

0009

**BOX:**

399

**FOLDER:**

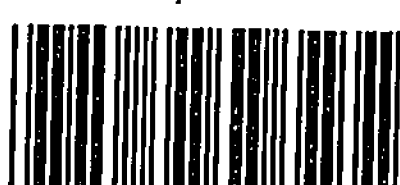
3707

**DESCRIPTION:**

Gallagher, Charles

**DATE:**

06/24/90



3707

Witnesses:

*Plead*

*Prisoner offers a  
plea of assault  
32 degree -  
I feel satisfied  
that the People  
could not obtain  
a higher verdict  
on the evidence  
therefore accept the  
plea of ass 32 degree  
June 27th 9-10  
1900 A.D.*

*Kane a JPD*  
Counsel,  
Filed *24 June 1890*  
Pleads, *May 20*

*39* *1895* *3* *at* THE PEOPLE  
vs.  
*R*  
*Charles Gallagher*  
Assault in the First Degree, Etc.  
(Furnish)  
(Sections 217 and 218, Penal Code).

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*Chapman* Foreman.  
*June 27th Part 2*  
*Verdict assault - 32nd degree*

*Jan 1 1900*  
*June 30*



POOR QUALITY  
ORIGINAL

0011

Police Court— District.

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

of No. 197 Third Avenue, John Reed, aged 22 years,  
occupation Barkeeper being duly sworn

deposes and says, that on 21 day of June 1890 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED ~~and BEATEN~~ by Charles Gallagher

(murder) who wilfully and maliciously  
pointed and aimed a pistol  
loaded with powder at ball  
at deponent said deponent  
then and there making use  
of the expression "I will  
fix you" That said  
act was done

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without  
any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer  
for the above assault, etc., and dealt with according to law.

Sworn to before me, this 22 day

of June 1890

John Reed

Police Justice.

POOR QUALITY  
ORIGINAL

00 12

Sec. 198-200

CITY AND COUNTY  
OF NEW YORK } ss.

District Police Court.

Charles Gallagher being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is h right to  
make a statement in relation to the charge against h; that the statement is designed to  
enable h if he see fit to answer the charge and explain the facts alleged against h  
that 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. Charles Gallagher

Question. How old are you?

Answer. 39 years

Question. Where were you born?

Answer. Ireland

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

Answer. 183 5 Third Ave 2 weeks

Question. What is your business or profession?

Answer. Labourer

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 sorry for what  
I done

Charles X Gallagher  
mark

Taken before me this 2  
day of June 1889  
John J. McQuinn  
Police Justice.

POOR QUALITY  
ORIGINAL

0013

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

Police Court 4 District. 962

THE PEOPLE, &c.  
ON THE COMPLAINT OF

John Seed  
1919-3  
Geo. Callaghan

Offence -

Assault

Dated

June 22 1890

Magistrate

A.C. R.  
Mack Henry Officer.

Precinct.

Witnesses

Officer

No.

Street.

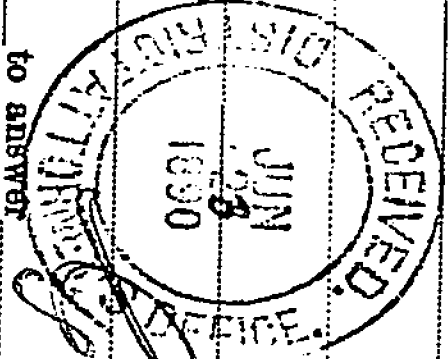
No.

Street.

No.

Street.

\$10000 to answer



Comm. H. C. C.

Ass. H. C. C.

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 June 22 1890 Lo. J. Callaghan Police Justice.

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

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

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

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



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Charles Gallagher*

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

*Charles Gallagher*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

*Charles Gallagher*

late of the City of New York, in the County of New York aforesaid, on the  
*twenty-first* day of *June*, in the year of our Lord  
one thousand eight hundred and eighty ~~ninety~~, with force and arms, at the City and County  
aforesaid, in and upon the body of one

*John Reed*  
in the peace of the said People then and there being, feloniously did make an assault and  
to, at and against *him* the said *John Reed*

a certain pistol then and there loaded and charged with gunpowder and one leaden  
bullet, which the said *Charles Gallagher*

in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, *the same,*  
with intent *him,* the said *John Reed*

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

SECOND COUNT—

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

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

The said

*Charles Gallagher*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said *John Reed* in the peace of

the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and to, at and against *him* the said

*John Reed*

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,  
which the said *Charles Gallagher*

in *his* right hand then and there had and held, the same being a weapon and

an instrument likely to produce grievous bodily harm, then and there feloniously did  
*aim, point & present with intent to the same*  
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.

JOHN R. FELLOWS,

District Attorney.

00 15

**BOX:**

399

**FOLDER:**

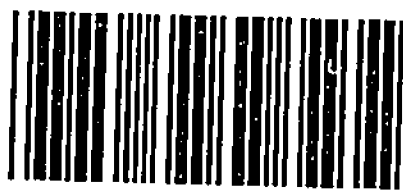
3707

**DESCRIPTION:**

Gallagher, Joseph

**DATE:**

06/19/90



3707

POOR QUALITY  
ORIGINAL

00 15

578

Witnesses:

*off Treel*

Counsel,

Filed

1890

Pleads,

*Chiquely in*

THE PEOPLE

vs.

*Joseph Gallagher*

*Sept 19 1890*

VIOLATION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1883, Sec. 21 and  
page 1880, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

*Recd Sept 19 1890*

A True Bill.

*James H. Haggins*

Foreman.



POOR QUALITY  
ORIGINAL

0017

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 Gallagher*

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

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

The said

*Joseph Gallagher*

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

*Edward C. Freed*

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

SECOND COUNT—

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

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

The said

*Joseph Gallagher*

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

JOHN R. FELLOWS,

District Attorney.

00 18

**BOX:**

399

**FOLDER:**

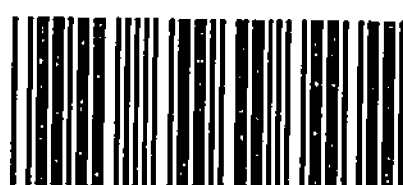
3707

**DESCRIPTION:**

Gardner, William

**DATE:**

06/25/90



3707

POOR QUALITY  
ORIGINAL

0019

Witnesses;  
*James Worthington*

478  
Counsel, *JB Hal*  
Filed *25* day of *June* 189*0*  
Pleads, *Worthington*

THE PEOPLE  
vs.  
*H*  
*William Gardner*  
*William Gardner*

Assault in the First Degree, Etc.  
(Sections 217 and 218, Pennl Code.)  
JOHN R. FELLOWS,  
District Attorney.  
*John R. Fellows*

A True Bill.  
*James Worthington*  
Foreman.  
*July 7/90*  
*James Worthington*  
*Wm to mcs*  
*P.B.M.*



POOR QUALITY  
ORIGINAL

0020

Police Court 2 District.

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

of No. 155 West 34 Street, aged 26 years,

occupation Longshoreman being duly sworn

deposes and says, that on the 22 day of June 1888 at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by William

Gardner (now here) who cut  
deponent several times on the  
head and body, inflicting severe  
wounds upon deponent with a  
pocket knife then and there  
held in the hands of the  
Defendant

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without  
any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer  
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 29 day

of June 1888

James Northington  
(mark)

Police Justice.

POOR QUALITY  
ORIGINAL

0021

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

*William Gardner* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is h \ right to  
make a statement in relation to the charge against h \; that the statement is designed to  
enable h \ if he see fit to answer the charge and explain the facts alleged against h \  
that 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.

*William Gardner*

Question. How old are you?

Answer.

*16 years*

Question. Where were you born?

Answer.

*N.Y.*

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

Answer.

*21 Minetta Lane - 6 months*

Question. What is your business or profession?

Answer.

*I work on a steamboat*

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 did not cut him  
He beat me and  
I did not do anything*

*William Gardner*

Taken before me this

day of

*June*

189

*21*

Police Justice.

*[Signature]*

POOR QUALITY  
ORIGINAL

0022

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 Chadwick  
135 West 82nd St  
New York

Offence

Assault  
felony

Date

June 29

1890

Residence

Heagan  
John Currier

Magistrate,  
Officer,  
Precinct,  
15

Witnesses

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

Street \_\_\_\_\_

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

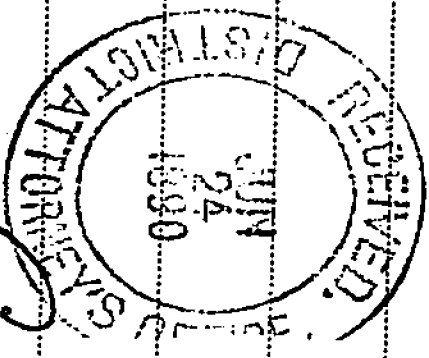
Street \_\_\_\_\_

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

Street \_\_\_\_\_

\$ 500

to answer



Deed

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

William Gardner

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 June 29 1890 \_\_\_\_\_ 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

0023

June 25<sup>th</sup> 190

Charles O. Callahan Esq.

Dear Sir,

I take the liberty as a long found friend to address you, to ask a favor. I have known this boy Gardner, around the place I am working for, over twelve years. I have always found him a very steady and industrious boy. Any favor you can bestow will be greatly appreciated by a friend.

Respectfully,  
Roger McErmonth

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*William Gardner*

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

*William Gardner*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *William Gardner*

late of the City of New York, in the County of New York aforesaid, on the  
*twenty-second* day of *June* in the year of our Lord  
one thousand eight hundred and *ninety*, with force and arms, at the City and  
County aforesaid, in and upon the body of one *James Northington*  
in the Peace of the said People then and there being, feloniously did make an assault  
and *him* the said *James Northington*  
with a certain *knife*

which the said *William Gardner*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent *him* the said *James Northington*  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT—

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

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

The said *William Gardner*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said *James Northington* in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and *him* the said

with a certain *knife*

which the said *William Gardner*  
in *his* right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York,  
and their dignity.

THIRD COUNT—

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

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

The said *William Gardner*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said  
*James Northington* in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and  
him the said *James Northington*  
with a certain *knife*

which *he* the said *William Gardner*  
in *his* right hand then and there had and held, in and upon the *head*  
*and body* of *him* the said *James Northington*  
then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said *James Northington*  
against the form of the statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.



0026

**BOX:**

399

**FOLDER:**

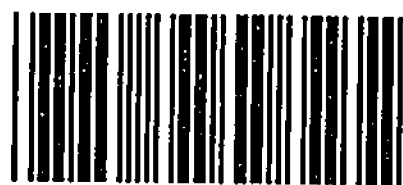
3707

**DESCRIPTION:**

Gartlan, Peter

**DATE:**

06/13/90



3707

0027

POOR QUALITY  
ORIGINAL

Witnesses:

*Ed Smith*

Counsel,

Filed,

Pleads,

*13 June 1880*

THE PEOPLE,

vs.

VIOLETION OF EXCISE LAW  
(Keeping Open on Sunday)  
[III Rev. Stat. (7th Edition), Page 1889, Sec. 5.]

*B  
Peter Cartlan*

*John R. Fellows*

JOHN R. FELLOWS.

District Attorney.

A True Bill.

*Charles H. Huggins*  
Foreman.

POOR QUALITY  
ORIGINAL

0028

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Peter Gartlan*

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

The said

*Peter Gartlan*

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

JOHN R. FELLOWS,

*District Attorney.*



0029

**BOX:**

399

**FOLDER:**

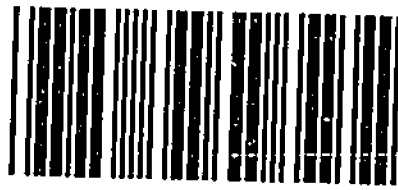
3707

**DESCRIPTION:**

Geier, John

**DATE:**

06/03/90



3707

POOR QUALITY  
ORIGINAL

0030

Witnesses;

Lizzie Geier  
Wm. G. Geier

Counsel,

Filed

Pleads,

3 Day of June 1890  
C. M. Geier

THE PEOPLE

vs.

John Geier

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

JOHN R. FELLOWS,

940 Ave. District Attorney.

A True Bill.

Foreman.

Sworn in and indicted.  
July 12, 1890 - J. R. M.

POOR QUALITY  
ORIGINAL

0031

Police Court—5 District.

City and County { ss.:  
of New York,

of No. 410 West 39<sup>th</sup> Street, aged 39 years,  
occupation Janitress being duly sworn

deposes and says, that on the 17<sup>th</sup> day of May 1890 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John Seier

(now here) who struck deponent a violent  
blow on the back of her head with  
a small ax which he then and  
there held in his hands thereby knocking  
deponent down unconscious, after  
which he jumped upon deponent's  
body with his feet as deponent  
is informed by her son John Seier Jr  
who severely wounded and bruised  
her and that said assault was  
committed.

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without  
any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be ~~apprehended~~ and bound to answer  
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 24<sup>th</sup> day

of May 1890.

Mrs. Elsie Seier

[Signature]  
Police Justice.



POOR QUALITY  
ORIGINAL

0032

Sec. 193-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *John Geier*

Question. How old are you?

Answer. *31 years*

Question. Where were you born?

Answer. *W.*

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

Answer. *410 West 34th St*

Question. What is your business or profession?

Answer. *Reader*

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

Answer. *I am not guilty*  
*John Geier*

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

Police Justice.

POOR QUALITY  
ORIGINAL

0033

May 20 9 10 30 AM

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

Wm. S. Brunker

John S. Rier

2  
3  
4

Offence

Assault

Dated

May 18

1889

No. 2, by

Thos. J. Barker

Magistrate.

No. 3, by

Wm. S. Brunker

Officer.

20 Precinct.

Witnesses

No. 4, by

Wm. S. Brunker

Officer.

No. 5, by

Wm. S. Brunker

Officer.

No. 6, by

Wm. S. Brunker

Officer.

No. 7, by

Wm. S. Brunker

Officer.

to answer  
May 23 10 AM

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..... 18 ..... 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

0034

BAILED,  
No. 1, by *Joseph H. Hill*  
Residence *119 Centre Street*  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

Police Court... 2, District.

815

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles H. Hill*  
*John H. Hill*  
*John H. Hill*

Offence *Felony*  
*Assault*

Dated *May 24 1890*

*John H. Hill* Magistrate.  
*John H. Hill* Officer.

Witnesses  
No. *119* Precinct.  
*John H. Hill* Street.

No. *119* Street.

No. *119* 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 *May 24 1890* *E. H. Hill* Police Justice.

I have admitted the above-named *Defendant* to bail to answer by the undertaking hereto annexed.  
Dated *May 24 1890* *E. H. Hill* 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

0035

This is to certify that  
Elizabeth Peier is well enough  
to be discharged today & she will  
be home enough to appear in  
Court within the next few days

N. S. Connelley  
J. H. Connelley  
May 20 - 1906

POOR QUALITY  
ORIGINAL

0036

May 18

This is a copy that  
Elizabeth Grier is  
confined here suffering  
with contusions of head  
& shoulder Her condition is  
good & nothing serious is  
anticipated

H. L. Coustale M.D.  
House Surgeon  
Wellme Hosp

POOR QUALITY  
ORIGINAL

0037

Police Court—2 District.

CITY AND COUNTY } ss,  
OF NEW YORK,

William E. Burke  
of No. 20th Street, aged \_\_\_\_\_ years,  
occupation Boatman

being duly sworn, deposes and says, that  
on the 17 day of May, 1887 at the City of New York,  
in the County of New York, Elizabeth Greer

was violently ASSAULTED and BEATEN by John Greer her husband,  
that the said Elizabeth is now a  
Bellman Bookkeeper unable to appear in  
court; and said assault was

without any justification on the part of the said assailant.

Wherefore this deponent prays that the said assailant may be apprehended and bound to  
answer the above assault, &c., and be dealt with according to law.

Sworn to before me, this 18

day of May

William E. Burke

Police Justice.



POOR QUALITY  
ORIGINAL

0038



District Police Court.

New York, Sept 7 1890

This is to certify that  
John Geer has  
been committed by  
David O Kelly  
Esq. Police Justice  
in a charge of  
Homicide in  
default of \$10.000  
bail for 7 Sept.

POOR QUALITY  
ORIGINAL

0039

16. 10. a M

J Elb Gorman  
Clark



POOR QUALITY  
ORIGINAL

0040

District Attorney's Office.

Part 3.  
PEOPLE

vs.

John Greer

Feb 5<sup>th</sup>

To fix day for trial

1049  
Feb

1928

Part 3



POOR QUALITY  
ORIGINAL

0041

NEW YORK  
FEB 11  
4:30 PM  
E 914



Heoro Judge Martin  
General Session  
#32. Chamber Str  
N.Y. City

POOR QUALITY  
ORIGINAL

0042

TO THE CHIEF CLERK.

Please send me the Papers in the Case of  
PEOPLE

vs.

*Mr. [illegible]*

*John [illegible]*

*John [illegible]*

*G. [illegible]*

District Attorney.

People }  
v.  
Grier. }

~~To the~~

In the above case I find upon examination  
that the case stands as follows

Felix Holland  
That the deceased met his death from  
a blow inflicted upon him by the defendant  
on the 31st of August 1890 at the corner of  
H & 4th Sts. The deceased was  
with the defendant and a couple  
were apparently in O'Connell's saloon at the above  
corner. Some altercation arose between the  
three present and a couple



POOR QUALITY  
ORIGINAL

0044

Please announce } People.  
these }  
Witnesses } J. P. Potterson

Wm. P. Lynch } Cor 22<sup>d</sup> St and Broadway  
House Flat - 7 ave and 53<sup>d</sup> St

Walter Lee-Baum 112 260 W 129 St

John McMahon 19 Broadway

Peter Hartman #57 Whitehall St

Chas McLean 415 Broadway

Artor Agent } (near Broadway near 42<sup>d</sup> St)  
Real Estate office }

Wm. R. Hoctor 206 W 25<sup>th</sup> St

Part 3

POOR QUALITY  
ORIGINAL

0045

~~Brook~~  
Smith, Sergeant  
434 C.  
J. 684



New York Feb 11<sup>th</sup> 1891

Mr. Marton

Judge your Case

As my Husband will be brought to you for Simeons Friday for Man Hunter and for Salt the made me go to a Police Court the handed me a book and made me put my hand on it and a peace paper on which I had to write my name on it. it was stated that he hit me with a hatchet but it was not so. I was in a Barber House and was drinking Beer and that I could trouble and then my Husband gave me a blow now I pray you will not sentence him so as he leaves my Children and I don't know what I will do I am soon to become a mother and no support what ever and he is good to his Family for God sake have mercy on him and his Children



POOR QUALITY  
ORIGINAL

0047

and I will be so Thankfull  
and Oblige Mrs Dixie Geier

Mrs Geier

W. E. G. 1877

POOR QUALITY  
ORIGINAL

0048

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 Geier

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

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

The said

John Geier

late of the City of New York, in the County of New York aforesaid, on the  
seventeenth day of May in the year of our Lord  
one thousand eight hundred and ninety, with force and arms at the City and  
County aforesaid, in and upon the body of one Elizabeth Geier  
in the Peace of the said People then and there being, feloniously did make an assault  
and her the said Elizabeth Geier  
with a certain ax

which the said

in his right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent

her the said Elizabeth Geier  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT—

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

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

The said

John Geier

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said Elizabeth Geier in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and her the said  
Elizabeth Geier  
with a certain ax

which the said

in his right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York,  
and their dignity.



POOR QUALITY  
ORIGINAL

0049

THIRD COUNT—

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

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

The said

John Geier  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said  
Elizabeth Geier in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and  
her the said Elizabeth Geier  
with a certain ax

which he the said John Geier

in his right hand then and there had and held, in and upon the head  
of her the said Elizabeth Geier

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said Elizabeth Geier

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

JOHN R. FELLOWS,

District Attorney.



