

05 18

BOX:

339

FOLDER:

3205

DESCRIPTION:

Schafer, William

DATE:

01/31/89



3205

05 19

\$292

WITNESSES:

H. J. McHaleman
J. J. McHaleman

Counsel,

Filed

Pleads

31 day of January 1889

Wm. Schryer

THE PEOPLE,

vs.

William Schryer

VIOLATION OF EXCISE LAW

(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1883, Sec. 21 and
page 1889, Sec. 6.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. Brooker

Foreman.

J. J. McHaleman

perfected October 31/89
Part III

0520

Excise Violation-Selling on Sunday.

POLICE COURT- 5 DISTRICT.

City and County } ss.
of New York,

of No. 290 Second Police Street,
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 11 day
of October 1888, in the City of New York, in the County of New York, at
premises No. 75 Mount Morris, Ave Street,
William Schaeffer (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 William Schaeffer
may be ~~arrested and~~ dealt with according to law.

Sworn to before me, this 15 day }
of October 1888 . }
Wm. H. Halloran
Police Justice.

Wm. H. Halloran

0521

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK ss.

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

Question. What is your name?

Answer. *William Schaeffer*

Question. How old are you?

Answer. *21*

Question. Where were you born?

Answer. *Germany*

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

Answer. *127 E 20th St New York*

Question. What is your business or profession?

Answer. *Broker*

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

Answer. *I am not guilty and I her demand a trial by jury*

William Schaeffer

Taken before me this
day of *October* 188*8*

Police Justice

0522

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 Schaefer
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 200 Hundred Dollars,..... and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Oct 15 1888 W. J. Hall Police Justice.

I have admitted the above-named.....

Refused
to bail to answer by the undertaking hereto annexed.

Dated Oct 15 1888 W. J. Hall 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.

0523

BAILED,

George Siegel
Residence *25 Murray Street.*

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

#392
Police Court---

1638
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas M. Hallanan
William Schaeffer

2 _____
3 _____
4 _____

officer
Volokun of
Ex car Law

Dated *October 15* 188 *8*
Weldo Magistrate.
Hallanan Officer.
29 Precinct.

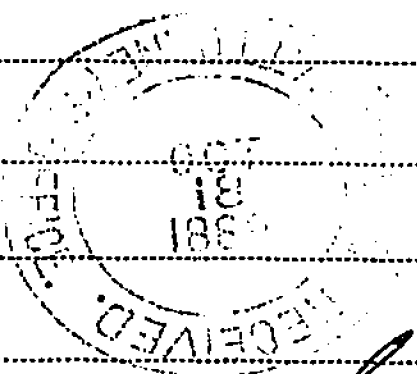
Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *100* to answer *G. S.*



Reiter

0524

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 Schafer

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

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

The said

William Schafer

late of the City of New York, in the County of New York aforesaid, on the *fourteenth* day of *October* 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

Thomas W. Hallan

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

William Schafer
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

William Schafer

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.

0525

BOX:

339

FOLDER:

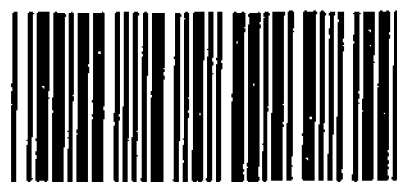
3205

DESCRIPTION:

Schaner, Conrad

DATE:

01/17/89



3205

0526

Witnesses:

Charles J. Ryan
Stephen A. Satterth
James O. Brink

Roads Recor

13th Counsel,
17th Filed
1889
Pleads, 17th day of
17th day of

THE PEOPLE

vs.

Conrad Schaner

JOHN R. FELLOWS,
District Attorney.

Grand Larceny's second degree.
[Sections 528, 529, 530 Penal Code].

A True Bill.

Wm. J. Woolley
Foreman.

July 17/89

Pleads G. D. J.
17th day of

0527

1152	
D. Silberstein, - & Son,	
No. 10 Sixth Avenue, N. Y.	
12 MAY 1888	
Coat	Coat
x9/	\$6.12
Hender	
GOOD FOR ONE YEAR ONLY.	
Not accountable for loss or damage by fire, breakage, robbery or moth.	
Rates of Interest.	
On sums of 100 Dollars, or under, 3 per cent. per month or any fraction thereof for first six months, and 2 per cent. per month thereafter.	
On sums over 100 Dollars, 2 per cent. per month for first six months, and 3 per cent. per month thereafter.	

0528

Police Court—2^d District.

Affidavit—Larceny.

City and County } ss.:
of New York,of No. 18 Lafayette Place Street, aged 42 years,occupation Physician being duly sworndeposes and says, that on the 2^d day of May 1888 at the City of New

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

of deponent, at the time, the following property viz:

One Overcoat and One Coat
all of the value of Fifty Dollars
\$50.00

the property of Stephen A. Lathrop and in
deponent's charge and custody.

and that this deponent

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

with the intent to deprive the true owner
 of said property from the following
 facts, to wit: that on the aforesaid day
 the said property was in a room
 occupied by said Lathrop in said
 premises and said ~~property~~
 defendant was apprehended and
 arrested at the hour of 10 P.M.
 on January 8 1889 in said
 premises and a search ticket
 representing said property, which
 is hereto attached, was found
 in said defendant's possession
 and deponent identifies the property

Sworn to before me, this

of

188

day

Police Justice.

0529

represented on said pawn ticket
as being the same that was so
taken stolen and carried away
in the manner aforesaid
I represent therefore charges
said Conrad & Jones with having
committed the said larceny and
askes that he may be dealt with
as the law may direct
Sworn to before me this
10 day of January 1889
C. J. Ryan
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
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1889
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated 1889
Police Justice.

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
1.	2.
3.	4.
Offence—LARCENY.	
Dated	1889
Magistrate.	
Officer.	
Clerk.	
Witnesses,	
No.	Street,
No.	Street,
No.	Street,
No.	to answer
No.	Sessions.

0530

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Conrad Schamer

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.

Conrad Schamer

Question. How old are you?

Answer.

30 years

Question. Where were you born?

Answer.

Germany

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

Answer.

1232 Great Jones Street About 3 months

Question. What is your business or profession?

Answer.

Printer

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

Answer.

I bought the ticket from somebody

Conrad Schamer

Taken before me this

day of

1938

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 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 10 188

Police Justice.

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

Dated.....188

Police Justice.

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

Dated.....188

Police Justice.

0532

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

¹³⁸
Police Court---

^{2nd 17th}
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Chas. J. Ryan
18 Lafayette Place
Conrad Schaner

2

3

4

Dated Jan 10th 1889

Magistrate.

Officer.

Precinct.

Witnesses Stephen A. Lathrop

No. 18 Lafayette Place Street.

No. Street.

No. Street.

\$ 500 to answer

Corn

0533

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Conrad Schauer

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

Conrad Schauer

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

The said

Conrad Schauer

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

*One overcoat of the value
of thirty-five dollars, and
one coat of the value of
fifteen dollars*

of the goods, chattels and personal property of one

Charles T. Ryan

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

0534

SECOND COUNT—

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

Conrad Schauer

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

The said

Conrad Schauer

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

*one overcoat of the value
of thirty-five dollars, and
one coat of the value of
fifteen dollars*

of the goods, chattels and personal property of one

Charles T. Ryan

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

Charles T. Ryan

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

Conrad Schauer

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

JOHN R. FELLOWS,

District Attorney.

0535

BOX:

339

FOLDER:

3205

DESCRIPTION:

Schlosky, Morris

DATE:

01/28/89



3205

WITNESSES:

James McEldred

303

Counsel,

Filed

Pleads

28th Jan'y 1889

THE PEOPLE,

vs.

B

Morris Schlusky
Jan'y 27/89

Read to the Court and read
sessions for trial, by request
of the Court for Defendant.

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1083, Sec. 21 and
page 1080, Sec. 6.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. Woodruff

Foreman.

0536

0537

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Morris Schlosky

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

Morris Schlosky
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

Morris Schlosky

late of the City of New York, in the County of New York aforesaid, on the *second* day of *December* 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 Cord

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

Morris Schlosky

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

Morris Schlosky

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.

0538

BOX:

339

FOLDER:

3205

DESCRIPTION:

Schmidt, Carl

DATE:

01/25/89



3205

281

Witnesses:

Officer W. J. Reap 11/10

Dep't. W. J. Reap 11/10
in my. He says he
was sick. No work
t. admin. continues
working.
J. H.

Counsel,
Filed
Pleads,
1899

THE PEOPLE

vs.

Carl Schmidt

John R. Fellows

JOHN R. FELLOWS,

District Attorney.

Grand Larceny Second degree
[Sections 528, 531, 532, Penal Code]

A True Bill.

Aug. 25/99
Foreman.

John R. Fellows

J. W. W. W. W.

0540

Police Court— 3 District.

Affidavit—Larceny.

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

Annie Goldstein

of No. 36 Hester Street, aged 20 years,
 occupation: House Keeper being duly sworn
 deposes and says, that on the 4 day of December 1888 at the City of New
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession
 of deponent, in the day time, the following property viz:

Five gold Rings of the value of Fifteen dollars
 One pair of gold Earrings of the value of Two dollars
 and good and lawful money of the value
 of Eleven dollars all of the value of
 Twenty Eight dollars

the property of

Deponent's husband Israel Goldstein

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

from the fact that deponent is informed by Sara
 Greenberg that she saw said defendant attempting
 to open a bureau drawer in which said property was contained
 in a room in premises
 No. 36 Hester Street with a knife and
 thereafter deponent missed said property
 Deponent further says that ~~and~~ she
 is informed by officer Michael Reap
 that he found one of said rings in
 the possession of said defendant

he
 Annie X Goldstein
 mark

Sworn to before me, this 17 day of Dec 1888

David W. Smith Police Justice.

0541

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 30 years, occupation House Keeper of No. 36 Hester St
Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Annie Goldstein
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 17
day of Jan 1889

David Greenberg
mark

David C. Russell
Police Justice.

0542

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Reap
aged 32 years, occupation Police Officer of No. 1111 Broadway P Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Annie Goldstein
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 17 day of July 1889 } Michael J. Reap

Samuel R. Bull
Police Justice.

0543

Sec. 198—200.

3

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Carl Schmidt 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.

Carl Schmidt

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

Austria

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

Answer.

Brooklyn

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 guilty of the charge

Carl Schmidt

Taken before me this

17

day of

June

188

8

Henry C. McNeill Police Justice.

0544

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

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

Dated Jan'y 17 188 9 Sam'l C. Kelly 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.

0545

281 106
Police Court--- 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mrs. Goodstein
36 West
Carl Schmidt

Offence *Sanction*

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated 17 Jan 1889

DO'Reilly Magistrate.

Hulland & Reap Officer.

11 Precinct.

Witnesses

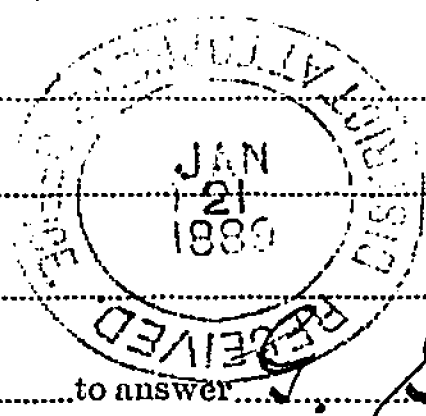
No. Street.

No. Street.

No. Street.

\$ 1000 to answer.

COMMITTED.



9 1/2

0546

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Carl Schmidt

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

Carl Schmidt

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

The said

Carl Schmidt

late of the City of New York, in the County of New York aforesaid, on the *fourth*
day of *December* in the year of our Lord one thousand eight hundred and
eighty-eight, at the City and County aforesaid, with force and arms,

*five rings of the value of
three dollars each, two ear-
rings of the value of one
dollar each, and the sum
of eleven dollars in money
lawful money of the United
States and of the value of eleven dollars*

of the goods, chattels and personal property of one

Annie Goldstein

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

0547

SECOND COUNT—

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

Carl Schmidt
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

Carl Schmidt

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,

*five rings of the value
of three dollars each, two ear
rings of the value of one dollar
each, and the sum of eleven
dollars in money, lawful
money of the United States
and of the value of eleven dollars*
of the goods, chattels and personal property of one *Annie Goldstein*

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

Annie Goldstein

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

Carl Schmidt

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

JOHN R. FELLOWS,
District Attorney.

0548

BOX:

339

FOLDER:

3205

DESCRIPTION:

Schmidt, Frieda

DATE:

01/09/89



3205

0549

Witnesses:

E. J. Barry
C. Grant

No 41

Counsel,

Filed *Shedding* day of *May* 188*8*
Pleads, *with* *10*

THE PEOPLE

[Sections 322 and 385, Penal Code]

B

Frieda Schmidt

See Report of N. Y. S. P. C. O.
for information of the defendant
filed with the papers. If lost,
notify the Society at once.

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. J. Woolley

Foreman.

Part 17 January 11/89

Pleads Guilty

judgment suspended.

W. J. Woolley

0550

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

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, January 8th 1889

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

*The People
against*

Frieda Schmidt

Notice of Prosecution.

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

*Sir: This Society is interested in the prosecution of
the above defendant, and is familiar with the facts of the
case. It respectfully requests that before sending the papers
to the Grand Jury, fixing the day of trial, consenting to
any postponement thereof, or to any reduction of bail, or
final disposition of the charge, you will duly notify me as
its President and Counsel, so that I may confer with you
in regard thereto. This request is made pursuant to the
statute (Laws of 1876, Chapter 30, Section 3), and in
furtherance of the ends of Justice.*

I have the honor to remain, with great respect,

Elbridge T. Gerry,

President, &c.

0551

N. Y. GENERAL SESSIONS

THE PEOPLE



CRUELTY TO CHILDREN.

Disorderly House

NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,

President, &c.

0552

Frieder Smith,

189 Allen Street,

Logans,

City.

0553

Sec. 322, Penal Code.

CITY AND COUNTY
OF NEW YORK.

Third District Police Court.

Edward Becker
of No 100 East 23^d Street, in said City, being duly sworn says
that at the premises known as Number 189 Allen Street,
in the City and County of New York, on the 2^d day of January 1889, and on divers
other days and times, between that day and the day of making this complaint

one Jane Smith
did unlawfully keep and maintain and yet continue to keep and maintain a disorderly
house and did then, and on the said other days and times, there unlawfully procure
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil
name and fame there to be and remain drinking, dancing, ~~fighting~~ disturbing the peace, whoring and misbehaving
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and
there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said Jane Smith
and all vile, disorderly and improper persons found upon the premises, occupied by said
Jane Smith
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 3^d
day of January 1889

Am. Patterson Police Justice.

Edward Becker

0554

Police Court—*Thud* District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Edward Becker

vs.

Jane Smith

AFFIDAVIT—Keeping Disorderly House, &c.

Dated *January 3^d* 188*9*

Patterson Justice.

Becker Officer.

S.P.C.C. Recorder.

WITNESSES :

0555

Sec. 198—200.

CITY AND COUNTY }
OF NEW YORK, } ss.

Murd District Police Court.

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

Question. What is your name?

Answer.

Frieda Schmidt

Question. How old are you?

Answer.

31 years.

Question. Where were you born?

Answer.

Germany

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

Answer.

189 Allen Street 4 mo.

Question. What is your business or profession?

Answer.

Cigar Store

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

Frieda Schmidt.

