

0163

BOX:

538

FOLDER:

4898

DESCRIPTION:

Sage, James

DATE:

10/23/93



4898

POOR QUALITY
ORIGINAL

0164

Witnesses:

Chris R. W. [Signature]

Counsel,

Filed

Pleads,

day of

1893

THE PEOPLE

vs.

James Sage

Grand Larceny, [Sections 528, 537, Penal Code.]

DE KANCEY NICOLL,

District Attorney.

[Signature] Name of [Signature]

A TRUE BILL.

Edward G. Taylor

Foreman.

Police Court

2nd District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Charles B Weathered

of No. 244 Canal.

Street, aged 33 years,

occupation Manufacturer being duly sworn,

deposes and says, that on the 21st day of September 1893 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the daytime, the following property, viz:

Two hundred and sixty seven dollars and fifty cents

\$267⁵⁰/₁₀₀

the property of Thomas W Weathered and in the care 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 James Bogan.

from the fact that the said deponent was in the employ of deponent as office boy that deponent sent the defendant to the bank for the purpose of depositing said money in said bank, that defendant failed to return to said place and deponent subsequently ascertained that said money had not been deposited by defendant and that the bank book was returned to deponent by mail. Deponent thereupon charges the defendant with larceny of said money and procures his arrest and held to answer.

Chas B Weathered

Subscribed and sworn to before me, this 21st day of September 1893
Police Justice.

POOR QUALITY
ORIGINAL

0166

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss:

James Sage 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.

James Sage

Question. How old are you?

Answer.

16 years

Question. Where were you born?

Answer.

N. S.

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

Answer.

19 East 22 St - 5 months

Question. What is your business or profession?

Answer.

Club

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
day of

1892

Police Justice.

Oct 17
[Signature]

POOR QUALITY
ORIGINAL

0167

1847

Sec. 151.

Police Court 2 District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of
the Police Justices for the City of New York, by Charles B. Weathered
of No. 244 Canal Street, that on the 21 day of September
1893, at the City of New York, in the County of New York, the following article, to wit:

Gold and Laurel Money of the
United States
of the value of Two Hundred and Fifty Seven 50 Dollars,
the property of Thomas W. Weathered was in the care of James Engel
was taken, stolen and carried away, and as the said Complainant has cause to suspect, and does
suspect and believe, by James Engel.

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

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

Dated at the City of New York, this 22 day of September 1893

Charles B. Weathered
POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0168

Police Court.....District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated.....189

Magistrate.

Joseph Dooling Officer.

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

Officer.

Dated.....189

This Warrant may be executed on Sunday
or at night.

Police Justice.

POOR QUALITY
ORIGINAL

0169

Oct 18th 1893

10 A.M.

[Signature]

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

Police Court--- District.

THE PEOPLE, AC.,
ON THE COMPLAINT OF

Charles B. Mearns
vs. Grace

Larceny

Dated _____ 1893

Ministry of Building, Officer,
Precinct.

Witnesses

No. _____ Street _____

No. _____ Street _____



No. _____ Street _____
to answer

[Signature]

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

Dated *Oct 18th 1893* *[Signature]* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

James Sage

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

James Sage
of the CRIME OF GRAND LARCENY IN THE *Second* DEGREE, committed
as follows:

The said

James Sage

late of the City of New York, in the County of New York aforesaid, on the *21st*
day of *September* in the year of our Lord, one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, with force and arms,

*the sum of two hundred and
sixty-seven dollars and fifty
cents in money, lawful money
of the United States of America,
and of the value of two hundred
and sixty-seven dollars and
fifty cents,*

of the goods, chattels and personal property of one *Charles B. Weathered*

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

De Lancey Nicoll
District Attorney

0171

BOX:

538

FOLDER:

4898

DESCRIPTION:

Schall, Jacob

DATE:

10/17/93



4898

POOR QUALITY
ORIGINAL

0172

Witnesses:

Jacob Goldman

M Fernberg

Counsel,

Filed

day of

189

Pleas,

THE PEOPLE

vs.

Jacob Schall

Burglary in the Third Degree.
[Section 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

DE LANCEY NICOLL,

District Attorney.

2'

A TRUE BILL.

Edward G. Taylor

Foreman.

Part 3. October 27/93

Indicted & acquitted

POOR QUALITY
ORIGINAL

0173

Police Court—3rd District.

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

Morris Reinberg
of No. 237 Division Street, aged 50 years,

occupation shirt manufacturer being duly sworn

deposes and says, that the premises No. 225 Division Street,
in the City and County aforesaid, the said being a shop building

and which was occupied by deponent as a shirt making shop
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking
open the lock which securely locked
on the door of said premises

on the 12th day of October 1893 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Ten dozens shirt made of gauze
and cotton flannel, of the value of
thirty five dollars.

the property of Harry Reinberg, in his care
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

Jacob Schall, now here

for the reasons following, to wit: On the said night and
date, at about six o'clock in the
evening, this deponent secured and
effectually closed and locked the 3rd
floor of the premises 225 Division
Street, New York City, and at six o'clock
in the morning of the next day, to wit:
the 13th day of October, 1893, this deponent
found that the said door had been

forcibly opened and entered. And this de-
ponent is now informed by Jacob Goldman
and Louis Deutscher, that they saw said
property in the possession of said
defendant, and that therefore this depou-
ent now charges said defendant with
burglariously entering, and unlawfully
taking, stealing and carrying away
said property, and therefore
prays that the said defendant
be apprehended and dealt
with as the law directs.

That the deponent is informed by the
said Deutscher and Goldman that they
saw the property in the possession
of the defendant on the night of the
12th of October 1893, at or near 12 o'clock,
while defendant was leaving the building
225 Division Street, New York City.

Subscribed before me } his name
October 15th 1893 } Morris Peinberg
in presence of

John Ryan }
J. M. Justice }

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Degree.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

POOR QUALITY
ORIGINAL

0175

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 26 years, occupation Driver of No. 234

Louis Quitch Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Horris Rosenberg

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

knowledge.

Sworn to before me, this 15th day of August 1899

John Ryan Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 24 years, occupation Operator of No. 29

Henry Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Horris Rosenberg

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

knowledge.

Sworn to before me, this 15th day of August 1899

John Ryan Police Justice.

POOR QUALITY
ORIGINAL

0176

Sec. 198-200.

30

1882

District Police Court.

City and County of New York, ss:

Jacob Schall 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.

Am not guilty

Jacob Schall

Taken before me this
day of

1892

Police Justice.