0050

**BOX:**

399

**FOLDER:**

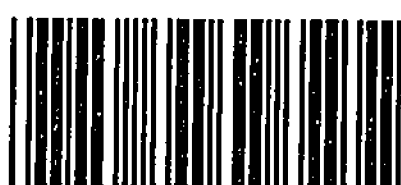
3707

**DESCRIPTION:**

Gerds, Otto

**DATE:**

06/20/90



3707

POOR QUALITY  
ORIGINAL

0051

537

Counsel,

Filed 20 day of June 1890

Pleads

THE PEOPLE

vs.

Otto Gerdt

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

JOHN R. FELLOWS,

District Attorney.  
Sub 1 Sept 27 - at 10:15 request

A True Bill.

Foreman.

Wm. H. Higgins



POOR QUALITY  
ORIGINAL

0052

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Otto Gerdtz*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Otto Gerdtz*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVER-  
AGE, ON SUNDAY, committed as follows:

The said

*Otto Gerdtz*

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

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

SECOND COUNT—

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

*Otto Gerdtz*

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

The said

*Otto Gerdtz*

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

JOHN R. FELLOWS,

District Attorney.



0053

**BOX:**

399

**FOLDER:**

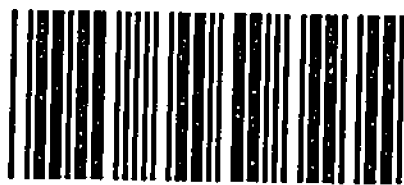
3707

**DESCRIPTION:**

Gibbens, Francis

**DATE:**

06/04/90



3707

POOR QUALITY  
ORIGINAL

0054

Witnesses:

Edw. J. Reilly

Counsel,

Filed 4 day of June 1893

Pleads

THE PEOPLE

vs.

Francis Gibbons

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Charles Higgins

Foreman.

James J. Kelly as a

Witness

Ben C. Mrs. B.M.



POOR QUALITY  
ORIGINAL

0055

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

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

Question. What is your name..

Answer. *Frank Gibbens*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *243 Bowery 6 Months*

Question. What is your business or profession?

Answer. *Barber*

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

Answer.

*I was drunk, and did  
not know what I was doing*

*Francis Gibbens*

Taken before me this *17th*

day of *April*

188*9*

*John J. Smith*  
Police Justice.



POOR QUALITY  
ORIGINAL

0056

BAILED.

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

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

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

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

Police Court District. 849

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Edward Kelly  
431 2<sup>nd</sup> Ave  
Frank Gilbertson

Offence Maliciously  
Destroying Property

Dated June 1<sup>st</sup> 1890

John Magistrate

Officer

18 Precinct.

Witnesses

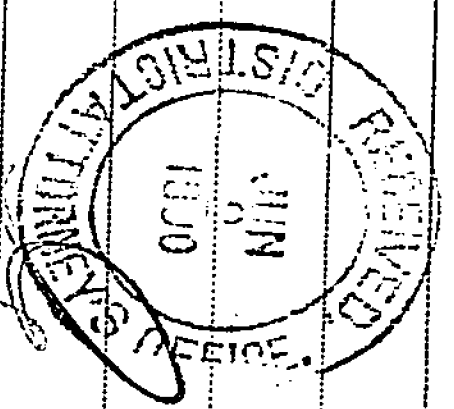
No. \_\_\_\_\_  
Street \_\_\_\_\_

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

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

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

No. \_\_\_\_\_  
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 June 1<sup>st</sup> 1890 Police Justice.

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

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

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

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

POOR QUALITY  
ORIGINAL

0057

CITY AND COUNTY  
OF NEW YORK, ss.

POLICE COURT, 4 DISTRICT.

First Edward Reilly  
of No. 431 ~~South~~ Avenue ~~Street~~, aged 34 years,  
occupation Liquor dealer being duly sworn deposes and says  
that on the 31 day of May 1890  
at the City of New York, in the County of New York: Frank Gibbons

(now here) who wilfully and maliciously  
threw a stone at store windows  
of premises No 431 First Avenue  
in said City breaking a plate  
glass and doing damage to the  
same to the amount and value  
of twenty dollars the property of  
deponent. Wherefore deponent prays  
that said defendant may be  
dealt with as the law directs  
Edward Reilly

Sworn to before me this 1st day

of June 1890

*J. Henry Best*  
Police Justice.



POOR QUALITY  
ORIGINAL

0058

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Francis Higgins*

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

*Francis Higgins*  
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying*  
PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *Francis Higgins*,  
late of the *Fifth* Ward of the City of New York, in the County of New York  
aforesaid, on the *thirtieth* day of *May* in the year  
of our Lord one thousand eight hundred and *eighty nine*, at the Ward, City and  
County aforesaid, with force and arms, *a certain pane of*  
*plate glass,*

of the value of *seventy dollars*,  
of the goods, chattels and personal property of one *Edward Rilling*,  
then and there being, then and there feloniously did unlawfully and wilfully *break*

*and destroy*

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



POOR QUALITY  
ORIGINAL

0059

SECOND COUNT.

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

Francis Higgins  
of the CRIME OF UNLAWFULLY AND WILFULLY destroying  
REAL PROPERTY OF ANOTHER, committed as follows:

The said Francis Higgins,

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

pane of plate glass,

of the value of seventy dollars,

in, and forming part and parcel of the realty of a certain building of one Edward

Reilly,  
there situate, of the real property of the said Edward Reilly,

then and there feloniously did unlawfully and wilfully break and destroy

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

JOHN R. FELLOWS,

District Attorney.

0060

**BOX:**

399

**FOLDER:**

3707

**DESCRIPTION:**

Ginsburg, Ida

**DATE:**

06/03/90



3707



POOR QUALITY  
ORIGINAL

0061

Witnesses:

Mario Cohen  
Officer Henry

In my opinion there  
can be no connection  
in this case.  
I recommend defendant  
discharge upon her  
own recognizance.

Oct 22/90  
George M. Davis  
Asst

Counsel,

Filed

Pleads,

3 day of June 1890

Charged

THE PEOPLE,

vs.

B

Ida Ginsburg

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

JOHN R. FELLOWS,

District Attorney.

On recognizance  
def. discharged on her  
own recognizance. B.M.

A True Bill.

Foreman.

W. S. J. Tenn  
W. S. J.



POOR QUALITY  
ORIGINAL

0062

Police Court— 9 District—

CITY AND COUNTY } ss,  
OF NEW YORK,

of No. the 16th Precinct Police Street, aged 33 years,  
occupation Police Officer being duly sworn, deposes and says, that  
on the 17th day of April 1890 at the City of New York,  
in the County of New York,

he was violently ASSAULTED and BEATEN by Edw. Kinsburg (where  
who struck deponent on the face  
with his hand - cutting deponent's  
face while deponent was in the discharge  
of his duty as a police officer - and  
assisted in removing a prisoner from deponent  
without any justification on the part of the said assailant.

Wherefore this deponent prays that the said assailant may be ~~apprehended~~ and bound to  
answer the above assault, &c., and be dealt with according to law.

Sworn to before me, this 18th

day of April 1890

Robert Henry  
J. M. O'Brien Police Justice.

POOR QUALITY  
ORIGINAL

0063

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK,

3 District Police Court.

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

Question. What is your name?

Answer. Edw. Ginsburg

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. Austria

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

Answer. 722 Madison St. 3 years

Question. What is your business or profession?

Answer. Tailor

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

Edw. Ginsburg  
March

Taken before me this

18th

day of March 1891.

W. H. Thurston

Police Justice.



0054

POOR QUALITY  
ORIGINAL

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Robert Henry

John Henry

Offence

Assault -

Dated

April 18

1890

Residence

Magistrate

Officer

Henry

Witnesses

Wm. J. Brown

No. 1, by

112

No. 2, by

112

No. 3, by

112

No. 4, by

112

No. 5, by

112

No. 6, by

112

No. 7, by

112

No. 8, by

112

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

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

Dated April 18 1890 John Platt Police Justice.

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

Dated April 18 1890 John Platt Police Justice.

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

Dated 18 1890 John Platt Police Justice.



POOR QUALITY  
ORIGINAL

0065

District Attorney's Office.

PEOPLE

vs.

Part 2.

Mr Goff Consents  
That the case of  
Ida Ginsburg  
and down for the  
15 is adjourned  
to the 19th inst  
Jff Cohen  
11

POOR QUALITY  
ORIGINAL

0066

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Isa Figini*

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

*Isa Figini*

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

The said *Isa Figini*,

late of the City of New York, in the County of New York, aforesaid, on the *14th*  
day of *April*, in the year of our Lord one thousand eight hundred and  
*ninety* at the City and County aforesaid, with force and arms, feloniously made  
an assault in and upon one *Robert Henry*.

then and there being, a *patrolman* of the Municipal Police of the City of  
New York, and as such *patrolman* being then and there engaged in the lawful

*apprehension* of a man whose name is  
*to the Grand Jury aforesaid as yet*  
*unknown, for an assault,*

and the said *Isa Figini*,

him, the said *Robert Henry*.

then and there feloniously did beat, strike, wound and otherwise ill-treat, with intent

then and there and thereby to prevent and resist the lawful *apprehension*

of *the said man* as aforesaid,

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

JOHN R. FELLOWS,

District Attorney.



0067

**BOX:**

399

**FOLDER:**

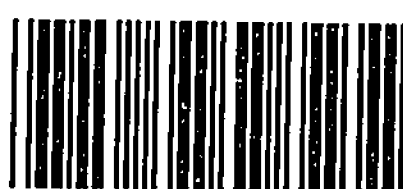
3707

**DESCRIPTION:**

Goldstein, Herman

**DATE:**

06/09/90



3707

POOR QUALITY  
ORIGINAL

0068

Witnesses:

Herman S. Hunkley  
Herman S. Hunkley  
Off Raymond

upon investigation; I recommend  
defendant's discharge upon his  
own recognizance. Attest  
June 13/90. A. H. Hunkley  
A. H.

Counsel,

Filed

Pleads,

day of June 1890

THE PEOPLE

vs.

Herman Solastine

Burglary in the Third degree.

[Section 498, Penal Code.]

JOHN R. FELLOWS,

District Attorney.

4 P. M.

A True Bill.

Thurman Higgins

Foreman.

June 13/90.

June 13  
in recogn. of dist. atty.  
dept. discharged on his own  
recog. R. B. H.



POOR QUALITY  
ORIGINAL

0069

Police Court— 3 District.

City and County } ss.:  
of New York,

of No. 14 Norfolk Street, aged 29 years,  
occupation Grocer being duly sworn

deposes and says, that the premises No. 14 Norfolk Street, 13 Ward  
in the City and County aforesaid the said being a five story brick ten-  
ement house the ground floor and basement of  
and which was occupied by deponent as a Grocery  
~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly breaking through  
the basement door of said premises

on the 2 day of June 1890 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

A quantity of Groceries of the  
value of Two thousand dollars  
\$2,000.

the property of this deponent  
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed attempted to be and the aforesaid property taken, stolen and carried away by  
Herman Goldstein (now here)

for the reasons following, to wit: On the night of June  
1st 1890 this deponent securely locked  
and fastened the doors and windows of  
said premises and at about the hour  
of 4.15 am on the said June 2d he  
was informed by Herman Leichter (now  
present) that the said premises had been  
burglariously entered by the defendant  
Goldstein - The deponent and the said

POOR QUALITY  
ORIGINAL

0070

Leichter thereupon returned to the said premises and there found the defendant in the custody of Officer Raymond of the 12th Precinct. Said Officer was brought upon the scene by the said Leichter the deponents informant

H. Skolomsky

Sprom to before me  
this 2<sup>d</sup> day of June  
1890

H. M. Patterson  
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1889  
Police Justice.  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1889  
Police Justice.  
There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 1889  
Police Justice.

Police Court, District,	Offence—BURGLARY.
THE PEOPLE, &c., on the complaint of	
vs.	
1.	
2.	
3.	
4.	
Dated 1889	Magistrate.
5.	Officer.
Witness,	Clerk.
No. Street,	
No. Street,	
No. Street,	
\$ to answer General Sessions.	



POOR QUALITY  
ORIGINAL

0071

CITY AND COUNTY }  
OF NEW YORK, } ss.

*John Raymond*  
aged *46* years, occupation *Police Officer* of No.

*the 12<sup>th</sup> Precinct* Street, being duly sworn deposes and

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

Sworn to before me, this

day of

*2*

*90* 188

*John Raymond*

*J. M. Patterson*

Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Herman Leichter*  
aged *27* years, occupation *Keep soda water stand* of No.  
*24 Suffolk* Street, being duly sworn deposes and

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

Sworn to before me, this

day of

*2*

*90* 188

*Herman Leichter*

*J. M. Patterson*

Police Justice.

POOR QUALITY  
ORIGINAL

0072

Sec. 198—200.

3

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Herman Goldstein*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *No Home*

Question. What is your business or profession?

Answer. *Glazier*

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 went there found the panel  
of the door broken open and  
I went in to take a sleep  
Herman Goldstein*

Taken before me this

day of

*June*

1880

*29*

*W. H. Williams*  
Police Justice



POOR QUALITY  
ORIGINAL

0073

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

Police Court--- 388  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Herman Goldblatt  
14 West 42nd St  
Herman Goldblatt

2  
3  
4

Offence Burglary

Dated June 2 1890

Magistrate.

Officer.

Precinct.

Witnesses Herman Goldblatt

No. 24 Suffolk Street.

and the Officer

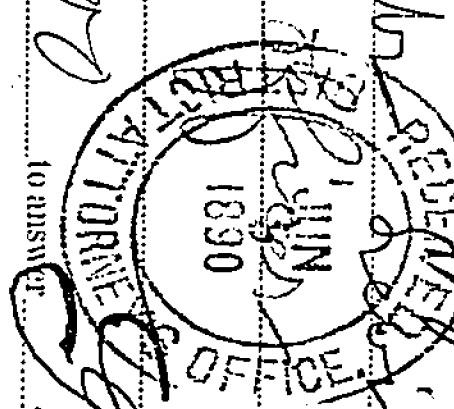
No. 40 Suffolk Street.

No. 40 Suffolk Street.

No. 40 Suffolk Street.

No. 40 Suffolk Street.

No. 40 Suffolk 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 Two 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 June 2 1890 M. J. Patterson 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 h to be discharged.

Dated 18 Police Justice.

POOR QUALITY  
ORIGINAL

0074

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Herman Goldstein*

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

*Herman Goldstein*

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

The said

*Herman Goldstein*

late of the *Thirteenth* Ward of the City of New York, in the County of New York, aforesaid, on the *second* day of *June* in the year of our Lord one thousand eight hundred and *ninety*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *store* of one

*Herman Sklomberg*

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

*Herman Sklomberg*

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.

*John R. Fellows,*  
*District Attorney*



0075

**BOX:**

399

**FOLDER:**

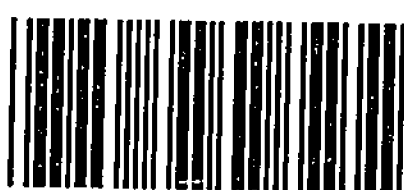
3707

**DESCRIPTION:**

Goldstein, Marcus

**DATE:**

06/25/90



3707

POOR QUALITY  
ORIGINAL

0076

Witnesses:

Anthony L. ...

Counsel,

Filed

25

day of

June 1890

Pleads,

THE PEOPLE

vs.

39 ...  
37 ...

Marcus Goldstein

Continuing a lottery to  
(Sec. 326, Game Code)

June 30 P's and diff'rent order of at ADD

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

...

Foreman.

Part II, July 1/90  
Pleads Guilty.

pen one ...



DOOR QUALITY  
ORIGINAL

0077

3. Kl. 229. L. 3. Kl.

Preis als Kauf-Loos 7 M 35 Pfg.

**Ein Achtel**  
Grossherzogl. Mecklbg.-Schwerin.  
**Dritte Klasse.**

**Original-Loos**  
229ster Landes-Lotterie.  
**N<sup>o</sup> 16781 \*  $\frac{1}{8}$  A.**

Inhaber dieses Ein Achtel Looses hat zur dritten Klasse 229. Landes-Lotterie, welche am 20. Juni 1890 gezogen wird, 3 M 15 Pfg. Einsatz incl. Schreibgeld und Reichssteuer bezahlt.

Die Auszahlung der Gewinne findet unter den im Avertissement des Plans festgestellten Bedingungen statt. Die Erneuerung zur 4. Klasse muss vor dem 6. Juli 1890 geschehen bei Verlust weiteren Anrechts an dem Loose.

Lotterie-Direction.

*Müller* *Adolf Schwenske*

Haupt-Collecteur: **L. Rogemann**  
Schwerin i. M.

Sub-Collecteur:



POOR QUALITY  
ORIGINAL

0078

J. Barotter.

June 16/90

(A.G.)

J. M. G.

City, County and State of New York.

Anthony Bournebeck  
 of 41 Park Row, New York City, being duly  
 sworn deposes and says, that he is in-  
 formed, has just cause to believe, and verily  
 does believe that on the 16<sup>th</sup> day of June 1890  
 at the City and County of New York, aforesaid  
 J. Barotter whose full and real name is  
 unknown but who can be fully identified  
 by H. M. Hill and E. M. Hill, did unlawfully  
 contrive and propose and aid and assist  
 in the contriving and proposing of a lottery.  
 and in and for aiding and assisting in the  
 contriving, proposing and carrying on of a lottery  
 did take to the officers and office of "The Hill  
 Engraving Company", 39 & 41 Park Place, a  
 certain lottery ticket hereto annexed, and  
 did deliver the same to an officer of the  
 said The Hill Engraving Company to wit, to H. M.  
 Hill Treasurer, and direct and order that two  
 cuts should be made of the back and face  
 of said ticket for printing <sup>other similar tickets</sup> ~~the same~~, and also  
 cuts of numbers for numbering the said  
 tickets when so printed, and did ~~order~~ <sup>desire</sup> to have  
 the said tickets or cuts for making said tickets  
 ready by Thursday morning June 19<sup>th</sup>. and  
 promised to return for the same, and pay for  
 said cuts or plates for printing said tickets and



GLUED PAGE

POOR QUALITY  
ORIGINAL

0079

J. Barster.

June 16/90

(A.G.)

3m

City, County and State of New York.

Anthony Courtsock  
of 41 Park Row, New York City, being duly  
sworn deposes and says, that he is in-  
formed, has just cause to believe, and verily  
does believe that on the 16<sup>th</sup> day of June 1890  
at the City and County of New York, aforesaid  
J. Barster whose full and real name is  
unknown but who can be fully identified  
by H. M. Hill and E. M. Hill, did unlawfully  
contrive and propose and aid and assist  
in the contriving and proposing of a lottery.  
and in and for aiding and assisting in the  
contriving, proposing and carrying on of a lottery  
did take to the officers and office of "The Hill  
Engraving Company", 39 & 41 Park Place, a  
certain lottery ticket hereto annexed, and  
did deliver the same to an officer of the  
said The Hill Engraving Company to wit, to H. M.  
Hill Treasurer, and direct and order that two  
cuts should be made of the back and face  
of said ticket for printing <sup>after similar tickets</sup> ~~the same~~, and also  
cuts of numbers for numbering the said  
tickets when so printed, and did ~~order~~ <sup>direct</sup> to have  
the said tickets & cuts for making said tickets  
ready by Thursday morning June 19<sup>th</sup>. and  
promised to return for the same, and pay for  
said cuts or plates for printing said tickets and



POOR QUALITY  
ORIGINAL

0000

City, County and State of New York.