Taken before me this

day of *January* 188*9*

John D. ...

Police Justice.

0556

Sec. 151.

Police Court Third 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 Edward Becker of No. 100 East 23^d Street, that on the 2^d day of January 1889, at the City of New York, in the County of New York, one Frieda Schindt did keep and maintain at the premises known as Number 189 Allen Street in said City, a Disorderly House and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, dancing, ~~fighting~~, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

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 body of the said

Frieda Schindt and all vile, disorderly and improper persons found upon the premises occupied by said Jane Smith and forthwith bring them before me, at the 3^d 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 3^d day of January 1889.

J. M. Platt POLICE JUSTICE.

0557

Police Court—3^d District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward Becker

vs.

Frieda Schmidt

WARRANT—Keeping Disorderly House, &c.

Dated Jan'y 3^d 1889

Patterson Magistrate.

Becker Officer.

S.P.C.C. Precinct.

The Defendant Frieda Schmidt

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

Henry Chapman Officer.

Dated January 4th 1889

This Warrant may be executed on Sunday or
at night.

J. M. Plutson 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

188

The within named

Police Justice.

0558

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

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

Dated *Jan 4* 188 *9* *J. M. Platten* Police Justice.

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

Dated *Jan 4* 188 *9* *J. M. Platten* 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.

0559

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 41
Police Court---

37/42
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward Becker

vs.

1. Frida Schmidt

2.

3.

4.

Offence Keeping House,

Disorderly House,

Dated

Jan 4 1889

Magistrate.

Officer.

S. P. C. C. District.

Witnesses

No.

Street.

No.

Street.

No.

Street.

to answer

See Report of N. Y. S. P. C. C.
for information about defendant
filed with these papers; If lost,
notify the Society at once.

0560

District Attorney's Office.

PEOPLE

vs.

Frieda Schmitt

Residing house 14 Jane

Certified copy
indictment I plea
to O'Gerry 261
Broadway

Plead guilty.
Part 3 GS
Jan 11
J. J. J. J. J.

0561

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Frieda Schmidt

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

Frieda Schmidt

(Sec. 322,
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, committed as follows:

The said

Frieda Schmidt

late of the *Tenth* Ward of the City of New York, in the County of New York aforesaid, on the *second* day of *January* in the year of our Lord one thousand eight hundred and eighty-*nine*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

Frieda Schmidt

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, 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

Frieda Schmidt

(Section 335,
Penal Code.)

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

The said

Frieda Schmidt

late of the Ward, City and County aforesaid, afterwards, to wit: on the *second* day of *January* in the year of our Lord one thousand eight hundred

0562

and eighty-*nine*, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in *her* said house, for *her* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the Statute in such case made and provided, and against the peace 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

Frieda Schmidt

(Section 823 of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:
Penal Code.)

The said

Frieda Schmidt

late of the Ward, City and County aforesaid, afterwards, to wit: on the *second* day of *January* in the year of our Lord one thousand eight hundred and eighty-*nine* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times there unlawfully and wilfully did cause and procure, and the said men and women in *her* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, 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.

0563

BOX:

339

FOLDER:

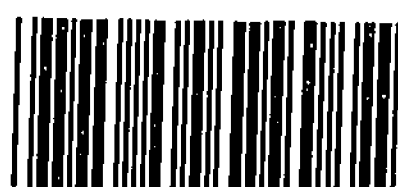
3205

DESCRIPTION:

Schmidt, Henry

DATE:

01/09/89



3205

0564

Witnesses:

Jean Parent
Mar Cott 2, 1970

Counsel,

Filed

Pleads,

day of Aug 1980

THE PEOPLE

vs.

Michael R

Henry Schmidt

Grand Larceny/Second degree.
[Sections 528, 531, Penal Code].

JOHN R. FELLOWS,

Pr Day 1 of 84 District Attorney.

Plead 12:1

Pen 142, R3M,

A True Bill.

Mr T. Bradley
Foreman.

0565

Police Court—

4th District.

Affidavit—Larceny.

City and County } ss.
of New York,of No. 28 West 24th Street, aged 22 years,
occupation Butcher being duly sworndeposes and says, that on the 25th day of December 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:One Overcoat of the value of
Thirty-five Dollars — (\$35.00)

the property of deponent.

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Henry Schmidt (nowhere) with the intent to deprive the true owner of said property from the following facts to wit: that said defendant was employed by deponent as a Butcher and said defendant went to said premises and stated to one Marie Deplessor who is also resides in said premises that he said defendant had been sent for said property by one Charles Solomon, who is also employed by deponent, and said Marie being believing the statement so made by said defendant to be true

Sworn to before me, this 1st day of 1888

Police Justice

0566

gave said property to said defendant.

Deponent further says that he is informed by said Solomon, that he Solomon did not send said defendant for said property.

Deponent further says that he is informed by Officer Charles Lott of the 21st Police Precinct that he, Lott found in said defendant's possession a pawn ticket, receipt attached for said property, and said defendant confessed and admitted to said

Officer Lott with having taken, stolen and carried away said property, in the manner aforesaid.

Subscribed before me this 28th day of December 1888 } Jean Parent

J. W. Patterson

Police Justice.

0567

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 26 years, occupation Marie Deplesse
House-keeper of No. 28 West 24 Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Jean Bearent
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 28
day of December 1888 } Marie de Plasse

J. M. Patterson
Police Justice.

0568

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles Solomon
aged 32 years, occupation Butcher of No 719 - 2 Avenue Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Jean Parent
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 28th day of December 1888 } Charles Solomon

M. Platten
Police Justice.

0569

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 34 years, occupation Charles Lott
Police Officer of No. 21
Police Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Jean Bearent

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

Sworn to before me, this 28

day of December 188 8

Charles Lott

J. M. Patterson

Police Justice.

0570

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *Henry Schmidt*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *N^o 579 - 2 Avenue & about 1 week*

Question. What is your business or profession?

Answer. *Butcher*

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

Answer. *I am guilty*

Henry Schmidt.

Taken before me this

day of *December* 188*8*

W. J. Williams
Police Justice.

0571

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

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

Dated Dec 28 1888 J. M. Patterson Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0572

36
Police Court--- 4th District. 2010

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jean Parent

28 West 24th

Henry Schmidt

1

2

3

4

Offence

2010

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Dec 28 1888

J. M. Patterson Magistrate.

Loft Officer.

21 Precinct.

Witnesses Marie DePlesse

No. 28 West 24th Street.

Charles Solomon

No. 719 - 2 Avenue Street.

Charles Loft

No. 21 Police Precinct Street.

\$ 1000. to answer J. S.

Even

0573

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Henry Schmidt

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

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

The said *Henry Schmidt*

late of the City of New York, in the County of New York aforesaid, on the *25th* day of *December*, in the year of our Lord one thousand eighty hundred and eighty-*eight*, at the City and County aforesaid, with force and arms,

one parcel of the value of
twenty five dollars,

of the goods, chattels and personal property of one *Jean Parent*,

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

John A. Parsons,
District Attorney

0574

BOX:

339

FOLDER:

3205

DESCRIPTION:

Schweickert, Louis

DATE:

01/21/89



3205

0575

Witnesses:

Edward Falkmann
officer 72 ~~23~~ ~~24~~ ~~25~~ ~~26~~ ~~27~~ ~~28~~ ~~29~~ ~~30~~ ~~31~~ ~~32~~ ~~33~~ ~~34~~ ~~35~~ ~~36~~ ~~37~~ ~~38~~ ~~39~~ ~~40~~ ~~41~~ ~~42~~ ~~43~~ ~~44~~ ~~45~~ ~~46~~ ~~47~~ ~~48~~ ~~49~~ ~~50~~ ~~51~~ ~~52~~ ~~53~~ ~~54~~ ~~55~~ ~~56~~ ~~57~~ ~~58~~ ~~59~~ ~~60~~ ~~61~~ ~~62~~ ~~63~~ ~~64~~ ~~65~~ ~~66~~ ~~67~~ ~~68~~ ~~69~~ ~~70~~ ~~71~~ ~~72~~ ~~73~~ ~~74~~ ~~75~~ ~~76~~ ~~77~~ ~~78~~ ~~79~~ ~~80~~ ~~81~~ ~~82~~ ~~83~~ ~~84~~ ~~85~~ ~~86~~ ~~87~~ ~~88~~ ~~89~~ ~~90~~ ~~91~~ ~~92~~ ~~93~~ ~~94~~ ~~95~~ ~~96~~ ~~97~~ ~~98~~ ~~99~~ ~~100~~ ~~101~~ ~~102~~ ~~103~~ ~~104~~ ~~105~~ ~~106~~ ~~107~~ ~~108~~ ~~109~~ ~~110~~ ~~111~~ ~~112~~ ~~113~~ ~~114~~ ~~115~~ ~~116~~ ~~117~~ ~~118~~ ~~119~~ ~~120~~ ~~121~~ ~~122~~ ~~123~~ ~~124~~ ~~125~~ ~~126~~ ~~127~~ ~~128~~ ~~129~~ ~~130~~ ~~131~~ ~~132~~ ~~133~~ ~~134~~ ~~135~~ ~~136~~ ~~137~~ ~~138~~ ~~139~~ ~~140~~ ~~141~~ ~~142~~ ~~143~~ ~~144~~ ~~145~~ ~~146~~ ~~147~~ ~~148~~ ~~149~~ ~~150~~ ~~151~~ ~~152~~ ~~153~~ ~~154~~ ~~155~~ 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0576

Police Court—H District.City and County } ss.:
of New York,of No. 409 East 65th Street, aged 21 years,occupation Driver being duly sworndeposes and says, that the premises No. 409 East 65th Street, 19 Wardin the City and County aforesaid the said being a Brick Buildingand which was occupied by deponent as a Smellingand in which there was at the time no human being, by namewere BURGLARIOUSLY entered by means of forcibly openinga door leading from the Hallwayof said premises to deponent's Roomon the 21st day of November, 1888 in the day time, and the

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

Good and lawful money of theUnited States issue to the amount andvalue of Ten dollars and One Centwith Chain attached of the valueof Twenty dollars. All being of the value of Twentyfour dollars.the property of Deponent

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

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

Louis Schmiedeknecht (nowhere)for the reasons following, to wit: That at or about thehour of Five O'clock P.M. on saiddate deponent discovered thatsaid premises had been burglariouslyentered as aforesaid and the saidproperty taken stolen and carriedaway. That the said Schmiedeknechtadmitted and confessed in deponent'spresence that he did Burglariously

0577

inter said Furniss as. Agnesant
and did take steel and carry
away said books &
Deposits. Therefore prays that
the said Schriener may be
held to answer the same

Sworn before me
this 11th day of January 1889 } E. F. Hottelmann
J. H. Hottelmann
Justice

E.

Dated 1889 Police Justice.

guilty of the offence mentioned, I order him to be discharged.

There being no sufficient cause to believe the within named

Dated 1889 Police Justice.

I have admitted the above named

Dated 1889 Police Justice.

of the City of New York, until he give such bail.

Hundred Dollars and be committed to the Warden and Keeper of the City Prison

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District,

THE PEOPLE, &c.,

on the complaint of

vs.

1
2
3
4

Dated

1889

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0578

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

✓ District Police Court.

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

Question. What is your name?

Answer. *Louis Schrickert*

Question. How old are you?

Answer. *21 Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *1154 1st Avenue. 21 Years*

Question. What is your business or profession?

Answer. *Freeco. Hacker*

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

Answer. *I am guilty of the charge*
Louis Schrickert

Taken before me this

day of *January* 1889

Police Justice

0579

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.....

Louis Schucicker

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

Dated Jan. 11 1889 [Signature] Police Justice.

I have admitted the above-named.....

to bail to answer by the undertaking hereto annexed.

Dated.....188.....Police Justice.

There being no sufficient cause to believe the within named.....

.....guilty of the offence within mentioned. I order h to be discharged.

Dated.....188.....Police Justice.

0580

189
Police Court--- District 43

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward Latham
409 East 66th
Louis Schmuckler

2
3
4

Offence

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated January 11 1889

Magistrate.

Officer.

Precinct.

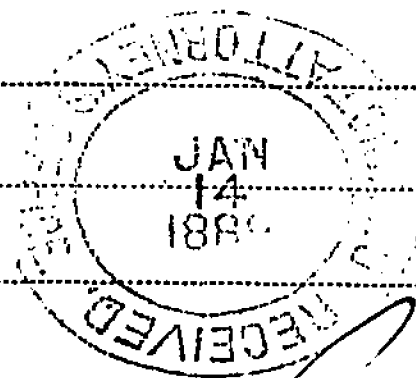
Witnesses Jail Officers

No. Street.

No. Street.

No. Street.

\$ 1000 to answer



Com

13 mg 3 1/2
P. 2

0581

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Louis Schweickert

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

Louis Schweickert

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

The said

Louis Schweickert

late of the *Nineteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *twenty eighth* day of *November* in the year of our Lord one
thousand eight hundred and eighty- *eight*, with force and arms, in the
day — time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *Edward Flathmann*

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

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

0582

SECOND COUNT—

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

Louis Schweickert

of the CRIME OF

Petit

LARCENY

, committed as follows:

The said

Louis Schweickert

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

the sum of ten dollars in money, lawful money of the United States of America and of the value of ten dollars, one watch of the value of ten dollars, and one chain of the value of four dollars

of the goods, chattels, and personal property of one

Edward Huthmann

in the dwelling house of the said

Edward Huthmann

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

*John R. Fellows,
District Attorney.*

0583

BOX:

339

FOLDER:

3205

DESCRIPTION:

Schwenker, Johanna

DATE:

01/28/89



3205

Rw Moore
Jedediah P. Butler

Counsel, *JA*
Filed *27* day *28* *May* 188*9*
Pleads, *Verdict* *11*

THE PEOPLE

30-1161 vs.

810.

Johanna Schwenker

72 APR 15/87

filed in Gentry

JOHN P. FELLOWS

JOHN R. FELLOWS.
RAZEDOLPH & BUREINE,
Attorneys for the Term.
District Attorney.

A True Bill,
Judge Puschmuller
Pl-I-G

Howe
Foreman.

Off Hwy 6000 89-1767

14

0584

0585

State of New York :
City of New York : ss;
County of New York :

Jedediah R. Wheeler, being duly sworn says that he resides at number 114 East 23d Street, in the City of New York-County of New York and State of New York, is sixty two years of age, and an expert appointed by Hon. Josiah K. Brown, the New York State Dairy Commissioner; that at the times hereinafter mentioned, one Johanna Schwenfke was a retail grocery dealer and had her grocery store in a room in number 850 Eleventh Avenue in the ^{City} ~~County~~ of New York, County of New York, within this state, and occupied and controlled such room; that on the 13th day of January, 1888, one Susie Hillman went into said Johanna Schwenfke's said store and such room, so occupied and controlled by said Johanna Schwenfke, and the said Johanna Schwenfke, by a clerk in her employ, then and there sold and delivered to said Susie Hillman one pound of the manufactured substance hereinafter mentioned, for which said Johanna Schwenfke's said clerk asked and said Susie Hillman then and there paid him twenty five cents.

That as deponent is informed by the said Susie Hillman, and verily believes, said manufactured substance was so sold and delivered to said Susie Hillman by the said Johanna Schwenfke through her said clerk as and for butter the product of the dairy.

