend of his, and he afterwards met Waters in Avenue

B and waters told him he was going out of the city and he would leave the bicycle with him. He asked Waters if there was anything wrong with the bicycle, if it was stolen or anything; and said said there was not, so he took charge of the bicycle. The man's name was not Waters; it was George Walker, and he gave him his address as 22 Main street, Sea Cliff, Long Island City.

In cross-examination the defendant testified that he had spent most of his life in Philadelphia, where he lived at 343 North 9th street. He had worked for George Robinson & Co., in Philadelphia. He had been in New York nine months. He had worked in this city for Semel Brothers, 49 Walker street. He worked for them about six months, and received \$5.50 per week. He left them because he wanted more pay. He had lived at 427 East 82nd street for six months, but he did not know the name of the woman with whom he boarded; he thought she was a married woman. Walker did not look well dressed enough to own the bicycle, and that was the reason

**POOR QUALITY
ORIGINAL**

0346

5

he asked him if there was anything the matter with
the wheel. He had no money on his person at the
time of his arrest.

**POOR QUALITY
ORIGINAL**

0347

STATE OF NEW YORK
Executive Chamber
ALBANY

Dec. 21 1897

Dear Sir:

Application for Executive clemency having been made on behalf of Jacob Smith who was convicted of Gr. Larceny 2d in the County of N. Y. and sentenced Oct. 18. 1872. to imprisonment in the State Prison for the term of 5 years. I am directed by the Governor respectfully to request that in pursuance of Section 695 of the Code of Criminal Procedure, you will forward to him a concise statement of the facts of the case, together with your opinion of the merits of the application.

A 2 filed Oct. '93

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

Very respectfully yours,

William M. Giffitt

Private Secretary.

Edwards Oct 6/93

**POOR QUALITY
ORIGINAL**

034E

Col Swords

POOR QUALITY ORIGINAL

0349

(1265)

Police Court 9 District. Affidavit—Larceny.

City and County }
of New York, } ss.

Arpad S. Grossmann

of No. 1 West 81st Street, aged 38 years,

occupation Retired being duly sworn,

deposes and says, that on the or about 27 day of September 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 bicycle of the value
of one hundred and fifty
dollars.

(\$150.00)

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Jacob Smith (now here)

from the fact that on or about the 29th day of September 1893 deponent

missed said property from the basement of no 1 West 81st St.

Deponent is informed by Officer

August J. Christ that he found this defendant at the corner of East

End Avenue and 82nd St. at the hour of 10.30 o'clock A.M. September

30th 1893 with a bicycle in his possession.

Deponent further says he identifies the bicycle found in the defendant's possession, as his property and charges this defendant with feloniously taking, stealing and carrying away said property from said premises.

Arpad S. Grossmann

Sworn to before me, this 27th day of September 1893

Carl H. [Signature]
Police Justice.

POOR QUALITY ORIGINAL

0350

1877

CITY AND COUNTY }
OF NEW YORK, } ss.

August J. Christ

aged _____ years, occupation *Police Officer* of No.

27th West 100th Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Arpad J. Grossman*

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

Sworn to before me, this *4* }
day of *Oct* 189 *3* }

August J. Christ

M. J. [Signature]
Police Justice.

Series of horizontal lines for additional text or notes.

POOR QUALITY ORIGINAL

0351

Sec. 193-200.

5 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Jacob Smith 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.

Jacob Smith

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

New York

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

Answer.

427 East-82 St. 3 weeks.

Question. What is your business or profession?

Answer.

Labour.

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-
Jacob Smith

Taken before me this

day of

180

Police Justice.

POOR QUALITY ORIGINAL

0352

RAILED,
 No. 1, by
 Residence Street.
 No. 2, by
 Residence Street.
 No. 3, by
 Residence Street.
 No. 4, by
 Residence Street.