POOR QUALITY ORIGINAL

0177

BAILED,
No. 1, by Reuben Battenstein
Residence 236 East Broadway Street,
No. 2, by _____
Residence _____ Street,
No. 3, by _____
Residence 3 Street,
No. 4, by by
Residence _____ Street,

905
Police Court... District 1097

THE PEOPLE &c.,
ON THE COMPLAINT OF

John Ryan
237 Broadway

1 John Ryan 1893
2 _____
3 _____
4 _____
5 _____
6 _____
7 _____
8 _____
9 _____
10 _____

Magistrate
John Ryan
Officer

Witness
John Ryan
Street

Witness
John Ryan
Street

Witness
John Ryan
Street

No. _____
to answer _____
Street

RECEIVED
DISTRICT ATTORNEY
OCT 18 1893

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

John Ryan

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

Dated, Oct 15 1893 John Ryan Police Justice.

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

Dated, Oct 15 1893 John Ryan Police Justice.

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

Dated, _____ 189 _____ Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Jacob Schall

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

Jacob Schall

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

The said

Jacob Schall

late of the *7th* Ward of the City of New York, in the County of New York, aforesaid, on the
twelfth day of *October*, in the year of our Lord one
thousand eight hundred and ninety-*three* in the *night*-time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *shop* of
one

Fanny Feinberg

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 *Fanny*

Feinberg in the said *shop*
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.

SECOND COUNT—

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

Jacob Schall
of the CRIME OF *Grand* LARCENY in the second degree, committed as follows:

The said

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

*one hundred and twenty shirts
of the value of thirty cents each.*

of the goods, chattels and personal property of one

in the

shop of the said *Fanny Tenberg*

there situate, then and there being found, in the *shop* 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.

POOR QUALITY
ORIGINAL

0180

THIRD COUNT:

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

Jacob Schall
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

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

*one hundred and Twenty shirts
of the value of thirty cents
each*

Jenny Steinberg
of the goods, chattels and personal property of

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said *Jenny Steinberg*

unlawfully and unjustly did feloniously receive and have: (the said

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

DE LANCEY NICOLL,
District Attorney.

0 18 1

BOX:

538

FOLDER:

4898

DESCRIPTION:

Schierbaum, Theodore

DATE:

10/11/93



4898

POOR QUALITY
ORIGINAL

0182

Witnesses:

W. T. Ferguson

Counsel,

Filed

day of

1893

Pleas,

THE PEOPLE

vs.

Grand Larceny,
[Sections 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

Theodore Schierbaum

DELANCEY NICOLL,
District Attorney,

Heard Oct 21 1893

Sentenced suspended

A TRUE BILL.

Edward J. Taylor

Foreman

Court of General Sessions.

-----x
In the Matter :
of :
Theodore Schierbaum. :
-----x

To

The Court of General Sessions.

The petition of Theodore Schierbaum respectfully shows:

That your petitioner is now imprisoned in the City Prison in this city awaiting trial on an indictment for stealing three table covers valued at \$60. from Meyer Katzenstein by whom he was employed.

That petitioner is extremely sorry for his crime and it is his intention when arraigned for trial to plead guilty to the indictment.

That your petitioner is 39 years of age and has never before been arrested or in custody on any charge and the theft from said Meyer Katzenstein is the only offense against the law of which he has been guilty.

That your petitioner was born in Germany September 15, 1854 and was educated in the High School there. That he left school at the age of eighteen years and was immediately employed in the Custom House in Germany where he remained continuously for about eighteen years with the exception of one year from October 1875 to September 1876 which he spent in the German army and that he left the military service with the rank of Lieutenant. That while in the Custom service he held a responsible position having charge of about twenty men.

That on April 28, 1890 he left his wife and four children in Germany with relatives and came to the United States to better his fortunes, but since his arrival in this country he has only been able to obtain positions paying on an average \$6. or \$7. per week.

That he held the position of book-keeper for said Meyer Katzenstein and his salary was \$7. per week at the time of his arrest. That he pawned the articles stolen and that the pawn tickets have all been obtained by said Meyer Katzenstein and that as your petitioner is informed and verily believes neither the said Meyer Katzenstein nor the firm represented by him will lose anything by the theft.

That your petitioner's good sister Mrs. Louise Miller who resides in the City of New York has employed counsel for petitioner and has offered to purchase a ticket for petitioner to leave the country if sentence on this indictment is suspended and petitioner has thankfully accepted the offer.

WHEREFORE your petitioner pleads guilty to the indictment aforesaid and throws himself upon the mercy of this Court humbly praying that this his first offense against the law may be overlooked, that sentence may be suspended and that he may be permitted to begin life anew in a land far from the scene of his disgrace, where he may hope to become once more a respected member of society.

Dated New York October 14, 1893.

Theodore Schierbaum
Petitioner

City & County of New York ss:

Theodore Schierbaum being duly sworn
says that he is the petitioner named in the foregoing

**POOR QUALITY
ORIGINAL**

0185

petition, that he has read the said petition and knows the contents thereof and that the same is true to his own knowledge except as to the matters therein stated to be alleged upon information and belief and that as to those matters he believes it to be true.

Sworn to this 14th day of :
October 1893, before me. :

Frederic Schierbaum

Michl. J. Scanlan
Notary Public
N. Y. Co.

POOR QUALITY
ORIGINAL

0 186

Court of General Sessions.

-----x
In the Matter
of
Theodore Schierbaum
-----x

City & County of New York ss:

Meyer Katzenstein being duly sworn

says. I am the complainant against Theodore Schierbaum
above-named... HE is indicted for stealing from my firm of
~~Katzenstein & Co.~~ *Schmading & Co.* three table covers valued at \$60. At the
time of theft he was working for my said firm at a salary of
\$7.00 per week. The goods stolen have been recovered by me
and my firm will not suffer any loss by reason of such
theft. I believe that the man Schierbaum comes of a res-
pectable family and that he has not before been guilty of any
crime. I have been informed that his sister Mrs. Louise
Miller who is worthy of every consideration will purchase
a ticket to enable him to leave the country if sentence is
suspended and I earnestly hope that such course will be
adopted and I entreat the Court to show Schierbaum that much
mercy.

Sworn to before me this
13th day of October 1893.

Meyer Katzenstein

Wich. J. Sculan
Notary Public
N. Y. Co.

POOR QUALITY
ORIGINAL

0187

Court of General Sessions.

-----x
In the Matter :
 :
 :
 :
of :
 :
Theodore Schierbaum. :
 :
-----x

City & County of New York ss:

Louise Miller being duly sworn says,-
I am the sister of Theodore Schierbaum above-named and reside
in the City of New York. The said Theodore Schierbaum is my
only brother and he is 39 years of age. He was born in
Germany, where he was well educated and he was employed in
the Custom House there for 18 years. To the best of my knowl-
edge and belief he was never arrested or in custody before
his present arrest, and he has never before been guilty of
any crime or offense against the law.