Anthony Courtsock  
of 41 Park Row, New York City, being duly  
sworn deposes and says, that he is in-  
formed, has just cause to believe, and verily  
does believe that on the 16<sup>th</sup> day of June 1896  
at the City and County of New York, aforesaid  
J. Barsten whose full and real name is  
unknown but who can be fully identified  
by H. M. Hill and E. M. Hill, did unlawfully  
contrive and propose and aid and assist  
in the contriving and proposing of a lottery,  
and in and for aiding and assisting in the  
contriving, proposing and carrying on of a lottery  
did take to the officers and office of "The Hill  
Engraving Company", 39 & 41 Park Place, a  
certain lottery ticket hereto annexed, and  
did deliver the same to an officer of the  
said The Hill Engraving Company to wit, to H. M.  
Hill Treasurer, and direct and order that two  
cuts should be made of the back and face  
of said ticket for printing <sup>after similar tickets</sup> ~~the same~~, and also  
cuts of numbers for numbering the said  
tickets when so printed, and did ~~order~~ <sup>desire</sup> to have  
the said tickets or cuts for making said tickets  
ready by Thursday morning June 19<sup>th</sup>. and  
promised to return for the same, and pay for  
said cuts or plates for printing said tickets and



POOR QUALITY  
ORIGINAL

00001

numbers at that time, further promising  
if the work was done good he would have  
new cuts made every three weeks?

Deponent further says, that the paper  
or ticket hereto annexed, is a ticket or  
part of a ticket in a lottery without the State  
of New York, where money or other property  
~~is~~ dependent upon chance, and is to be  
disposed of by lot or chance.

against the form of the Statute of the People  
of the State of New York and particularly against  
the provisions of Chapter VIII of the Penal Code  
of the State of New York, in such case made  
and provided.

Subscribed and sworn to before me  
this 18<sup>th</sup> day of June 1890  
*John J. Hornum*  
Police Justice.

Anthony Courtick.

POOR QUALITY  
ORIGINAL

0082

The People  
vs  
J. Peniston-

vs. Botley Law.

Witnesses

A. Courtch.

Ex. M. Hill.

39741 Park Place.



POOR QUALITY  
ORIGINAL

0003

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

*Anthony Santolucito*

of No. *41 Park Row* Street, being duly sworn, deposes and says,  
that *Marcus Goldstein* (now present) is the person of the name of  
*J. Bassett* mentioned in deponent's affidavit of the *18<sup>th</sup>*  
day of *June* 18*90*, hereunto annexed.

Sworn to before me, this *20*  
day of *June* 18*90* }

*Anthony Santolucito*

*John J. ...* POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

0004

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer.

*Marcus Goldstein*

Question. How old are you?

Answer.

*39 years*

Question. Where were you born?

Answer.

*Russia Poland*

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

Answer.

*77 Eldridge St. 6 months*

Question. What is your business or profession?

Answer.

*Pedler*

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*

*performed 0624*

Taken before me this

*20*

day of

*June*

*1895*

*John J. McNamee*  
Police Justice.



POOR QUALITY  
ORIGINAL

0085

Sec. 151.

Police Court, 1<sup>st</sup> District.

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

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Anthony Bonaiuto of No. 41 Park Road Street, charging that on the 16<sup>th</sup> day of June 1890 at the City of New York, in the County of New York that the crime of assisting in the conducting and preparing of a lottery

has been committed, and accusing J. Bonito Marcus Goldstein whose real name is unknown but who can be identified by G. M. Hill and G. M. Hill thereof.

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Deputy Sheriffs, Peace Officers, Marshals, Constables and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the First 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 18<sup>th</sup> day of June 1890  
John Flanagan POLICE JUSTICE.

33 Park Road  
POLICE COURT, 1<sup>st</sup> DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Anthony Bonaiuto  
vs.  
Marcus Goldstein

Warrant-General.

Dated 188

Magistrate.

Officer.

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

Patrick English Officer.

Dated June 20 1890

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest 9:30 A.M.

June 20 - 1890

Native of Guatemala

Age 39

Sex M

Complexion M

Color M

Profession Teacher

Married No

Single Yes

Read No

Write Yes

77 Edwards St

POOR QUALITY  
ORIGINAL

0085

1500 Bond for  
985 June 21/90

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

Anthony Louchet

Marcus Goldstein

2  
3  
4

Offered

Lottery

Dated

June 20 1890

Residence

Coronan Magistrate.

Residence

Booth Officer.

Residence

Booth Precinct.

Witnesses

Edell Bell

No. 4, by

Edell Bell

No. 4, by

Edell Bell

No. 4, by

Edell Bell

No. 4, by

Edell Bell

No. 4, by

Edell Bell

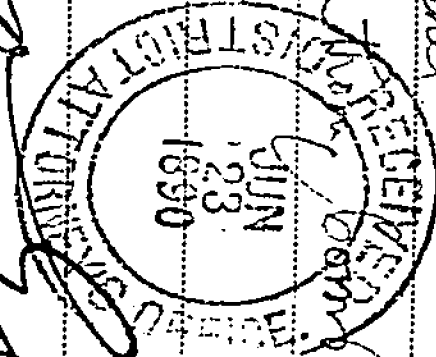
No. 4, by

Edell Bell

No. 4, by

Edell Bell

1500 Bond for  
June 21/90



It appearing to me by the within depositions and statements that the crime therein mentioned has been  
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  
fifteen Hundred Dollars, and be committed to the Warden and Keeper of  
the City Prison, of the City of New York, until he give such bail.

Dated June 20 1890 [Signature] Police Justice.

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

Dated 18 Police Justice.

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

18 Police Justice.



POOR QUALITY  
ORIGINAL

00007

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY  
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Marcus L. Epstein*

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

indictment, accuse *Marcus L. Epstein* —

of the crime of *continuing and proposing, and assisting*  
*in continuing and proposing a lottery,* —

committed as follows:

The said *Marcus L. Epstein,* —

late of the City of New York, in the County of New York aforesaid, on the  
*sixteenth* day of *June,* in the year of our Lord one thousand  
eight hundred and ninety — , at the City and County aforesaid,

*did feloniously continue and propose, and*  
*assist in continuing and proposing a certain*  
*lottery, the same being a scheme for the*  
*distribution of property by chance among*

POOR QUALITY  
ORIGINAL

00000

persons who had paid a valuable consideration  
for the chance, (a more particular description  
of which said lottery is to the Grand Jury  
of record 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

John R. Fellows,

District Attorney



0089

**BOX:**

399

**FOLDER:**

3707

**DESCRIPTION:**

Gorman, Edward

**DATE:**

06/10/90



3707

POOR QUALITY  
ORIGINAL

0040

600.

*Ch. Fennelly #162*

Counsel,  
*Pamphlet cut*

Filed 10 day of June 1890

Pleads, *Not guilty*

THE PEOPLE  
vs.  
*B*  
*Edward Gorman*  
*Sept 26 '90*  
*Filed to the Court of Sessions  
for trial by request  
of the District Attorney.*

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

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*Ch. M. Higgins* Foreman.

Witnesses:  
*off Maglin*



POOR QUALITY  
ORIGINAL

0091

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Edward Gorman*

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

The said *Edward Gorman*

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

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

SECOND COUNT—

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

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

The said *Edward Gorman*

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

JOHN R. FELLOWS,

District Attorney.

0092

**BOX:**

399

**FOLDER:**

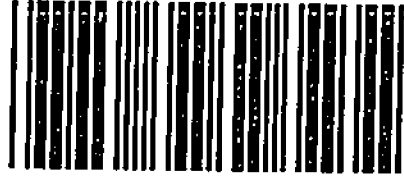
3707

**DESCRIPTION:**

Granban, Christian

**DATE:**

06/23/90



3707



POOR QUALITY  
ORIGINAL

0093

Witnesses:

*off Kirk*

Counsel,

Filed

28 day of June 1890

Pleads,

*Myself Sept 17/91*

THE PEOPLE

vs.

*Christian Graham  
and  
Henry Kirk*

VIOLETION OF EXCISE LAW

[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and  
(Selling on Sunday, Etc.)  
page 1980, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

*Charles Higgins Foreman.*

*L. O. 24/90*

POOR QUALITY  
ORIGINAL

0094

COURT OF GENERAL SESSIONS  
CLERK'S OFFICE.

PEOPLE

vs.

Henry Kirk  
Excr

See

Christian Grubbe

filed June 33/  
90



POOR QUALITY  
ORIGINAL

0095

Sec. 198-200.

H District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Henry Kurk*

Question. How old are you?

Answer. *37 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *No 1400 E 87th St. Hunts*

Question. What is your business or profession?

Answer. *Solemn Keeper*

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

Answer.

*I am guilty I sold  
a glass of Beer to the Officer  
I demand a trial by Jury*

*Henry Kurk*

day of

Taken before me this

188

Office Justice.

POOR QUALITY  
ORIGINAL

0095

Police Court... *1240* District...

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles M. Thompson*  
*Henry Hawk*

BAILEY  
No. 1, by *Peter Shading*  
Residence *1341 Ave A* Street

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

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

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

Dated *Aug 6* 188*8*

*Charles M. Thompson* Magistrate.  
*Thompson* Officer.

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

\$ *100* to answer *Paul* Street

*Paul*

RECEIVED  
AUG 10 1888  
CLERK OF THE COURT

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

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

Dated *Aug 6* 188*8* *Sam'l C. Bailey* Police Justice.

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

Dated *August 6<sup>th</sup>* 188*8* *Sam'l C. Bailey* Police Justice.

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

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



POOR QUALITY  
ORIGINAL

0097

Excise Violation—Selling on Sunday.

POLICE COURT—4 DISTRICT.

City and County } ss.  
of New York,

of No. Herbert M. Tompkins  
Chesnut Street,  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 8 day  
of August 1888 in the City of New York, in the County of New York, at  
premises No. 1306 First Avenue Street,  
Henry Kurk (now here)  
did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his  
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,  
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

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

Sworn to before me, this 8 day  
of Aug 1888 at Herbert M. Tompkins  
Sam J. Smith Police Justice.

POOR QUALITY  
ORIGINAL

0098

The defendant having stated that  
his name is Christian Crambaw,  
it is ordered by the court that this  
indictment be amended so that the  
name "Henry Turk" shall read "Chri-  
tian Crambaw" wherever it may appear  
in this indictment.  
Part 2  
Sept. 26/1890.

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

THE PEOPLE OF THE STATE OF NEW YORK,

*Christian* against *Crambaw*  
*indicted as*  
*Henry Turk*

*Christian Crambaw* indicted as *Henry Turk*  
The Grand Jury of the City and County of New York, by this indictment, accuse  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVER-  
AGE, ON SUNDAY, committed as follows:

*Christian Crambaw* indicted as  
The said *Henry Turk*

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

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

SECOND COUNT—

*Crambaw* indicted as *Henry Turk*  
And the Grand Jury aforesaid by this indictment further accuse the said *Christian*  
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG  
AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

*Christian Crambaw* indicted as  
The said *Henry Turk*

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

JOHN R. FELLOWS,  
District Attorney.



0099

**BOX:**

399

**FOLDER:**

3707

**DESCRIPTION:**

Greene, John

**DATE:**

06/04/90



3707

POOR QUALITY  
ORIGINAL

0100

#47

Counsel,

Filed

4 June 1890

Pleads,

Witness:  
*[Signature]*

VIOLATION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1053, Sec. 21 and  
page 1050, Sec. 5.]

THE PEOPLE

vs.

*B*  
*John Greene*

*June 9 90*

JOHN R. FELLOWS,

*District Attorney.*

A TRUE BILL.

*James H. Rogers Foreman.*



POOR QUALITY  
ORIGINAL

0101

#47

Counsel,

Filed

4 June 1890

Pleads,

VIOLATION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1083, Sec. 21 and  
page 1080, Sec. 5.]

THE PEOPLE

vs.

John Greene

John Greene

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Francis Higgins Foreman.

Robert M. M. M.



New York June 8<sup>th</sup> 1893

Christopher Boylan, residing at the Hotel Wellington, 42<sup>nd</sup> St and Madison Ave in the City and County of New York, being duly sworn deposes and says as follows, that he was an intimate acquaintance of John Greene, who resided at 377 2<sup>nd</sup> Ave in the month of Feby. 1889, and who last resided at 352 E 20 St in this City, and that he knows of his own personal knowledge that the said John Greene is now deceased, having attended his funeral in Feby 27 1893, his remains being interred in Calvary Cemetery L.I. and that the said John Greene is the same one mentioned in the attached death certificate and indictment

Sworn to before me this }  
9<sup>th</sup> day of June 1893 }  
H. G. Morgan

Christopher Boylan

Comm of Supp  
N.Y.C.



POOR QUALITY  
ORIGINAL

0103

19 Form H.

NEW YORK, April 25 1893

1500

A Transcript from the Records of the Deaths Reported to the Health  
Department of the City of New York.

COUNTY OF NEW YORK.

STATE OF NEW YORK.

CITY OF NEW YORK

**CERTIFICATE AND RECORD OF DEATH**

No. of Certificate,

6700

John Greene

I hereby certify that I attended deceased from Feb. 23 1893 to Feb. 24 1893  
that I last saw him alive on the 24 day of February 1893, that he died on the  
24 day of February 1893 about 8 o'clock A. M. or P. M., and that to best of my  
knowledge and belief his death was as hereunder written.

Duration of Disease.

Chief Cause, Variola Hemorrhagic

Contributing Cause,

Sanitary Observations,

Witness my hand this 24 day of February 1893.

Place of Burial, Calvary (SIGNATURE),

S. Dana Hubbard M. D.

Date of Burial,

Undertaker, Jas. Delaney

RESIDENCE,

Residence,

Burial permits issued at 301 Mott Street, Room 38, Week days, 7 A. M.-6 P. M. Sundays and Holidays, 8 A. M.-5 P. M.

Date of Record.	Indirect cause of Death.	Direct cause of Death.	Class of Dwelling (A recent being a house occupied by more than two families).	Last place of Residence.	Place of Death.	Mother's Birthplace.	Mother's Name.	Father's Birthplace.	Father's Name.	How long resident in New York City.	How long in U.S. if foreign born.	Birthplace.	Occupation.	Single, Married or Widowed.	Color.	Age, in years, mos. and days.	Full Name.	Date of Death.
<u>Feb. 25 - 1893.</u>	<u>Variola - Hemorrhagic</u>		<u>Government</u>	<u>352 East 20<sup>th</sup> St.</u>	<u>Reverend Hospital</u>	<u>Ireland</u>	<u>Margaret</u>	<u>Ireland</u>	<u>Thomas Greene</u>	<u>"</u>	<u>13 years</u>	<u>Ireland</u>	<u>Butcher</u>	<u>Married</u>	<u>White</u>	<u>34 years</u>	<u>John Greene</u>	<u>February 24 - 1893</u>

A True Copy.

Emmons County

NOTICE.-In issuing this transcript of record, the Health Department of the City of New York does not certify to the truth of the record transcribed, and no inquiry as to the facts reported has been provided for by law.

POOR QUALITY  
ORIGINAL

0104

COURT OF GENERAL SESSIONS, PART *One*

(1700)

THE PEOPLE

vs.

INDICTMENT

For

*John Green*  
To

M *Michael J. Cotter*

No. *300 E 34* Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *Reading* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House in the Park of the said City, on \_\_\_\_\_ the \_\_\_\_\_ day of

*June* instant, at eleven o'clock in the forenoon.  
If the defendant is not produced at that time, your bond will be forfeited.

DE LANCEY NICOLL,

*District Attorney.*



POOR QUALITY  
ORIGINAL

0105

Excise Violation—Selling on Sunday.

POLICE COURT—

DISTRICT.

City and County of New York, ss.

of No.

Police Central Office Street,  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 2<sup>d</sup> day  
of February 1889, in the City of New York, in the County of New York, at  
premises No. 343 - 1<sup>st</sup> Avenue Street,

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

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

Sworn before me, this 25<sup>th</sup> day  
of February 1889,

John Plummer Police Justice.

Robert J. Webb

POOR QUALITY  
ORIGINAL

0106

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty and  
if held I demand a trial by  
jury.*

*John Greene*

Taken before me this

day of February 1889

Police Justice.



POOR QUALITY  
ORIGINAL

0107

Police Court

District

1305

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Robert J. Welch*

*John Clemons*

*Excuse*

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

*300 E. 34th St.*

Street

Street

Street

Dated

*July 25 1889*

188

Magistrate

Officer

Precinct

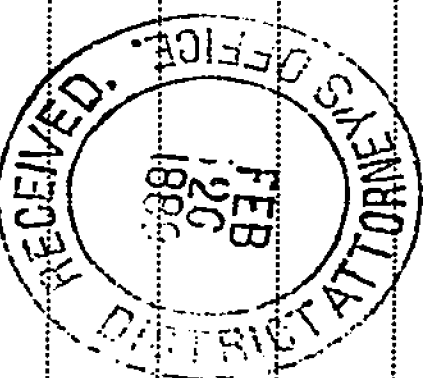
Witnesses

No.

Street

No.

Street



No.

Street

\$

*100* to answer

Street

*Good*

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

*R. DeLandau*

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

Dated *July 25* 1889 *John J. ...* Police Justice.

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

Dated *July 25* 1889 *John J. ...* Police Justice.

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

Dated 1889 Police Justice.

POOR QUALITY  
ORIGINAL

0 108

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 Greene*

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

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

The said

*John Greene*

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

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

SECOND COUNT—

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

*John Greene*

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

The said

*John Greene*

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

JOHN R. FELLOWS,

District Attorney.



0109

**BOX:**

399

**FOLDER:**

3707

**DESCRIPTION:**

Grimes, Thomas

**DATE:**

06/12/90



3707

POOR QUALITY  
ORIGINAL

0110

Witnesses:

*Off Myers*

Counsel,

Filed,

12 day of

June 1889

Pleads

*C. H. Kelly - 13*

THE PEOPLE,

vs.

*Thomas Green*

*Transferred to the Court of Sessions for trial and final disposition.*

*Part of March 24 - 1889*

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

JOHN R. FELLOWS,

*Sept 20 - 1889* District Attorney.

A True Bill.

*Wm. H. Haggins*

Foreman.



POOR QUALITY  
ORIGINAL

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 Grimes*

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

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

JOHN R. FELLOWS,

*District Attorney.*

0112

**BOX:**

399

**FOLDER:**

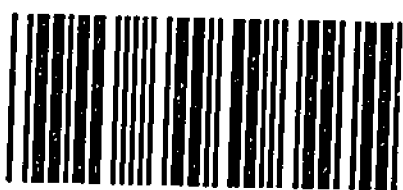
3707

**DESCRIPTION:**

Gruner, John D.

**DATE:**

06/05/90



3707



POOR QUALITY  
ORIGINAL

0113

Witnesses:

*Officer*

Counsel *JD*

Filed

Day of

1890

Pleads,

*May 6*

THE PEOPLE

vs.

*John D. Gruner*

*Summit*

Sent to the Court of Appeals  
for review by request  
of Defendant's Counsel.

VIOLATION OF EXCISE LAW.  
(Selling to Minor).  
[Section 290, Pennl Code, sub. 3.]

*June 10, 1890*

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*James H. Higgins*

Foreman.

POOR QUALITY  
ORIGINAL

0114

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 D. Gruner*

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

accuse

*John D. Gruner*  
of a MISDEMEANOR, committed as follows:

The said

*John D. Gruner*

late of the City of New York, in the County of New York aforesaid, on the  
*twenty-ninth* day of *May* in the year of our Lord  
one thousand eight hundred and ninety

, at the City and County aforesaid,  
certain strong and spirituous liquors, and certain wine, ale and beer, to wit: One gill of  
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of  
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of  
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury  
aforesaid unknown, unlawfully did sell, and cause and procure and permit to be sold to one  
*Annie Barthel* who was then and  
there a child actually and apparently under the age of sixteen years, to wit: of the age of  
*eight* years, against the form of the statute in such case made and provided, and  
against the peace of the People of the State of New York, and their dignity.