Police Court--- 5
 District. 1066

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

André Gussman
 Esq.
 Jacob Smith

Grand Larceny
 Offence

Dated October 4 1893

Magistrate
 Charles
 27
 Officer.
 Precinct.



Witnesses:
 No. Street.
 No. Street.
 No. 1000 B.D. Street.
 C.W. Street.

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 *October 4* 1893. *W. A. Volck* 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 offence within mentioned. I order he to be discharged.

Dated 189 Police Justice.

**POOR QUALITY
ORIGINAL**

0353

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Jacob Smith

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

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

The said

Jacob Smith

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

*one bicycle of the value of
one hundred and fifty
dollars*

of the goods, chattels and personal property of one *Arpad D. Groseman*

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.

**POOR QUALITY
ORIGINAL**

0354

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Jacob Smith

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

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

The said

Jacob Smith

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

*one bicycle of the value of
one hundred and fifty
dollars*

of the goods, chattels and personal property of one *Arpad D. Groseman*

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.

**POOR QUALITY
ORIGINAL**

0355

SECOND COUNT—

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

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

The said

Jacob Smith

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 bicycle of the value of
one hundred and fifty dollars*

of the goods, chattels and personal property of one

Arpad S. Grossman

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

Arpad S. Grossman

unlawfully and unjustly did feloniously receive and have; the said

Jacob Smith

then and there well known 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.

0356

BOX:

538

FOLDER:

4899

DESCRIPTION:

Smith, Joseph

DATE:

10/20/93



4899

POOR QUALITY ORIGINAL

0357

Witnesses:

Geo Head
Wm C. ...
[Signature]

Counsel,

Filed *20th* day of *Oct* 189*3*

Pleads

THE PEOPLE

vs.

Joseph Smith

[Signature]

DE LANCEY NICOLL,

District Attorney.

Burglary in the Third Degree.
[Section 498, V.R.C. 2872 & 2873]

A TRUE BILL.

Edward G. Taylor

Foreman.

Joseph [Signature]

Thomas [Signature]

Den [Signature]

John [Signature]

27

POOR QUALITY ORIGINAL

0358

Police Court—2 District.

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

George Herdt

of No. 498 Hudson Street, aged 52 years,
occupation Saloon Keeper being duly sworn

deposes and says, that the premises No 498 Hudson Street,
in the City and County aforesaid, the said being a four story brick
building

and which was occupied by deponent as a store on the first floor
and in which there was at the time ^{no} human being, by name

were BURGLARIOUSLY entered by means of forcibly opening the
door left over the front door

on the 17 day of October 1897 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

a quantity
United State coin, English coin
and Italian coin, all of the value
of about nine dollars and thirty
two cents.

\$ 9.32

the property of Deponent

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

Joseph Smith

for the reasons following, to wit: Deponent left the said
property securely locked and closed
in said saloon on the night of October
16, and deponent is informed by
Policeman John R. McCluskey now he
that on said date, about the hour
of 2 o'clock in the morning he
caught the deponent in the
act of committing said burglary, and

POOR QUALITY ORIGINAL

0359

with the said stolen money in his possession and Defendant also had in his possession a burglar tool known as a "jimmy" and also a screw driver. Defendant asks that Defendant be held to answer said charge.

Done to before me this } George Hendt
17th day of October }
(1933) }
[Signature] }
[Signature] }

Police Court _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.
Burglary

Dated _____ 1933

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street.

POOR QUALITY ORIGINAL

0360

1877

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 32 years, occupation Drum of No. John R Mc Cluskey

9th Street Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Seay Hedd and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 17 day of Dec 1899 John R Mc Cluskey

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0361

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer.

Joseph Smith

Question. How old are you?

Answer.

29 years

Question. Where were you born?

Answer.

N. S.

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

Answer.

No Home

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 have nothing to say
Joseph Smith*

Taken before me this
day of *Oct* 17
189

Police Justice.