0586

That deponent was present when said Susie Hillman entered said Johanna Schwenker's said store. That when she entered the same she had no package or parcel in her hands, and when she came out of said store she had a package containing the manufactured substance hereinabove referred to.

That thereafter and on said 13th day of January, 1888, deponent took a portion of said manufactured substance so sold to said Susie Hillman as aforesaid, and delivered the same to one Russell W. Moore who was, and is known to deponent to have then been, and who since has been and is now a chemist, practicing as such at the School of Mines, corner of Fourth Avenue and Forty ninth Street in the City, County and State of New York, and deponent caused the said substance to be analyzed by such chemist; that the certificate of such analysis thereof, made by said chemist, is hereto annexed; that such substance so sold and delivered to said Susie Hillman by said Johanna Schwenker by her said clerk, was not butter the product of the dairy and was not made from unadulterated milk or cream; that it was a manufactured oleaginous substance not produced from milk or cream and had been made out of some animal fat or animal or vegetable oils not produced from unadulterated milk or cream of the same, and by mixing, compounding with and adding to a small quantity of natural milk, cream or butter a large quantity of such animal fats or animal or vegetable oils not produced from unadulterated milk.

0587

or cream, so as to produce an article substance and human food in imitation and semblance of natural butter produced from pure unadulterated milk or cream; that the said substance had been manufactured and was colored with some coloring matter whereby it was made to and did resemble butter, the product of the dairy, and was so colored thereby to be and was in imitation and semblance of natural butter produced from pure unadulterated milk or cream.

Deponent charges that the said Johanna Schwencke against the peace and dignity of the People of the State of New York and the statutes in such case made and provided, wrongfully and unlawfully so had such manufactured substance in her possession, with intent to seel the same; and with intent to sell the same as and for butter made from unadulterated milk or cream, and so offered the same for sale with such intent and so sold the said portion thereof to said Susie Hillman as and for butter the product of the dairy, and caused, procured and suffered the same to be so offered for sale and sold, and was thereby guilty of a misdemeanor; and deponent therefore asks for a warrant against the said Johanna Schwencke for the violation by her of Sections 7 and 8 of Chapter 183 of the Laws of 1885, as amended by chapter 577 of the laws of 1886, and that she may be dealt with as the law directs.

Sworn to before me this
17 day of February, 1888.

Frederick R. Weller

Mar. 1888

Police Justice.

0588

STATE OF NEW YORK.

CITY OF

S.S.:

COUNTY OF

....., being duly sworn, says,
that he resides at number..... Street, in the City of
....., County of..... and State of New York,
is..... years of age, and an expert appointed by HON. JOSIAH K. BROWN, the New
York State Dairy Commissioner; that, at the times hereinafter mentioned, one.....
..... was a retail grocery dealer, and had his grocery store in a
room in number..... Street, in the City of.....,
County of....., within this State, and occupied and controlled such room;
that on the..... day of....., 188 , deponent went into said
.....'s said store and such room, so occupied and controlled by said
..... and then and there saw a quantity of the manu-
factured substance hereinafter mentioned in the said.....'s
possession, kept for sale and offered for sale by said.....,
and so had by said..... in his possession and offer-
ed for sale with intent to sell the same for butter made from unadulterated milk or cream; that the
same was contained in.....

.....
which were opened and exposed for sale upon the.....
of such store with other groceries; that deponent then and there took therefrom a sample of
such manufactured substance for analysis in the manner required by law; and thereafter, on
....., 188 , deponent delivered such sample so taken by
him as stated, to one..... who was and is known to
deponent to have then been, and who since has been and is now, a chemist, practicing as such
at number..... Street, in the City of..... County
of....., within this State, and deponent caused the said substance to be
analyzed by such chemist; that the certificate of such analysis thereof, made by said chemist, is
hereto annexed; that such substance, so kept for sale and offered for sale and had by said

..... in his possession, was not butter, the product
of the dairy, and was not made from unadulterated milk or cream; that it was a manufactured
oleaginous substance not produced from milk or cream, and had been made out of some animal
fat or animal or vegetable oils not produced from unadulterated milk or cream of the same, and
by mixing, compounding with and adding to a small quantity of natural milk, cream or butter,
a large quantity of such animal fats or animal or vegetable oils not produced from unadulterated
milk or cream, so as to produce an article, substance and human food in imitation and semblance of
natural butter produced from pure unadulterated milk or cream; that the said substance had been
manufactured and was colored with some coloring matter whereby it was made to and did
resemble butter, the product of the dairy, and was so colored thereby to be and was in imitation
and semblance of natural butter, produced from pure unadulterated milk or cream; that on
said....., 188 , when deponent was in the said

.....'s store, the said.....
had his store open for business in the ordinary way and such substance was being offered for sale
as stated in the ordinary course of said.....'s
grocery business; that the names and residences of the persons to whom the same was offered
for sale and a more particular description of such manufactured substance, the ingredients thereof
and the amount of the same are unknown to deponent and cannot be stated herein for that reason.

Deponent charges that the said..... against the peace
and dignity of the People of the State of New York, and the statutes in such case made and pro-
vided, wrongfully and unlawfully so had such manufactured substance in his possession, with intent
to sell the same as and for butter made from unadulterated milk or cream, and so kept and offered
the same for sale with such intent, and caused, procured and suffered the same to be so kept and
offered for sale, and was thereby guilty of a misdemeanor; and deponent, therefore, asks for a
warrant against the said..... for the violation by him of Sec-
tions 7 and 8 of Chapter 183 of the Laws of 1885, as amended by Chapter 577 of the Laws of
1886, and that he may be dealt with as the law directs.

Sworn to before me

this

day of

188

JUSTICE.

0589

Police Court

Court of 2^d District

County of New York

THE PEOPLE, &c.

vs.

Johanna Schreyer

Affidavit:

Jedediah R. Whelan

288 GREENWICH ST.,
NEW YORK CITY.

Witnesses: E. S. Wilson.

H. Hoffman

Residence 288 GREENWICH STREET,
NEW YORK CITY.

NEW YORK CITY.

Residence: Russell H. Moore

285 Greenwich St

Residence

C. R. O'Leary
Counsel
229 Broadway

0590

Sec. 198-200.

H. District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

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 may think will tend to your exculpation?

Answer.

*and I am not guilty
and I demand a trial by
jury*

Johanna Schwenker

Taken before me this

day of

1888

Police Justice.

0591

Sec. 151.

Police Court 2^d District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*
 OF NEW YORK, } *of New York, or 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 Jedediah R. Muelin
 of No. 114 East 2nd Street, that on the 13th day of January

1888 at the City of New York, in the County of New York, one Johanna Schramphay
 then being a retail grocery dealer, unlawfully had in her possession at No. 850. Eleventh Avenue in said City, with intent to sell the same, and with intent to sell the same as and for butter the product of the dairy, a certain manufactured substance known as Elsmargarine, made and colored in imitation and semblance of natural butter the product of the dairy, and then by a clerk in his employ, unlawfully sold a portion thereof to one Susan H. Williams, as agent for said butter.

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 her forthwith before me, at the 2^d 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 1st day of March 1888

Wm. B. Bude POLICE JUSTICE.

0592

850. 11 av

Police Court 2d District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jedediah R. Whelan

vs.

Johanna Schwenker

Warrant-General.

Dated _____ 188

Magistrate

Officer.

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

Officer.

Dated March 2 1888

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

188

The within named

Police Justice

apr 29 AM Rec 850 11. Ave

0593

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 *March 2* 188*8* *H. A. Burke* Police Justice.

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

Dated *Mar 2* 188*8* *H. A. Burke* 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.

0594

BAILED
No. 1, by *John Schorling*
Residence *427 E. 17th Street.*
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

156 / 309, 376
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jedidiah R. Wheeler
288 Green St.
Johanna Schwenk
114 E. 17th St.

2 _____
3 _____
4 _____

Dated *March 2* 188*8*
Welder Magistrate.

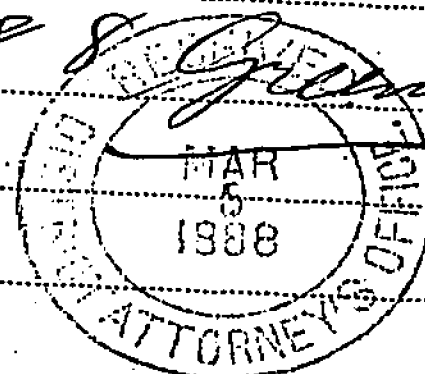
Foley Officer.
11th District Precinct.
civil court

Witnesses *Russell W. Moore*
No. *E. S. Wilson* Street.

288 Green St.
No. _____ Street.

No. _____ Street.
\$ *3.00* to answer *JS*

Barber *Sealer*



0595

Court of General Sessions of the Peace.

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Johanna Schwenker

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

(Chap. 183, Laws of
1885, § 8,
as amended by
Chap. 577, Laws of
1886, § 3.)

Johanna Schwenker

of a Misdemeanor, committed as follows:

The said

Johanna Schwenker

late of the City of New York, in the County of New York aforesaid, on the *thirtieth*
day of *January* in the year of our Lord one thousand eight hundred and
eighty-*eight*, at the City and County aforesaid, *one pound*
of a certain oleaginous substance and compound, not made nor produced from milk or cream
(a more particular description of which said substance and compound, and of the ingredients and
matters of which the same was made and produced, is to the Grand Jury aforesaid unknown, and
cannot now be given), unlawfully did intentionally sell, and cause and procure to be sold to one
Susie Hillman as and for butter, the product of the dairy; against the
form of the statute in such case made and provided, and against the peace and dignity of the said
people.

SECOND COUNT: (Chap. 183, Laws of 1885, § 8, as amended by Chap. 577, Laws of 1886, § 3).

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

Johanna Schwenker

of a Misdemeanor, committed as follows:

The said

Johanna Schwenker

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at
the City and County aforesaid, unlawfully did unintentionally sell and cause and procure to be sold
to one *Susie Hillman*, *one pound*
of a certain oleaginous substance and compound, not made nor produced from milk or cream (a more
particular description of which said substance and compound, and of the ingredients and matters of
which the same was made and produced, is to the Grand Jury aforesaid unknown, and cannot now
be given), as and for butter, the product of the dairy; against the form of the statute in such case
made and provided, and against the peace and dignity of the said people.

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THIRD COUNT: (Chap. 246, Laws of 1882, § 1).

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

Johanna Schwenker
of a Misdemeanor committed as follows:

The said

Johanna Schwenker

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold, at retail, to one *Susie Hillman, one pound* of a certain substance, not being butter, and commonly called oleomargarine, and did then and there falsely represent the same to the said *Susie Hillman*

to be butter; against the form of the statute in such case made and provided, and against the peace and dignity of said people.

FOURTH COUNT: (Section 480, Penal Code)

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

Johanna Schwenker
of a Misdemeanor, committed as follows:

The said

Johanna Schwenker

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell, and cause and procure to be sold, to one *Susie Hillman,*

as an article of food, *one pound* of a certain substance in imitation of a certain article of food, to wit: butter, without disclosing such imitation by a suitable and plainly visible mark or brand; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

FIFTH COUNT: (Chap. 288, Laws of 1882, § 3.)

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

Johanna Schwenker
of a Misdemeanor, committed as follows:

The said

Johanna Schwenker

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, a certain parcel containing *one pound* of a certain article and substance in semblance of butter, not the legitimate product of the dairy,

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and not made exclusively of milk or cream, but into which divers oils and fats not produced from milk or cream, entered as component parts (a more particular description of which said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), the same being then and there an article and substance required by law, in case of retail sales in parcels, to be sold from a tub, firkin, box or package, distinctly and durably stamped, branded or marked upon the top and side with the words "Oleomargarine Butter" only, where it could be plainly seen, in Roman letters, burned in or painted thereon with permanent black paint, in a straight line, and not less than one-half inch in length, and wherewith the seller was then and there required by law in such case, to deliver to the purchaser thereof, a printed label, bearing the plainly printed words "Oleomargarine Butter" only, in Roman letters not less than one-half inch in length, in a straight line, unlawfully did then and there sell and cause and procure to be sold at retail, to one *Susie Hillman*

from a certain *tub and box* which was not then and there stamped, branded or marked as aforesaid, and unlawfully did not then and there deliver therewith to the said

Susie Hillman, —
such purchaser as aforesaid, a label of the kind and description aforesaid, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SIXTH COUNT: (Chap. 215, Laws 1882, § 2.)

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

Johanna Schwenker
of a Misdemeanor, committed as follows:

The said

Johanna Schwenker

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold to one

Susie Hillman, one pound

of a certain article and substance in semblance of natural butter, and known as oleomargarine or imitation butter, the same not being the legitimate product of the dairy, and not being made exclusively from milk or cream, or both, with salt or rennet, or both, with or without coloring matter or sage, but into which divers oils, and animal and other fats, not produced from milk or cream, had been introduced (a more particular description of which said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SEVENTH COUNT: (Chap. 183, Laws of 1885, § 7, as amended by Chap. 577, Laws of 1886, § 2.)

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

Johanna Schwenker
of a Misdemeanor, committed as follows:

The said

Johanna Schwenker

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,

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BOX:

339

FOLDER:

3205

DESCRIPTION:

Seiscente, Giovanni Antonio

DATE:

01/09/89



3205

0599

1927
7/28

Witnesses

Counsel,

Filed

day of July 1889

Pleads,

Not guilty

THE PEOPLE

vs.

MURDER IN THE FIRST DEGREE

[Section 188, Penal Code.]

Giovanni Antonio Serrano

Indicted
AND

JOHN R. FELLOWS,

District Attorney.

On your Honor at 11:00 AM
July 28, 1927
Regulation

A True Bill.

Wm. J. Doolan

Foreman

July 28, 1927

Sealed & returned

Wm. J. Doolan in his second degree
J.P. Life. W.B.M.

0600

COURT OF GENERAL SESSIONS.

P a r t I I I .

The People of the State of New York. :
a g a i n s t : Before Hon.
Giovanni Antonio Siescente. : Randolph B. Mar-
: tine, and a Jury.

Indictment filed January 9th 1889.
Indicted for Murder in the First Degree.

New York, December 12th, 1889.

APPEARANCES: For the People District Attorney
John R. Fellows, and Assistant Dist-
rict Attorney H. D. Macdonald.

For the defendant; James J. Walsh,
and G. R. Westerfield..

CELIA DISALVO, a witness for the people, sworn testi-
fied:

I am 13 years old. I reside at No. 131 East 46th
Street in this City. On the 10th of December 1888
we lived in the basement of No. 232 East 46th Street.
I remember that day and the afternoon of that day.
My father keeps a shoemaker's shop in the basement.
The defendant Siescente was his laborer. My father
was out of the shop all the afternoon. At about five
o'clock on that evening I was in the shop alone with the
defendant. A man came into the shop to sell table
cloths. I had never seen the man before. When he came
into the shop he asked me if we wanted to buy any table
cloths; I told him "No" that we didn't want any as
my father was not at home. At this time the defendant

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was busy at his bench working at some shoes. The pedlar turned to go out and as he did so he touched me on the chin and said that I was a nice girl. The touch was a gentle one and I didn't take any offence at it, because everybody does it to me. I told him to keep away to hold on, and stop. As soon as I said the word "stop" the defendant took up a hammer and threw it at the pedlar. I could not say whether the hammer shown me is the one he threw at the pedlar or not. It looks like it. My father had three or four hammers in the place. He did not say anything at the time he threw the hammer. As soon as he threw it I ran back into the back room and told my mother. In about two minutes I returned to the shop with my mother. I held a conversation with my mother in the back room and returned to the shop immediately. When we returned the defendant and the Jew pedlar were going up the steps to the street. The Jew pedlar was ahead. I did not see any more of them. When I returned to the shop the second time there was nothing else but blood on the floor and there was much blood on the walls also. I didn't pay any attention to the dress of the pedlar at all. The prisoner was dressed just like shoemakers are when they are working.