JOHN R. FELLOWS,

*District Attorney.*



0115

**BOX:**

399

**FOLDER:**

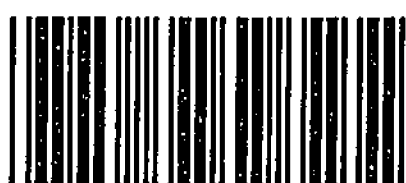
3707

**DESCRIPTION:**

Guggenheim, Max

**DATE:**

06/18/90



3707

POOR QUALITY  
ORIGINAL

0116

Witnesses:

W. A. Purvis  
P. J. Mulvey  
Dr. A. A. Flint  
Dr. Van der Sijp  
Dr. A. A. Flint  
Henry J. Aulay

This fellow is  
a peroxide in  
No. 1 of the  
Laws of the State  
of New York  
man

Counsel.

Filed, 18

Spends

July 1880  
THE PEOPLE  
[2 cases]

ILLEGAL PRACTICE OF PHYSIC.  
Chapter 147, Laws of 1887, § 6.

Max Guggenheim  
[2 cases]

JOHN R. FELLOWS

District Attorney.

True Bill.

March 9/92

200 days of no fine  
200 days of no fine  
200 days of no fine



POOR QUALITY  
ORIGINAL

0117

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty - and  
demand a trial by jury  
Max Guggenheimer*

Taken before me this  
day of July 1908

Police Justice.

POOR QUALITY  
ORIGINAL

0118

## First District Police Court.

THE PEOPLE,  
On the Complaint of the MEDICAL SOCIETY OF THE COUNTY  
OF NEW YORK,

against

*Max Guggenheim*

Violation of Medical Act, Chapter 647  
of Laws of 1887.

THE MEDICAL SOCIETY OF THE COUNTY OF NEW YORK, a duly incorporated Medical Society of the State and County of New York, entitled to representation in the MEDICAL SOCIETY OF THE STATE OF NEW YORK, complain that *Max Guggenheim* residing at No. *181 Eldridge* Street, in said County, is guilty and has been guilty of the ~~crime~~ <sup>misdemeanor</sup> of practising physic and surgery in said County without the license and registration provided for by law, and also of the crime of committed in the manner set forth in the affidavits of *Henry Loring* hereto below following, upon which affidavits this complaint is made.

*W. A. Burrington*  
Counsel of the Medical Society of the County of New York.

City and County of New York, ss.

*Henry Loring*

being duly sworn, deposes and says as follows:

I.—I reside at No. *337 E. 14<sup>th</sup>* Street, in said City and County.

II.—On or about the *9<sup>th</sup>* day of *June* 1890 and between the *3<sup>rd</sup>* day of *June* 1890 and the *15<sup>th</sup>* day of *June* 1890 *one Max Guggenheim* did in the capacity of a medical man, a physician and surgeon, medically examine, treat and prescribe for *one Henry Janusz* at No. *181 Eldridge* Street, in said city, and did then and there practice physic and surgery upon said *Henry Janusz* and did receive for such practice the sum of \$*1.00*

III.—

Sworn to before me this  
*9<sup>th</sup>* day of *July* 1890.

*Henry Loring*

Police Justice.

City and County of New York, ss.

*Henry Loring*

being duly sworn, says:

I.—I am the agent of the Medical Society of the County of New York, and reside at No. *337 E. 14<sup>th</sup>* Street, in said city.

II.—Having examined carefully the Register of physicians and surgeons kept pursuant to Chapter 647 of the Laws of 1887, in the office of the Clerk of this County for the name of *Max Guggenheim* and finding no such name therein registered, but I declare that at the time of the practice of physic and surgery by said *Max Guggenheim* set forth in the foregoing affidavit of *this deponent* the contents of which I know, the said *Max Guggenheim* was not authorized to practice physic and surgery, and registered in accordance with the laws of this State, and his said medical practice was unlawful and against the form of the statutes in such case made and provided.

III.—I do depose upon information received from the University of Basel under whose diploma said *Guggenheim* is registered that said *Guggenheim* was never graduated there as a doctor of medicine.

Sworn to before me this  
*9<sup>th</sup>* day of *July* 1890.

*Henry Loring*

Police Justice.



POOR QUALITY  
ORIGINAL

0119

Police Court, First District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
THE MEDICAL SOCIETY OF THE COUNTY OF  
NEW YORK,

1. *Max Guggenheim*  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_  
Office, *Mr. Ordover*  
*Chap. 647, Court of 1887*

Dated \_\_\_\_\_ 188\_\_\_\_  
Magistrate. \_\_\_\_\_  
Officer. \_\_\_\_\_  
Clerk. \_\_\_\_\_  
Complainant's Counsel *W. A. Cunningham*  
No. *63 Wall* Street.  
Witnesses, *Henry Jandusz*  
No. *74 63 Wall* Street.  
*Henry Loring*  
No. *63 Wall* Street.  
No. \_\_\_\_\_ Street.  
\$ \_\_\_\_\_ to answer \_\_\_\_\_ Sessions.

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 \_\_\_\_\_ 18\_\_\_\_  
I have admitted the above named \_\_\_\_\_  
to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 18\_\_\_\_  
There being no sufficient cause to believe the within named \_\_\_\_\_  
guilty of the offence within mentioned, I order he to be discharged.

The complainant Society, having reason to think that the ends of justice will be subserved by a discharge of defendant, agree thereto, and in consideration thereof the defendant agrees to bring no action against said Society, its officers, agents or counsel, by reason of his arrest upon this information.

Dated, New York City \_\_\_\_\_ 18\_\_\_\_

POOR QUALITY ORIGINAL

0120

Ed July 12

10.6 am

Bail reported \$1000.

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District

of #11

1095

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry James  
That Henry James  
Offence

Dated

July 10

1890

Police Justice

Commissioner

Witnesses

No.

Street

No.

Street

No.

Street

No.

Street

No.

Street

No.

Street

\$ 500

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

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 July 10 1890 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.



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ORIGINAL

0121

7/10/90  
120

THE PEOPLE

vs.

MAX GUGGENHEIM.

COURT OF GENERAL SESSIONS, PART I.

BEFORE RECORDER SMYTH.

Wednesday, March 9, 1892.

Indictment for illegally practicing medicine.

Asst. Dist. Atty. Davis for the People.

Mr. Steckler for the defendant.

JOHN J. McCAULEY, sworn and examined by Mr.

Davis.

Q. What is your business? A Messenger of the Court of  
Special Sessions.

Q. The Special Sessions of the city of New York?

A. Yes sir.

Q. Did you bring with you your record book? A. Yes sir.

Q. Produce it please, have you the record there of the con-  
viction of one Max Guggenheim? A. Yes sir.

Q. At what page? A. I think it is page 200.

Q. What is the date of that entry? A. The 11th of May, 1888.

Mr. Davis: I offer that entry in evidence.

Counsel: Objected to.

By the Court. Q. That is a record of conviction? A. Yes sir.

Counsel: Objected to upon the ground that it is incompetent,  
irrelevant and immaterial, and on the further ground that  
there is no evidence to show that the Max Guggenheim con-  
victed is the one at the bar.

Mr. Davis: We will show that later.

The Court: I overrule the objection.

Counsel: Note an exception.

By Mr. Davis. Q. Look at this complaint, did you produce that

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complaint? A. Yes sir.

Q It is a record from the Special Sessions? A. Yes sir.

Q. Is that the record in this case at page 200 against Max Guggenheim? A. Yes sir.

Mr.Davis: I offer the record and the paper in evidence, the record is Peoples' Exhibit I and the papers Peoples' Exhibit No.2.

The Court: This testimony is admitted subject to the proof that the Max Guggenheim mentioned in these exhibits is the defendant.

Mr.Davis: I read from the record page 200, Peoples' Exhibit No.I:

"The people against Max Guggenheim on complaint for practicing medicine without lawful authority and not being registered as a physician with the County Clerk of the City and County of New York on or about the 5th of February 1888. He pleads guilty and is fined fifty dollars."

Q. I notice under this entry on page 200 another entry of the same date, the People against Max Guggenheim, will you look at that entry and state whether you have produced these papers in that case and whether the papers in the case are records in the Special Sessions? A. Yes sir, they are.

Mr.Davis: I would like to have that record marked for identification and these papers marked for identification.

(They were marked Numbers 3 and 4.

Mr.Davis: I read the complaint Peoples' Exhibit No.2 in evidence.

(The complaint as made by the Medical Society of the County of New York.)

Counsel: I object to the reading of the endorsement.

The Court: It is part of the record.

Counsel: Note an exception.

Mr.Davis: (Reads) Guilty.



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HENRY LORING, sworn and examined.

By Mr. Davis. Q Mr. Loring, where do you live? A. No. 343 East  
12th Street.

Q. What is your business? A. Agent of the county Medical  
Society.

Q. How long have you been agent for that Society?  
A. The last four years.

Q. Were you its agent during the month of May, 1888?  
A. Yes sir.

Q. Will you look at the complaint or affidavit Peoples Exhibit  
No. 2, I draw your attention to that signature. is that your  
signature? A. Yes sir.

Q. And did you appear in Court at the time that complaint was  
before the court of Special Sessions? A Yes sir.

Counsel: Objected to on the ground that it is incompetent, irrele-  
vant and immaterial.

The Court: I will overrule your objection.

Counsel: Note an exception.

The Court: I presume the object of this examination is to show  
that this man appeared on that occasion.

Mr. Davis: yes sir.

By the Court. Q. Were you present at the trial of this man on the  
11th of May, 1888 in the Court of Special Sessions of this  
city? A. Yes sir.

Q. And he was tried for a violation of the medical laws?  
Objected to as leading, incompetent, irrelevant and  
immaterial./

A. Yes sir.

Q. Is that the same man?

Objected to.

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A. Yes sir, that is the same man.

By Mr. Davis. Q. Look at Peoples' Exhibit No. 4 for identification, is that your signature upon that affidavit?

A. Yes sir, that is my signature.

Q. Were you present when the defendant in that complaint was tried upon that complaint, May 11, 1888?

Objected to. Objection overruled. Exception.

A. Yes sir.

Q. Is this the defendant mentioned in that complaint?

Objected to. Objection overruled. Exception.

A. Yes sir.

CROSS EXAMINED.

By Counsel. Q. Mr. Loring, you are positive that this defendant is the same man that was convicted in the Special Sessions, are you?

A. Yes sir.

Q. You cannot be mistaken? A. Yes sir, the same man, I am not mistaken.

Q. Do you recollect the year that you made that affidavit?

A. It was in 1888.

Q. Do you know that after you made that affidavit in that particular case that you signed and swore to another in the case wherein this defendant was charged with the commission of the crime of perjury, do you know that you signed an affidavit in the case against him?

A. Yes sir.

Q. Do you know that on the 9th of July, 1890 in the first District Police Court before Justice Patterson, a police justice at the time, that you signed an affidavit, and if you did is that your signature?

A. That is my signature, yes sir.



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By the Court. Q. Did you swear that before Mr Justice Patterson?

A. Yes sir, I swore to that, that is my signature.

By Counsel. Q. And do you know that in that affidavit you swore on the 3rd day of June, 1890 the defendant Max Guggenheim registered his name in the register of physicians <sup>kept</sup> ~~named~~ according to the provisions of chapter 647 of the Laws of 1887, in the office of the Clerk of said County pursuant to the provisions of the act?

Objected to. Objection sustained. Exception.

Q. Do you know that after the defendant's arrest upon this charge you made such an affidavit, the present charge?

Objected to. Objection sustained.

By the Court. Q. Do you know when this man was arrested upon the complaint which was tried in the Court of Special Sessions and upon which he was convicted, of your own knowledge?

A. I do not remember now exactly.

Q. You did not make the arrest, did you?

A. No sir, the

officer.

By Counsel. Q. You were in Court?

A. Yes sir.

Q. When the defendant was arrested and charged with the commission of this offence on which he is now being tried, were you not?

A. I was.

Q. And at that time you made an affidavit, did you not, before the Police Magistrate in the Tombs Police Court?

The Court: He says he did, the District Attorney proved he made an affidavit.

By Counsel. Q. Will you look at that affidavit, you swore to that affidavit on that day did you not, 1890?

A. Yes sir.

Q. That was the time the defendant was charged and arrested upon this complaint upon which he is now being tried, you

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made that affidavit then, didn't you?

A. I did.

Q. And that is the affidavit, is it not?

A. Yes sir, that

is the affidavit, I signed it.

Q And what you swore to in that affidavit was the truth, was it not?

A. Yes sir, it is true.

Counsel: I offer that affidavit in evidence, marked Defendant's Exhibit No.I.

By Counsel. Q. And the facts as sworn to by you in that affidavit were in reference to this defendant Max Guggenheim?

A. I identified that man, yes sir.

Q. And when you made that affidavit it was made as against this defendant now charged with this offence here on trial, is not that so?

A. Yes sir, against this man.

The Court: What is the offence charged in the indictment?

Mr.Davis: June 9, 1890.

HENRY JAULUSY, sworn and examined.

By Mr.Davis. Q Where do you live?

A At present I live

521 East 12th Street.

Q. I call your attention to the 9th day of June, 1890, do you know this defendant?

A. I do.

Q. Did you see him on that day, June 9, 1890?

A I did.

Q. Where did you see him?

A. No.181. if I am not mistaken, Eldridge Street, New York City.

Q. Will you please tell us what time it was you went there?

A. On a Sunday morning I went up first and rung the bell asking for Dr.Guggenheim. When I entered the door a lady came; she asked me what I wanted; I said I would like to see Dr.Guggenheim; she said I should wait a little while,he



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will be back again, he is not in. I went away because I could not wait so long and came the second time; the second time he was in and I told him that I am sick.

Q. This defendant? A. This defendant, yes; I told him I am sick and I feel pain in my chest, pain in my limbs and sore throat. After examining me and sounding me he gave me two prescriptions and charged me one dollar.

By the Court. Q. He sounded your chest? A. Yes sir.

By Mr Davis. Q. Look at this prescription which I show you, these prescriptions, are those the two that this defendant gave you on that occasion? A. Yes sir, the two prescriptions the defendant gave me.

Mr.Davis: I offer them in evidence.

Counsel: Objected to on the ground that they are incompetent, irrelevant and immaterial. Objection overruled.

Exception.

By the Court. Q. Was there any sign or name on this place?

A. Yes sir, Dr.Guggenheim was outside, on a sign above the window.

Counsel: I interpose a similar objection to that question.

Objection overruled. Exception.

By the Court Q. On a sign, where was it? A. Up above the window, a small window in the same house.

By Mr.Davis. Q Was it on the front of the house? A. In the front of the house.

Q. So that it could be seen from the house? A. Very well.

Q. Was it simply Dr.Guggenheim or was there some other -----

A. I do not remember exactly if it was Max Guggenheim, but I remember Dr.Guggenheim.

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Q. Did you bring anything else away from there except the prescription? A. No sir, I did not.

Q. Look at this card, did you see that card? A. O yes, the card.

Q. Where did you get that? A. I got that card in his place

Counsel: I ask that that be stricken out.

By the Court. Q. From whom, where did you get it?

A. In the office but I do not remember exactly who gave it to me.

Q. Was there anyone else except the Doctor and you there?

A. The same time nobody has been there.

Counsel: Same objection and exception.

By Mr. Davis. Q. And did you get it on this occasion when he prescribed for you?

A. I am not quite sure, I think that woman ----

Objected to.

Q. You went into a room when you spoke to this Doctor, will you tell us where it was that you got this card?

A. No. 181 Elridge Street in Dr. Guggenheim's room; who gave it to me I am not certain, I cannot swear.

Objected to.

By the Court. Q. It was in his room? A. It was in his room

Q. In the same place where he prescribed for you?

A. Yes sir.

Mr. Davis: I offer it in evidence.

The Court: I will allow it.

Counsel: Note my exception.

It was marked Peoples' Exhibit No. 7.

By Mr. Davis. Q. Have you told all that you recollect that Guggenheim said to you at that time? A. No, I did not tell



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everything what he told me. First when I came in there was another man in there and he told me to sit down, to wait --- another patient; I waited and afterwards he examined me and sounded me.

By the court. Q. Did the patient go out? A. He did go out afterwards, I came to be examined.

By Mr. Davis. Q. Tell us how he examined you? A. I took off my coat and vest and shirt and tie, everything and he examined my chest first and looked at my eyes. I told him the symptoms I had and afterwards he examined me and told me to take this medicine; I guess he told me first to take some powder and the other medicine is a liquid; and I should go in a country place because in the city it is not very good for me.

By the court. Q. Did he tell you what was the matter with you?

A. I do not remember exactly.

By Mr. Davis. Q. Well, what else? A. He told me something but I do not know what, he did not tell me exactly what the matter is.

Q. Did you pay him for these prescriptions? A. I paid one dollar.

Mr. Davis read the card: "Dr. M. Guggenheim, No. 313 East 84th Street and 181 Elridge Street. 3 to 5 P.M. Office Hours 6 to 8 P.M. Sundays 12 to 2 P.M."

CROSS EXAMINED.

By Counsel Q. How did you come to go to Dr. Guggenheim's place?

A. I was sick that time, I have not been here in this country but a few months and I have been sick.

Q. Did anybody send you there, did anyone send you to Dr. Guggenheim? A. Yes, I tell the truth, I know Mr. Loring,

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I told him I am sick.

Q. Mr. Loring is the agent for this County Medical Society?

A. He is, I guess so.

Q. He sent you there? A. No, he did not send me, he told me -----

Q. Did he recommend you to this doctor? A. Not exactly.

Q. Did he recommend Dr. Guggenheim to you? A. Not exactly recommend me; at the time I could not speak English and he told me that the doctor speaks German and I went up there to that Dr. Guggenheim.

Q. Did he pay you to go? A. He did not pay me, I paid for the Doctor.

By the Court. Q. I ask you if this man paid you to go to the doctor, did he pay you to go? A. No, he did not pay me for going to the doctor.

By Counsel. Q. Did he return the dollar to you that you paid?

A. He did not.

Q. Did he pay you after at any time? A. He did not pay not for that, no sir.

Q. You were retained by him as a professional witness in this case, were you not? A. NO; I have been sick and I asked him and he sent me up there.

Q. Answer yes or no, were you retained by him? A. I have not been.

Q. Did he ever at any time pay you any money or were you paid by the county Medical Society or by anyone connected with that Society? A. I do not know if I shall answer that question.

By the court. Q. Yes? A. Yes, in another case.



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By Counsel. Q. You are in their employ? A. I have not been.

Q. You go wherever you are sent, don't you, in order to get evidence against people whom they want to prosecute, is not that so? A. No sir.

By the Court. Q. Were you in their employ? A. No sir, I have not been that time, I have been sick.

Q. Have you ever been in their employ? A. In another case

By Counsel. Q. You are still in their employ? A. I am not.

Q. How many times did you see Guggenheim all told?

A. I guess I have seen him twice.

Q. The first time was on the 4th? A. I do not exactly know, I guess it was the 9th.

Q. It was not on the 4th that he treated you, as you swear, it was on the 9th? A. I do not know, I told you before I did not remember surely the date.

Q. It was after the 4th of June, was it not? A. I do not know.

Q. Was it the 9th of June? A. I guess it was.

Q. Did you ever see him before that?----- isn't it a fact that you called at his place before the 4th of June and that you asked him to prescribe for you? and he told you he did not have the right? A. No sir, no such thing.

Q. You are positive of it? A. I am certain, I am positive

Q. And that he could not practice till he had been registered, he did not say that, did he? A. He never said anything of the kind.

Mr. Davis: The people rest.

The Case for the Defence.

Counsel: I desire to move that your Honor direct a verdict of acquittal, direct the Jury to acquit the prisoner upon the ground that there is no evidence to bear out the indictment in so far as the indictment alleges that on the 9th day of June, 1890, I believe I have the date correctly, the defendant practiced and prescribed on certain persons, and that he had no such right to practice in so far as he was not registered as a physician.

The Court: The law says that the burden of showing that rests upon you.

Counsel: I submit that is bad law.

The Court: That is the law; if you prove that he was registered on that day, that is an end of this case.