[Signature]

POOR QUALITY ORIGINAL

0362

BAILED,
 No. 1, by _____
 Residence _____
 Street _____
 No. 2, by _____
 Residence _____
 Street _____
 No. 3, by _____
 Residence _____
 Street _____
 No. 4, by _____
 Residence _____
 Street _____

Police Court--- 2

District

1115

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George Herlihy
498th Precinct
Joseph Smith

Offence *Burglary*

Date

Oct 17 1893

Magistrate

Mr. Clarks

Officer

Precinct

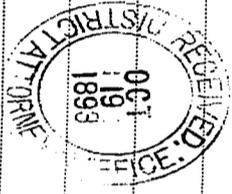
Witnesses

No. _____

Street _____

No. _____

Street _____



No. _____

Street _____

No. _____

Street _____

1000
to answer *Geo. J.*

John

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 _____

Joseph Smith

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *1000* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *Oct 17 1893* _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0363

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 Smith

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

Joseph Smith

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

The said

Joseph Smith

late of the 9th Ward of the City of New York, in the County of New York, aforesaid, on the
seventeenth day of *October* 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, a certain building there situate, to wit, the *store* of
one

George Herdt

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

George Herdt in the said *store*
then and there being, then and there feloniously and burglariously to steal, take and carry away,
against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

POOR QUALITY ORIGINAL

0364

SECOND COUNT—

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

Joseph Smith

of the CRIME OF *Petit* LARCENY

committed as follows:

The said

Joseph Smith

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 *Eight* time of said day, with force and arms,

divers coins of the United States of America, of a number, and description, to the Grand Jury aforesaid unknown, of the value of four dollars, divers coins of the United Kingdom of Great Britain and Ireland of a number, and description, to the Grand Jury aforesaid unknown, of the value of three dollars, and divers coins of the Kingdom of Italy of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of three dollars

of the goods, chattels and personal property of one

George Herdt

in the

store

of the said

George Herdt

there situate, then and there being found, in the *store* 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 Lancy Meall
District Attorney

0365

BOX:

538

FOLDER:

4899

DESCRIPTION:

Spaven, Thomas

DATE:

10/24/93



4899

POOR QUALITY ORIGINAL

0366

W. H. Pinkerton
Counsel,
Filed, *24* day of *Feb* 189*3*
Pls. *Guilty*

THE PEOPLE
vs.
Thomas Spaven
Def. 23/99
Henry J. Kelly
S. P. 48 & 3 mo. P.S.A.
Feb 26/93 District Attorney.

CONCEALED WEAPON.
(Section 410, Penal Code.)

A TRUE BILL.
Edward G. Taylor
Foreman.

Witnesses:
off Place
County

POOR QUALITY
ORIGINAL

0367

Police Court, 3 District.

1901

City and County of New York, ss. Charles A. Place
of No. the 14th Precinct Police Station, aged _____ years,
occupation... police officer being duly sworn, deposes and says,
that on the 19 day of October 1893, at the City of New
York, in the County of New York,

Thomas Spaven (now here) did
wilfully and unlawfully, with intent
to use the same, carry concealed
upon his person a certain weapon
to wit: a slung-shot in violation
of the provisions of Section 410
of the Penal Code. Therefore
deponent prays that defendant
may be held and dealt with
according to law.

Sworn to before me }
this 19th day of October 1893 } Charles A. Place,
John P. ... }
Police Justice

POOR QUALITY ORIGINAL

0368

Sec. 198-200.

03

1882

District Police Court.

City and County of New York, ss:

Thomas Spaven 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. *Thomas Spaven*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *England*

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

Answer. *25th - 3rd Avenue - 7 months*

Question. What is your business or profession?

Answer. *Paper Cutter*

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
Thos Spaven*

Taken before me this

day of

October 19
1893

Police Justice.

John H. ...