Cross-examination.

I had been living in 46th Street then about two months. I had only been in the country that length of time. The door was open when the pedlar entered. I have told all the conversation that occurred between

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us in the store. We had ~~been alone~~ before this man came in. The pedlar addressed none of his conversation to the defendant that I could hear. He spoke in the English Language. I didn't understand English. When I said "stop" i said it in the English language. I got frightened when the defendant threw the hammer and I ran back to my mother.

CALOGFRA DISALVO, a witness for the people, sworn testified:

. I am the mother of the last witness. On the 10th of December last year I was living at the place my daughter has named. We are now living on the opposite side of the street. I knew the defendant at that time he was employed by my husband as a shoemaker. I remember the evening on which the jew pedlar was killed. My daughter came into the back room where I was and told me something. I then ran out to the front shop with my daughter. I saw some blood on the floor. I saw the defendant and another man going up the steps.. I dont know who the other man was. The man that I didn't know was first and the prisoner was going up after him. I didn't see the prisoner do anything. There was about two feet and 6 inches of blood on the floor of the shop. The prisoner was in his short sleeves and didn't have any hat on as he was going up the stairs. After I saw the defendant then I never saw him any more at our house he never came back.

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Cross-examination.

I came out of the back room because my daughter told me something was the matter. This was about five o'clock on a day in December. My husband had left the house at about two o'clock and gone down town on some business. I had not seen the Jew pedlar before.

GUSTAV SCHOFER, a witness for the people sworn testified:

On the 11th of December 1868 I was a Coroner's Physician. As such Coroner's Physician on the 11th day of December I performed an autopsy upon the body of Henry Nowik. I was shown to a certain body by the keeper of the morgue, and told that it was the body of Henry Nowik. I found an incised wound on the chin. A small wound about an inch long and about one-sixteenth of an inch deep. In my opinion that wound was made by a sharp instrument. I also found a wound between the fifth and sixth rib on the right side, about an inch and a half from the median line; an incised wound penetrating the right plura and entering into the lung cavity. There was a hemorrhage and collapse of the right lung, consequently giving an opening into the lung sack and consequent collapse of the right lung. Another wound I found on the left side of neck about an inch below the ramus. There was an incised wound about an inch and a half long penetrating deeply and severing the external and internal carotid artery, and also the external and internal jugular veins, also

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the phrenic nerve which ~~separates~~^{separates} the diaphragm and the
vegas nerve which is right directly next to the nerve
spoken of. There were similar other nerves besides
which were severed. Two of these wounds that I have
mentioned were sufficient to cause death. My opinion
is that death was caused by shock due to great hemor-
rhage caused by these wounds.

No cross-examination .

GEORGE BERTRAND, a witness for the people, sworn test-
ified:

I live at present at 998 First Avenue. On the 110th
day of December 1888, I resided at No. 230 East 46th St.
One door West of the house occupied by the Disalvo's .
At about five o'clock on the evening on the 10th of Dec-
ember I was sitting looking out of my window and I saw
the defendant at the bar and another man come up out
of the basement. They came running up sideways both
men together. I didn't hear any conversation^{but} clatter
of the feet. When they came within two steps of
the top I saw this defendant raise his hand and give
the other man a strike somewhere around the throat.
After he had struck the man he turned and ran towards
Third Avenue. The man who was struck turned and stagger-
ed towards Second Avenue. I then lost sight of them
for a few moments, as I went and put on my clothes.
When I came out I saw the man laying in the street dead.
He was taken away to the Station House on a stretcher.
When I saw the defendant he was in his short sleeves,

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and didn't have any hat on his head. I do not speak Italian. I never had any conversation with the defendant at all. I have been in his place to have my shoes repaired.

Cross-examination.

I didn't tell the officer at the station house what I had seen on that night. I was called as witness before the coroner. My memory is as fresh at this time as it was when I was called as witness in the Coroner's Court.

Q. Did you swear before the Coroner after this alleged assault "I cannot positively identify the prisoner as the man I saw quarreling with the deceased".

A. I did , yes sir, but as soon as I got off the stand, I recognised the prisoner by his side face , and reported my mistake to the district attorney. I have not talked with the officers in this case about my examination. The man who was struck got about 40 or 50 feet away from the steps before he fell to the sidewalk.

Case adjourned until December 13th.

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New York December 13th, 1889.

CASE CONTINUED.

VINCENZO PROVENZANO, a witness for the people sworn testified:

I am a shoemaker and live at 915 Third Avenue in this City. I know the defendant. He was in my employ during 1887 for three weeks. At about 6 o'clock on the evening of the 10th of December 1888, the defendant came to my house; he was in his short sleeves and without a hat and he asked me if I would lend him a coat and hat as he desired to go on an errand for his boss. I let him have a coat and hat of mine which were in the room. He told me he would return them at once. He put them on and at once left the place. I didn't see the man again until I saw him in prison. At the time I saw him in prison he had my coat on him.. I am not able to recognise the coat which is shown me and the hat they were in such a dilapidated condition.

Cross examination.

I didn't see Officer Quinn on the night that I lent this man the hat and coat. The defendant didn't run out of my place he walked. I fix the time at 6 o'clock because I had just lit up the gas.

THOMAS QUINN, a witness for the people sworn testified:

I am an officer attached to the 23rd precinct of this City. I was on duty on December 10th, 1888 in the neighborhood of East 46th St. About five o'clock on

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on that afternoon a boy came up to me and told me something, and I ran down and found a man laying in the street in front of No. 236 East 46th Street. I raised the man in my arms and asked him what was the matter. He tried to answer me but could not as his mouth was full of blood and it gushed forth. I placed him up against a railing and summoned an ambulance. . . When the wagon came he was pronounced dead, and was taken to the Station House on a stretcher. I searched the basement where this shoemaker was employed and found a hammer all covered with blood laying in the floor. I helped to carry the body to the Station House. I delivered it over to the driver of the dead wagon and it was taken to the morgue.

Cross-examination.

I was examined in the police court two days after this homicide. I said in the Coroner's Office and also in the Police Court, that I found the chairs upset when I went in there; the testimony I gave in the police Court and in the Coroner's Office is true.

PATRICK GUY, a witness for the people sworn testified:

On the 10th of December I was employed by the department of Charities and Corrections driving the dead wagon. On the night of December 10th between 8 and 9 o'clock I took a body from the 23rd Precinct Station House to the morgue. There was nobody at the morgue when I left it there.

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ALBERT N. WHITE, the keeper of the morgue testified that when he reached the morgue on the morning of the 11th of December, he found the body of Henry Nowik there, which had been left on the night before by the last witness.

BERNARD NOWIK, a witness for the people sworn testified:

I am a brother of the deceased. I saw his body in the morgue at 26th Street on the 11th of December. He had no clothing on at the time I saw him.

TIMOTHY J. KENNEDY, a witness for the people, sworn testified:

I am an officer of police in the village of Flushing Queens Co. Long Island. On the night of the 10th of December at about a quarter of 12 I saw this defendant on the corner of Farrington Street and Broadway in the village of Flushing. I asked him if he was waiting for anybody, and what he was doing there, and the only remark he made to me was "I was working for the boss". At about half-past twelve on the same night I found him loitering about and I arrested him on suspicion. I read in the paper of this homicide the next morning. I delivered the prisoner over to Detective Cuff, when he came to Flushing the next day. He had on, at the time I arrested him, a coat and hat which are produced here in Court. I delivered him over to Officer Cuff with this same clothing on him. I didn't discover any wounds upon the defendant. I was unable to have

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any conversation with the defendant. He didn't speak English.

Cross-examination.

I have told all the conversation I had with the defendant. As we were going up the steps of the jail the defendant made a struggle and attempted to get away from me. He didn't strike me as he was not in a position to do so.

JOHN T. CUFF, a witness for the people sworn testified.

I am a detective attached to the 23rd precinct. I was called into this case on the night of the 10th of December. I saw the body of Henry Nowik in the Station House. On that night I went to No. 232 East 46th Street and I saw blood on the floor, and also blood upon the wall, and I also saw a stream of blood going up the basement steps as far as the sidewalk. I went to No. 913 3rd Avenue and saw the witness Provenzano and I got a description of the defendant. At about ten o'clock the next morning, in consequence of some information I received, I went to Flushing L.I. and brought the defendant to New York. I asked the defendant in Flushing if he knew what he was arrested for, and he didn't seem to understand what I said; he shook his head. I asked him if he knew he was arrested for killing a pedlar and he said "No" and shrugged his shoulders. I told him the pedlar was dead, and he said then he didn't understand English. I asked him several other

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questions but he didn't answer me. I dont know whether he understood me or not. I brought the defendant to this City in precisely the same condition as I had found him in Flushing. I discovered blood on the seam of his undershirt, when I examined him . . . The coat and hat and other articles now shown me are those which the defendant had on at the time I found him in Flushing. These garments have been in my custody ever since. I marked them carefully and know they are the same. I asked this man is he worked for a man named Disalvo at 232 East 46th Street, and he said "Yes"; he spoke in English that time. I dont know whether he understood me or not. I repeated to you the other conversation that I had with him.

The People rest.

Counsel for the defendant moves that case be taken from the Jury on the ground that there is no evidence to sustain the charge of Murder in the First Degree. *Am. 2.*

- - - - - D E F E N S E - - - - -

GIOVANNI CACCIOLA, a witness for the defendant sworn testified:

I live at 125 Elizabeth Street in this City. I have been in this country five years. I knew this defendant in Italy and also knew him in the Country. I have noticed him act strangely at different times. I believed that he had lost his head at one time. When I

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visited him in Flushing he called me a traitor; he said I had come to kill him. I was his closest friend. I brought him to New York and found him work. One Sunday when we were drinking beer together with some friends, the defendant said that we were traitors, and that we wanted to kill him. On one Sunday in September of 1888 we invited him to dine at the house of Carboni a friend of his, and he didn't come. On the following Sunday he was also invited to dine but he would not come either time, and he kept saying that we were traitors continually, and that we wanted to kill him. He believed that every one he met was seeking after his life.

Cross-examination.

I am employed in Burt's shoe shop in this City. When the defendant said that we were traitors I concluded that he was crazy. Although I believed this man to be insane, I brought him to Provenzano and got him work as a shoemaker.

MICHAEL CARBONI, a witness for the defendant, sworn testified:-

I live at No. 426 3rd Avenue. I am a tailor by occupation. I am a married man and have a family. I knew the defendant in Italy, and have known him altogether about fifteen years. When I first knew him he was a careful man. After he had been in this country a while I saw a great change in his manner. Whenever

06 12

14

he came to see me he seemed to be afraid of my wife and little children. One day he came into my house and fell on his knees and commenced calling me dfather and said that he nobody else in the world to look after him but me. He kept continually calling on God Almighty and the Virgin to save him from the traitors. He used to come to me and ask me to protect him and call me father. His character when in Italy and in this Country was always good for peace and quietness .
Cross-examination.

. I know t where this defendant worked . I didn't tell anybody that I believed him to be crazy. I was not afraid of him at all. I thought he acted very strange in calling me father. The defendant never said that he wished to go back to Italy. I have not seen him since the commission of this deed. He visited me frequently before he went to work in Flushing L. I.

RAFAEL DILALA, a witness for the defendant sownr testified :

I reside at 51 Spring Street in this City. I came from the same place in Italy as this defendant. I have known him since he was a child. I know other people who know him. His reputation in Italy was always good for peace and quietness. One day he came to me and said "Your name is Rafael Dilala": I asked him what was the matter with him and what he had done, and he answered; "I know nothing, only the Virgin Mary, can help me".

06 13

15.

I was in Italy when news came there that this defendant was not right in his head. He has, at different times acted strangely in my presence.

Cross-examination.

I am acquainted with the last witness who was on the stand. We have always talked about this matter of the defendant but he doesn't know my business, and

I don't know his. He has not told me what it was necessary to swear to on the stand. It was when I visited the defendant in prison that he told me he didn't know anything. I am a jeweler by occupation and have been in this business all my life.

CASE adjourned until December 16th, 1889.

New York. December 16th, 1889

T R I A L R E S U M E D .

WILLIAM WILLIAMS, a witness for the defendant, sworn testified:-

I am a shoemaker by occupation, and reside and do business at Flushing L. I. I have known the defendant for about three years and a half. He worked for my father in Flushing for about nine months before the killing. While he was employed with my father his conduct was very strange. He was all the time crying and if he saw any soldiers or policemen coming he would run back in the store, and say they were coming to kill him. I slept with him for three years and at night he would

06 14

16.

get up out of bed and nail the doors with nails. When I would speak to him about it in the morning he would say he never did it. Whenever I left the shop to go anywhere he would go into the next-door-neighbor and stay there 'till I got back. On one occasion he attempted to cut a man named Cheeseman with a knife for no reason at all. Cheesman happened to be behind him at the time. I often asked him what he was afraid of, and he seemed to forget all about it, and would say nothing.

Cross-examination.

Defendant didn't put many nails in the door, when he nailed them up at night. He must have nailed the doors about twenty times altogether during the three years. I thought his actions very strange. Although I knew he was a madman, and I was somewhat afraid of him I slept with him in the same room for three years.

FRANCIS W. CHEESEMAN, a witness for the defendant sworn testified:-

I live at Flushing L. I. I know the defendant by sight. One day about two years ago I went into the Shoemaker's shop of the last witness. While in there I accidentally touched the defendant on the back with my hand and he immediately raised up a knife at me, which he held in his hand. The proprietor of the shop knocked the knife out of his hand. He held the knife towards me in a threatening manner and said something in Italian. I never had any quarrel with the man in my

06 15

17

life.

Cross-examination.

I was alone when I went into this shop. Mr. Williams and his son were there. There was no struggle to take the knife away from the defendant.

LEONARDA MARDIRF, a witness for the defendant, sworn testified:-

I reside at the corner of 113th Street and First Avenue. I have been in this country three years. I know the defendant. Two years ago he lived in the same house with me. I remember that when he lived there he never would sleep in a bed. He always slept on a sofa, and kept his clothes on all night. I never saw him once, during the time he lived there, sleep in a bed.

Cross-examination.

This was two years previous to this homicide when I lived with the defendant. I never saw him in bed during all the time I was with him.

VINCENZO PROVENZANO, recalled.

I have known the defendant two years and a half. He was employed in my shop during 1887 for about three weeks. When he was with me, I gave him his food regularly but he scarcely touched it, when it was sent to him. One day he shouted "help", and I asked him what was the matter, and he laughed and said there was nothing the matter at all! He was always afraid to go

06 16

18

out and walk by himself. I generally took him with me when I went out for a walk. One day a stranger came into the shop and I gave him a chair to sit down and the defendant insisted on my taking the chair back. I do not understand the English Language.