Counsel: I ask your Honor to direct the jury to acquit on the plaintiff's own showing. The defendant is not guilty of the offence in so far as the witness for the prosecution Mr. Loring, when he was upon the stand swore that when he made the affidavit in June at the time of the defendant's arrest, that the affidavit he then made was true. In that affidavit he swore that the defendant was registered in the County Clerk's office of the City and County of New York. That appears in the affidavit.

Mr. Davis: We submit your Honor, that they have not only proof of registration but they may also go further under this law and prove that he registered upon a lawfully issued diploma granted by some institution.

Counsel: I except to the first ruling of the Judge.

The Court: This is a complaint made by Mr. Loring against the



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defendant for perjury. Upon that affidavit he was registered. Loring goes on to state that the said affidavit was false, that Guggenheim was not a graduate of the University of Basle. According to this affidavit your client upon a false affidavit procured himself to be registered in the County Clerk's office. You have got to show in this case that he not only was registered but that he was the person who was authorized to be registered.

Counsel: If this man registered under the laws of 1887, it is for them to show to the contrary.

The Court: I will give you an exception.

Counsel: I except to your Honor's ruling. I further ask your Honor to direct the jury to acquit upon the ground that there is no evidence tending to show that this defendant is guilty of any offence, especially that of which he is indicted.

The Court: That is also denied.

Counsel: Note an exceptionL

WILLIAM JONES, sworn and examined.

By Counsel. Q. You are an attache of the County Clerk's office of the City and County of New York? A. Yes sir.

Q. And have you a record of the registry of physicians and surgeons of the year 1890? A. Yes sir.

By the Court. Q. What is that book? A. Physicians and surgeons affidavits.

By Counsel. Q Will you turn to the record, to the page showing whether on the 4th day of June Max Guggenheim registered in the County Clerk's office as a person authorized to practice

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medicine, physic and surgery in this city?

A. It is the 3rd day of June..

Q. Is that the book of registry?                      A. That is a book in  
the County Clerk's office, yes sir.

Q. Is that the book which shows the registry of persons?

A. There is another large book there which is in con-  
tinual use; I could not say whether it is or not, I am only  
a messenger, I could not tell.

The Court: This appears to be merely an affidavit; this is an  
affidavit to which you have been referring, that does not  
show any registration.

By Counsel. Q In pursuance of that affidavit was Max Guggenheim  
registered, have you a record showing it?

A. Not here; I could not say.

The Court: Go over and get it.

HENRY LORING, recalled by Counsel for the Defend-  
ant.

Q. I want to refer you again to the affidavit that you testi-  
fied to, you swore to, on the 9th day of July, 1890. In  
this affidavit Mr Loring, you swore that the said affidavit  
that is the affidavit of Guggenheim, swearing to the fact  
that he was a graduate of the University of Basle, and that  
he filed said diploma in the County Clerk's office and  
upon said diploma was registered --- you swore that said  
affidavit of Guggenheim's is false in this, that said Max  
Guggenheim is not a graduate of the University of Basle,  
and this deponent says upon information which he believes  
derived from the reply of the Dean of said University to the



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letter address by him, the Consul of said Society, inquiring if said Guggenheim was graduated as a doctor of medicine of the said University, that he was not a graduate; and deponent also so believes from the following circumstances --- then that information that you derived and this portion of the affidavit that you swore to, was only from information that you had received?

The Court: You need not answer it.

By Counsel. Q. Then you have no personal knowledge yourself that he is not a graduate of the University of Basle, have you?

A. No sir, I found him registered.

Q. You further swear here, Mr. Loring, that said Guggenheim has wilfully sworn falsely to the following statement in said affidavit, that a diploma was conferred on him by the University of Basle on the 19th day of May, 1890, you swear that he perjured himself in so swearing, you have no personal knowledge that he perjured himself, have you?

The Court: Excluded.

Counsel: Note an exception.

Q. "That the said Guggenheim fully and substantially complied with the requisites as to attendants, terms and the study and examinations required by the laws of the State and the charter and the regulations of said University as preliminary and necessary to the conferrment thereof" ---- that you only testified to upon information that you received, is not that so?

The Court: Excluded.

Counsel: Note an exception.

Q. Then this portion of your affidavit sworn to by you on the 9th day of July, 1890, before Justice Patterson, was only

made by you upon information and belief and no knowledge of your own?

The Court: Excluded; it appears upon the face of the affidavit.

Counsel: I except to that.

Q. As matter of fact, Mr. Loring, you have no knowledge other than that he has registered as to his right to register other than upon information that you received from other persons?

The Court: Excluded<sup>d</sup> upon the ground that it has been already ruled upon.

By Counsel. Q. You have no personal knowledge as to any fact showing that he had no right to register as a physician in the County of New York.

The Court: Excluded.

Counsel: Note an exception.

WILLIAM JONES recalled.

By the court Q. What is the book you produce? A. The register of physicians and surgeons.

By Counsel. Q. Will you turn to the page of that book showing if there is any such record that Max Guggenheim on the 3rd day of June, 1890, registered in the County Clerk's office?

A. That is June 3rd but scratched out.

By the court. Q. What year? A. June 3rd, 1890.

By Counsel. Q. Who erased that? A. "Arrested for perjury" marked right over it.

The Court: "No diploma, is arrested for perjury". That is the entry.

By Counsel. Q. Look at this paper and state whether in pursuance of



that record that memorandum was made by the County Clerk upon said diploma.

By the Court Q. You know the signature of Mr. Reilly the former County Clerk, don't you, is not that his signature?

A. Yes I believe it is.

Q. He is now deceased and succeeded by another? A. Yes sir.

Q. But in June, 1890 he was County Clerk? A. Yes sir, he was County Clerk.

The Court; I will allow you to read that if you want to, what is endorsed on that paper.

Counsel: I offer that portion.

Mr. Davis: No objection to that.

Counsel: (reads) The person registered has authority to practice physic and surgery by the University of Basle, Switzerland.

On the 3rd day of June, in the Clerk's office, New York County, Edward F. Reilly, Clerk of the City and County of New York.

That was marked Defendant's Exhibit No. 2.

By Mr. Davis. Q. Did you know the Max Guggenheim mentioned there is that register? A. No sir.

Q. You do not know him? A. A. No sir.

Q. You do not know whether this is the man or not, this defendant? A. I never seen the gentleman before.

By Counsel. Q. Do you know the practice of persons offering diplomas and asking to be registered in the County Clerk's office of the City and County of New York?

Objected to. Objection sustained. Exception.

Q. Will you look at that paper and look at the signature and state whether that is the signature of the late County Clerk?

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A. Yes, I think it is.

Counsel: I offer that paper in evidence. Marked defendant's Exhibit 3.

Mr. Davis: I would like to know from Counsel for what purpose he offered this.

Counsel: Showing that Max Guggenheim was registered as a physician in the County Clerk's office.

The Court: I will allow it.

By Mr Davis. Q. Do you know the Max Guggenheim mentioned in this certificate which you have just identified and which has been introduced in evidence as Defendant's exhibit 3?

A. No sir.

Q. You do not know who he is?

A. No sir.

Q. You do not know whether it is this man or not, this defendant?

A I could not swear it.

Counsel: I desire to read this certificate to the Jury: "County Clerk's office, City and County of New York. To whom it may concern, know ye that on the 3rd day of June, 1890, Max Samuel Guggenheim having first subscribed and verified an affidavit in the form of schedule C of chapter 647 of the laws of 1887, made an entry in the registrar of physicians and surgeons kept in the office of the Clerk of New York County, of which entry I certify the following to be a transcript: name, Max Guggenheim; birthplace. Switzerland, March 9, 1858; residence, 181 Elridge Street, New York City; date, source and character of license diploma -- University of Basle, Switzerland, May 19, 1884. Endorsed by faculty, Bellevue Hospital Medical College, June 3, 1890.

In witness whereof I have set my hand and official seal this 3rd day of June, 1890, Edward F. Reilly, Clerk of New York County."



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Counsel: That is the case.

The Court: You have not identified this man, you will have to show that he was the man got that certificate.

WILLIAM A. PURRINGTON, sworn and examined.

By Counsel . Q. Mr Purrington, you are counsel for the County Medical Society?

A. I am.

Q. You know the defendant Max Guggenheim?

A. I have met him.

Q. In your professional capacity I believe?

A. In my professional capacity I have met him a number of times.

Q. Do you recollect that in the year 1890 in the Tombs Police Court the defendant Guggenheim produced a certificate of registry in this county giving him the right to practice medicine and surgery?

A. I cannot remember that precise fact, I remember he was arraigned in the Police Court, there is a record of what took place here.

Q. Is it not a fact that he showed you a certificate of registry?

A. I admit it is very likely that he did, I cannot say positively that he did.

Q. You have stated that fact before; I ask you is not that so, will you try to refresh your memory?

A. I am trying to refresh my memory.

Q. Is it not a fact that he showed you a certificate of registry in this County?

A. If you will give me the date I have a blotter where what took place is entered, I think the possibilities are that he did, I have no remembrance of his doing that. These matters are so much a matter of routine I do not remember each case.

Q. Will you refer to that ledger and see?

A. I will with pleasure; what is the date?

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Q. In July, 1890?

A. Yes sir, about the 9th or 10th.

Would you like me to read this entire entry?

By the Court. Q. Answer the question if you can without reading it-

he asked you if on that day this defendant produced a certificate?

A. This record does not show that he did.

Q. Can you state whether he did or did not after refreshing your memory?

A. After refreshing my memory I cannot say that he offered that certificate, he offered a paper according to this record.

Q Showing what, that he was registered? A. Guggenheim offered a diploma in evidence but it was excluded upon objection that the incorporation of the college had not been shown, he offered a paper purporting to be a diploma.

Q. He asked you if on that occasion this defendant produced that certificate?

A. I have no remembrance of this certificate at all and there is nothing here concerning that certificate. I do not say he did not.

Q. Did he state to you that he was registered?

The Court: That wont do.

By Counsel. Q. Did not he state to you that he registered in the County Clerk's office?

The Court: That wont do.

By Counsel. Q. Is it not a fact that after an examination of the records by you in th County Clerk's office and after having a talk with this defendant in the Police Court and seeing what paper he presented to you at the time, that from that record and from that conversation you discovered the fact that he was registered in this County as a physician.

Objected to. Objection sustained. Exception.

Counsel: That is the case.



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Mr. Davis: Nothing else for the People.

Counsel: I ask your Honor to direct the Jury to acquit.

The Court: Denied.

Counsel: Upon the same ground made on the close of the case for the prosecution and upon the further ground that now it appears from the evidence that the defendant Max Guggenheim is registered in so far as the register of the County Clerk shows him to be registered, and that from the testimony of Mr. Loring that on that day he was registered, and the record bears out the testimony of Loring in that respect.

The Court: Denied on the ground that there is no evidence in this case to show that the defendant is the man that obtained that registration.

ANDREW J. FORD, sworn and examined.

By Counsel. Q. You are attached to the County Clerk's office of the County of New York?

A. Yes sir.

Q. And have you with you the book of registry of physicians in the City and County of New York?

A. I have.

Q. Did you look under the index G?

A. I did.

Q. Please take it in your hand and look at it and see whether there are any entries of a person by the name of Guggenheim other than the one testified to by your colleague in the office, June 3rd, 1890?

A. There is not.

Q. And that book is from what date?

A. From 1887 to June, to date.

Counsel: That is the case.

The Court: There is one question in my mind about this case, whether this is the man that was registered or not. If he

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is the man who was registered under this statute here it is prima facie evidence of his right to practice.

Mr. Davis: This indictment is drawn under chapter 647 of the laws of 1887, section 6: ~~"Any person, who not being lawfully authorized to practice physic or surgery in this State shall register according to law"~~

The Court: He has produced a certificate which shows that he did produce a diploma and an affidavit upon which this registration was granted, and he was not bound to file that diploma.

Mr. Davis: The certificate simply states that a certain man of the name of Max Guggenheim did register.

The Court: Your objection is that he has not shown that he was graduated from a legally constituted college.

Mr. Davis: That is it, we contend that he must show that.

The Court: He claims here that under this Statute he produced to the registry officer, evidence which satisfied him that he had graduated from a properly constituted college and that he did receive from that registering officer a certificate authorizing him to practice. Mr. Steckler, why don't you put that terrible looking paper with the stamp in evidence?

Counsel: I did not think it was necessary.

The Court: You did not prove the endorsement of the Bellevue Medical College; there is an endorsement on that paper signed by Dr. Flint but you have not put it in evidence.

Counsel: I put in evidence all that I deemed sufficient under the law.

The Court: I am inclined to think that he proved enough here to put you out unless you have something else to show. If he proved here that this man is the same person mentioned in



this certificate then I do not see how he can be convicted.

Mr. Davis: I will proceed further with the rebuttal.

The Court: I want you to understand, Mr. Steckler that if there is any evidence in this case to establish the fact that the defendant is the same person to whom this certificate was issued I think you have made out a case, but you have not proved that fact.

Counsel: I submit that under the evidence as interposed the proof is sufficient -- Loring's affidavit which he made in 1892 and the further fact that there was no other Guggenheim registered in the County Clerk's office and that the Court must take judicial notice of that fact unless proof to the contrary is shown.

The Court: Loring did not swear that he was.

Counsel: He said he was registered falsely and fraudulently.

The Court: The defendant will have to prove his identity.

LAZARUS FINKELSTEIN, sworn and examined.

By Counsel. Q. Are you a physician? A. I am.

Q. Do you know the defendant, Max Guggenheim? A. I do.

Q. Do you know where he lived June 3, 1890? A. No. 181 Eldridge Street, New York.

Q. Did any other Max Guggenheim lived there beside him?

A. No sir.

Q. He is the only one? A. Yes sir.

By Mr. Davis. Q. Are you a doctor? A. I am, sir.

Q. Where did you graduate from?

Objected to.

A. University Medical College of the city of New York.

Q. Have you ever been in the University of Basle? A. No sir.

Q. In 1889 did you know this defendant? A. Yes sir, I did.

Q. Did you know him as a matriculant of the Eclectic Medical College in 1889?

Objected to as incompetent, irrelevant and immaterial.

Objection overruled. Exception.

A. Yes sir.

Q. Did you ever talk with him about his failing to pass his examination at that Eclectic Medical College in 1889?

Objected to. Objection sustained.

WILLIAM J. PURRINGTON, recalled by Mr. Davis.

Q. Mr Purrington, did you know this defendant in 1885?

A. I met him in 1885.

Q. Where did you meet him? A. At the Essex Market Police Court.

Q. Did you have any conversation with him at that time?

A. I did.

Q. Do you remember what month it was? A. I have a record of it, the time at this moment escapes me.

Q. You cannot testify from memory as to the month?

A. No sir, because my memory as to the day of the month fails me.

Q. Refresh your recollection and state what month it was?

A. It was the 21st of August, 1885.

Q. Did that conversation have reference to his practicing physic?

Objected to as incompetent, irrelevant and immaterial.



Objection overruled. Exception.

A It did.

Q. Will you state what the conversation was?

Objected to on the same ground and upon the further ground that this defendant is charged with violating law in 1889 and any conversation had prior to that time is inadmissible.

Objection overruled. Exception.

A. He said to me at that time that he was not a doctor but was a correspondent of the Medical Gazette in Zurich.

Q. Did you have any further conversation with him about that?

Objected to on the same grounds and upon the further ground that this conversation if any was had, was in a professional capacity, he being counsel for the Medical Society.

Objection overruled. Exception.

A. He denied that he had been guilty of the acts charged in that particular case.

By the Court Q. When was that?

A. That was the 21st of August, 1885, a year after this alleged diploma which was dated 1884, he had registered in 1884.

By Counsel. Q. Was this conversation held in the English or in the German language?

A. In English, it was a very scanty conversation.

Q. Are you positive that you talked to him in English?

A. That is my best remembrance, very broken, imperfect English.

Q. Very imperfectly, wasn't it?

A. As I remember, it is six years ago, I am refreshing my mind from the record I made at the moment.

Q. Is it not peculiar that you should recollect that distinctly

and you do not recollect the fact that he showed you the registry of the County Clerk?

A. It is not peculiar

because I had to prosecute him a number of times.

Q. I did not ask you that question?

A. It was not pe-

culiar.

By the Court. Q. Do you recollect that he spoke English imperfectly.

A. To the best of my recollection he spoke English as a foreigner speaks English.

By Counsel. Q. Is it not a fact that he spoke so very imperfectly that it was hard to understand him?

A. I cannot rec-

ollect that fact particularly.

Q. You cannot recollect that fact?

A. NO.

Q. Is it not a fact that perhaps in what you have stated here to-day you might be mistaken as to the exact language used by him at that time?

A. I have not pretended to give the exact language, I have given you the statement that he made to me which I entered on my blotter, I cannot recollect the exact language.

Q. It is from your recollection now and from the memorandum in your books that you testify to?

A. Precisely.

EMIL VONDER GOLST, sworn and examined.

By Mr. Davis. Q. Doctor, where do you live?

A. 193 2nd Ave.

Q. Are you a practicing physician?

A. Yes sir.

Q. How long have you been practicing?

A. Since 1887 here

in New York.

Q. Had you been practicing before that?

A. NO.

Q. From what medical college or institution did you graduate?



A. The University of Basle, Switzerland.

Q. What year?

A. 1887.

Q. Have you your diploma with you?

A. Yes sir.

Q. Is this the diploma? (Showing it.)

A. Yes sir.

Counsel: I object.

The Court: I will allow him to answer if that is his diploma.

Counsel: Exception.

By Mr. Davis. Q. Have you read the diploma?

A. Yes sir.

Q. Do you know the defendant Max Guggenheim?

A. I saw him

once or twice on the street.

Q. Did you see him in the Tombs police court in July, 1890?

A. Yes sir.

Q. And did you see him produce a diploma at that time?

A. Yes sir.

Q. And did that diploma purport to come from Basle?

Objected to as incompetent, irrelevant and immaterial.  
Objection sustained partly, not the whole of it.

A. No sir.

Q. Did you examine that diploma?

A. Yes sir.

Q. And read it?

A. Yes sir.

Q. And from what institution did it purport to come?

Objected to upon the same ground and upon the further ground that any testimony tending to show that this certificate or diploma alleged to have been shown to him by Guggenheim, cannot be proven by other than testimony of officers of the University or by some official record kept, not by any hearsay evidence or by the testimony of others, and upon the further ground that this is new matter and not in rebuttal.

The Court: Give him another exception.

Witness: Basle, Switzerland.

By Mr. Davis. Q. It purported to come from Basle, Switzerland?

A. Yes sir.

Q. From the same university from which you graduated and got your diploma?

A. Yes sir.

Q. Did you examine the seal of that diploma and the signatures?

A. Yes sir.

Q. By whom are the diplomas from the University at Basle issued and signed?

Objected to upon the ground that this witness is not competent to answer that question and upon the further ground that it is incompetent, irrelevant and immaterial and that it is new matter.

Objection overruled. Exception.

A. By certain of the faculty of the medical department.

By the Court. Q. Anybody else, Doctor, signs it? A. NO.

By Mr. Davis. Q. And do the diplomas have a seal? A. Yes sir.

Q. Are you familiar with the seal which that department of the College at Basle puts upon its diplomas?

Objected to upon the same grounds. Objection overruled. Exception.

A. Yes sir.

Q. Did you examine the seal upon the alleged diploma which Guggenheim produced in Court and which you have referred to?

A. Yes sir.

Q. Was that the seal of the University of Basle?

Objected to upon the same grounds and upon the further ground that it has not been shown that the University of Basle has more than one seal or whether the seal upon his diploma is the only seal that the University of Basle has.



Objection overruled. Exception.

A. The seal is the seal of the medical department ----  
the University has a big, larger seal.

By the Court Q. Answer the question.

A. That is the medical seal.

By Mr Davis. Q. You are speaking of this one? A. Yes sir.

Q. I asked you about the seal which you saw on the paper which  
Guggenheim had in court. A. Yes sir, I saw it.

Q. You saw that in the police Court? A. Yes sir.

Q. Was that the seal of the University of Basle?

A. NO.

Counsel: I object upon the same grounds as before.