POOR QUALITY ORIGINAL

0369

BAILED,

No. 1, by _____
 Residence _____ Street _____

No. 2, by _____
 Residence _____ Street _____

No. 3, by _____
 Residence _____ Street _____

No. 4, by _____
 Residence _____ Street _____

Police Court... District...

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James S. Shaw

1 _____
 2 _____
 3 _____
 4 _____

Dated, *Oct 19 1893*

Magistrate

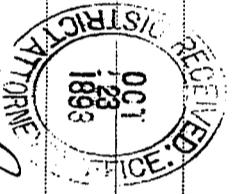
Officer

Witnesses _____ Street _____

No. _____ Street _____

No. _____ Street _____

\$ *500* to answer _____



Offense *Carry concealed weapons*

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, *Oct. 19* 189 *John McLaughlin* 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.

**POOR QUALITY
ORIGINAL**

0370

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

158

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Spaven

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

of a FELONY, committed as follows:

The said

Thomas Spaven

late of the City of New York, in the County of New York aforesaid, on the *Seventeenth* day of *October* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with force and arms, feloniously did furtively carry, concealed on his person, a certain instrument and weapon of the kind commonly known as *a slung-shot* with intent then and there feloniously to use the same against some person or persons to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

of a FELONY, committed as follows:

The said

Thomas Spaven

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, feloniously did possess a certain instrument and weapon of the kind commonly known as *a slung-shot* by him then and there concealed, and furtively carried on his person, with intent then and there feloniously to use the same against some person or persons to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0371

BOX:

538

FOLDER:

4899

DESCRIPTION:

Stevens, John

DATE:

10/17/93



4899

POOR QUALITY ORIGINAL

0372

Witnesses:

Michael Hurley

John F. Keohane

Counsel,

Filed

Pleads,

180

day of

July 17

THE PEOPLE

Account, account

24
30
John S. Stevens

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Edward G. Taylor

Foreman.

Pa. 3. Sep 24/93

Pleads guilty
Circuit 2-10

S. P. 4 1993

900

**POOR QUALITY
ORIGINAL**

0373

COURT OF GENERAL SESSIONS---PART III.

-----X
The People of the State of New York :

vs. :

J o h n S t e p h e n s, :

Indictment filed October 17th, 1893; :
indicted for assault in the second :
degree. :

:Before
:Hon. Rufus B. Cowing
:and a Jury.

-----X
New York, October 23d, 1893.

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

For the People, Assistant District Attorney

Henry D. Macdona;

For the defendant, Mr. Mark Alter.

MICHAEL HURLEY, a witness for the people, sworn,
testified:

I live at 76 East 131st Street, with my mother and
father. I saw the defendant on the morning of the
12th of October last. I said to the defendant, "You
had no right to go down to the Harlem Police Court
and swear falsely against my mother." Then we had a
few words and he drew a knife and cut me. I ran away
from him. He did not pursue me. As soon as I saw
him take out the knife I ran right into the house. I
stayed in the house until about a quarter of two I heard

my mother scream and I ran out. The defendant pointed a pistol at me and he says, "You son of a bitch, I will shoot you." This was in the yard of the house in which I live, No. 76 East 131st Street. I saw the pistol in his hand at the time he said he would shoot me. He deliberately took the pistol out of his pocket and aimed it at me. The bullet entered my leg. My hat went off. I ran into my own house then and locked the door. The officer came in and arrested the defendant. He took the pistol from him. I saw the pistol on the desk in the station house. The defendant said nothing to me when he was arrested.

C R O S S E X A M I N A T I O N .

I am not a member of the Knickerbocker Ice gang, or any other gang that hangs out at 128th Street and Pleasant Avenue. I do not know any of the boys that hang around that neighborhood. I was never locked up in my life. I swear positively that this man fired a pistol at me. He was having some discussion with me mother when I ran out. I did not strike the defendant at all. I did not have hold of him at the time he fired the pistol at me. My mother has never been on the Island for being drunk. I do not remember meeting the defendant when I had two other boys with me and threatening to do him up. I did not say, "You son of a bitch, I will follow you around and I will kill you anyhow." I never made use of such an expression to this

man. I did not go out into the yard for the purpose of doing up the defendant because he was quarrelling with my mother.