I feel keenly the disgrace he has brought upon himself and
upon all his relatives by his crime and I am very much afraid
that if he is imprisoned for his offense the news of such
imprisonment will kill our mother who is now 72 years of age.
I hope that his arrest and imprisonment in the Tombs will be
a lesson to him, and I respectfully ask the Court to suspend
his sentence and permit him to leave the Country and begin
a respectable life elsewhere. I am not wealthy, but I will
make sacrifices and will obtain his passage ticket. I will
do anything which can honestly be done to help him rise again
and to prevent his imprisonment because if he is sent to
prison for ^{this} his first offense, his own life will ~~be~~ probably
be blighted and his disgrace will very much affect the lives

**POOR QUALITY
ORIGINAL**

0188

of his five sisters and his aged mother.

I have been informed that ~~for~~ the first offense the Court sometimes extends clemency and I humbly beg the Court in this case of my unfortunate brother to temper justice with mercy and give him the opportunity to make another start in life.

Sworn to this 14th day of :

October 1893, before me.

Louise Miller

Michl J. Scanlan
Notary Public
N. Y. Co.

**POOR QUALITY
ORIGINAL**

0 189

Court of General Sessions.

IN THE MATTER
OF
THEODORE SCHIERBAUM

PETITION AND
AFFIDAVITS.

Police Court— / District.

Affidavit—Larceny.

City and County { ss.
of New York,

Meyer Katzenstein

of No. 574 1/2 West Street, aged 33 years,

occupation Manager being duly sworn,

deposes and says, that on the 2 day of August 1893 at the City of New

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

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

Three embroidered table covers of the value
of about sixty dollars

Sworn to before me this
1893 day

the property of him or Schnadig and Company - for which
firm deponent is a manager

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 Theodor Schierbaum (now here) for

the reason that from the 6th day of May 1893
to the 6th day of October 1893 deponent
was in deponent's employ, while for a part of
said time deponent was in Europe. Deponent
has missed a large amount of his stock
from the aforesaid premises. Deponent is
informed by Maurice Bonnoil of the Central
Office that the defendant admitted to him
that he the defendant took from deponent's
stock on the 2nd day of August the aforesaid
three covers which defendant informed the said
Bonnoil were worth about sixty dollars.
Deponent is informed further by the said
Bonnoil that the defendant admitted

0191

to him, that he pawned the said three
cows and appropriated the proceeds of
said pledge to his own use.
Wherefore deponent charges defendant with
Grand Larceny.

Sworn to before me this } Meier Haggenberg
7th day of October 1893 }

Chas. M. M. M.
Police Justice

POOR QUALITY
ORIGINAL

0192

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 29 years, occupation Police Officer of No. Central Office

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

Sworn to before me this
day of October 1893

7 } Maurice Bonnoil

[Signature]
Police Justice.

POOR QUALITY
ORIGINAL

0193

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

Theodore Schierbaum 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.

Theodore Schierbaum

Question. How old are you?

Answer.

39 years

Question. Where were you born?

Answer.

Germany

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

Answer.

126 East 4th Street. 3 months

Question. What is your business or profession?

Answer.

Clerk

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.

Theodore Schierbaum

Taken before me this

day of

October

1893

at

Police Justice.

POOR QUALITY
ORIGINAL

0194

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

1086
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Myron K. Rosenblum
347 56 York
Therese Schickling

2 _____
3 _____
4 _____
Offense *Larceny*
felony

Dated *October 7* 189*8*

Magistrate

Officer

Preinct

Witnesses *Maurice Rosenthal*

No. _____
Street _____

No. _____
Street _____

No. _____
Street _____
to answer *h.d.*

1000
1898
RECEIVED
1898
1898

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

Defendant

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

Dated, *Oct 7* 189*8* *Police Justice.*

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Theodore Schierbaum

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

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

The said

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

*three table-covers of the
value of twenty dollars each*

of the goods, chattels and personal property of one

Simon Schindig

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

De Lancey Nicoll
District Attorney

0 196

BOX:

538

FOLDER:

4898

DESCRIPTION:

Schire, Louis

DATE:

10/18/93



4898

0197

BOX:

538

FOLDER:

4898

DESCRIPTION:

Spengemann, Herman F

DATE:

10/18/93



4898

POOR QUALITY ORIGINAL

0198

#2 314 Oct 18/93

W. J. Schire

Counsel,
Filed 18 day of Oct 1893

Pleads, *Indignity-19*

Grand Larceny, *Receives* (From the Person.)
[Sections 828, 829, Penal Code.]

THE PEOPLE

vs.
Louis Schire
and

Herman F. Spengemann

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Edward G. Taylor

*Part 3. Del 26/93 Foreman.
Tried and acquitted*

Witnesses:

Harry Harn

Off O'Rourke

POOR QUALITY
ORIGINAL

0199

Police Court

2

District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Mary Kane

of No. 327 West St Pleasant St Street, aged 37 years,
occupation Housework being duly sworn,

deposes and says, that on the 12 day of Oct. 1897 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the day time, the following property, viz:

One pocket book containing

fifteen dollars and ninety nine

Cents in gold and lawful money

of the United States

\$ 16.99

the property of

Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by

Louis Schire and
Herman Spengman, (now here) Deponent
had been drinking with defendants
in the hallway of a saloon at No
349 Spring Street, and while Deponent
was in the act of placing the change
in her pocket book, the defendant
Schire seized the said property from
deponent's hand, and the two
defendants ran off together, and
the defendant Schire threw the
said pocket book away, and both the
defendants were } Mary Kane
arrested immediately }

Sworn to before me, this 12 day

of October 1897

Police Justice.

POOR QUALITY
ORIGINAL

0200

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

Herman Spengemann 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.

Herman Spengemann

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

521 Greenwich St - 5 years

Question. What is your business or profession?

Answer.

Printer.

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

Answer.

I am not guilty
Not G
H. J. Spengemann.

Taken before me this

day of

1882

Police Justice.

POOR QUALITY
ORIGINAL

0201

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

Louis Schive 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.

Louis Schive

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

10 Clarkson St - 9 years

Question. What is your business or profession?

Answer.

Writer

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
Louis Schive

Taken before me this

day of

1899

Police Justice.

POOR QUALITY ORIGINAL

0202

Alphonse Sperry. his residence
offering of Sperry
Left Sperry's residence
Oct. 12. 1893 JK

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

1105
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
J. J. Kane
vs. Louis Schiele
32 1/2 West 14th St.
New York City
Offence Larceny
from Person
Hester Sperry

Dated Oct 12 1893

Magistrate.
Robert O. Somell
Officer.

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

No. 1500 Street _____
1000 1/2

Can

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

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

Dated Oct 1893 Thompson Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated Oct 12 1893 Thompson Police Justice.