Objection overruled. Exception.

By Mr.Davis. Q. Have you seen that alleged diploma to-day in Court

A. No sir.

Mr.Davis: Will you produce the diploma?

Counsel: No sir, I will not.

The Court: Whether he produced it or not he must hand it to you  
because he has read in evidence the stamp on the back of it.

Counsel: Simply the back of it.

The Court: Let the District Attorney have the paper.

Counsel: I have not offered the paper in evidence; he can use  
that and nothing else.

The Court: Hand that paper to the District Attorney.

Counsel: I object to your Honor's ruling in requiring me to hand  
this paper to the District Attorney upon the ground first,  
that the defendant's case will be prejudiced by any such  
action on your Honor's part and upon the further ground that  
the ruling of the Court is improper, incompetent and irrele-  
vant, and I except to your Honor's ruling.

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The Court: You can show him that seal and ask him whether that is the seal.

Counsel: I object to asking that question upon the grounds I stated before; it is incompetent, irrelevant and immaterial, and this witness is not competent to testify.

Objection overruled. Exception.

By Mr. Davis. Q. Have you looked at the seal upon the paper which I have shown you?

A. Yes sir.

Q. Is that the seal of the University of Basle, the Medical department?

A No sir.

Counsel: I object upon the ground that this witness is not competent to testify --- that the best evidence would be an officer of the University, the dean or professor, that the record of the University would be the best and only evidence unless it was shown that it was impossible to produce it.

The Court: Another exception.

Mr. Davis: I offer now the diploma from the University of Basle which this witness has identified as having been issued to him by the university.

The Court: Excluded. You may offer the seal.

Mr. Davis: Then I offer the seal.

Counsel: I object to it upon the same ground as before; there is no evidence to show that that is the seal of the University of Basle.

The Court: Objection overruled. Exception.

CROSS EXAMINED by Counsel.

Q. Are you an officer or in any way officially connected with the University of Basle, Switzerland?

A. No sir.

Q. Were you ever connected as an official in any capacity



whatsoever with the University of Basle?

A. No sir/

Q. Was Prof. Rightmeyer a professor in the University of Basle, Switzerland?

A. Yes sir.

Q. Was Prof. Imnerman one of the professors?

A Yes sir.

Q. Were they not the two chief professors of the University of Basle, Switzerland?

A. No sir.

Q. They were two distinguished professors, were they?

A. Each professor was equal to another.

Q. They are both dead, are they not?

A. I do not know.

Q. Do you know how many stamps of your own knowledge or how many seals that the University of Basle had in 1884? in the Medical department?

A Yes sir.

Q. In 1884 did you see all their seals, yes or no?

A. Yes sir.

Q. Where did you see them?

A. On the different documents.

Q. Did you see the seals themselves, not on the documents but the seals, did you see them?

A NO.

Q. Then you have no knowledge other than the seals that you have seen on the documents from the Medical University of Basle as to how many seals that University has?

A Yes sir.

Q. Of your own knowledge?

A. Yes sir.

Q. You know it?

A. Yes sir.

Q. Did you see the seals themselves?

The Court: He has told you that he has not seen the seals.

By Counsel. Q. Then you do not know how many seals they had made outside of those that you have seen on the documents, do you?

A. No sir.

Q. For all you know they might have fifty or might have had one?

A. No sir.

Q. Do you know of your own knowledge how many different seals they had made?

A. Yes sir, I know of my own knowledge how many.

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Q. How many seals the University had made do you know that,  
answer yes or no? A. I do not understand you.

Q. How many seals did the University of Basle have made that  
you know of in 1884 in the Medical Department

The Court: I will exclude it.

By Counsel. Q. Your diploma is 1887, is it not?

A. Yes sir.

Counsel: I except to your Honor's last ruling.

WILLIAM MATZINGER, sworn and examined.

By Mr. Davis. Q. Are you a practicing physician?

A. Yes sir.

Q. Where do you live now?

A. In Paterson, N.J.

Q. How long have you been practicing?

A. Here two years  
and a half.

Q. Where did you graduate from in medicine?  
University of Basle, Switzerland.

A. The Uni-

Q. What year did you graduate in?

A. I made the first ex-  
amination in 1878 and graduated in the year 1880.

Q. Did you get a diploma from the University medical department?

A. Yes sir.

Q. Will you please produce it?

A. I had it in a frame.

Q. I draw your attention to the left hand corner, to this part  
of it, is that the seal of the University?

Objected to as incompetent, irrelevant and immaterial  
and upon all the other grounds.

Objection overruled.

Exception.

Q. Was that seal upon it when you got it?

A. Yes sir, that is the seal I got.

Mr. Davis: I offer the seal in evidence.



Counsel: Same objection I made to its introduction.

Court: Same ruling and exception.

T The paper was marked Peoples' Exhibit 8.

By Mr. Davis. Q. Doctor, where were you living during the year 1884.

A. In Basle.

Q. You knew the University I suppose of that place?

A. Yes sir.

Q. You had graduated from it? A. Yes sir, I graduated from it.

Q. Were you acquainted with the students who were there during the year 1884? A. I was a student there during some years.

By the court. Q. Were you acquainted with the students in the medical department of that college in 1884? A. Yes sir.

By Mr. Davis. Q. Did you know any student there during that year in the Medical Department of the name of Guggenheim?

Objected to as incompetent, irrelevant and immaterial.

Objection overruled.

Q. Did you understand my question? A. Yes sir.

By the court. Q. Did you know any of the medical students in the medical department of this college in Basle of the name of Guggenheim in the year 1884? A. No sir.

Counsel: I object to that question upon the same ground.

The Court: You have an exception.

CROSS EXAMINED.

By Counsel. Q. What year did you graduate in? A. In the year 1880.

Q. Were you a practicing physician there? A. I was there practicing as a physician.

Q. You knew the students? A. No sir.

Q. You do not know how many students there were studying at the time? A. Yes sir, very many.

Q. How many were there about? A. About twenty.

Q. How many were there altogether studying? A. About four hundred, I believe.

Q. You knew twenty? A. Four hundred in the whole university and in the medical department about one hundred and twenty-three or a hundred and twenty-four.

Q. How many did you know of that hundred and twenty-three or hundred and twenty-four? A. Exactly about twenty, I know every one who was examined.

Q. You knew every one who passed his examination?

Objected to Objection overruled. Exception.

A. Yes sir.

Q. You knew every one who passed his examination in 1884?

A. Yes sir, I know some, several.

Q. What I want to know is, did you know all who passed and examination? No answer.

By the court. Q. How many men graduated in 1884 as doctors, do you know?

Objected to. Objection overruled. Exception.

A. Not exactly.

Q. Have you a record of those graduating in 1884?

A. Every one that graduates must have a dissertation.

AUSTIN FLINT, sworn and examined.

By Mr. Davis. Q. Doctor, where do you live? A. No. 14 West 33rd Street.

Q. You are a physician and surgeon? A. I am a physician.



Q. Attached to the Bellevue Hospital? A. Professor of physiology and secretary of the faculty.

Q. How long have you been in Bellevue Hospital in that capacity? A. Since 1861, since the beginning.

Q. Is this your signature which I show you? A. Yes sir.

Q. You put that on there round about the date which it bears?

Objected to as incompetent.

By the Court. Q. You are secretary of the Faculty of Bellevue Medical College? A. Yes sir.

Q. It is part of your duty I suppose to give a certificate under the act of 1837 which requires to be placed upon diplomas of foreign physicians? A. It was part of my duty to endorse foreign diplomas.

Q. And that is the endorsement? A. And that is the endorsement.

The Court: I will give you an exception to every one of those questions.

Counsel: I did not offer the diploma.

By Mr. Davis Q. Did you sign that for this defendant, Doctor?

A. I signed it for a person calling himself first Samuel Guggenheim; after I had affixed the certificate as usual he came back into my office at 33rd Street in a few seconds and asked me to change the name, or to add to the name Max Samuel Guggenheim which I did.

Q Did he produce any certificate at the time that he asked you to sign this? A. He produced a certificate from a physician whose name I do not remember. I brought the record and had the certificate in that book of record that I left here.

Q. Which record is that? A. That is the record in that book.  
(Pointing to a book.)

Q. Of diplomas endorsed? A. Yes sir; he brought a certificate from Dr. F. Steinach.

Q. Have you got the certificate?

Objected to on the ground that it is new matter and not in rebuttal. Objection overruled. Exception.

A. I have the certificate.

Q. Will you produce it?

Objected to upon the same ground and upon the ground that it is incompetent, irrelevant and immaterial.

Objection overruled.

Q. It is now in the same condition that he gave it you so far as the writing is concerned? A. The substance of it is the same, it was torn after it was handed to me and has been repaired in that way.

Q. As to the matter upon it is it the same? A. Yes sir, as to the matter upon it.

Mr. Davis: I offer it in evidence.

Counsel: I object on the ground that it is immaterial and new matter.

The Court: I will allow it. Marked Peoples' Exhibit 8.

By Mr. Davis Q. Doctor, was it solely in consequence upon this Peoples' Exhibit 8 this certificate signed by Dr. Steinach that you endorsed the diploma?

Objected to as immaterial and irrelevant.

Q. Did you have any other evidence than that before you, Doctor as to the standing of Max Guggenheim as a graduate of the University of Basle? Objection to.



By the Court. Q. A diploma?

Objected to.

A. I will give the routine of the endorsement, he had his document and that certificate; on the face of the document and the strength of the certificate I endorsed the document.

Counsel: I ask that be stricken out as not responsive and as incompetent and irrelevant..

The Court: Refused. Exception.

By Mr. Davis. Q. Doctor, at the time you signed the certificate upon this diploma did you know the seal of the University of Basle in its medical department?

A. I did not.

Q. Have you examined this diploma upon which you put your certificate since you put it upon it?

A. I do not remember to have done so.

Q. Have you any opinion now as to the genuineness of that alleged diploma upon which you put your certificate?

Objected to. Objection sustained.

ELDRICH STEINACH, sworn and examined.

By Mr. Davis. Q. Dr. Steinach, where do you live?

A. I live

188 Second Avenue.

Q. And are you a practicing physician?

A. Yes sir, I am.

Q. How long have you been practicing?

A. Since 1854 or

1855.

Q. Did you live at 188 Second Avenue on the 3rd of June, 1890?

A. I did.

Q. And did you know Mr. Guggenheim at that time?

A. Yes sir.

Q. Look at this paper Exhibit No. 8, is that your signature?

A. The signature is mine, but the others are not mine -  
this writing is not mine.

Q. What writing is not yours?

Objected to as incompetent and irrelevant. Objection  
overruled. Exception.

A. "The University of Basle" is not mine.

Q. "The University of Basle" is not yours? A. NO.

Q. Were the words "University of Basle" on that paper in that  
place when you signed your name to it?

Objected to as incompetent, immaterial and irrelevant  
and new matter. Objection overruled. Exception.

A. The place was left out, while I signed I remember  
something about the diploma might not be right and so I did  
not fill it out.

Q. You did not fill it out? A. No, I did not.

Q. When you signed it the words "University of Basle" were not  
in it?

Counsel: Same objection and same exception.

By Mr. Davis. Q. Did anybody ask you to put those words in?

Objected to as incompetent, irrelevant and immaterial.

A. I did not put them in.

By ~~Counsel~~. Q. What conversation took place between you and Mr.  
Guggenheim when you put your signature to this paper?

Objected to upon the same ground as being incompetent,  
irrelevant and immaterial and new matter. Objection over-  
ruled. Exception.

A. I asked him if he graduated in Basle and he said  
yes, and he showed me the diploma but I did not think it was  
just right.



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Q. What did you say to him? A. I say I did not know if I  
could sign it or not.

Q. What did he say? A. He said it is all right.

Q. And then what? A. Then he went away and a few days  
afterwards President Hunter I believe -----  
Objected to.

Q. What did Guggenheim say? A. I cannot remember more  
what he said at that time.

By Counsel. Q. But you signed your name, didn't you?

A. I did.

Q. Do you know that it read, "you certified Max Guggenheim was  
a graduate for six or more years, that he is a regular physi-  
cian in good standing, and that it is proper that the college  
should endorse his diploma according to the laws of the State  
of New York, do you know you signed that, are you in the  
habit of writing documents unless you first read them?

A. I considered him of good character.

Q. But he told you he was a graduate of Basle, did he say that  
to you? A. He said it.

JOHN A. BEURMANN, sworn and examined.

By Mr. Davis. Q. Doctor, where do you live? A. No. 239 East  
14th Street.

Q. You are a physician and surgeon? A. Yes sir.

Q. Do you hold any position in the Eclectic Medical College?

A. I act as registrar.

Q. About how long have you been registrar? A. About two  
years.

Q. Were you registrar there in 1889? A. No sir --- the  
latter part of 1889.

Q. During the time in 1889 that you were registrar at that college did you see this defendant there? A. I saw him there.

Q. What are your duties as registrar? A. To keep a record of the college of those who matriculate.

Q. Anything else? A. To take monies and receipt for them.

Q. Was this defendant at any time during the year 1889 a matriculant at the Eclectic Medical College where you were registrar?

Objected to as incompetent, irrelevant and immaterial.

Objection sustained.

VERNER GEHRKEN, sworn and examined by Mr. Davis, through the Interpreter.

Q. Are you a physician and surgeon? A. Yes sir.

Q. Where do you live? A. No. 227 Elridge Street.

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

Q. Did you know him in 1889? A. Yes sir.

Q. Where did you see him? A. He came to my house inquiring after a physician who lived in that house formerly and so we got acquainted.

Q. Did you see him again in 1890 at your house? A. Yes sir, I saw him very often.

Q. Did you have any conversation with him about diplomas? A. Yes sir.

Q. Will you state what it was?

Objected to, upon the same grounds as before and upon



the further ground that this is a conversation had with the prisoner after the record in the county Clerk's office on the 9th day of July, 1890, after the registration on the part of this defendant or by one Max Guggenheim and further that it is new matter and immaterial and not in rebuttal.

Objection overruled. Exception.

A. Yes sir, I remember that he talked.

By the Court. Q. Ask him what he said about the diplomas?

A. He told me that he has his diploma now; then I told him that he shall be very careful because I heard from different parts that it is necessary to be very careful; then he said, "well, you may come with me and see it"; then I went with him and he showed it to me; it was hanging on the wall and I looked at it.

Q. Do you know from what university it purported to have come?

A. From Basle.

Q. Where did you graduate?

A. Wursburg, Bavaria.

Q. When did you graduate?

A. That is the diploma ---

on the first of August, 1887, from Wursburg, Bavaria.

Q. What was your graduating thesis?

Objected to. Objection sustained.

By the court. Q. Did you lend him your thesis? A. NO.

ALBERT D. WINFIELD, sworn and examined

By Mr. Davis. Q. Where do you live? A. Paterson, N.J.

Q. Are you the County Clerk of Passaic County? A. Yes sir.

Q. You were subpoenaed to produce a certain copy of a paper or record in your office, did you bring that paper? A. Yes sir.

Q. Will you produce it, what is the paper that you produce?

**POOR QUALITY  
ORIGINAL**

0162

Objected to.      Objection overruled.      Exception.

A. It purports to be a copy of a medical diploma issued by somebody.

Q. On file in your office?      A. Yes sir.

Q. When was it filed?      A. On the 26th day of August, 1889.

It was marked for identification, Peoples' Exhibit 9.

DAVID L. PRAGER, sworn and examined.

By Mr. Davis. Q. Where do you live now?      A. No. 443 East 110th Street.

Q. Do you know Guggenheim, the defendant?      A. I do

Q. How long have you known him?      A. About two years.

Q. Is this your signature? (paper shown.)      A. Yes sir.

Q. That is your signature, Peoples' Exhibit 9 for identification, did anybody ask you to put your signature on that paper.

Objected to as immaterial, irrelevant and incompetent.

Objection overruled.      Exception.

A. Mr. Guggenheim, the defendant here.

Q. When did he ask you to do that?

Objected to.      Objection overruled.      Exception.

A. He came to my office sometime during the day, I cannot exactly tell now when.

Q. Tell us everything that took place?      A. Of course I knew him, he lived around the neighborhood.

Counsel: I object, it is new matter and not in rebuttal and I except.

By the court. Q. Go on?      A. He showed me a certificate or diploma, whatever it was and said, "this is a diploma and I



**POOR QUALITY  
ORIGINAL**

0163

shall please identify his signature, and of course as a notary I seen him sign it in my presence and I signed my name to it.

Q. Did you see the diploma at the time? A. Yes sir.

Q. Was that a copy of the diploma that you saw?

Objected to. Objection overruled. Exception.

A. NO.

Q. Did you compare that paper which you hold in your hand with another paper that Guggenheim brought you?

Objected to. Objection overruled. Exception.

A. He brought another paper, I remember it.

Q. Did you compare that paper there with the other paper which he brought? A. NO.

Q. But you saw the other paper? A. I saw it.

Q. What did he say about the other paper which he brought you?

Objected to. Objection overruled. Exception.

A. This was a copy of the diploma he had and that he has to hand it in I suppose to the medical society, I do not know what it was.

Mr. Davis: I offer this paper in evidence.

Counsel: Objected to as incompetent, irrelevant and immaterial to this issue.

The Court: Get somebody that can read Latin, we will find out what it is.

By the Court. Q. You do not read Latin, do you? A. No sir.

Q. Do you understand Latin? A. NO.

WILLIAM A. PURRINGTON, recalled by Mr. Davis:

Q. Mr Purrington, will you look at this exhibit No.9 for identification, do you understand the Latin language sufficiently to tell us the substance of that paper? . I think I do.

Q. Will you state in the first place what it purports to be?  
Objected to.

A. It purports to be a diploma conferred by the University of Wursburg.

Q. Upon whom? A. Max Guggenheim.

Q. And what date? A. August 1, 1887.

Q. And a diploma for what branch of study?

Objected to. Objection overruled. Exception.

A. Medicine and surgery.

Q. Does it state the thesis?

Objected to. Objection overruled. Exception.

A. It does.

Q. Will you state what the thesis is? A. This paper states that he offered a dissertation under the title of "Deantisepsis" , that is German, which I construe to be Antiseptics.

Mr Davis: We offer it in evidence.

Counsel: Does your Honor admit it?

The court: Yes, certainly.

Counsel: I object on the ground that it is incompetent, immaterial and irrelevant and new matter., and take an exception.

The Jury rendered a verdict of guilty.



POOR QUALITY  
ORIGINAL

0165

Testimony in the  
case of  
Max Guggenheim

filed  
July  
1896  
No. 10

of record to.

6. WILL you state in the first place, what is the name of the

so that we can understand the name of the

person who was the owner of the property at the time of the

the name of the person who was the owner of the property at the time of the

the name of the person who was the owner of the property at the time of the

POOR QUALITY  
ORIGINAL

0166

Légation de Suisse  
aux  
Etats-Unis.

Washington, D. C.

May 9<sup>th</sup> 1892.

*See Sir,*

I have the honor to request  
your kind assistance in the following case:

A Swiss gentleman whose name is  
Guggenheim has been sentenced on the 9<sup>th</sup> of  
March by the General Session of the State of New-  
York, for illegal practice of the medical art. As I  
believe the evidence in that case has been brought  
by production of the diploma Mr. Guggenheim used,  
which is a forgery.

That diploma indeed, printed in latin,  
is bearing the date of the year 1884 and the  
signature of Mr. Professor Immerman as the  
rector of the University of Bâle, and of Mr. Professor  
d. Rüttimeyer as the decan of the faculty of medicine  
in the said University.

As my Government stated, neither Mr.  
Immerman was the rector of the University  
Basel in the year 1884, nor Mr. Rüttimeyer

To the  
Assistant District Attorney  
New-York.

was  
/.



was at that time the decan of the above named faculty. This appears from the records of the said University and from official information received directly from the present management of the University Bale.