JOHN E. COLHANE, a witness for the People, sworn, testified:

I am a police officer attached to the Twenty-ninth Precinct. I was on duty in the neighborhood of 131st Street on the afternoon of October 12th. I arrested the defendant Stephens. I was walking up on the west side of Park Avenue about twenty minutes to two o'clock. My attention was attracted by a colored woman running down between 30th and 31st Street on the west side of the avenue. This colored woman says: "Hurry up, Officer, there is a shooting affair up the street." I ran up. I met this fellow Stephens between Madison and Park Avenue in the middle of the block. He was in his shirt sleeves and was after putting the pistol in his pocket. I caught him and said "Give me that revolver." He says, "No, I won't." I says, "If you don't give it to me I will make you." He says "I won't give it to you," and I says, "I will put the contents of what I have got into you if you don't," and he handed out the revolver. I took the revolver and put it in my own pocket, and brought him back to this house, No. 76 East 131st Street. I there saw the complainant, and he told me the story of the assault. I said to the defendant, "What did you want to do that for?" and he says,

**POOR QUALITY
ORIGINAL**

0376

"Why didn't you let me finish him; why didn't you let me do him up." I said "You ought to know better than to talk that way. If you do anything like that you will get into trouble." He said, "I wanted to finish him." I found the pistol in his pocket; it was loaded with cartridges. I now produce in court the cartridges and the pistol taken from this defendant.

C R O S S E X A M I N A T I O N .

The complainant was shot in the leg. He was attended by the ambulance surgeon from the Harlem Hospital. I have been on the force four years and nine months. I never had a case of this sort before. I went looking to see what the trouble was because the colored woman told me there was a shooting affair down the street. I immediately found this man running, and placed him under arrest. I am positive that he made the statement that I have given in evidence to the jury.

The prisoner withdrew his plea of not guilty, and pleaded guilty to assault in the second degree.

POOR QUALITY ORIGINAL

0377

The People of the State of New York,
 County of ...
 vs.
 John Stephens
 Defendant.
 Absence of testimony
 on trial, Oct 23rd
 1893.

Indictment filed Oct. 17/1893

Count of General Sessions
Part 3

POOR QUALITY ORIGINAL

0378

Police Court— S District.

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

of No. 76 E 131st Street, aged 19 years,
occupation Bricklayer being duly sworn
deposes and says, that on the 12 day of October 1883 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John
Stevens (now here) who wilfully
and maliciously pointed and
aimed a revolving pistol loaded
with powder and ball which he
then and there held in his hand
at deponent and discharged
one shot from said pistol at
deponent which said shot struck
deponent in the right knee.
Deponent further says that such
assault was committed

134th Park Ave

145

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 he 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 12 day
of Oct 1883

M. Hurley

W. V. Veldt Police Justice.

POOR QUALITY ORIGINAL

0379

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Stevens

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.

John Stevens

Question. How old are you?

Answer.

24 years old

Question. Where were you born?

Answer.

New York

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

Answer.

304 Hoyt Ave; Astoria 3 years

Question. What is your business or profession?

Answer.

Plumber.

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

Answer.

I am not Guilty-

John Stevens

Taken before me this

day of

189

[Signature]

Police Justice.

POOR QUALITY ORIGINAL

0380

BAILED,

No. 1, by
 Residence:
 Street:

No. 2, by
 Residence:
 Street:

No. 3, by
 Residence:
 Street:

No. 4, by
 Residence:
 Street:

2006
Police Court, 5
District, 1998

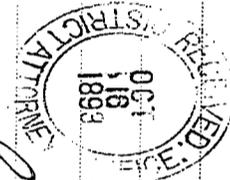
THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael J. Jones
 of the County of Westchester
 vs.
 John J. Jones
 1
 2
 3
 4
 Offense, Assault
 & Battery

Dated, Oct 12 1898

Orlando
Magistrate
H. C. W. W.