POOR QUALITY
ORIGINAL

0203

591

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 Schire
and
Henry D. Spengemann

The Grand Jury of the City and County of New York, by this indictment, accuse
Louis Schire and Henry D. Spengemann
of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said Louis Schire and Henry D. Spengemann, both

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

the sum of sixteen dollars
and ninety-nine cents in money,
lawful money of the United States
of America, and of the value of
sixteen dollars and ninety-nine
cents one pocketbook of the value of one
dollar

of the goods, chattels and personal property of one Mary Kane
on the person of the said Mary Kane
then and there being found, from the person of the said Mary Kane
then and there feloniously did steal, take and carry away, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

De Lancey Nicoll,
District Attorney

0204

BOX:

538

FOLDER:

4898

DESCRIPTION:

Schmalfuss, Louis

DATE:

10/13/93



4898

POOR QUALITY
ORIGINAL

0205

Witnesses:

John Lippin

Counsel,

Filed,

Pleads,

day of

18
July - 16

THE PEOPLE

vs.

P

Louis Schmalfuss

DE LANCEY NICOLL,

District Attorney.

De Lancey Nicoll
(False Pretenses)
[Section 528, and 531, Penal Code.]

A TRUE BILL.

Edward G. Taylor
Sept 6/93

Forfeiture

Heard at N.Y. City
S.P. 2015 - 100

Police Court—

3

District

Affidavit—Larceny.

City and County }
of New York, } ss.

of No.

John Kippig
59 Avenue B Street, aged 40 years.

occupation

Saloon Keeper

being duly sworn,

deposes and says, that on the

24

day of

June

189

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 day time, the following property, viz:

Good and lawful
money of the United
States of the amount
and value of twenty—
\$26.50

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

James Schmalz
(his son), who admits and
confesses to having passed
the annexed check on
deponent and to having re-
ceived the money for said
check. He, (deponent) knowing
that said check was worthless

John Kippig.

Sworn to before me this
24th day of June 1893

John Kippig
Police Justice

POOR QUALITY
ORIGINAL

0207

Sec. 198—200.

3. District Police Court. 1882

City and County of New York, ss:.

Louis Schmalfuss 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.

Louis Schmalfuss

Taken before me this

day of

1883

Police Justice.

POOR QUALITY ORIGINAL

0208

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

Police Court District 1091

THE PEOPLE, &c.
ON THE COMPLAINT OF
James J. Schmalzer
James J. Schmalzer

Offense _____
Dated, _____ 189

Magistrate
Officer
Precinct

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

No. _____ Street _____
to answer _____



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

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.


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

Dated, _____ 189 _____ Police Justice.

POOR QUALITY
ORIGINAL

0209

No. 864. New York June 23rd 1873.
Madison Square Bank.
Pay to Louis Schenaffuss. or order
Twenty six ⁵⁰/₁₀₀ Dollars
\$ 26 ⁵⁰/₁₀₀ William Mullay



POOR QUALITY
ORIGINAL

0210

Louis Schmalz

John Lippert

~~DEPOSIT
TO THE CREDIT OF
PETER DOELGER~~

no/c

2

POOR QUALITY
ORIGINAL

0211

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 Schmalfuss

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

- Louis Schmalfuss -

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

The said *Louis Schmalfuss*,

late of the City of New York, in the County of New York aforesaid, on the *twenty-fourth*
day of *June*, in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, with force and arms, with intent to
deprive and defraud *one John Derrig*

of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the
use and benefit thereof, and to appropriate the same to *his* own use, did then and there
feloniously, fraudulently and falsely pretend and represent to *the said*

John Derrig.

That a certain paper writing, in the words
and figures following, to wit:

" *no. 264* *New York, June 23rd 1893*

Madison Square Garden

Pay to Louis Schmalfuss or order

Twenty six — $\frac{50}{100}$ — Dollars

\$26 $\frac{50}{100}$

William Mullany
and endorsed " *Louis Schmalfuss*"
which the said *Louis Schmalfuss* then

and there produced and delivered
to the said John Service, was then
and there a good and valid order
for the payment of money, and
of the value of twenty six dollars
and fifty cents.

By color and by aid of which said false and fraudulent pretenses and representations, the said

— Louis S. Smallpass —

did then and there feloniously and fraudulently obtain from the possession of the said

John Service, the sum of twenty
six dollars and fifty cents in
money, lawful money of the
United States of America, and
of the value of twenty six dollars
and fifty cents,

of the proper moneys, goods, chattels and personal property of the said

with intent to deprive and defraud the said

John Service. —
John Service. —

of the same, and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said paper writing was
not then and there a good and valid
order for the payment of money,
and was not of the value of
twenty six dollars and fifty cents,
or of any value, but was then and

there wholly worthless

And Whereas, in truth and in fact, the pretenses and representations so made as afore-
said by the said Louis Schmalfuss
to the said John Derrig was and were
then and there in all respects utterly false and untrue, as the said

Louis Schmalfuss
at the time of making the same then and there well knew;

And so the Grand Jury Aforesaid, do say that the said
Louis Schmalfuss
in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods,
chattels and personal property of the said John Derrig.

then and there feloniously did STEAL, against the form of the statute in such case made and pro-
vided, and against the peace and dignity of the said people.

DE LANCÉY NICOLL,
District Attorney.

02 14

BOX:

538

FOLDER:

4898

DESCRIPTION:

Schmidt, Henry

DATE:

10/03/93



4898

POOR QUALITY
ORIGINAL

02 15

Witnesses:

Rebecca Thompson

Counsel,

Filed *3* day of *Oct* 189*3*

Pleads,

M. J. Kelly

THE PEOPLE

vs.

P

Henry Schmidt.

Assault in the Third Degree.
(Section 219, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Edward G. Taylor

Foreman.

Part III. Oct. 9, 1893

Part 3, October 17, 1893
Filed and Requested

POOR QUALITY
ORIGINAL

0216

Police Court-- 3 District.

CITY AND COUNTY }
OF NEW YORK, } ss

Rebecca Winegrad
of No. 190 Stanton Street, Aged 17 Years
Occupation Work in Grocery Store being duly sworn, deposes and says, that on the
23 day of Sept 1892, at the 13 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 pocket book,
containing one dollar,
altogether of the value
of (\$1.50 / 100)

of the value of One or 50/100 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

Henry Schmidt (now here)
who, while deponent was
walking in Attorney Street
at 11³⁰ a.m. struck deponent
on the neck with his
chained fist and attempted
to snatch said property
from deponent's hands.

Wherefore deponent asks
that said defendant be
dealt with as the law
directs. BeBekie Winegrad.

day of

Sworn before me, this

1892

John A. McLaughlin, Police Justice.

POOR QUALITY
ORIGINAL

0217

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty
Henry Schmidt

Taken before me this

day of

189

Police Justice.