RAFAEL CARBONI? a witness for the defendant, sworn testified:-

I live at 595 2nd Avenue in this City. I am a tailor, and a man of family. I knew this defendant in Italy, and also have known him since he has been in this country. I have noticed him act very strangely. One evening in our house, we were amusing ourselves, and he suddenly brought me down-stairs, and knelt down and said that everyone wanted to kill him. He said that I was the only one left to protect him. I took him to a restaurant and got him something to eat but he refused. When walking on Broadway one day he suddenly grabbed me by the arm and asked me to help him. There was no reason at all for that.

NICHOLAS CARBONI, a witness for the defendant, sworn testified:

I live at 246 3rd Avenue this City. I am a tailor and a married man. I knew this defendant in Italy, and have known him since he came to this Country. At times he acted very queer, and I always regarded him as a mad-man. I'd ask him one question, and he answer an entirely different question.

06 17

19.

GIEUSEPPI JANONI, a witness for the defendant sworn testified:-

I reside at No. 59 Walton Street Brooklyn. I know this defendant about four years. I worked with this defendant for some time and then I lost sight of him. The next time I saw him he called me his father. He introduced me as his father. When we walked along the street he would ask me who the people were who were following us. He said the people wanted to kill him and wanted to boil him in boiling oil. I could not make anything out of his speech.

ROSARIO DISALVO, a witness for the defendant, sworn testified:-

I reside at 231 East 46th Street. The defendant was employed by me as a shoemaker. During the time he was with me he was generally afraid when anyone came into the shop. He v never would stay in the shop alone ; he always wanted somebody to keep him company. While he was working for me he refused his wages, and said I was his father, and that he could not receive any money from me . At another time when I told him I could not pay him just then, and he insisted upon being paid at once.

Cross-examination.

I had four hammers and four knives on my bench in the shop. After this m homicide I found the four knives still in the shop. The defendant lives with me during the time that I employed him.

06 18

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RAFAEL ASCOLTA, a witness for the defendant, sworn testified:-

I am a physician practising in this City. I reside at No. 25 Spring Street. I know the defendant. In the year 1886 his friend Cacciola brought him to my office to see me. His friend told me that he was afraid that he was a lunatic. I invited them into my private office and asked the defendant to sit down. He knelt down, and lifting up his hands said; "For the sake of the Virgin, help me". I insisted upon him standing up. From this statement I knew I had to deal with an insane person.. I tried to destroy this impression that he had. He then told me that he had a large needle in his stomach, and I could not convince him that it was not so. I prescribed some medicine for him to take the needle out. The same evening he came back and told me he was entirely cured and the needle was gone. That is all I remember of that occasion. After he was arrested I visited him in the tombs, and I asked him for what reason he was in there, and he told me he didn't know. While we were conversing together he jumped up suddenly and tried the doors in the room, and looked around suspiciously. He told me everybody was against him. I then asked him several questions about his family, and about his mother, and about other things which would touch his heart. but I seemed to make no impression upon him. I visited him again about ten days after to see if there was any simulation on his part but I came to the conclusion that

06 19

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man was too stupid to simulate. I also visited the defendant in Company with Dr. Field. I believe the man was insane at the time he committed this homicide.

Cross-examination.

I agree with the law which says that a man is sane if he can distinguish between right and wrong. I believe that w man was insane at the time he committed the act, but he may have had a lucid interval. while he went to Provenzano's shop and went to Flushing. I think the defendant is at present insane. I believe him to be in the same state of mental responsibility as he was when I visited him in the tombs. .

THE FOLLOWING EVIDENCE was offered by the People in Rebuttal.

ALLEN FITCH, a witness for the people sworn testified:

I am a physician, and have been for some years examinaer in lunacy for the Department of Charities and Corrections. I have examined the defendant at the bar. The examination I made of him occurred about the 20th or 23rd of September this year. My conclusion from the examination was that he was in rather a poor physical condition. I found that while he was in prison he suffered from certain diseases. I discovered no evidence of any mental decay. On my second examination I came with the interpreter of this Court. We asked him a great many questions. Some questions

0620

22

he would answer and some he refused to answer. For instance he refused to give any reason for running away. Some questions he evaded, and others he would say he didn't think it was wise to answer them.

Q. You found him to be a sane man? A. Yes sir, in my opinion he was a sane man at the time I visited him.

Q. Are you prepared to say whether or not he had been recently suffering from any mental disorder.

A. I found no evidence of insanity then.

Cross-examination.

I made this examination w in consequence of a letter which Dr. Field received from the District Attorney. I specially was not requested to make the examination but only did so at the request of Dr. Field. I didn't discover the defendant to be suffering from any delusions-- that is, any insane hallucinations. I didn't find him suffering from any delusions or hallucinations whatever.

Q. Did you strip this defendant when you examined him?

A. I dont remember that. we did. .

Q. You remember distinctly he didn't suffer from any delusions? A. I remember distinctly that we didn't discover any.

Q. He might have had delusions without your discovering them? A. I dont think so. We didn't examine this man with any instrument whatever. I agree with Dr. Allen McLain, when he says it is proper to examine with an instrument. We did not do it in this case.

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MATTHEW D. FIELD, a witness for the people sworn testified:

I am a physician and surgeon. I am Examiner in Lunacy for the Department of Charities and Corrections. I examined this defendant on the 20th and 23rd of September last. . From my examination I found him to be sane..

Q. Did you find any evidence of any mental disorder?

A. No sir.

Q. Of any mental disease? A. No sir, the man was of a low order of intelligence naturally but there was no evidence of mental disease.

Q. And you stated as a result of your examination that the man was sane? A. Yes sir.

Cross-examination.

I made this examination at the request of the Commissioners of Charities and Corrections who had received a letter from Colonel Fellows, asking for an opinion upon the mental condition of this man. I sent my report to the Commissioners of Charities and Corrections. In my examination of this man I looked up his general physical condition. I looked at his tongue at first, his face, took his pulse, and inquired if he had been sick &c. .

Q. Did you find that his condition was normal. A. No sir, he was very much run down. I think his pulse was below normal. I asked him several questions; his answers to these questions were coherent up to a certain

0622

24

point. That point was when I came to talk of this crime. After that he was incoherent.

Q Can you state whether he was subject to any delusions or hallucinations? A. I can state that I asked him in regards to his family and his religion and of things which come closest to the man, and I was unable to find that he was subject to any delusions or hallucinations. I base my opinion as to his sanity upon his statements and also upon what information I got from those who had charge of him in the Tombs. The fact that this man attempted to kill a man in Flushing, who entered his store might be an indication of insanity coupled with other facts the witnesses have narrated from the statements made by the various witnesses as to his actions from time to time, and that these actions continued, it would strengthen the belief that such a person might be insane. Peculiar actions are not in themselves evidences of insanity. My experience may be different from that of writers on insanity. Ray is a very good authority on insanity, but medical science has made considerable progress since the time he wrote his book. Imperfections of judgment, and delusions may exist in the minds of men who are at the same time capable of distinguishing between right and wrong. From examination of this man I consider him sane, and I so considered him when I saw him in the month of Sep. I have not changed my opinion on that subject.

0623

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In some cases the act of homicide sometimes relieves when the man is insane on that subject. I cannot say that it always does. Victims of homicidal mania are most frequently kill kill those who are very dear to them. I have not known it to be the rule that they kill those who are absolutely unknown to them.

BOTH COUNSELS SUM UP.

THE COURT ADDRESSES THE JURY.

THE JURY RETURNS A VERDICT OF GUILTY
OF MURDER IN THE SECOND DEGREE.

0624

Indictment filed Jan. 9-1889.

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

GIOVANNI ANTONIO SEISCENTE.

Abstract of testimony on

trial New York, Dec. 12th

1889.

0625

Celia Di Salvo, (through an interpreter) 231 East 46th Street, 13 years of age, living with her parents, Rosario Di Salvo and Caloggera Di Salvo. My father is a shoe maker. I understand the nature of an oath. On a Monday in December of last year, at about dusk time, ^{while} I was sitting on the ~~sopha~~ sofa in the workshop of my father which ~~was~~ is in the basement of No. 232 East 46th Street, a peddler came into said workshop and offered table cloth for sale. There was no one else in said shop at said time, except myself, the said peddler and the defendant. I told the peddler that I did not want any trunks. Thereupon the ~~peddler~~ came near me, took me by the chin and said, I was a nice girl. ~~The defendant, seeing that, said to the said peddler in English~~ I told the peddler to stop, and almost in the same moment the defendant fired a shoe makers hammer.

0626

men at the peddler. I saw the hammer fly, but did not see it strike the deceased, because at the same moment I started to run towards the rear room to see my mother. When I returned to the workshop I saw the peddler and the defendant run upstairs on the steps leading from the workshop to the sidewalk. I did not see anything else, except the floor and wall of the said workshop being covered with blood for about three or four feet. The defendant understands enough English to make himself understood to my father's customers in matters of business. I ^{was} ~~had~~ been employed by my father at the time. I saw also blood drops on the steps leading to the sidewalk, after the two men had been arrested.

Thomas Quinn, patrolman
29th Precinct, On the 10th of Dec.

0627

September, 1888, while on duty in
Second Avenue, near 46th
Street at about 5.30 P.M., I
was informed by a boy that
in said street a man, who
was covered with blood, was
staggering around. I ran
the man, when he was first
fall down on the sidewalk
in front of No. 238 East 46th
Street. He could not answer
my questions, apparently be-
cause his mouth was full
of blood. Some one standing
in the crowd that sur-
rounded the deceased, said
that she had been stabbed in
the basement of No. 232 East
46th Street. I ran to the said
basement and found the
little girl Celia Di Salvo and
her mother there. There was
a pool of blood on the floor
and the wall on the East side
was also covered with blood
to the extent of about three
feet square. I found also a
hat and a bundle of table

0628

cloth ~~on the floor~~ as well as a hammer covered with blood lying on the floor. Several chairs were turned upside down. I inquired of the two women who had committed the assault upon the deceased, and where their husband and father was. They replied that he was up-town and then pointed over to a workman's chair, indicating that the man who had occupied it had committed the assault. I did not find the defendant in said basement. While being in the basement, I sent a boy for another officer. When he arrived, I asked him to send for an ambulance, which he did. When the ambulance arrived, the deceased was dead.

John T. Cuff, Detective, 23rd Precinct. On the 10th of December, 1888, at about six o'clock in the evening, the

0629

deceased was brought to the
Station House. He had a large
cut on the left side of the
neck and ^{on the} on the chin.
In my search for the defendant
I came to No. 913 Third Avenue,
where the defendant had
worked, before he was un-
employed by Di Silvio, and I
learned there that the de-
fendant had called there
after five o'clock without
a hat and in his shirt
sleeves, and that ~~he~~ a hat
and a coat had been loaned
to him under promise of re-
turning the same within
five minutes. The man
who loaned him the said
articles was Vincenzo Pro-
vincano, and from him I got
a description of the said coat
and hat, which I telegraphed
all over the country and com-
municated to the press. On
the next day in pursuance
of a dispatch from Judge
Smith at Flushing, L. I., I

0630

went there and arrested the defendant, who had been caught in said city. He told me that he had worked for Di Salvo in East 46 St. When I informed him that ~~he~~ I had put him under arrest for murdering the deceased, he shrugged his shoulders and refused to say any more. At said time he had neither a white shirt nor a vest, but he had three undershirts on, on the middle one of which I discovered several spots of blood. In the said basement I found the floor and the wall covered with blood. The hammer which was found by officer Quinn is at the Police House.

(through interpreter)
Vincent Provengano, 913
Third Avenue, Shoemaker, I have known the defendant for about two years. I made his acquaintance, when he came to work for me. He was

0631

in my employ for fifteen days only. Thereafter he visited me from time to time. On the 10th of December, 1888, in due time, the defendant came to my place and asked me to loan him a coat and a hat, stating that he had to attend to some business for his boss. He was not excited. I was in bed at the time, being sick. I gave him my consent to take a hat and coat that hung on a hook in the back room, where I was lying. When the defendant was brought up in 57th Street Police Court he had the said coat and hat on, which he obtained from me as aforesaid. I have not spoken with the defendant since the 10th of December, 1888.

Calogera Di Salvo, 231 East 4th Street, wife of Rosario Di Salvo. On the 10th of December, 1888, I lived with my husband

0632

in the basement of No. 232 East 46th Street. The defendant was at the time in the employ of my husband, as a journeyman shoemaker. He was there, when I arrived here from Europe, that was on the 17th of October, 1888. On the 10th of December, 1888, when I was preparing supper in the kitchen, my daughter came hurriedly to me saying that the defendant was fighting with another man in the workshop, which is in the front room and is separated by three middle rooms from the kitchen in the rear. When I came to the room adjoining the kitchen, I saw the defendant and another man rushing up the basement stairs. In the workshop I saw a pool of blood on the floor and also blood on the wall. A shoemaker's hammer was lying on the floor. It was taken away

0633

by a detective afterwards. I think I saw some blood spots on the basement steps. I have not spoken with the defendant, after I saw him leave the workshop as aforesaid. My husband was not in the house at the said time. He had left at about 2 o'clock in the afternoon and did not come home until I and my daughter had been arrested.

Bernard Norwick has not answered my subpoena.

George Bertrand, 230 East 46 Street, was not examined by me, because he has been subpoenaed so often that he is in danger of losing his employment. Detective Cuff says he is a reliable witness.

Dr. Field corroborates the

0634

statement contained in the
annexed letter.

Dr. Scholer was not ex-
amined by me. Let him
read his Autopsy, before he
goes on the stand.

0635

THE PEOPLE OF THE STATE OF
NEW YORK,

against

Guarini, Vincent

Chas. Price

JOHN R. FELLOWS,

DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,

NEW YORK CITY

0636

Nicolas Carboni, swore the ~~case~~ defendant
was queer when in Italy.

Rafaello Carboni, swore he was at
home when news was received from
America to the effect that Sicciante had
"become queer"

Court of General Sessions
Part III

The People of the State
of New York,
against
Giovanni Antonio Siascente.

Before Hon. Ran-
dolph B. Martine

New York, December 2nd 1889

The prisoner, being placed at the bar for sentence was asked by the Court what he had to say why judgment should not be pronounced against him. Through the official interpreter the defendant said:-

"He came in and insulted my boss' daughter and took me by my breast. I told him to go away, to keep silence. He said "It is not your business". I said "Certainly it is my business, because my boss left his daughter and his shop in my charge. He several times called me the son of a bad woman, and insulted me continually. He insulted the girl by touching her on several parts of the body

POOR QUALITY
ORIGINAL

0638

- the daughter of my master - and
I repeated again to him to go away
about his business. I was in
charge of the place, and in charge
of the girl. My master left ~~me~~ before
he left to go on his business down
town.

The Court then pronounced
judgment upon the defendant.

Court of General Sessions
Part III

The People of the City
of New York,
against

Giovanni Antonio Descale

Attorney of the
Defendant, on being
asked why judgment
should not be
pronounced against
him.

0639

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the house of Coroners' Office
 No. 67 Park Row ^{Street in the} 4th Ward of the City of
 New York, in the County of New York, this 19 day of December
 in the year of our Lord one thousand eight hundred and 88 before
 Ferdinand Edman
 of the City and County aforesaid, on view of the Body of Henry Nowik
 lying dead at

Twelve good and lawful men of the State of New York, duly chosen and
 sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said
 Henry Nowik came to his death, do
 upon their Oaths and Affirmations, say: That the said Henry Nowik
 came to his death by

Shock from profuse hemorrhage
 due to stab-wounds, severing the Carotid Arteries and
 Jugular veins, inflicted by Giovanni Antonio Seiscento
 in front of 232 E. 46th Street, on December 10/88 about 5.10 PM.