Witnesses
No. 1
No. 2
No. 3
No. 4
No. 5
No. 6
No. 7
No. 8
No. 9
No. 10
No. 11
No. 12
No. 13
No. 14
No. 15
No. 16
No. 17
No. 18
No. 19
No. 20
No. 21
No. 22
No. 23
No. 24
No. 25
No. 26
No. 27
No. 28
No. 29
No. 30
No. 31
No. 32
No. 33
No. 34
No. 35
No. 36
No. 37
No. 38
No. 39
No. 40
No. 41
No. 42
No. 43
No. 44
No. 45
No. 46
No. 47
No. 48
No. 49
No. 50
No. 51
No. 52
No. 53
No. 54
No. 55
No. 56
No. 57
No. 58
No. 59
No. 60
No. 61
No. 62
No. 63
No. 64
No. 65
No. 66
No. 67
No. 68
No. 69
No. 70
No. 71
No. 72
No. 73
No. 74
No. 75
No. 76
No. 77
No. 78
No. 79
No. 80
No. 81
No. 82
No. 83
No. 84
No. 85
No. 86
No. 87
No. 88
No. 89
No. 90
No. 91
No. 92
No. 93
No. 94
No. 95
No. 96
No. 97
No. 98
No. 99
No. 100



No. 1000 to answer

Handwritten signatures and notes

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 \$1000 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Oct 12 1898, Police Justice.

I have 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.

(155)

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Stevens

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

John Stevens

of the crime of Assault in the second degree

committed as follows:

The said John Stevens

late of the City of New York, in the County of New York aforesaid, on the twelfth day of October in the year of our Lord one thousand eight hundred and ninety-three, at the City and County aforesaid, with force and arms, on and upon the body of one Michael Hurley in the presence of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and to, at and against him, the said Michael Hurley, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said John Stevens in his right hand then and there

POOR QUALITY
ORIGINAL

0382

had and held, ~~feloniously~~ ~~with~~
~~fully~~ ~~not~~ this and being an instrument
likely to produce grievous & daily
harm, then and there feloniously
did wilfully and wrongfully shoot
off and discharge 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.

Wm Lacey Nicoll,
District Attorney

0383

BOX:

538

FOLDER:

4899

DESCRIPTION:

Sukenik, Joseph

DATE:

10/17/93



4899

POOR QUALITY ORIGINAL

0384

215

Witnesses:

Ethel Safely

Counsel,

Filed

Pleads

Washington
17 day of *Oct* 189*3*
Myrta H

THE PEOPLE

vs.

Joseph Subenik

Grand Larceny, *second* Degree.
(From the Person)
[Sections 628, 629, Penal Code.]

DE LANCEY NICOLL,

District Attorney.



(Witnessed by)
17
1893

A TRUE BILL.

Edward G. Taylor

Sept 2 - Nov. 14, 1893

Foreman.

tried and acquitted

POOR QUALITY ORIGINAL

0385

1912

Police Court— 3 District.

Affidavit—Larceny.

City and County of New York, } ss.

Estel Sofsky

of No. 1 M... Street, aged 50 years, occupation Tailor being duly sworn,

deposes and says, that on the 13 day of October 1897 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 Silver Watch with a Chain attached Valued at Five 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 Joseph Suknick (Thief)

for the reasons following to-wit: on said date was on Green St having said watch which was attached a chain said watch being in the pocket of the vest which said deponent wore. This defendant seized said watch and parted said chain and ran away with the same. Deponent found the said property in the person of the defendant.

Estel Sofsky

Sworn to before me this 13 day of October 1897 at New York City. John H. Ryan Police Justice.