POOR QUALITY
ORIGINAL

0218

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

Police Court--- District-

1032

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John H. Magrath
190 St. John St
Henry Schmidt

2 _____
3 _____
4 _____

Offense *Attempted Robbery*

Date *Sept. 25* 189

Horatio Magistrate

Muloney Officer

124 Precinct

Witnesses

DISMISSED.

No. 1, by *as to testimony* Street *1893*

No. 2, by *Oct 2, 1893* Street

No. 3, by *Edward H. Freeman* Street

1893

No. 4, by *500* Street *to answer*

John H. Magrath

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 *Sept 25* 189 *John H. Magrath* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

1891

POOR QUALITY
ORIGINAL

0219

491

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 ASSAULT IN THE THIRD DEGREE, committed as follows:

The said

Henry Schmidt

late of the City of New York, in the County of New York aforesaid, on the *Twenty Third*
day of *September* in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, in and upon the body of one *Rebecca*
Levingrad in the peace of the said People then and there being, with force
and arms, unlawfully did make an assault, and *he* the said *Rebecca Levingrad*
did then and there unlawfully beat, wound and illtreat, against the form of the statute in such case
made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0220

BOX:

538

FOLDER:

4898

DESCRIPTION:

Schmidt, John

DATE:

10/20/93



4898

POOR QUALITY ORIGINAL

0221

Witnesses:

Chas. Decker

Counsel,

Filed, day of Dec 1897

Pleads,

THE PEOPLE

vs.

John Schmidt

INJURY TO PROPERTY.
[Section 654, Penal Code.]
Burglary, 1st degree
(See 497 Penal Code)

DE LANCEY NICOLL, ^{sr}
District Attorney.

A TRUE BILL.

Edward G. Taylor

Foreman.

Handwritten notes and signatures including "Foreman", "Handwritten notes", and "Dec 17/97 - P.B.M."

POOR QUALITY
ORIGINAL

0222

Sec. 19c—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *John Schmidt*

Question. How old are you?

Answer. *30 yr*

Question. Where were you born?

Answer. *German*

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

Answer. *47 Leonard Str Brooklyn 2 yr*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty*
John Schmidt

Taken before me this

18

day of

Oct 1893

Police Justice

POOR QUALITY
ORIGINAL

0223

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

Police Court--- District. 1116
THE PEOPLE, &c.,
ON THE COMPLAINT OF
Charles Blodgett
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POOR QUALITY
ORIGINAL

0224

CITY AND COUNTY } ss:
OF NEW YORK,

POLICE COURT, L DISTRICT.

1900

of No. 57 E 59 Street, aged 60 years,
occupation Janitor being duly sworn, deposes and says,
that on the 18 day of October 1893

at the City of New York, in the County of New York, John Schmidt
(nowhere) did willfully unlawfully and
maliciously break and destroy
two plate glass windows in the premises
57 E 59 Street of the value of One hundred
and twenty dollars the property of
Albert Wagner and in the care and
custody of deponent under the following
circumstances the deponent is informed by
Officer William H. Byrnes of the 25 Precinct
that he saw said defendant about the hour 4 A.M.
break and destroy said windows by throwing stones
through said windows. Charles Blohm

CITY AND COUNTY } ss.
OF NEW YORK,

1901

aged 25 years, occupation Officer of No. 25 Precinct

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Charles Blohm

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

knowledge.

Sworn to before me, this 18 day
of October 1893

William H. Byrnes

W. H. Byrnes Police Justice.

0225

Residence.

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

Court of General Sessions of the Peace

517

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

John Schmidt

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

John Schmidt

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

The said

John Schmidt

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

one ~~two~~ panes of plate glass

of the value of *one hundred and twenty* dollars
of the goods, chattels and personal property of one *Albert Wagner*
then and there being, then and there feloniously did unlawfully and wilfully *break*

and destroy:

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

SECOND COUNT.

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

The said

John 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,

one two panes of plate glass

of the value of *one hundred and twenty dollars*
in, and forming part and parcel of the realty of a certain building of one *Albert*

Wagner there situate, of the real property of the said
Albert Wagner
then and there feloniously did unlawfully and wilfully *break and*

destroy.

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

DE LANCEY NICOLL,
District Attorney.

(513)

Third COUNT.

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

John Schmidt

of the CRIME OF

*Attempting to commit the crime
of Burglary in the third degree,*

committed as follows:

The said

John Schmidt

late of the Ward of the City of New York, in the County of New York, aforesaid, on the
eighteenth day of *October*, in the year of our Lord one
thousand eight hundred and ninety-*three* in the *night* time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of
one *Albert Wagner*

there situate, feloniously and burglariously ^{attempt to} 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

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

De Lancey Nicoll,
District Attorney

0229

BOX:

538

FOLDER:

4898

DESCRIPTION:

Schorr, George

DATE:

10/18/93



4898

Witnesses:

Reuben G. Guntberg
Herman Lake

In this case and the other case against
same defendant, the couple were
not found as appears by written
affidavits and there is no opportunity
therefore to the discharge of debt on
his own recognizance.

March 29, 1894
John A. Bruce
S. D. C.

Counsel,

Filed day of

189

Pleas.

THE PEOPLE

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

George Schorr.
(2 Cases)

Quoted & closed July 27, 1894
DE LANCEY NICOLL,

District Attorney.

J. M. Van Ness
Attorney at Law
to
George Schorr
for
A TRUE BILL.

Edward J. Taylor

Robert J. Gault
Foreman.
on recom. of petit jury
deft. discharged on his own
recog.
J. B. M.

Police Court—3 District.

1931

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

of No. 207 Christopher Street, aged 28 years,
occupation Iron Finisher being duly sworn,
deposes and says, that on the 14 day of October 1893 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

George Schenck (unborn)
who cut and stabbed
deponent on the back
with the blade of a
shears which he held in
his hand and said assault
was committed

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

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

Sworn to before me, this 14th day
of Oct 1893

Rudolph Gartenberg
John Ryan Police Justice.

POOR QUALITY
ORIGINAL

0232

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss: . .

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

Question. What is your name?

Answer. *George Schorr*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *Austria*

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

Answer. *168 Suffolk St. 10 mos*

Question. What is your business or profession?

Answer. *Barber*

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

Answer. *I am not guilty -*
George Schorr.

Taken before me this
day of *Dec* 1892

Police Justice.

POOR QUALITY ORIGINAL

0233

BAILED,

No. 1, by James H. Chapman
Residence 236 Broadway Street
No. 2, by James H. Chapman
Residence 15 E. 4th Street
No. 3, by James H. Chapman
Residence 70 W. 30th Street
No. 4, by James H. Chapman
Residence 70 W. 30th Street

Police Court--
District

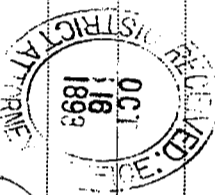
THE PEOPLE, vs.,
ON THE COMPLAINT OF

Nicholas J. Chapman
2201 Broadway
George Schuch

Dated, Oct 15 1893
Offense 1st Class

James H. Chapman Magistrate,
Precinct, 11

James H. Chapman Officer,
Precinct, 11



No. 1077 Street 1077
to answer 1077

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

John H. Chapman
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 100 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 1893 John H. Chapman Police Justice.