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition
 set our hands and seals, on the day and place aforesaid.

25th Dec. 1888 JURORS.

Max Goldberg
 Jakob Borong 84 St. St.
 Henry Rauch 240 B
 Fred. & Otto 8 St. St.
 Amel 20 B
 Harry Kim 201 B
 M. Straus 14 - - St.

Julius Brunnings 14 St.
 George Mery 89. A St.
 Michael Goldberger 51 St.
 Edward Michel 40 St. B

V REAS 21 Dec 88

Ferdinand Edman CORONER, L. S.

0640

Coroner's Office.

TESTIMONY.

Officer Thomas Quinn 23rd Precinct
 being sworn says: On Dec. 10/88
 About 5.10 P.M. I was on 2nd Ave.
 a boy came to me and told
 me there was a man in 46th
 St. with his throat cut.
 I ran around in 46th St. &
 saw the deceased standing in
 bet. 236 & 238 E. 46th St. I got
 hold of him and asked his name
 he vomited some blood. He
 began to stagger around & when
 I saw I could do nothing with
 him, some one said that the
 man who did the stabbing was
 in the basement, I found deceased
 covered with blood, I ran down in
 the basement & searched it.
 I found a woman & a little girl
 in it. In a couple of minutes
 after that, a little girl came
 into the basement, I asked
 her who did it or how it was
 done & she pointed to a bench
 in the corner. She said the man
 fired a hammer at the deceased.
 The prisoner was not there at the time.
 Thomas Quinn

Taken before me

this 19 day of December 1888

Pennington & Co. CORONER.

0641

Coroner's Office.

TESTIMONY. 2

Special Officer John J. Cuff 23rd Precinct
 being sworn says, On the eve of
 10th Dec. about 6 PM I was
 called to the Station House,
 The deceased Nowik was brought
 in on a stretcher, I examined
 him & saw a large cut on the
 left side of the neck, also
 one under the chin. I
 then went to 332 E. 46th St.
 & learned that the defendant
 had previously worked at 913
 3rd Ave. for a shoemaker,
 I went there and was informed
 by the shoemaker that the
 defendant came there shortly
 after 5 P.M. in his shirt sleeves &
 without a hat, & asked him
 for the loan of a hat & coat
 He said he would return them
 in 5 minutes, The next day
 he was arrested in Flushing L.I.
 His white shirt & vest were missing
 He was brought to the station house &
 searched & blood was found on his
 under shirt.

John J. Cuff

Taken before me

this 19 day of December 1888

Frederick C. Cullen

CORONER.

0642

Coroner's Office.

TESTIMONY. 3

George Bertrand being sworn says: I reside at 230 E. 46th St. I am a tinmith & plumber. On Dec 18th bet 4:30 & 5 PM I was working. I came home about 4:45 PM I was lying on the sofa when something attracted my attention. I went to the window & looked out. I saw two men quarrelling at the stoop next door to me. I saw one man without a hat or coat make a jab at the other. With that the man without the hat & coat ran towards 3rd Ave. When I got down stairs the young man who was stabbed was lying dead. I cannot positively identify the prisoner as the man I saw quarrelling with the deceased but it is the shape and all of him.

Geo. J. Bertrand.

Taken before me

this 19 day of December 1888

Wendell O. O'Connor CORONER.

0643

Coroner's Office.

TESTIMONY.

4

Special Officer Cuff, returned - When I went to 232 E. 4th St. I examined the premises, I found about 3 feet square of the wall covered with blood, & about 4 feet square of the floor covered with blood, I should say about 2 quarts. There was also a stream of blood from there to the place where deceased was found on the sidewalk.

J. M. Cuff

Taken before me

this 19 day of December 1888

N. J. C. CORONER.

0644

Coroner's Office.

TESTIMONY.

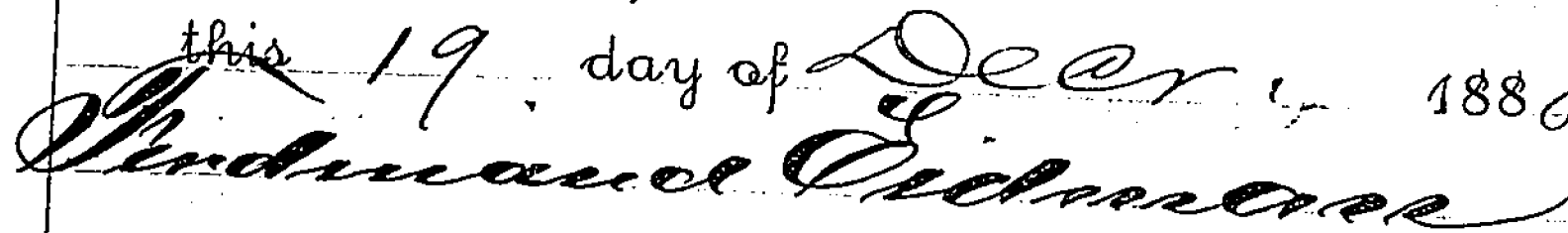
5

Cecilia Di Salvo, ²³¹ being sworn says: I reside at 232 E. 46th Street. I was working in the basement when a Jew came in showing some Annels for sale. I said I did not want any as my father was not in. The peddler touched me under the chin & said I was a nice girl. He did nothing else. Then the prisoner threw the hammer (identified) at ~~the~~ I went into the next room to my mother & said "Mamma Come" as the peddler & the defendant were fighting. I was afraid. When mother & I went into the shop the both men were going up stairs, the peddler first & the defendant after him. I do not know if the hammer thrown by the defendant struck the deceased.

Cecilia Di Salvo

Taken before me

this 19 day of Decr, 1888



CORONER.

0645

Coroner's Office.

TESTIMONY.

6

Calogia Di Salvo being sworn says: I reside at ²³¹232 E. 46th Str. On Dec. 10/88 I was in the last room of the basement used as a kitchen. My little girl came & said that Giovanni was fighting. I went with my girl to the shop where I saw the deceased & the defendant run up stairs. That is all I know.

her
Calogia Di Salvo
mark

Taken before me

this 19 day of December 1888
 Ferdinand Vidmar

CORONER.

0646

Coroner's Office.

TESTIMONY.

7

Vincenzo Provenzano being sworn says
 I reside at 913 - 3rd Ave. On Dec.
 10/88 ^{about 5 PM} the defendant came to see me. I
 was in bed at the time. He asked the
 loan of a coat & hat & said he would
 bring it back shortly.

Vincenzo Provenzano

Taken before me

this 19 day of December 1888
 Ferdinand O'Shea

CORONER.

0647

TESTIMONY.

Bernard Nowik being sworn says: I reside at 26 Elm St. I am a brother of the deceased. I last saw him alive on Monday AM Dec. 10th 1888 the day he was killed. I heard that he had been stabbed by an Italian at 232 E. 46th St. I saw the dead body and identified it as that of my brother Henry Nowik.

p. 11/10 p. 1/78

Sworn to before me,

this 15 day of Dec 1888
Andreas Pichner

CORONER.

0648

→: STATE OF NEW YORK, :←

CITY AND COUNTY OF NEW YORK, ss:

AN INQUISITION

Taken at the
No. Street, in the Ward of the City of
New York, in the County of New York, this day of
in the year of our Lord one thousand eight hundred and before
FERDINAND EIDMAN, Coroner,
of the City and County aforesaid, on view of the body of

now lying dead at
Upon the Oaths and Affirmations of
good and lawful men of the State of New York, duly chosen and
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner
the said came to his death, do upon
their Oaths and Affirmations, say: That the said
came to his death by

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition
set our hands and seals, on the day and place aforesaid.

JUROS.

Ferdinand Eidman

CORONER, T. S.

0649

TESTIMONY.

I have made Gustav Scholer M. D., being duly sworn, says:
an Autopsy of the body of
 now lying dead at

Morgue and from such Autopsy
 and history of the case, as per testimony, I am of opinion the cause of
 death is Shock from profuse hemorrhage
due to several stab wounds

Gustav Scholer M. D.

Autopsy

Body well nourished

{ December 11th 10 A.M.
 Morgue
 Rigor mortis marked

Inspection: Small incised wound on chin. Incised
 Wound betw. 5. & 6. rib 3 inches from median line
 right side

Incised Wound on the left side at neck one
 inch below larynx, about 1½ inch deep.

Autopsy Severing the external and internal carotid Ar
 jugular veins and other large blood vessels
 Phrenic, vagus, hypoglossus & Nerves
 Partial collapse of right lung, slight
 hemorrhage into the right pleural
 cavity.

Heart: normal

Lungs:

"

excepting the collapsed condition of the
 right lung.

Spleen:

"

Kidneys:

"

Sworn to before me,

this day of
Andreas Scholer

188

CORONER.

0650

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
23 Years - Months - Days about	Russia Poland	Morgue	Dec. 11. 1888

Remains were attached
by Giovanni H. Genoa
at 232 E. 46. St

232 St

Witkiewicz
Rocania-Bialor
admiral

his daughter Cecilia
13 years old

Officer Kennedy
Hunting Police

(Gentle) 23

19 at 11

F. E.

C. K.

Sto.

Quat.

1888

AN INQUISITION

On the VIEW of the BODY of

Henry Dawidson

whereby it is found that he came to
his death by

Stroke from profuse
haemorrhage due to
Stab Wound into right
lung and neck on the
left side

Homicide

Request taken on the

day

of

1888 before

FERDINAND EIDMAN, Coroner.

0651

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
23 Years - Months - Days	Rosario, Cuba	Morgue	Dec. 11, 1917

Accused was stabbed
by Giovanni A. Genoa
at 232 E. 46. St.
232 St.
Witnesses
Rosario Disalvo
shoemaker
his daughter Cecilia
13 years old
Officer Kennedy
Hunting Police
(Copy made 23)

MEMORANDA.

19 at 11
F. E.
No. CK
Quar. 188
AN INQUISITION
On the VIEW of the BODY of
Henry Morison
whereby it is found that he came to
his death by
Strike from profuse
haemorrhage due to
Stab Wound into right
lung and neck on the
left side
Homicide
Inquest taken on the day
of 188 before
FERDINAND EIDMAN, Coroner.

0652

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, { ss.

Giovanni Antonio Seicente being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz.:

Question—What is your name?

Answer—Giovanni Antonio Seicente

Question—How old are you?

Answer—28 years

Question—Where were you born?

Answer—Italy

Question—Where do you live?

Answer—232 E. 46th St.

Question—What is your occupation?

Answer—Shoemaker

Question—Have you anything to say, and if so, what, relative to the charge here preferred against you?

I am not guilty.

Giovanni Antonio Seicente

Taken before me, this 19 day of December 1888

Ferdinand Edman CORONER.

0653

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
23 Years. - Months - Days.	Russia Poland	Morgue fr. 232 & 46 ^e Str.	Dec. 11/88.

HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

Henry Florin

whereby it is found that he came to
his Death by the hands of

Giuseppe Antonis

Decease,

Inquest taken on the 19 day
of December 1888
before

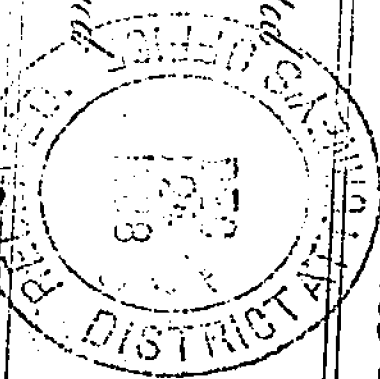
Jordan A. L. L. Coroner.

Committed

Advised

Discharged

Date of death December 10/88



MEMORANDUM.

AGE.	Years. - Months. - Days.	PLACE OF NATIVITY.	WHERE FOUND.	DATE When Reported.
23		Ireland	Wexford	Dec. 11/88

81232 & 46 Dr.

0654

4th Decr 1888

HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

Henry Hawk

whereby it is found that he came to his Death by the hands of

Giovanni Antonio

Deiscence,

Inquest taken on the 19 day of December 1888 before

Ferdinand Edwards Coroner.

Committed

Bailed

Discharged

Date of death December 10/88

0655

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

of No. 913, 3rd Avenue Street, aged 64 years,
occupation Shoemaker being duly sworn deposes and says
that on the 10th day of December 1888

at the City of New York, in the County of New York, one Giovanni A. Sciscente did enter the above premises and requested defendant to lend him a coat and hat for a few minutes, that defendant did then and then loan said Sciscente a coat and vest and that they then departed, this being about the hour of five o'clock PM

Vincenzo Provinciali
Jurat

Sworn to before me, this
of December 1888

12 day

Police Justice.

Court of General Sessions

The People

vs.
Giovanni Antonio Piscente

Indicturavit

Murder 1st degree.
§ 183

§ 183

for having on the 10th of Dec-
ember, 1888, ^{at 231 E 46th Street} maliciously and
knowingly caused the death of
Harry Norris.

Trial Witnesses.

Celia Di Salvo

231 East 46 Street

Result.

Coloquia Li, Paulo

231 East 46 St

Flight of defendant and deceased from workshop.

Thomas Quinn.

Patrolman. 23 d present

Death of ~~the~~ deceased and

0657

✓ John T. Caff.

Detective, 23^d precinct
View of premises and body
of deceased.

Vincento Provenzano

919 Third Avenue
Loan of hat and coat ^{to defendant} immediately after assault.

Dr. Scholer, Deputy Coroner,

Autopsy

235-6 Ave
Bernard ~~Brooklyn~~

26 East Allen St

View of body of deceased.

George Bertrand

320 East 46 St

Interval of defendant and
deceased in 16 Precinct.

Officer Kennedy

Flushing C.I.

Ambulance Surgeon who took body from
street to morgue)

0658

Sec. 198-200.

✓ District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Garvami A. Sciscant 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. *Garvami A. Sciscant*

Question. How old are you?

Answer. *38 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *None now*

Question. What is your business or profession?

Answer. *Shoemaker*

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

Answer. *I have nothing to say at present*
Garvami A. Sciscant
ma

Taken before me this

day of

188

Police Justice.

0659

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 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 December 12 1888

Illegally discharged
Police Justice.

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

Dated _____ 188

Police Justice.

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

Dated _____ 188

Police Justice.

0660

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

1921
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Meelia Disalvo
232 East 46
Gravami. A. Sciscute

2 set class for 9 Dec

3. _____
4. _____

Dated *December 12* 188*8*

White Magistrate.

Quinn & Cuff Officer.
43 Precinct.

Witnesses *Meelia Disalvo*
232 E 46th St.

No. _____ Street.

George Bertrand
No. *250 East 46th* Street.
998 4th Ave.

Camp Officer Cuff
No. _____ Street.

\$ _____ to answer _____

In brief as in Forster.

0661

N. Y. General Sessions

The People vs

vs

Giovanni R. Scicento

City, County and State of New York ss.