According to other reports received in my home country other people besides Mr. Guggenheim have been in possession of forged diplomas of the University of Bale and the administration of that very well known University desires for its good name as well as in the interest of the people, who want medical help, that it could be ascertain where such forged diploma have been printed and by whom.

In order to enter successfully into such an investigation it would be of great value to get the possession of the above mentioned forged diploma, or to be informed by Mr. Guggenheim himself about the provenance of his diploma and the name of the person or persons who forged it.

It is not to be expected that Guggenheim who is in jail at the penitentiary of Blackwells Island will give any explanation, therefore

it

it seems to be the most correct way if it could be found where this diploma now is. The Swiss Consul in New-York who has been asked by me to take the first steps in order to secure the said diploma, wrote to me that it could not <sup>be</sup> found either in the Archiv of the General Session or in the Penitentiary of Blackwell Island, where Guggenheim is a prisoner. But he stated, he has every reason to believe, Mr Louis Strecker, attorney of Mr. Guggenheim, who lives in the World's Building, knows something about this diploma but would not give it out of his hands.

Therefore, Sir, I believe to have to address myself to your kindness, begging that, if you have any legal means to require the production of the said diploma, to take if possible against Mr Strecker the necessary steps in order to get possession of the diploma, which has been the cause of the sentence pronounced against Mr. Guggenheim, thus preventing the latter to use this diploma again, after leaving the jail. You also would place me under great obligation by sending to me that diploma, in original, or letting me have it for only few days in order to

ex



POOR QUALITY  
ORIGINAL

0169

examine it or to have a photograph taken  
of it for the use of the management of the University  
Bâle.

Tendering to you my best thanks for  
taking my request into consideration, I have  
the honor to be, Sir,

your very respectfull and devoted

*Alfred A. Mappard*  
Swiss Minister.

*Cap -*  
*Alfred A. Mappard*

**POOR QUALITY  
ORIGINAL**

0170

FIRST DISTRICT POLICE COURT.

-----  
THE PEOPLE,  
ON THE COMPLAINT OF THE MEDICAL SOCIETY OF  
THE COUNTY OF NEW YORK,  
against  
MAX GUGGENHEIM.  
-----

: VIOLATION OF  
: MEDICAL ACT,  
: CHAPTER 647 OF  
: LAWS OF 1887.

THE MEDICAL SOCIETY OF THE COUNTY OF NEW YORK,  
a duly incorporated Medical Society of the State and Coun-  
ty of New York, entitled to representation in the Medical  
Society of the State of New York, complain that MAX GUG-  
GENHEIM, residing at No. 181 Eldridge Street, in said  
County, is guilty and has been guilty of a felony in wil-  
fully swearing falsely to certain statements in an affi-  
davit made pursuant to the provisions of Chapter 647 Laws  
of 1887, committed in the manner set forth in the affi-  
davits of HENRY LORING, hereto below following, upon which  
affidavits this complaint is made.

W. A. PURRINGTON,

Counsel of the Medical Society of  
the County of New York.



POOR QUALITY  
ORIGINAL

0171

CITY AND COUNTY OF NEW YORK: SS:

HENRY LORING being duly sworn says:

I. T h a t he is the agent of the Medical Society of the County of New York, and resides at No. 337 E. 18th Street, in said City.

I I. T h a t on the 3rd day of June 1890, the said MAX GUGGENHEIM registered his name in the register of physicians kept according to the provisions of Chapter 647, Laws of 1887, in the office of the Clerk of said County and pursuant to the provisions of said act made the following affidavit, viz:

"STATE OF NEW YORK, :  
:SS:  
COUNTY OF NEW YORK.:

MAX SAMUEL GUGGENHEIM being duly sworn, says:  
that his name is MAX SAMUEL GUGGENHEIM; that he was born in Switzerland on the 9th day of March, in the year 1858; that he now resides at No. 181 Eldridge Street in the City of New York, and intends to practise Physic and Surgery in the County of New York; that his authority so to practise is a Diploma conferred upon him on the 19th day of May in the year 1884, by University of Basil, Switzerland, a duly incorporated medical school (or college) (or a legally constituted board of medical examiners of the

**POOR QUALITY  
ORIGINAL**

0172

State of New York) authorized at the date of conferring said diploma to confer the same and being then in good standing.

Affiant further says, that he is the person named in the said diploma and had before receiving the same, fully and substantially complied with the requisites as to attendance, terms and amount of study and examinations required by the laws of the State and charter and regulations of said University as preliminary and necessary to the conferment thereof.

Affiant further says, that no money was paid by him for said Diploma, except the regular fees paid by all applicants therefor; that no fraud, misrepresentation or mistake in any material regard was employed by any one, or occurred, in order that said Diploma should be conferred on Affiant.

And Affiant further says that the said Diploma or license was indorsed on the 3rd day of June, 1890 and by the faculty of Bellevue Hospital Med. College upon satisfactory proof by affiant of all the facts hereinabove recited, and that he had followed a course of study equivalent to the curriculum of said College and was competent to practice physic and surgery.

Dr. MAX GUGGENHEIM.

Sworn to before me this :  
3rd day of June, 1890. :

P. J. SCULLY,  
Notary Public,  
N. Y. Co."



**POOR QUALITY  
ORIGINAL**

0173

I I I. T h a t said affidavit is false in this that said MAX GUGGENHEIM is not a graduate of the University of Basle; this deponent says upon the information, which he believes, derived from the reply of the Dean of said University to a letter addressed to him by the Counsel of said Society inquiring if said GUGGENHEIM was graduated as a doctor of medicine at said University which reply was "not graduated".

Deponent also so believes from the following circumstances:

(1) The said GUGGENHEIM was arrested on the 21st day of August 1885, on the charge of practising physic without a license in the County of New York, and stated at that time that he was not a physician but was a medical student. That said GUGGENHEIM was held at that time to answer said charge and elected to be tried at the Court of General Sessions, but when his case was called for trial he failed to appear and his bail was declared forfeited. Deponent further says of his own knowledge that the said GUGGENHEIM was again arrested on his information of illegal practice of medicine and pleaded guilty in the Court of Special Sessions in said City on the 14th day of May 1888, and was fined \$150.

(2) That said GUGGENHEIM as deponent is informed and believes has registered as a physician in the State of New Jersey under the authority conferred by a

**POOR QUALITY  
ORIGINAL**

0174

diploma not from the University of Basle but from the University of Wurzburg.

(3) That, as deponent is informed and believes said GUGGENHEIM since his conviction endeavored to be graduated from the Eclectic College of the City of New York in order to obtain lawful authority to practice in this State, but failed to obtain the diploma of said college by reason of his failure to pass the examination of its faculty.

W H E R E F O R E, deponent as Agent of said Society lodges this information and says:

(1) That said GUGGENHEIM has wilfully sworn falsely to the following statements in said affidavit

(a) That a diploma was conferred on him by the University of Basle on the 19th day of May 1890; (b) That he, the said GUGGENHEIM, fully and substantially complied with the requisites as to attendance, terms and amount of study and examination required by the laws of the State, and the charter and the regulations of said University as preliminary and necessary to the conferment thereof.

Sworn to before me this 9<sup>th</sup> :  
day of July 1890.

*J M Patterson*  
Police Justice.

*Henry Loring*



POOR QUALITY  
ORIGINAL

0175

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this  
day of July 1910

Police Justice.

*Max Guggenheim*

POOR QUALITY  
ORIGINAL

0176

Sec. 151.

Police Court, First District.

CITY AND COUNTY } ss.  
OF NEW YORK.

In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by THE MEDICAL SOCIETY OF THE COUNTY OF NEW YORK, upon the affidavits of Henry Loring of No. 337 E 14th St., and 3rd day of June 1890 at the City of New York, in the County of New York, one Max Guggenheiser did willfully swear falsely to certain statements in an affidavit made pursuant to the provisions of Chapter 647 of the Laws of 1887 then and there, not being lawfully authorized to practice Physic and Surgery and registered as a Physician and Surgeon in the office of the Clerk of this County, did medically treat, examine and prescribe for one and did practice physic and surgery contrary to the form of the Statute in such case provided.

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said defendant and bring him forthwith before me, at the FIRST 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 9th day of July 1890

J M Putnam

POLICE JUSTICE.



POOR QUALITY  
ORIGINAL

01777

POLICE COURT, FIRST DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
THE MEDICAL SOCIETY OF THE  
COUNTY OF NEW YORK,

vs.

Max Guggenheim  
181 Eldridge St.

Warrant General.

Dated..... 18

Magistrate.

O'Connor Officer.

The Defendant Max Guggenheim  
taken, and brought before the Magistrate, to an-  
swer the within charge, pursuant to the command  
contained in this Warrant.

E. J. O'Connor Officer.

Dated July 10 1897

This Warrant may be executed on Sunday or at  
night.

Police Justice.

Dated..... 18

31  
Lewis  
Having been brought before me under this Warrant, is committed for examination to the WARDEN and  
KEEPER of the City Prison of the City of New York.  
Phygiene  
Single  
Yes  
181 Eldridge  
St.

The within named

Police Justice.

POOR QUALITY  
ORIGINAL

0178

Ex July 10

10.16 m

10.16 m

BAILED

No. 1, by Max Tugueh

Residence

181 Redwood

No. 2, by

Max Tugueh

Residence

181 Redwood

No. 3, by

Max Tugueh

Residence

181 Redwood

Residence

181 Redwood

Police Court

District

THE PEOPLE, Ac.,  
ON THE COMPLAINT OF

Henry Tugueh

Max Tugueh

Max Tugueh

Max Tugueh

Dated

July 10

1890

Magistrate

Max Tugueh

Max Tugueh

Witnesses

Edwin S. Tugueh, Jr.

No.

188 Second Ave

No.

188 Second Ave

No.

188 Second Ave

No.

188 Second Ave

No.

188 Second Ave

No.

188 Second Ave

No.

188 Second Ave

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 July 10 1890 Max Tugueh Police Justice.

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

Dated 18 Max Tugueh 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 Max Tugueh Police Justice.



POOR QUALITY  
ORIGINAL

0179

Exhibit 10

Wile m

Robert Rockwell

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Mae Gungweh

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Police Court

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry T. ...

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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 July 10 1890 W. M. Patterson 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.



Henry Loring

Max I Gugenheimer

July 15/1890

Deputy Sheriff

Jacob H Patterson

Police Justice

Frederick Steinhack called  
as a witness by the people being  
duly sworn deposed and says

Direct Examination

Q Where do you reside?  
A 188 2 Avenue

Q Do you know Mr Gugenheimer  
the defendant?

A I do.

Q And did Mr Gugenheimer here  
anything to say to you within  
the last month concerning  
a diploma that he wished  
endorsed?

A Yes he came into my office and  
told me that he wanted a  
man from the medical society  
to recommend him



on a diploma.

Q What did you say to him.  
A He showed me a certificate of  
Registration, and then he showed  
me a diploma,

Q Is that it?  
A Yes

Q Coming from the University of  
Basil?

A I told him I was not sufficient  
of an expert to know if that  
was correct and he showed go to  
Doctor Jo Kaby and he came and told  
him, he said he wanted two men  
to endorse that. He only wanted  
me to write that I knew nothing  
against his character I told him  
I would do that and I signed  
my name upon it and I left  
the line where it says "Graduate  
of Basil," open. I left that  
out.

Q Is that the paper when you signed  
it?

Yes but then I didn't write in  
graduate of Basil, I left that  
out.

If you say then as I understood  
you when you signed this  
paper you left a blank space  
there after the words graduate  
of  
Apo Sir

If and that space was not filled  
in when you signed it?

A. No Sir It was not.

If so when you signed this paper  
you did not state that this  
man was a graduate of the  
University of Basil?

A. No Sir on the contrary I objected  
to it

If and afterwards those words  
were filled in?

Yes Sir afterwards they were  
filled in.

If what acquaintance had you  
with this man Guggenheimer



4  
 A. If I remember I first met him  
 in 4th Street where I attended  
 a patient Mrs. Holman in  
 1883; afterwards I saw him  
 several times on the street and  
 I asked him what he was doing  
 and he said he was visiting  
 patients he had a patch like  
 other doctors; And when I met  
 him on 1st Avenue and asked  
 him what he was doing, he  
 said he was an assistant  
 to a doctor in St. Francis Hospital.  
 I asked was it that he told you  
 that he was an assistant to a  
 doctor in St. Francis Hospital?  
 A year ago, when I met him  
 again when he went to Patterson  
 and he came in my office  
 and showed me a registry  
 paper of Jersey.  
 Then all you knew about him  
 was what he told you himself.  
 Yes Sir.

Mr. Furrington  
I offer the certificate  
for Identification  
Mr. Sullivan

I object to the admission  
of this certificate being taken  
unless Mr. Furrington put the  
certificate in evidence, and  
I ask it be stricken out.

Page numbered 1. for Off. Secretary  
Q Did Mr. Furrington when  
he got you to make that certifi-  
cate tell you to whom he was  
going to take it?

A He asked to I object to any  
testimony in regard to this  
certificate?

A He said tell me what other  
doctor he wanted to take for a  
recommendation

Q Did he tell you why he wanted  
you to make this certificate?

A He told me for an endorsement  
for Bellevue College



6

Q. He wanted to get an endorsement  
from Bellesme College?

Answer

Q. Did he use the name of any-  
body connected with Bellesme  
College?

A. He didn't tell me anything about  
that.

Q. This man Guggenbier said  
he wanted this to get an endorse-  
ment from Doctor Thier of  
Bellesme College?

Answer He told me that.

Prop Examined

Q. Did you feel in the name Doctor  
Max Guggenbier on top your  
self?

A. Yes

Q. Is that your writing the top of  
it?

Answer That is mine

Q. Is the second line your  
handwriting?

Answer

7

A Yes Sir

Q That is your signature?

A Yes Sir

Mr. Pennington

Q When you signed this paper did you read the printed matter upon the certificate over which you signed it?

A I did

Q It states there that this is a proper person to be endorsed?

A Yes I do so

Q What grounds is there in law had you for saying that; anything except what you have already said?

A My opinion was that the diploma should be endorsed if it was correct.

Left Counsel

Subject to any further explanation in regard to that certificate being offered in evidence. A Subject to any



POOR QUALITY  
ORIGINAL

0187

8 3

opinion being given, unless it  
is offered in evidence

J

9

William Jones being duly  
sworn deposes & says as follows  
as witness for the people  
of the County of  
Albany  
at 108 Eldridge Street

That is your business  
A Messenger in the County Clerk's  
office New York City

Have you charge of the records  
containing affidavits made  
by physicians the registers &  
depositions

Have you the book bearing  
depositions (producing book)  
I will you turn in that book  
and see if you have an affidavit  
made of the 30th of June 1890  
Signed by Max Guggenheimer  
deposition (showing)

Offered in evidence & returned  
Pff Ex A.

This is a record of the County  
Clerk's office entrusted to you  
as an employee



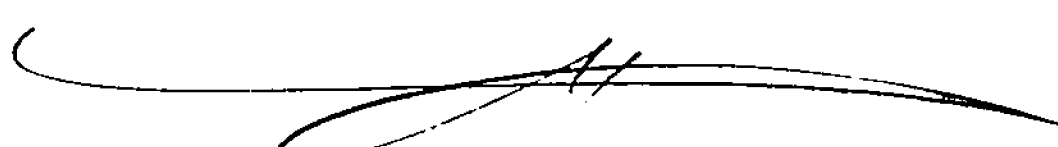
POOR QUALITY  
ORIGINAL

0189

10

Ayco's

It is admitted that the affi-  
davit set out in the complaint  
is a correct copy of the record  
now produced by the messenger  
of the county clerk's office  
Alfred Russell No question



0190

John J. McQuillan being  
duly sworn deposes and says  
If you are a messenger of the  
Court of Special Sessions;  
Ayes Sir

If you were subpoenaed to produce  
here a record of one Mary  
Fuggenheimer;  
Ayes Sir

If you have done so;  
Ayes Sir (here it is)

If what is the date of that court's  
term;

A May 14th 1888 both cases

Defendants Russell,

Introduced to the introduction  
of a record of a previous  
conviction;

Wm. Furrington

The purpose of  
this evidence is to show that  
while the affidavit of Registry  
declares that the defendant  
has graduated in the year



POOR QUALITY  
ORIGINAL

0191

12

1884 from the University of Basel  
the records show that on May  
14th 1888 he pleaded guilty in  
the Court of Special Sessions  
to two charges of practicing  
medicine without a license  
Admitted in Evidence  
Pp of Ex B & C.  
Criminal Exception

A

0192

13

Abraham Schlessinger asked  
as witnesses on the part of the  
people being duly sworn deposes  
and says

Direct Examination

Q Where do you reside?

A 157 Clinton Street

Q Do you know Maj. J. J. Gumbert?

A I know him

Q Where did you first know him?

A I met him in the old country  
and here?

Q What do you mean by the old  
country?

A Switzerland

Q Whereabouts in Switzerland?

A He is born in the same place  
that I am born in

Q How you grew up in the same  
place together?

A Yes sir

Q About up to what year did  
you know him in the old country?

A We were brought up together



0193

14

therefore I think he is younger  
than me.

Q. When did you yourself leave  
the old country?

A. I left in 1878

Q. Was he in the old country then?

A. No Sir he was in this country then

Q. How long known him in this  
country?

A. Yes Sir

Q. When did you know him in  
this country?

A. I knew him the first year that  
I arrived

Q. In 1878?

A. Yes Sir

Q. And you have known him more  
or less from that time on?

A. Yes Sir

Q. As to the education of this man  
in the old country, was he  
educated in the gymnasium?

A. He never attended any higher  
school than the gymnasium

0194

15

Q. Do you know his reputation in  
the old country as a practitioner  
of medicine?

Objected to, There is no  
complaint here that he ever  
claimed to practice in Switzerland  
By the Court Sustained

Q. What is his reputation as a  
practitioner of medicine?

A. He practiced there illegally to  
Q. Did you ever hear any thing  
yourself to say to him as to  
his practice of medicine?  
A. No Sir

Q. Do you remember his ever practis-  
ing in Millhouse Place?  
A. No Sir.

Objected to <sup>and</sup> more to strike it  
out?

By the Court Sustained

Q. You yourself are a medical  
man?

A. Yes Sir

Q. And a graduate of this country?

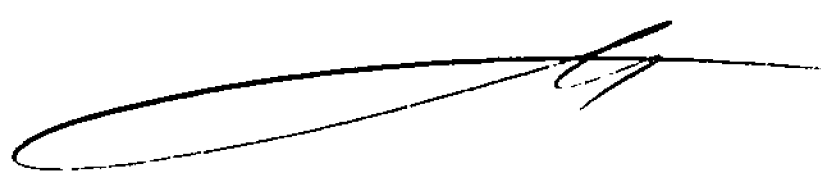


16

Ad studied in the old country  
and graduated in this country  
Dependants Pennell

I have no questions to  
ask and I object to the introduction  
here of this witnesses testimony  
as immaterial and incompetent  
and irrelevant.

By the Court



0196

17

Austin Thirt being duly  
sworn deposes and says as follows  
by the people.

Direct Examination

By Mr. Perrington

Q What is your profession?

A Physician.

Q Where do you reside?

A 14 West 33<sup>d</sup> Street

Q Do you know the defendant Mr  
Gingembre?

A I saw him once or twice

Q Under what circumstances did  
you see him?

A He came to see a document  
endorsed

Q Would you recognize it if  
you saw it?

A I would.

Q Will you be good enough to  
state upon what grounds you  
endorsed the document he  
brought?

A I will.



0197

18

Q Upon what grounds did you  
endorse it, what led you  
to endorse it?

A I endorsed it on the ground of  
a certificate which he showed  
me of Doctor Sternick. That  
he had known the party for  
some time.

Q Is that the certificate (showing  
witness P Ex 1 for Identification  
Access) that is the certificate  
Defendants Counsel

Do you see to any evidence  
with regard to that certificate  
unless Counsel offers it  
in evidence.

Mr. Cunningham

Certificate was offered  
in evidence and moved Off  
Ex D.