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

Dated, Oct 15 1893 John H. Chapman Police Justice.

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

Dated, Oct 15 1893 John H. Chapman Police Justice.

**POOR QUALITY
ORIGINAL**

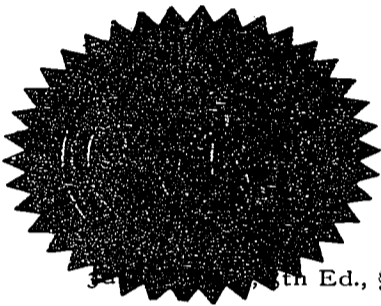
0234

1768

I, JOHN F. CARROLL, Clerk of the Court of General Sessions of the Peace, and Clerk of the Court of Oyer and Terminer held in and for the City and County of New York (each being a Court of Record and having a Common Seal), do hereby certify that the annexed is a copy of

An recognizance to answer

now on file in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom and of the whole of such original.



3rd Ed., § 74, p. 687.

GIVEN UNDER my hand and attested by the seal
of the said Court this 17th day
of January in the year of our Lord one
thousand eight hundred and ninety four

John F. Carroll

State of New York, City and County of New York, ss:

An indictment having been found on the 18th day of October 1893 in the Court of General Sessions of the Peace of the City and County of New York, charging George Schorr with the crime of Assault with the first degree, and he having been duly admitted to bail in the sum of Twenty hundred dollars:

We George Schorr defendant, residing at No. 168 Suffolk Street, and Leonard Heftler residing at No. 15 East Houston Street, Occupation fancy goods, syrety, hereby jointly and severally undertake that the above-named George Schorr shall appear and answer the indictment above mentioned, in whatever Court it may be prosecuted, and shall at all times render himself amenable to the orders and process of the Court; and if convicted, shall appear for judgment and render himself in execution thereof; or if he fail to perform either of these conditions, that we will pay to the People of the State of New York the sum of Twenty hundred dollars.

Taken and acknowledged before me George Schorr Principal.
this 21 day of Nov 1893 Leonard Heftler Surety.
Randolph B. Martine
Judge of the Court of Sessions.



POOR QUALITY
ORIGINAL

0236

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

1769

I, Leonard Hepter the surety mentioned in
the annexed undertaking to answer, do hereby authorize and empower any
Policeman of the City of New York, or
or either of them, in my name, place and stead, to take, seize and
surrender the said George Scherr (in the said
undertaking held as defendant) to the Court wherein he is bound to
appear for trial, or deliver him to the custody of the authorities of said city
and county, in my exoneration as surety therein.

Dated January 13 1893

Leonard Hepter Surety.



NEW YORK

Court of General Sessions of the Peace.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

vs.

George Scherr

Recognizance to Answer.

Taken the 1 day of Nov 1893

Approved as to Form and Sufficiency.

Dated Nov 1 1893

William H. Moore
District Attorney.

Identified by Clarence H. Moore

Clarence H. Moore

Filed 7 day of Nov 1893

POOR QUALITY
ORIGINAL

0237

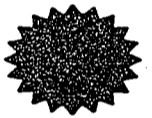
STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.

1709

I, Leonard Heftler the surety mentioned in
the annexed undertaking to answer, do hereby authorize and empower any
Policeman of the City of New York; or
or either of them, in my name, place and stead, to take, seize and
surrender the said George Schorr (in the said
undertaking held as defendant) to the Court wherein he is bound to
appear for trial, or deliver him to the custody of the authorities of said city
and county, in my exoneration as surety therein.

Dated January 12 1893

Leonard Heftler Surety.



NEW YORK

Court of General Sessions of the Peace.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

vs.

George Schorr

Recognizance to Answer.

Taken the 1 day of Nov 1893

Approved as to Form and Sufficiency.

Dated Nov 1 1893

Henry J. Dancy
District Attorney.

Identified by David Skutumpah

Consulder at Law
at 1 and 1/2

Filed 7 day of Nov 1893

**POOR QUALITY
ORIGINAL**

0238

Court of General Sessions

City and County of New York.

-----X
The People of the State of New York
vs.
-----X

against.

George Schorr.
-----X

Please take notice that on the annexed affidavit
and on ^{all} the papers, and proceedings herein, I will move this Court
at a trial term thereof to be held at Part One of this Court
at the Court rooms thereof in the City of New York, on the 5th
day of February 1904, at Eleven o'clock in the forenoon or as
soon thereafter as counsel can be heard for an Order dismissing
the Indictments herein for want of prosecution.

Dated New York, February 2nd 1904.

Yours to

David Sternlicht

Attorney for the Defendant

253-255 Broadway

N.Y. City.

Court of General Sessions
County of New York.

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

&c.

against.

George Scherr.
-----X

City and County of New York ss.

David Sternlicht, being duly sworn says,
that he is the attorney for the above named defendant, who was
indicted on the 10th day of October 1903, by the Grand Jury of
this County for assault in the first degree and Sedition.

That since said day the case appeared upon the calendar
of this Court for trial about six times and on each occasion
defendant and all his witnesses were ready to try this case
but the same was always adjourned on the District's Attorneys
motion, because of his inability to procure the attendance of
the witnesses for the prosecution, who could not be found
within the City and County of New York, as appears by the affid-
avits on file with the papers in this case, that the defendant
is now in the Tombs unable to procure bail.

Deposant, therefore prays an Order dismissing the
Indictments herein and for a discharge of the defendant.

Sworn to before me this

2nd day of February 1904.

David Sternlicht

A. L. Kallman
Notary Public
W/C

POOR QUALITY
ORIGINAL

0240

Court of General Sessions

The People v

103

George Schorr

Affidavit and
Notice of Motion

STERNLICHT & KALMAN,
Attorneys for Defendant

258 AND 259 BROADWAY,
New York City.

To

Attorney for

Due and timely service of a copy of the within is hereby admitted.

Dated 189

Attorney for

Take notice that a

of which the within is a copy, was duly entered

and filed in the office of the Clerk of this

Court on the

1894

Yours, &c.

STERNLICHT & KALMAN,

Attys for

258-259 Broadway, New York.

To

Attorney for

POOR QUALITY
ORIGINAL

GLUED(S)
PAGES

0241

PART II.

The Court Room is in the Third Story and Fronting the Court.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

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

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

To Herman Lehr
of No. 165 Suffolk Street,

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the

30 day of
JANUARY, 1894 at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

George Schorr

Dated at the City of New York, the first Monday of JANUARY,
in the year of our Lord, 1894

JOHN R. FELLOWS,
DE LANCEY NICOLL, District Attorney.