Raphael Anselta being duly sworn says that he is a practicing physician in the City of New York and has been such for about six years past past. That he knows the defendant above named and has seen him about five times within the last five years under the circumstances detailed in the testimony of deponent given on the trial. That he last saw him at the Court of General Sessions on the evening of the 17th day of December 1889 while the jury was deliberating in the jury room upon their verdict in his late trial. That from his conversation and actions and from his conduct in the presence of his counsel and friends he believes that he is now insane. That said belief is founded on his appearance, the incoherency of his conversation, the complete ignorance of the trial, and of the defense and of the charge against him. That said Scicento did not know at said time that Thos. Walsh who defended him was his counsel, and stated that he did not

0662

know what was going on or what the trial meant and in the presence of deponent and others would not hold any conversation with ~~one~~ of the ~~defence~~ ~~brother~~ who testified on the trial in his behalf and who was his faithful and intimate friend. So that said Giovanni A. Scicchi is now in the opinion of deponent from the examinations heretofore made and from the aforesaid acts and conversations in a state of insanity, so as not to be able to understand any proceedings that may be taken against him. Sworn to before me this }
19th day of December 1889 } Mr. Raphael Asselt
H. Marston
Notary Public

WWS.

0663

Ch. 7. General Session.

The People &c.

against

Giovanni Antonio Sorrento.

Applicants of Muted Condition.

James J. J. J.

Comm. for Def.

No 25 Chambers St.

or J. J. J.

Filed December 20/89.

0664

DR. MATTHEW D. FIELD,
115 EAST 40TH ST.

New York, Sept. 24th 1889.

Dear Sir:-

In response to your communication requesting report on the mental condition of Giovanni Antonio Seiscente now confined in the City Prison on a charge of homicide, I offer the following:

I have seen the prisoner on two occasions and conversed with him at length by the aid of an interpreter. On my first interview a fellow prisoner interpreted for me and on my second visit the official interpreter of the Court of General Sessions was with me.

Seiscente is an Italian of the lowest type, is unable to read or write and his mental capacity is of a low order. His physical condition is poor. He shows the effects of confinement and of the very serious illness of last winter (viz: Scarlet fever and diphtheria). He is without friends and is confined in prison upon a serious

0665

2
DR. MATTHEW D. FIELD,
115 EAST 40TH ST.

New York,188

charge, and these things depress him very much.

In my opinion he is sane and responsible
before the law for his actions.

Respectfully submitted,

Matthew D. Field M.D.

Examiner in Lunacy.

To
Hon. H. H. Porter,

President Board of Commissioners of
Public Charities and Correction.

0666

Department of
Public Charities and Correction,
Commissioners' Office,
66 Third Avenue,

HENRY H. PORTER, Pres.,
CHARLES E. SIMMONS, M. D.,
EDWARD C. SHEEHY.
G. F. BRITTON, Secretary.

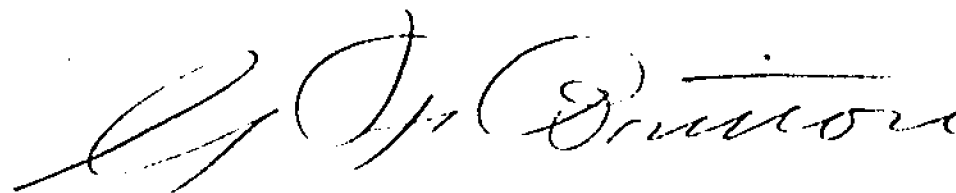
New York, Sept. 27th, 1889.

Hon. John R. Fellows,
District Attorney.

S i r :

I have the honor to transmit the report of Dr. Matthew D.
Field, Examiner in Lunacy, on the case of Giovanni Seiscente.

By order,



Secretary.

0667

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

Thomas Quinn
 of No. *14 1/2* *Grand Street*, aged *35* years,
 occupation *Police Officer* being duly sworn deposes and says
 that on the *10* day of *December* 188*8*

at the City of New York, in the County of New York, *he found the*
body Henry Horack standing in
front of premises 236 East 46th Street
at about the hour of 5-10 o'clock P.M.
suffering from wounds upon his head
which were freely bleeding, that
deponent remained near the body
of said Horack until he died
which death occurred about 20
minutes after deponent discovered
the body lying in the street
Thomas Quinn

Sworn to before me, this *11* day
 of *December* 188*8*

J. H. [Signature]
 Police Justice.

0668

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

of No. 232 East 46th Street, aged 12 years,
occupation Schoolgirl being duly sworn deposes and says
that on the 10th day of December 1888

at the City of New York, in the County of New York, one Giovanni A

Sciscende did commit the crime
of Murder in the manner following
that at about the hour of five o'clock
on the 10th day of December at
premises 232 East 46th Street in said
City one Henry Nowik entered and
offered a number of towels for sale
by making gestures, that defendant
replied that she did not like them
where said Nowik touched her
upon her chin with his hand that

Sworn to before me, this

of

188

day

Police Justice.

0669

Police Court, District,

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Dated

Witness,

Disposition,

Deponant before me this 13th day of December 1888
Police Justice
said Sciscute did then arrive from his
~~residence~~ *residence in said premises* strike
Nowik a violent blow with a Shoemakers Hammer
then and then held in the hands of said Sciscute
that both men then departed from the premises. Deponant
further says that she has since learned that said Nowik
died and has seen his dead body laying at
the morgue and fully identified it as that of
the person who had the altercation with said
Sciscute, and that immediately after the assault
received said Sciscute departed from
said premises in his shirt sleeves leaving
his clothes in said premises.

Cecilia Di Laro

0670

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Giovanni Antonio Sersento

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

Giovanni Antonio Sersento

of the CRIME OF Murder in the First Degree, committed as follows:

The said *Giovanni Antonio Sersento*,

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

Henry Naida,

in the peace of the said People then and there being, wilfully, feloniously, and of
~~his~~ malice aforethought, did make an assault, and ~~he~~ the said

Giovanni Antonio Sersento, him

the said *Henry Naida*, with a certain *knife*
which ~~he~~ the said *Giovanni Antonio Sersento* in

~~his~~ right hand then and there had and held, in and upon the ~~head~~
of ~~him~~ the said *Henry Naida*,

then and there wilfully, feloniously, and of ~~his~~ malice aforethought did strike,
stab, cut and wound, giving unto ~~him~~ the said *Henry Naida*

then and there with the ~~knife~~ aforesaid, in and upon the ~~head~~
of ~~him~~ the said *Henry Naida*

one mortal wound of the breadth of one inch, and of the depth of six inches, of which said

0671

mortal wound— *he* — the said *Henry Nanda* —
at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the
day of _____ in the same year
aforesaid, did languish, and languishing did live, and on which said—
day of _____ in the year aforesaid, the said—
at the City and County aforesaid,
of the said mortal wound did die.

Then and there did die.

And so the Grand Jury aforesaid do say: That the said *Sivamin*
Antonio Sincete, Jr.,

the said *Henry Nanda*, in the manner and form, and by
the means aforesaid, wilfully, feloniously, and of *his* malice aforethought, did kill,
and murder, 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
Sivamin Antonio Sincete —
of the same CRIME OF MURDER IN THE FIRST DEGREE, committed as follows:

The said *Sivamin Antonio Sincete*,

late of the City and County aforesaid, afterwards, to wit: on the said *last* —
day of *December*, in the year of our Lord one thousand eight hundred
and eighty-*eight*, at the City and County aforesaid, with force and arms, in and
upon the said *Henry Nanda*,

in the peace of the said People then and there being, wilfully, feloniously, and with
a deliberate and premeditated design to effect the death of *him* — the said
Henry Nanda —, did make another assault, and
the said *Sivamin Antonio Sincete, Jr.*, the said
Henry Nanda, with a certain *knife* —
which — *he* — the said *Sivamin Antonio Sincete* in

0672

his right hand then and there had and held, in and upon the *neck*
of *him* — the said *Henry Randa* —
then and there wilfully, feloniously, and with a deliberate and premeditated design to effect
the death of *him* the said *Henry Randa*, did strike, stab, cut and
wound, giving unto *him* the said *Henry Randa*, then
and there, with the *knife* aforesaid, in and upon the *neck*
of *him* — the said *Henry Randa* —
one mortal wound of the breadth of one inch and of the depth of six inches, of which said
mortal wound *he* — the said *Henry Randa* — at
the City and County aforesaid, from the said *day of*
in the year aforesaid, until the *day of* in the
same year aforesaid, did languish, and languishing did live, and on which said
day of in the year aforesaid,
the said *Henry Randa*, at the City and County
aforesaid, of the said mortal wound did die.

then and there did die.

And so the Grand Jury aforesaid do say: That the said *Sirvanin*
Antonio Sarsente, *him*, —
the said *Henry Randa*, in the manner and form, and by
the means aforesaid, wilfully, feloniously, and with a deliberate and premeditated design
to effect the death of *him* — the said *Henry Randa*,
did kill and murder, 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.

0673

BOX:

339

FOLDER:

3205

DESCRIPTION:

Sherin, Michael

DATE:

01/31/89



3205

0674

WITNESSES:

John F. Fuchter

415 1002

Counsel,

Filed 31 day of Jan 1889

Pleads

Property of ch 4

THE PEOPLE,

vs.

B
Michael Sherrin

June 17/89
for trial by request
of counsel for defendant

W.E. Cox

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[Ill. Rev. Stat. (7th Edition), page 1983, Sec. 21 and
page 1989, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Geo B. Worley

Foreman.

0675

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Michael Sherin

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

The said

Michael Sherin

twentieth day of *January* 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

John Bruchterich
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

Michael Sherin

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

Michael Sherin

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.

0676

BOX:

339

FOLDER:

3205

DESCRIPTION:

Shmidt, Carl

DATE:

01/28/89



3205

0677

Witnesses:

Archie Gibson

301

Counsel,

Filed

28 day of May 1889

Pleads,

THE PEOPLE

vs.

Carl Schmidt

46.
Schmidt

JOHN R. FELLOWS,

District Attorney.

Burglary in the THIRD DEGREE
(Section 498, 506, 528 & 531)

A True Bill.

Wm J. Woodley
Foreman

Jan 28/89.

Heard by Jury
J. M. J. H. H.

0678

Police Court District.

City and County
of New York, ss.:

of No. 68 Clinton Street, aged 18 years,
occupation Housekeeper being duly sworn

deposes and says, that the premises No. 68 Clinton Street, 11 Ward

in the City and County aforesaid the said being a four story tenement

Brick Building on the 3rd floor rear rooms

and which was occupied by deponent as the private apartments

and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly opening a

door with a false key leading from the

hall into her apartments

on the 2nd day of January 1889 in the day time, and the

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

Our Suite of clothes and quantity

Woman's wearing apparel in

all of the value of our personal

articles

the property of deponent

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

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

Carl Smith (nephew)

for the reasons following, to wit: That previous to said

Burglary and larceny the door leading

to deponent's apartments was securely

locked and about the hour of four

o'clock PM of the above date deponent

found the said deponent in her

rooms and above property was all

bundled up and the deponent was in

the act of removing the same

Amelia D. D. D.

Amelia D. D. D.

Amelia D. D. D.

Amelia D. D. D.

Amelia D. D. D.

Amelia D. D. D.

Amelia D. D. D.

Amelia D. D. D.

Amelia D. D. D.

Amelia D. D. D.

Amelia D. D. D.

Amelia D. D. D.

Amelia D. D. D.

0679

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer.

Carl Smith

Question. How old are you?

Answer.

46 years

Question. Where were you born?

Answer.

Germany

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

Answer.

No longer

Question. What is your business or profession?

Answer.

Laborer

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

Answer.

I was out of work and
about wrote into the complainant's
room so I would be arrested and
then I would have a home
Carl Schmidt

Taken before me this

day of January

1887

Police Justice

0680

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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 Jan 13 188 9 M. Patterson Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0681

301 41
Police Court--- District.

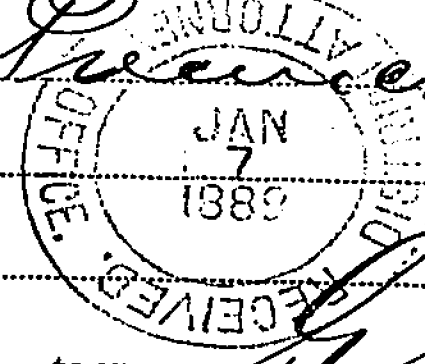
THE PEOPLE, &c.,
ON THE COMPLAINT OF

Amelia Nelson
68 Delaware St
Earl Smith

Burglar
Offence

2
3
4
Dated January 3 1889
J. M. Patterson Magistrate.
M. J. Conner Officer.
13 Precinct.

Witness Patrick Brennan
No. 13 Precinct Street.
Geo. Hammond
No. 13 Precinct Street.



No. Street.
\$ 1000. to answer

Amel 3.04
Burg 3.04
C. R. 2

BAILED,

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

0682

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Carl Schmidt

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

Carl Schmidt

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

The said

Carl Schmidt

late of the *Eleventh* Ward of the City of New York, in the County of New York
aforesaid, on the *second* day of *January* in the year of our Lord one
thousand eight hundred and eighty-*nine*, with force and arms, in the
day - time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *Amelia Bulson*

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

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

0683

SECOND COUNT—

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

Carl Schmidt

of the CRIME OF

Grand

LARCENY

in the second degree committed as follows:

The said

Carl Schmidt

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

one coat of the value of fifteen dollars one vest of the value of five dollars, one pair of trousers of the value of two dollars and divers articles of female wearing apparel of the number and description to the Grand Jury aforesaid unknown of the value of seventy dollars

of the goods, chattels, and personal property of one

Amelia Dulseon

in the dwelling house of the said

Amelia Dulseon

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

*John R. Fellows,
District Attorney*

0684

BOX:

339

FOLDER:

3205

DESCRIPTION:

Simmons, Charles

DATE:

01/16/89



3205

0685

BOX:

339

FOLDER:

3205

DESCRIPTION:

Simmons, Mary Jane

DATE:

01/16/89



3205

0686

Witnesses,

Charles W. Gardner

137 Kane

Counsel,

Filed

16 day of May 1889

Pleas, Chittiquy

THE PEOPLE

vs.

Charles Simmons

and

Mary Jane Simmons
(2-20-02)

[Section Penal Code.]

[Section

JOHN R. FELLOWS,

May 16/89 District Attorney.

Attest Office of District
Attorney for trial, by request
of Counsel for Defendant.

A True Bill

Wm. T. Woodruff

Foreman.

0687

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 Simmons
and
Mary Jane Simmons

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

Indictment accuse Charles Simmons and
Mary Jane Simmons

of the crime of *intentionally causing and permitting
a minor to be placed in such a situation
that his morals were likely to be impaired,*
committed as follows:

The said Charles Simmons and
Mary Jane Simmons, both

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

twelve day of *December*, in the year of our Lord one thousand
eight hundred and eighty-*eight*, at the City and County aforesaid,

having then and there the care and
custody of one Joseph Thompson,
a minor, to wit: of the age of
nine years, did unlawfully and
intentionally cause and permit the
said Joseph Thompson, such
minor as aforesaid then and
there to be and remain in a
certain house of prostitution and
assignation there situate, and in
the said house then and there to
be and remain in the company of

0688

disorderly, dissolute
and lewd persons, as well men
as women, and common prostitutes,
whom the said Charles Sumner
and Mary Jane Sumner in the
said house then and there did
cause and procure to frequent
and come together, and therein
did receive and entertain, and
thereby did then and there
indulge and willingly cause
and permit the said Joseph
Thompson to be placed in such
a situation that his morals
were likely to be impaired; 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 P. Hallam,

Attorney

0689

BOX:

339

FOLDER:

3205

DESCRIPTION:

Simmons, Charles

DATE:

01/16/89



3205

0690

BOX:

339

FOLDER:

3205

DESCRIPTION:

Simmons, Mary Jane

DATE:

01/16/89



3205

Witnesses;

Charles W. Gardner

No 132 Kane

Counsel,

Filed

1889

Pleads,

Argued

THE PEOPLE

vs.