Q Is that the certificate that  
was brought by Max Guggen  
heimer to you?

Access.

19

1

Q When that certificate was brought  
to you by the defendant was  
it filled out exactly as it is  
now?

A Yes sir exactly as it is now  
Q And upon the faith of that  
certificate and that statement  
that he was a graduate of Paris  
you accepted and endorsed it?  
A Yes sir

Q You had no other reason but  
that?

A No sir

Q Did you have any conversation  
with this man the defendant  
before he brought you the  
certificate?

A I did, I asked him who he knew  
and he said he knew Doctor  
Steriache, and he knew him  
personally and he sent him  
patients and I requested him to  
get a certificate from Doctor  
Steriache and he brought me



this certificate on the 3<sup>d</sup> of  
June and I endorsed it on that  
ground, believing it was all  
right.

Q You have since then compared  
the diploma of Guggenheimer  
and another diploma from  
Basel?

A Yes.

Q And you have compared that  
with the diploma of Boettler  
Vanderhaeght?

A Yes.

Q Does the seal of this diploma  
correspond with the seal of the  
diploma you endorse?

A It does not.

Q What are the dates of these 2  
Diplomas?

A The date of Guggenheimer's docu-  
ment is May 19<sup>th</sup> 1884, and  
the date of this is 20<sup>th</sup> of October  
1887.

Q As I understand you accepted

27

2

that from the certificate of Doctor  
Steinach certificate, either will  
you meaned not here endorsed  
it?

A Swiss Inured not.

Capt. Examed

Will you swear that the diploma  
which he brought to you at  
Pellene College was not a  
regular diploma issued by  
the Basel of Switzerland and  
A Swiss not.

Will you swear that this is a  
genuine diploma (showing  
witnesses)?

A Swiss not swear to it

Defendants Counsel

I offer this diploma in  
evidence it being a certificate  
and license of the defendant  
to practice medicine and  
surgery and that it is a paper  
purporting to be a regular  
diploma of the University of



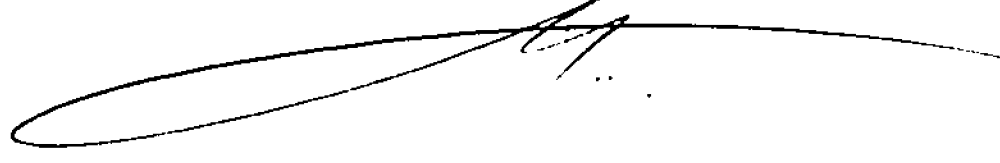
POOR QUALITY  
ORIGINAL

0201

25

2

Switzerland,  
Mr. Purnington Objected to  
By the Court. Sustained,  
Russell Exception



Eric Vandergragt comes as  
a witness for the Defendant being  
duly sworn deposes & says

Where do you reside?  
405 Riverington Street

Q. You are a graduate of the  
Basil University?

A. Yes sir

Q. Have you received a diploma  
A. Yes sir

Q. Do you know whether the Basil  
University is a duly incorporated  
institution?

A. Objected to

By the Court Sustained  
Q. Will you look at that Diploma  
No. 101 on page at the title of the  
University?

A. Yes sir

Q. Is the title of that University which  
you describe correctly ascribed  
in that paper? Is it the  
same title as yours?  
A. It is.



POOR QUALITY  
ORIGINAL

0203

24

My friend  
I found it  
A, Both pieces of paper here printed  
upon them these words  
Academician Passelmann  
these two words are the same  
on both papers  
People Read  
Appendants Journal words  
further Examination

Third District } July 14/1880  
Police Court.

It is stipulated by Counsel  
for the people and Counsel for  
the defendant, that it is  
admitted that the defendant  
in 1888 admitted to one Doctor  
Chisum that he defendant was  
not a graduate of any medical  
school.

It is further admitted  
that the defendant is the identical  
person who made the affidavit  
produced by the County Clerk as  
made by Eugene Benner when  
registering in the County Clerk's  
office under the act of 1887  
upon the endorsement of Walter  
Gibbs.

This concession is  
made for use in case the  
defendant shall apply for a  
Writ of Habeas Corpus, but



POOR QUALITY  
ORIGINAL

0205

the same is not to be used  
against him before the Grand  
Jury or upon the trial of the cause  
at the Court of General Sessions  
Such a discussion to be then  
proved by the persons to whom  
it was made

Defendants Counsel Manis further  
Examination

Dated July 14/1890

W. A. Huntington - For the People  
Thomas Sullivan - For the Defs

POOR QUALITY  
ORIGINAL

0206

Sec. 151.

Police Court, First District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the *Police Justices* for the City of New York, by THE MEDICAL SOCIETY OF THE COUNTY OF NEW YORK, upon the affidavits of Henry Loring of No. 337 E 14th St., and one Max Guggenheim of No. \_\_\_\_\_ St., that on the 9th day of June 1890 at the City of New York, in the County of New York,

then and there, not being lawfully authorized to practice Physic and Surgery and registered as a Physician and Surgeon in the office of the Clerk of this County, did medically treat, examine and prescribe for one Henry Loring and did practice physic and surgery contrary to the form of the Statute in such case provided.

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said defendant and bring him forthwith before me, at the FIRST 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 9th day of July 1890.

M. P. Peterson POLICE JUSTICE.



POOR QUALITY  
ORIGINAL

0207

POLICE COURT, FIRST DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
THE MEDICAL SOCIETY OF THE  
COUNTY OF NEW YORK,

vs.

*Max Guggenheimer*  
*181 Eldridge St.,*

Warrant-General.

Dated *July -* 1890

*Patterson* Magistrate.  
*Connor* Officer.

The Defendant *Max Guggenheimer*  
taken, and brought before the Magistrate, to an-  
swer the within charge, pursuant to the command  
contained in this Warrant.

*E J Connor* Officer.

Dated *July 10* 1890

This Warrant may be executed on Sunday or at  
night.

Police Justice.

having been brought before me under this Warrant, is committed for examination to the WARDEN and  
KEEPER of the City Prison of the City of New York.

Dated 18

31  
22  
Physician  
Yes  
181 Eldridge St.

The within named

Police Justice.

POOR QUALITY  
ORIGINAL

0208

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Max Kuggenheim

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

Indictment accuse Max Kuggenheim —

of the crime of Perjury

committed as follows:

Heretofore, to wit: on the third day of June,  
1890, at the City and County aforesaid, the  
said Max Kuggenheim, late of the City  
and County aforesaid, applied to the  
County Clerk of the said County of New  
York to register as a physician and surgeon  
authorized by law to practice physic and  
surgery in this State, in accordance with  
the requirements of the Statute in such  
case made and provided, whereupon he  
the said Max Kuggenheim ~~was~~ required  
by law,  
to give such registration, to subscribe and  
swear by the oath or affirmation before  
a person qualified to administer oaths in  
this State, an oath of affirmant in the  
form prescribed by law in such cases,  
showing <sup>that</sup> his purpose to such registration



And thereupon he the said Max  
Ezraegenheim, being so required as aforesaid,  
did then and there personally go and  
appear before one Patrick Joseph Scully  
Esquire, who was then and there a person  
qualified to administer oaths as aforesaid,  
to wit: a Notary Public in and for the  
said City and County of New York, and  
did then and there produce and exhibit  
to the said Patrick Joseph Scully Esquire,  
such Notary Public as aforesaid, a certain  
affidavit in writing in the form prescribed  
by law as aforesaid, the same being then  
and there subscribed by him the said  
Max Ezraegenheim in his own proper  
handwriting, and then and there containing  
divers statements and allegations of and  
concerning the legal right of him the  
said Max Ezraegenheim to such registration.

And the said Max Ezraegenheim  
was then and there in due form of law  
sworn, and did take his corporal oath  
by and before the said Patrick Joseph  
Scully Esquire, so being such Notary  
Public as aforesaid, touching and  
concerning the truth of the statements  
and allegations so contained in his said  
affidavit in writing, he the said Patrick  
Joseph Scully Esquire, as such Notary

Public as aforesaid then and there having  
full and competent power and authority  
to administer the said oath to the said  
max Huggenheim in that behalf.

And the said max Huggenheim,  
being so sworn as aforesaid, upon his  
oath aforesaid, before the said Patrick  
Joseph Sully Esquire, such Notary  
Public as aforesaid, in and by his said  
affidavit in writing, and of and  
concerning his legal right to such  
registration as aforesaid, then and  
there solemnly, willingly, knowingly  
and lawfully did solemnly swear,  
depone and say, amongst other things  
in substance and to the effect following  
that is to say:

That the authority of him the said  
max Huggenheim to practice physic  
and surgery in the said country of New  
York was a Diploma conferred upon  
him on the 19th day of May 1884  
by the University of Basel, Switzerland,  
a duly incorporated medical school (or  
college) (or a legally constituted board  
of medical examiners of the State of  
New York) authorized at the date of  
conferring said diploma to confer the  
same and being then in good standing.



that the said Max Ryggendrain was  
the person named in the said diploma,  
and had before receiving the same fully  
and substantially complied with the  
requirements as to attendance, terms and  
amount of study and examinations  
required by the laws of the State and  
charter and regulations of said  
University as preliminary and necessary  
to the conferment thereof.

Whereas in truth and in fact the  
authority of him the said Max  
Ryggendrain to practice medicine and  
surgery in the said county of New  
York was not a diploma conferred  
upon him on the 19th day of May  
1884 by the said University of Basel,  
Switzerland, and no diploma was on  
the said 19th day of May 1884, or at any  
other time conferred upon him by the  
said University of Basel; and the said  
said Max Ryggendrain had not before  
receiving the same; or at any time, fully  
or substantially complied with the  
requirements as to attendance, terms and  
amount of study and examinations required  
by the laws of the State and charter  
and regulations of said University as  
preliminary and necessary to the

condemned thereby; all of which the  
the said Max Kuggenheim then and  
there well knew.

And so the Grand Jury aforesaid  
do say: that the said Max Kuggenheim,  
in manner and form aforesaid feloniously,  
unlawfully, unlawfully, corruptly, and  
falsely did commit illegal and corrupt  
perjury against the form of the  
Statute in such case made and provided,  
and against the peace of the People  
of the State of New York, and their  
dignity.

John R. Tallant,

*District Attorney*



POOR QUALITY  
ORIGINAL

0213

Witnesses:

W. A. Burdington

P. J. Muller

Dr. J. H. H. H.

Dr. Van der Kolk

Dr. A. J. J. J.

Henry J. J. J.

I recommend that bail be

reduced to \$200.

Sept 9/90

Vernon H. Davis

Asst.

Bail \$200-

ff.

Counsel,

Filed 18 day of

Plead

THE PEOPLE

vs. Conrad

Max Guggenheim

[2 cases]

JOHN R. FELLOWS,

District Attorney.

For file Sept 25, 1890

Cash paid (certified)

A TRUE BILL.

*[Signature]*

Foreman

Sept 26, 1890  
July 18, 1892

(Case 647, County of 1887)

POOR QUALITY  
ORIGINAL

0214

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

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Max Ruggendheim*

The Grand Jury of the City and County of New York, by this  
Indictment accuse *Max Ruggendheim* of the crime  
of practicing physic without the license  
of the crime of ~~and registration~~ *granted for by law,*  
as a SECOND OFFENSE, committed as follows:

Heretofore, to wit: at a court of ~~General~~ <sup>Special</sup> Sessions of the Peace, holden in and  
for the City and County of New York, at the ~~City Hall~~ <sup>Halls of Justice,</sup> in the said City of New York,  
on the *fourteenth* day of *May*, in  
the year of our Lord, one thousand eight hundred and *eighty eight*,

before the Honorable *James S. Kilgus, Maurice J. Kane,*  
*and J. Henry Ford, Esquires, Police Justices of*  
*the said City and County,*

and Justice of the said Court, the said *Max Ruggendheim*

by the name and description of *Max Ruggendheim,*

was in due form of law convicted of *a misdemeanor, to wit:*  
*practicing physic without the license*  
to wit: *and registration granted for by law,*

upon a certain ~~indictment~~ <sup>complaint</sup> then and there in the said Court depending against him

the said *Max Ruggendheim* by the

name and description of *Max Ruggendheim,*  
as aforesaid,

for that *the said Max Ruggendheim,*

~~then~~ late of the



POOR QUALITY  
ORIGINAL

0215

~~City of New York, in the County of New York aforesaid, on the~~  
on or about the 29<sup>th</sup> day of February, in the  
year aforesaid, at the ~~City and~~

~~County aforesaid, with force and arms,~~ and between the 1<sup>st</sup>  
and the 29<sup>th</sup> days of February in the  
year aforesaid, the said Max Fuqagenheim  
practised medicine in ~~and~~ said county  
upon one Henry Soirng and prescribed  
for examined physically, and treated  
medically Annie Eda at no. 84 Second  
Street in said city and county, and the  
said Fuqagenheim received as compensation  
for medical services rendered to said Annie  
Eda by said Fuqagenheim, acting as physician  
at the times and places aforesaid, the  
sum of one dollar or thereabouts, the  
said Max Fuqagenheim being then and  
there at the time of so practicing physic  
as aforesaid, without the license and  
registration provided for by a certain act  
of the Legislature of this State passed on  
the 23<sup>rd</sup> day of June 1897, entitled "An  
act to regulate the licensing and registration  
of physicians and surgeons and to  
codify the medical laws of the State of  
New York", and thereby violated and offended  
against the provisions of the said act.

POOR QUALITY  
ORIGINAL

0216

And Thereupon, upon the conviction aforesaid, it was considered  
by the said Court of <sup>Special</sup> General Sessions of the Peace, and ordered and adjudged that

the said Max Ryggendhemer

by the name and description of Max Ryggendhemer  
as aforesaid,

for the Misdemeanor whereof

he was so convicted as aforesaid, ~~he~~ imprisoned in the

penal house of one hundred dollars, at hard labor for  
the term of

as by the record thereof doth more fully and at large appear.

And the said Max Ryggendhemer,

late of the

City of New York, in the

County of New York aforesaid, having been so as aforesaid convicted of the

said misdemeanor & violation of the said Act, in  
manner aforesaid, afterwards, to wit: on the ninth day of

June, in the year of our Lord one thousand eight hundred  
and ninety at the City and County aforesaid, with force

and arms, did unlawfully again violate and  
offend against the provisions of the said  
Act, in this, to wit: that not being, and  
not having been on the first day of  
October, 1887, lawfully authorized to

practice physic in this State, and registered

in accordance with the laws then in force,

he the said Max Ryggendhemer,  
did thereafter, to wit: on the said ninth

day of June, 1890, at the City and County

aforesaid, unlawfully practice physic

without the license and registration



POOR QUALITY  
ORIGINAL

0217

provided for in the said Act, and without  
such licence and registration then and  
there did unlawfully examine, treat  
and prescribe for one Henry Gaudin  
as a physician; against the form of  
the Statute in such case made and  
provided, and against the peace of the  
People of the State of New York, and  
their dignity.

John R. Kellogg,

District Attorney

0218

**BOX:**

399

**FOLDER:**

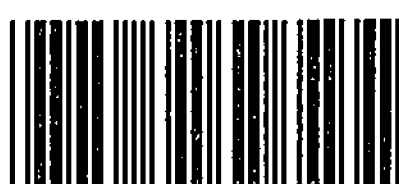
3707

**DESCRIPTION:**

Guiry, Dennis

**DATE:**

06/11/90



3707



POOR QUALITY  
ORIGINAL

0219

Witnesses:

*Geo. J. Lundy*

Upon examination, I recommend  
the discharge of defendant upon his  
own recognizance and the release  
of Paul herein.

*Attest*  
*John R. Fellows*  
June 23/90.

Counsel,

Filed

11 day of June 1890

Pleads,

*Chas. H. Higgins*

THE PEOPLE

vs.

*Dennis Living*

ASSAULT IN THE THIRD DEGREE  
(Section 219, Penal Code).

At 1 23 June 1890

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Chas. H. Higgins* Foreman.  
*June 23/90*  
*On receipt of Dist. Atty.*  
*paid discharge of*  
*P.B.M.*

POOR QUALITY  
ORIGINAL

0220

Sec. 198-200.

6

District Police Court.

CITY AND COUNTY  
OF NEW YORK. } ss.

Dennis Guiry 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. Dennis Guiry

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer, New York City

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

Answer. ~~114th street~~ 170th St near Jerome Avenue, Bronx

Question. What is your business or profession?

Answer, Bricklayer

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

Dennis Guiry

Complainant I & Scully  
Crop examined by Annals  
J. M. Tierney.  
Was the scratch on cut now on your  
upper lip inflicted by the defendant  
Guiry on the occasion described  
in your Complaint?  
Yes.

Do you know Anthony Higgins  
the blacksmith

Yes.  
Did he strike you in the mouth  
and inflict that wound in the  
same place?

No, he made a box at me

Taken before me this

day of April

1890

John J. Guiry

Police Justice.



POOR QUALITY  
ORIGINAL

0221

and failing to strike me he fell;  
he was drunk.

Sworn to before me *John J. Scully*  
this 3<sup>rd</sup> day of  
April 1889  
at New York  
City  
P. H. Justice

POOR QUALITY  
ORIGINAL

0222

BAILED  
No. 1, by *William F. Ferguson*  
Residence *169 West 10th Street*  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court... *6<sup>th</sup>* District, *534*

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John J. Scully*  
*Dennis Garry*

Offence *Assault -*  
*Misdemeanor*

Dated *April 3<sup>rd</sup>* 18*90*

*Connel* Magistrate.

*Ward* Officer.

*Beaul* - *Minister*

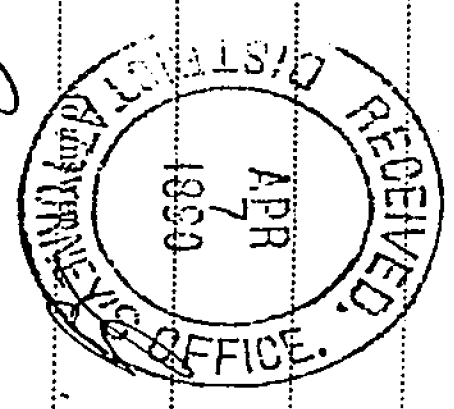
Witnesses \_\_\_\_\_

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

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

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

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

*Dennis Garry*  
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 *3<sup>rd</sup> April* 18*90* *A. D. Barry* Police Justice.

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

Dated *April 3<sup>rd</sup>* 18*90* *A. D. Barry* 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

0223

Police Court District.

CITY AND COUNTY  
OF NEW YORK

John J. Scully  
of Jerome Avenue 168<sup>th</sup> Street, aged 42 years,  
occupation Mason

being duly sworn, deposes and says, that  
on the 31<sup>st</sup> day of April 1890

at the City of New York,  
in the County of New York, at the saloon of Hannah O'Brien Jerome Avenue

men 168<sup>th</sup> he was violently ASSAULTED and BEATEN by Dennis Lunny, now here,  
who struck deponent on the face with his clenched  
hand, knocking deponent against the wall and  
bruising his face

without any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be ~~apprehended~~ and bound to  
answer the above assault, &c., and be dealt with according to law.

Sworn to before me, this 3<sup>d</sup>

day of June 1890

John J. Scully  
his mark  
Police Justice.

POOR QUALITY  
ORIGINAL

0224

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Dennis Guiry*

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

*Dennis Guiry*

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

The said

*Dennis Guiry*

late of the City of New York, in the County of New York aforesaid, on the *thirty-first*  
day of *March* in the year of our Lord one thousand eight hundred and  
~~eighty-ninety~~ at the City and County aforesaid, in and upon the body of one *John*  
*J. Scully* in the peace of the said People then and there being, with force  
and arms, unlawfully did make an assault, and *him* the said *John J.*  
*Scully* did then and there unlawfully beat, wound and ill-treat, to the great damage  
of the said *John J. Scully* against the form of the  
statute in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

JOHN R. FELLOWS,

District Attorney.