POOR QUALITY
ORIGINAL

GLUED(S)
PAGES

0242

PART II.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

To Herman Schorr
of No. 165 Suffolk Street,

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the

JANUARY, 1894 at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

George Schorr

Dated at the City of New York, the first Monday of JANUARY,
in the year of our Lord, 1894

JOHN R. FELLOWS,
DE LANCEY NICOLL, District Attorney.

Court of General Sessions.

PART II

THE COURT ROOMS IN THE TOWN STONE AND TOWNHALL.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the officer of the Court Room door, that your attendance may be known.
(SEE OTHER SIDE FOR OTHER DIRECTIONS.)

To
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Date
in th

THE PEOPLE

vs.

George Schorr

County of New York, ss :

John Hanna

being duly

sworn, deposes and says : I reside at No. *213 East 21st*
Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the
City and County of New York. On the *29th* day of *January* 18*94*,
I called at *165 Suffolk Str.*

the alleged *residence* of *Herman Fehr*
the complainant herein, to serve him with the annexed subpoena, and was informed by

*the house keeper at that address, that
the said Herman Fehr, had left that
house about Jan'y 1st. She does not know
where he is at present, or where
he could be found*

Sworn to before me, this *30th* day
of *January*, 18*94*

John Hanna

Subpoena Server.

Wm. H. Rooten
Clerk of Court
N.Y.C.

POOR QUALITY
ORIGINAL

0244

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

George Schorn

Offence:

JOHN R. FELLOWS,

District Attorney.

Affidavit of

John Hanna

Subpoena Server.

Failure to Find Witness.

COURT OF GENERAL SESSIONS

FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

- against -

G E O R G E S C H O R R

PLEASE TAKE NOTICE, that upon an affidavit a copy of which is hereto annexed the undersigned will move this Court, in part 2 of said Court, at 11 o'clock in the forenoon of the 27th day of March, 1894, or as soon thereafter as counsel can be heard, for an order dismissing the indictments against the above named defencant and for such other and further relief and orders as the Court may deem necessary in the premises.

Dated New York March 26th, 1894.

Lorin Andrews
Atty. for Defendant.

fol 1

THE PEOPLE OF THE STATE OF NEW YORK
FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

- against -

G E O R G E S C H O R R

Defendant.

City and County of New York, S.S.

George Schorr being duly sworn, says; that he is the defendant in the above entitled action. That on or about the 18th day of October, 1893, he was indicted by the Grand Jury of this County for the crime of Assault and for the crime of sodomy.

That thereafter and on the 23rd day of October 1893, and on the 23th, ~~1893~~ day of October 1893, he was arraigned in part 1. of this Court, and regularly entered a plea of "Not Guilty" to both indictments.

That on the 10th, day of November, 1893; the 14th day of November, 1893; the 11th, day of December, 1893, the 29th day of January, 1894, and the 1st day of February, 1894, his case was placed on the calender for trial and on each and every of the aforementioned days except the first occasion he and his counsel were ready to proceed with the said trial but that the complaining witnesses on each occasion failed to appear and said trial was adjourned.

That his case has not been on the calender for trial since the first day of February, 1894.

That he is informed and believes that the reason of this delay is the inability of the District Attorney to find the

113

complaining witnesses, and that the said witnesses have disappeared.

That he is wholly innocent of the charges made against him and believes that the said complainant made such charges against him through malice, and now has fled, being unable to prove them.

W H E R E F O R E, he prays that this his motion to dismiss the indictments against him be granted and for such other and further relief as the court may deem necessary in the premises.

Sworn to before me this :
26 day of March, 1894. :

George Schou.

POOR QUALITY
ORIGINAL

0248

County of *Columbia*
The People of the
State of *New York*

against

George Schen

(copy) Notice of Motion and
Affidavit.

LORRIN ANDREWS,

Attorney for *Defendant*

~~23 CHAMBERS STREET~~
23 CHAMBERS STREET

GLUED(S)
PAGES

POOR QUALITY
ORIGINAL

0249

PART II

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

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

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

To *Rudolph H. Gartinberg*
of No. *201* *Chrystie* Street.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the *30* day of *JANUARY*, 189*4* at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

George Schorr

Dated at the City of New York, the first Monday of *JANUARY*, in the year of our Lord, 189*4*

JOHN R. FELLOWS, District Attorney.

GLUED(S)
PAGES

POOR QUALITY
ORIGINAL

0250

PART II.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

To *Rudolph H. Gartinberg*
of No. *201* *Chrystie* Street.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the
JANUARY, 189*4* at the hour of *11* in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

George Schorr
Dated at the City of New York, the first Monday of JANUARY,
in the year of our Lord, 189 *4*

JOHN R. FELLOWS, District Attorney.

GLUED(S)
PAGES

POOR QUALITY
ORIGINAL

025

Court of General Sessions.

THE PEOPLE

vs.

John Schorr

County of New York, ss :

John Hanna

being duly

sworn, deposes and says : I reside at No. *213 East 21st*

Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the

City and County of New York. On the *29th* day of *January* 18*94*,

I called at *201 Chrystie Str.*

the alleged *residence* of *Rudolph Gartenborg*
the complainant herein, to serve him with the annexed subpoena, and was informed by

*the house keeper at this address, that
the said Rudolph Gartenborg had received
money from someone, & had left that
house about the 1st of January
He said he was going to Europe, The
witness Herman Fehr, left with him*

Sworn to before me, this *30th* day }

of

January

18*94*

John Hanna

Subpoena Server.

Wm. H. Broderick
Clerk of Court

Court of General Sessions.

THE PEOPLE, on the Complaint of

Rudolph, Santenberg

vs.

Offence:

George Schon

~~JOHN R. FELLOWS,~~

John R. Fellows District Attorney.

Affidavit of

John Hanna

Subpoena Server.

Failure to Find Witness.

POOR QUALITY
ORIGINAL

0253

Court of General Sessions.

THE PEOPLE, on the Complaint of

Andolph Gartenberg

vs.

Offence:

George Schorr

~~JOHN R. FELLOWS,~~

John R. Fellows District Attorney.

Affidavit of

John Hanna
Subpoena Server.

Failure to Find Witness.

0254

Dear my wife,
~~and others~~

Bail fixed at \$2000.
on 2 on 2 indicts. RBM
Oct 25, 193

Witnesses

Hansmann Fahr

Hubbs

Leonard Kipter

As E. Weston

Counsel,
Filed
Pleads,
1891/3

THE PEOPLE

vs.