Charles Simmons

and

Mary Jane Simmons

(Defendants)

KEEPING A HOUSE OF ILL FAME, Etc.

[Sections 322 and 385, Penal Code]

JOHN R. FELLOWS,

Jan 11/89

District Attorney.

Sent to the Court of Special Sessions for trial, by request of Counsel for Defendant.

A True Bill.

Wm F. Thayer

Foreman.

0692

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 Simmons
and Mary Jane Simmons

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

Charles Simmons and Mary Jane Simmons

(Sec. 322,
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND
HOUSE OF ILL-FAME, committed as follows:

The said *Charles Simmons and*
Mary Jane Simmons, both

late of the *Sixth* Ward of the City of New York, in the County of New York aforesaid,
on the *twenty-second* day of *December* in the year of our Lord
one thousand eight hundred and eighty *eight*, and on divers other days and times, as well
before as afterwards, to the day of the taking of this inquisition, at the Ward, City and
County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and
wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well
men as women, and common prostitutes, on the days and times aforesaid, as well in the night
as in the day, there unlawfully and wickedly did receive and entertain; and in which said
house the said evil-disposed persons and common prostitutes, by the consent and procurement
of the said

Charles Simmons and Mary Jane Simmons
on the days and times aforesaid, there did commit whoredom and fornication; whereby divers
unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well
in the night as in the day, were there committed and perpetrated; to the great damage and
common nuisance of all the good people of the said State there inhabiting and residing, in
manifest destruction and subversion of and against good morals and good manners, 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 Simmons and Mary Jane Simmons

(Section 385,
Penal Code.)

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

The said *Charles Simmons and Mary Jane Simmons,*
both

late of the Ward, City and County aforesaid, afterwards, to wit: on the *twenty-second*
day of *December* in the year of our Lord one thousand eight hundred

and eighty-*eight*, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in *their* said house, for *their* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the Statute in such case made and provided, and against the peace 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

Charles Simmons and Mary Jane Simmons
 (Section 322 of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:
 Penal Code.)

The said *Charles Simmons and*
Mary Jane Simmons, both

late of the Ward, City and County aforesaid, afterwards, to wit: on the *twenty second* day of *December* in the year of our Lord one thousand eight hundred and eighty-*eight* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *their* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in *their* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, 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.

0694

BOX:

339

FOLDER:

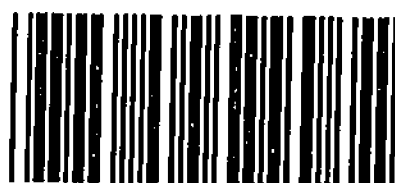
3205

DESCRIPTION:

Simons, John

DATE:

01/28/89



3205

0695

WITNESSES:

Geo B. Rydson

308

Counsel,

Filed

Pleads

28 Jan 1889

THE PEOPLE,

vs.

B

John Simons
Jan 28/89

is sent to the Court of Criminal
Sessions for trial, by request
of the Crown.

VIOLATION OF EXCISE LAW

(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and
page 1989, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Thos R Woodley
Foreman.

0696

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

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

The said

John Simons
late of the City of New York, in the County of New York aforesaid, on the *twentieth* day of *January* 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

Ira B. Ryerson
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 Simons
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 Simons
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.

0697

BOX:

339

FOLDER:

3205

DESCRIPTION:

Smith, Alfred

DATE:

01/11/89



3205

0698

BOX:

339

FOLDER:

3205

DESCRIPTION:

Ryan, John

DATE:

01/11/89



3205

0699

Witnesses:

William E. Hutchell

James Ryan

Counsel,

Filed

11 day of Aug 1889

Pleads,

Whizpelt (X)

THE PEOPLE

vs.

+

Alfred Smith

John Ryan

Robbery, [Sections 224 and 228, Penal Code], degree.

JOHN R. FELLOWS,

Pro-sec. 11/89 District Attorney.

No 2 trial, remanded, with

recommittal (agreed) Elmer R. F.

A True Bill

7 July 7 - Recd 3

Wm T. Woodard Foreman

July 16/89

Speed & forwarded

for Robby 1 day

11, July 10, 1889

Wm 13/89

21/89

0700

Police Court— District.

CITY AND COUNTY }
OF NEW YORK, } ss

William E. Mitchell
 of No. 302 East 70th Street, Aged 39 Years
 Occupation Hotel carver being duly sworn, deposes and says, that on the
 2nd day of January 1889, at the Fourth Ward of the City of New York,
 in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
 ponent by force and violence, without his consent and against his will, the following property, viz:

One gentleman's scarf of the value
 of One dollar and one diamond
 pin of the value of about
 twenty five dollars

of the value of _____ DOLLARS,
 the property of deponent

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

Smith and John Ryan (both now
 here) for the reasons that on said
 day, at about the hour of twelve o'clock in the night time
 deponent was passing up the
 stairway leading to the Elevated Rail-
 road at Chatham Square and deponent
 had said pin fastened in a scarf
 which deponent then wore on his
 person and part of his bodily clothing.
 That the said defendants and a man
 not arrested who were in company
 with each other and acting in concert,
 were in front of deponent on said
 stairway and that one of said defendants
 or the said man not arrested

Day of

Sworn to before me, this

188

Police Justice.

0701

seized violent hold of deponents body
and held the same against the stairway
whilst ~~one of~~ the other of said defendant
or ~~gain~~ ^{man} ~~not~~ ^{was} ~~seized~~
forcibly seized the said scarf and
said pin and tore the same from
deponents person and all of the
defendants then ran away. That
no other persons were on said stair
way at said said time except the
defendants now here and said unknown
man and one James Bagan who was in deponents
company
Sworn to before me }
this 2nd January, 1889 } William F. Mitchell
J. Henry Ford }
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
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1889
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated 1889
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—ROBBERY.

1
2
3
4

Dated

1889

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0702

Sec. 198-200.

CITY AND COUNTY OF NEW YORK ss.

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this

day of January 188

Police Justice.

0703

Sec. 198—200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Alfred Smith

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.

Alfred Smith

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

New York

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

Answer.

53 Bowery; 4 weeks

Question. What is your business or profession?

Answer.

Moulder

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.
Alfred Smith

Taken before me this

day of *January* 188*8*

G. Murphy

Police Justice.

0704

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

defendant
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Ten* Hundred Dollars, *Each* 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 7* 188*8* *William J. Bond* Police Justice.

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

Dated.....188..... Police Justice.

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

Dated.....188..... Police Justice.

0705

Police Court---

7 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William E. Mitchell

302 East 70th

Alfred Smith

John Ryan

Offence

Robbery

Dated

January 2 1889

Magistrate.

Baker

Officer.

4 Precinct.

Witnesses

No.

Call the office

James Egan

No.

1571 Second Ave

No.

\$

1000

to answer

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

0706

The People
vs.
Alfred Smith.

Court of General Sessions, Part 1.
Before Recorder Smythe.

January 16, 1889.

Jointly indicted with John Ryan for robbery in the first degree.

William E. Mitchell sworn and examined, testified: I am a restaurant carver and live at present at 302 East 70th Street; on the 2nd of January I was living at that place, I remember New Year's night or morning rather and remember seeing the Defendant, Alfred Smith at Chatham Square in this city on the elevated railroad stairs, going up, I saw John Ryan, he was with him, he was one of the first men that was there. Ryan's companion was with him first and then I saw the defendant Smith afterwards, it was on the platform the first landing of the elevated railroad station at Chatham Square. I was not alone at the time, James Egan was with me, he was going up the stairs ahead of me about one flight ahead, this was five minutes past twelve. I had a scarf on me at the time worn under a turned down collar the same as I have now, a pin was in it, a kind of a crescent, half moon with a little star at the top, I valued it at about twenty-five or thirty dollars. My attention was first attracted to these men because they were acting in a drunken manner and I could not get past them, I started to go past and they would go on one side and then on the other, lurch over in a drunken way, the same as though they were not able to control themselves, I moved back and I started to go around and jostled them

0707

and they lurched in front of me, one grabbed me by one arm and the other by the other arm and forced me back against the railing, I recognize Ryan as the man who grabbed me, one of them and the man that got away grabbed me also; then my friend Egan's attention was attracted and he started to come down stairs to assist me and when they saw that I had a second party with me, a friend, the third man which I recognize as Smith ran upstairs and one of them hit my friend and knocked him down and at that time I halloed police and Smith grabbed my scarf and pulled it off, I halloed police then and they all ran down stairs together, the three of them; he took the scarf and pin, I followed this man and halloed, police, and the officer met him and caught him, I did not follow him very far, just down to the bottom of the stairs, he was running. He did not get out of my sight from the time I saw him grab my scarf and pin and run away, I am positive that the Defendant is the man, I saw him arrested by the officer, Officer Baker arrested him and Ryan and the third man got away.

Cross Examined. I reside in East 70th St. and was on my way home, I had been making a call on a friend of mine down in Nassau Street, my friend resides in Nassau Street and prior to calling on him I had been up to my brother-in-law's on Third Avenue in the afternoon.

I had drank nothing to affect me in the least, I suppose I drank two or three times during the day, I drank a pony glass each time of whiskey. I was perfectly sober at the time this happened, I think it was about the nicest New

0708

Years in regard to weather that I remember; there was plenty of light on the elevated railroad, I first saw the defendant Smith on the first landing, when I first saw him he was within two feet of me, he was running upstairs, I did not notice him until he got up the stairs on the landing, I was on the platform at the time and these other two men held me against the railing, he was running up towards me, I am certain that the pin was in my scarf for I had seen it a few moments before. My friend Eagan came down when he saw I was in trouble with these two men, I did not call him but his attention was attracted by my speaking to them, Smith grabbed my scarf pin; when Smith saw my friend coming down stairs to assist me he ran up to assist his friends, I could not swear which one of the men struck Eagan, I could not really swear that it was Smith struck him but it was one of the three.

James Eagan sworn and examined.

My business is waiter and I live at 1571 Second Avenue, I know the complainant Mr Mitchell and remember the morning of the 2nd of January, New Years night, I was with him at Chatham Square, I recognize one of these men, Ryan, he was standing on the landing of the elevated railroad at Chatham Square, there was one other person with him when I saw him. I was going up on the elevated railroad first and Mr Mitchell was behind me, I wanted to get up ahead of him to be quicker than him to get to the ticket agent, I saw Smith's friend Ryan and a friend of his with him and they were staggering around on the first platform, I went past them all right and when Mr Mitchell came up they

0709

jostled against him, the three of them were jostling there I looked around and one had hold of each arm, the three were standing on the first landing, the third man just came up as I came down and when the third party came up I got hit in the eye and the three of them ran away and Mr Mitchell halloood, police; I was staggered up against the railing; after they ran away I stood there and went down after Mr Mitchell, I saw the Defendant Smith when he came back with the policeman; it was I who pointed out Ryan to the policeman when he came back with Smith and the policeman arrested them both about the same time, I went to the Station House along with Mr Mitchell and he made the complaint, I noticed when I met him that he had the necktie and pin on and afterwards I saw that it was gone, I was with Mr Mitchell about ten or fifteen minutes.

Cross Examined. I first met Mr Mitchell that night on Park Row between Duane and Pearl Streets, I had known him before, he is a friend of mine; we went right straight up to the elevated railroad, I noticed the two men were up there ahead of us and I passed through them and went up to the landing above, I turned around to see if they would have anything to do with Mitchell, to see if he would get through all right; then the two jostled up against him, one got hold of each arm and they got as far as the head of the flat and just at that time I came down and as soon as I came down the third party came up and I got struck in the eye and the three ran away. I don't know what part Smith took in this occurrence, Smith was arrested about a minute or two after and I pointed

0710

Ryan out in front of a liquor store door; the whole thing didn't take over three or four minutes.

George P. Baker sworn and examined. I am a police officer attached to the fourth precinct, I arrested Alfred Smith about five or ten minutes past twelve on the 2nd of January last in Chatham Square. I was going up New Bowery and when between Chatham Square and James St. I heard a cry of, police and stop thief, I ran up and I noticed Smith and a couple more running from the elevated station, I followed Smith and caught him just about the end of the square near Doyer Street and brought him back, I met Officer Conover and gave him in charge and went with Eagan who pointed out Ryan to me and I arrested him, I saw Mr. Mitchell there and he identified both of them at the time and also in the Station House; there was two men running, one separated from Smith and went over into Mott Street, that was the party who got away, he was a stout man. I noticed Mr Mitchell's scarf was gone and when I asked him what was the matter he said his scarf and diamond pin was taken.

Cross Examined. I was about fifty feet from the elevated station when I saw these men run away, I am sure that Smith was not walking in the middle of the street but running, it was just as much as I could do to keep up to him, I had to knock him down and I would knock anybody down when I heard a cry of stop thief, and told the man to stop and he did not; Smith never said a word when I arrested him, and he never said a word when Mitchell identified him.

0711

Alfred Smith sworn and examined in his own behalf, testified: I live at 53 Bowery and work at the newspaper business, I heard the complainant's testimony in this case, on this night I was in a saloon in Park Row, I had a couple of drinks and came out and got about to the middle of Chatham Square and saw an officer making towards me, he took his stick out, I had been singing and raising a disturbance and I started to run from the officer, afraid he might hit me, I was going up to bed, the officer ran after me and thinking he was going to hit me I ran away, he got me at the corner of Doyer Street and Chatham Square. I saw the complainant in the Station House but not before to my recollection, I did not steal anything from him or from anybody.

Cross Examined. I have been selling papers for sixteen months, I used to fold papers for the Manhattan News Company at the elevated stations, I used to go up in the afternoons, the cashier paid me for my work twenty-five cents an hour, I don't know his name; I used to work in a printing office before that in 54 Beekman Street for David Darby, I have worked for the Western Union Telegraph Company. I am not sure that I told them in the Police Court I was in the newspaper business because I had a little drink in me the time I was arrested. I slept in a lodging house 53 Bowery but don't know the name of the man who keeps it, I was in O'Rourke's saloon in Park Row that night. I was arrested once for swimming and was sent to Blackwell's Island another time six months for fighting, I was never sent to State Prison.

The Jury rendered a verdict of guilty of robbery in the first degree.

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Testimony in the case

Alfred Smith

plead Jan.

1889

0713

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Alfred Smith
and John Ryan

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

Alfred Smith and John Ryan

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

The said *Alfred Smith and John Ryan*, both

late of the City of New York, in the County of New York aforesaid, on the *second* day of *January* in the year of our Lord one thousand eight hundred and eighty-*nine*, in the *night* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *William E. Mitchell*, in the peace of the said People, then and there being, feloniously did make an assault, and

one ready of the value of one dollar, and one diamond ring of the value of twenty five dollars,

of the goods, chattels and personal property of the said *William E. Mitchell*, from the person of the said *William E. Mitchell*, against the will, and by violence to the person of the said *William E. Mitchell*, then and there violently and feloniously did rob, steal, take and carry away, the said

Alfred Smith and John Ryan, and each of them, knowing then and there aided by an accomplice actually present, to wit: each by the other,

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 D. Adams
Attorney