POOR QUALITY ORIGINAL

0386

Sec. 198-200.

03

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Joseph Sukanik

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

Russia

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

Answer.

146 Clinton St. - 6 months

Question. What is your business or profession?

Answer.

Sailor

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 Sukanik

Taken before me this

3

day of

1883

Police Justice

POOR QUALITY ORIGINAL

0387

BAILED,
 No. 1, by _____
 Residence _____ Street
 No. 2, by _____
 Residence _____ Street
 No. 3, by _____
 Residence _____ Street
 No. 4, by _____
 Residence _____ Street

215
 Police Court...
 District...
 1102

THE PEOPLE, vs.
 ON THE COMPLAINT OF
 Charles Solovy
 Joseph Dubois
 1
 2
 3
 4
 Offense, Larceny for the person

Dated, Oct 13 1893

Magistrate,
 Officer,
 Precinct,

Witnesses
 No. 189, Parnaphu Street
 Morris Goldstein
 No. 3, Parnaphu Street

No. 5, Parnaphu Street
 to answer



It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named 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, Oct 13 1893 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.

**POOR QUALITY
ORIGINAL**

0388

504

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Sakenik

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

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

The said

Joseph Sakenik
late of the City of New York, in the County of New York aforesaid, on the *thirteenth* day of *October* in the year of our Lord one thousand eight hundred and ninety-*three*, in the *day*-time of the said day, at the City and County aforesaid, with force and arms,

*one watch of the value
of five dollars, one chain of the
value of two dollars*

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

0389

BOX:

538

FOLDER:

4899

DESCRIPTION:

Sullivan, John

DATE:

10/25/93



4899

POOR QUALITY ORIGINAL

0390

Witnesses:

Mich Fogarella
Agnes Smith

~~*[Signature]*~~

349

Counsel,

Filed

189

day of

March 26

THE PEOPLE

vs.

John Sullivan

Grand Larceny, *second* Degree,
(From the Person)
[Sections 529, 531, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

March 14/1893

A TRUE BILL.

Edward G Taylor

Part 2 - Nov. 14/1893
Foreman.
tried and acquitted.

[Faint handwritten text]

POOR QUALITY ORIGINAL

0391

Police Court— District.

Affidavit—Larceny.

City and County of New York, ss.

Michael Focarile

of No. 61 James Street, aged 33 years,

occupation Contractor being duly sworn,

deposes and says, that on the 29 day of September 1893 at the City of New

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

A Gold Watch of the Value of Eight 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 John Sullivan (now here) and one other person not arrested acting in concert

for the following reasons - on said date deponent was standing on James Street looking at a procession which was passing he had said watch in the left hand pocket of the vest that he then wore and was attached to said vest with a chain Deponent The person not arrested took said watch from deponents pocket and broke off the ring of said watch - deponent seized said deponent and he gave said watch to the defendant Sullivan who ran away with it - deponent has let go of the person who had taken said watch from his pocket

Sworn to before me, this 1893

Police Justice

POOR QUALITY
ORIGINAL

0392

and pursued the defendant Sullivan and
caused his arrest - Deponent is informed
by Agnes Smith 191 Troppitt Street Brooklyn
that she picked up from the street ~~some~~^a
watch which she gave to officer Barlow
of the 4th Precinct - deponent further says
that he has since seen the watch
found by said Agnes Smith and fully
identified it as his property that was stolen

Wichle Locantile

Sworn to before me

This 30th day of September 1893

W. J. ...
Police Justice

POOR QUALITY ORIGINAL

0394

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John 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. *John 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. *10 Dover St 3 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*

John Sullivan

Taken before me this *30* day of *Sept* 188*9*
Police Justice.

POOR QUALITY ORIGINAL

0395

BAILED,
 No. 1, by _____
 Residence _____ Street
 No. 2, by _____
 Residence _____ Street
 No. 3, by _____
 Residence _____ Street
 No. 4, by _____
 Residence _____ Street

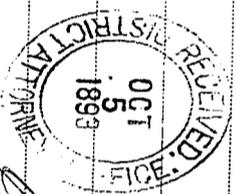
140
 Police Court...
 District...
 1893

THE PEOPLE, &c.,
 ON THE COMPLAINT OF
 Michael Foranille
 of the name of
 John Sullivan
 1. _____
 2. _____
 3. _____
 4. _____
 Offense Larceny from the person

Dated, Sept 30 1893

Diener Magistrate
 Barton Officer

Witnesses
 No. 1, by _____
 No. 2, by _____
 No. 3, by _____
 No. 4, by _____
 Street



No. _____
 Street _____
 No. _____
 Street _____
 1893
 to answer
 1893
 2 P.M.
 Comment that

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, Oct 3 1893 _____ 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.

POOR QUALITY ORIGINAL

0396

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Sullivan

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

John Sullivan of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said

John Sullivan, late of the City of New York, in the County of New York aforesaid, on the 29th day of September, in the year of our Lord one thousand eight hundred and ninety-three, in the day - time of the said day, at the City and County aforesaid, with force and arms,

one watch of the value of eight dollars

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

**POOR QUALITY
ORIGINAL**

0397

SECOND COUNT—

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

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

The said

John Sullivan
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
eight dollars*

of the goods, chattels and personal property of one

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

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

John Sullivan
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.

0398

BOX:

538

FOLDER:

4899

DESCRIPTION:

Sullivan, Thomas

DATE:

10/09/93



4899

POOR QUALITY ORIGINAL

0399

defts. real names Brady -
RBA.

Witnesses:

Leonard H. Evans

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

Thomas Sullivan

Grand Larceny, ^{2nd} Degree,
(From the Person, 2nd Degree,
[Sections 528, 529, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Edward J. Taylor
Foreman.

Thomas J. [unclear] 2deg

S.P. 2 yrs 86
RBA

POOR QUALITY ORIGINAL

0400

1012

Police Court— 3. District.

Affidavit—Larceny.

City and County of New York, } ss.

of No. 51 Manner Street, aged 37 years, occupation Physician, being duly sworn,

deposes and says, that on the 14 day of September 1893 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession and

possession of deponent, in the day time, the following property, viz:

A portion of a plated gold watch chain valued at ten dollars

\$10.00

the property of Deponent

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

Thomas Butler and

for the reasons following to wit:

at the hour of eight o'clock P.M. on said date, ad deponent was on Manner Street having the said chain, to which was attached a watch, fastened to the vest which he then wore. The defendant seized said chain, broke it, and ran away with a portion of it.

The defendant admits having stolen said property

Leonard T. Graves

Sworn to before me this 14 day of September 1893

[Signature]

Police Justice.

POOR QUALITY ORIGINAL

0401

Sec. 198-200

3

District Police Court.

1882

City and County of New York, ss:

Thomas Sullivan *alias Tho Brady*
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.

Thomas Sullivan
alias Tho Brady

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

New York

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

Answer.

at home

Question. What is your business or profession?

Answer.

None

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

Tho. Brady

Taken before me this

day of

1892

Police Justice.

POOR QUALITY ORIGINAL

0402

BAILLED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

Discharge

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward H. ...
Thomas ...

Offense

Dated

189

Magistrate

Officer

Witnesses

No.

Street

No.

Street

No.

Street

to answer

Street

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

Dated, Sept 15 1893 *John Ryan* 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.

POOR QUALITY ORIGINAL

0403

**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 Sullivan

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

Thomas Sullivan
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said *Thomas Sullivan*

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

a part of a watch-chain of the value of ten dollars

of the goods, chattels and personal property of one *Leonard K. Graves*, on the person of the said *Leonard K. Graves*, then and there being found, from the person of the said *Leonard K. Graves* 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.

*He Lancey Nicoll
District Attorney*