~~B~~
George Schorr

(2 cases)

Case No. 25/23

SODOMY.
[Sec. 808, Penal Code, as amended by Chapter 825, Laws of 1892.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL

Edward G. Taylor

23 Jan 1934
On recm. Dist. Atty
deft. discharged on his own
recog. RBM
Foreman.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

George Schorr

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

George Schorr

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

The said

George Schorr

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
ninety-*three*, with force and arms, at the City and County aforesaid, in and upon
the body of one *Rudolph Bartenburg* in the peace of the said People
then and there being, feloniously did make an assault, and *him* the said

Rudolph Bartenburg with a certain *shears*

which the said

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

with intent

him

the said

Rudolph Bartenburg

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

SECOND COUNT—

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

George Schorr

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

The said

George Schorr

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

with a certain *shears*

which the said

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

THIRD COUNT—

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

George Schorr

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

The said

George Schorr

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

with a certain

Rudolph Gartenburg

which

he

the said

George Schorr

in

his
back

right hand then and there had and held, in and upon the

of

him

the said

Rudolph Gartenburg

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

Rudolph Gartenburg

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

DE LANCEY NICOLL,

District Attorney.

0258

BOX:

538

FOLDER:

4898

DESCRIPTION:

Schultz, August

DATE:

10/03/93



4898

Witnesses

John Anderson
Joseph O'Donoghue
J. M. Ward

Subscribed and sworn to

in open

B. K. O'Connell
(23) 117 Edw

Counsel, D
Filed 3 day of Oct 1893

Pleads Not guilty 4

THE PEOPLE

vs.

August Schultze

Burglary in the Third Degree.
[Section 498, no 2, of the Penal Code]

Oct 11 DE LANCEY NICOLL,
District Attorney
N.Y.C.

A TRUE BILL.

Edward G. Taylor

Sept 12 - Oct. 16, 1893. Foreman.
Jury and Convicted
D.C. 2nd Degree.

2 yrs & 6 mos pp.

100 Oct. 1893
13

Police Court Fourth District.

City and County
of New York, ss.:

of No. 335 East 47 Street, aged 35 years,
occupation Milk Dealer being duly sworn

deposes and says, that the premises No. 335 East 47 Street, 19 Ward

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

Building and which was occupied by deponent as a milk store on the first floor

and in which there was at the time a human being, by name
were BURGLARIOUSLY entered by means of forcibly opening the
door leading from the hallway of
the premises into the store

on the 26 day of September 1890 in the night-time, and the
following property feloniously taken, stolen, and carried away, viz:

Good and lawful money of the
United States of the amount and
value of about One Hundred and
twenty eight 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

August Schultzy, now here,

for the reasons following, to wit: That deponent left the
premises about the hour of 4.45 o'clock
PM and securely locked and fastened
the doors and windows. That deponent
left the said sum of money in a box in
the back of the store. That deponent
returned about the hour of 9 am
and the said money was gone. That
deponent is informed by John Kanner

At on said day about the hour of
4:35 A.M., Mr. Thompson saw
the defendant in the premises
Thompson further says that
the defendant had no right in the
premises and says that the
defendant he dealt with as the
law directs

Sporn & Deform me E. W. Wick
this 25 day of September 33

Th. F. Rudy

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 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 therein mentioned, I order he to be discharged.
Dated 188 Police Justice.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

Offence—BURGLARY.

1.
2.
3.
4.

Dated

188

Magistrate.

Officer.

Clerk.

Witness.

No.

Street.

No.

Street.

No.

Street.

\$ to answer General Sessions.

POOR QUALITY
ORIGINAL

0262

CITY AND COUNTY }
OF NEW YORK, } ss.

1021

aged 20 years Occupation Driver of No. 377 East 47 Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of William Murn
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 28 day of Sept 1893 } John Hammersen

W. H. Rudy Police Justice.

POOR QUALITY
ORIGINAL

0263

Sec. 192-200.

✓ District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

August Schultzy 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. August Schultzy

Question. How old are you?

Answer. 37 years

Question. Where were you born?

Answer. Germany

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

Answer. Home at present

Question. What is your business or profession?

Answer. Driver

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

Answer. I am not guilty.
Aug. H. Schultzy

Taken before me this

day of

189

Police Justice.

0264

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

COURT OF GENERAL SESSIONS OF THE PEACE,
CITY AND CCUNTY OF NEW YORK.

THE PEOPLE,) BEFORE

VS.)

HON. JAMES FITZGERALD,

AUGUST SCHULTZ.)

AND A JURY.

TRIED, NEW YORK, OCTOBER 13, 1893

INDICTED FOR BURGLARY IN THE 3RD DEGREE.

INDICTMENT FILED OCTOBER 3RD, 1893.

APPEARANCES:

STEPHEN C'HARE, ESQ.,

For THE PEOPLE.

MR. ISECKE,

For THE DEFENSE.

//////////

**POOR QUALITY
ORIGINAL**

0266

2

WILLIAM WERK a witness for The People, testified that he lived at 335 E.47th Street. He carried on the milk business there, on the ground floor, and lived upstairs. It is a 4-story, brick house, occupied by families. He lived on the first floor, over the store, and also occupied the store floor. At a quarter to 4, on the morning of September 26th, he went on the route. Adjoining the rear of the store, and facing on the yard, is a small room, used as a kitchen by his family, during the day time, but not occupied at night. He kept his money in a tin box, under the ice-box, and locked it, taking the key with him on the morning in question. There were windows in the rear room or kitchen, fronting on the yard. They were large enough to admit the body of a man. The witness thought the windows were up, at that time, but did not know exactly. The hall door was locked that morning. There is another room, a small bedroom, on that store floor. There is no door from that room leading to the hall. Only the room where the tin box was, opens into the hall. The

door of that room was locked. The hall-room door also³ communicated with the hall. It and the store hall door were locked. He also locked the front store-door on the morning in question, He then went on his route. He, the complainant, had known the defendant about a year. The defendant worked for him, the complainant, from last October until about August 7th or 8th, of this year. He then left, after having a quarrel with the complainant. The defendant took away all his property, at that time, from his, the complainant's, place. The defendant was aware of the fact that the complainant left, on his route, about a quarter to 4 o'clock in the morning. The complainant returned from his route about 9 o'clock. He was then informed that somebody got into the store and took the money. He, the complainant, looked for the tin box, but it, with the money, had disappeared. He, the defendant, knew where the complainant was in the habit of keeping the money.

In

C r o s s - E x a m i n a t i o n ,
the complainant testified that the defendant handled

\$18 to \$22 of his, the complainant's, money, every day, and always accounted for what he received. The defendant behaved himself, while in his, the complainant's employment, and, after leaving, went to work for his, the complainant's brother, he, the complainant, having given him, the defendant, a recommendation of good character. He, the complainant, employed Detective Donohue and another man to investigate the loss. He, the complainant, had a partner named Grogge. He, the complainant had a consultation with his wife, He, the complainant, did not know whether his wife went to a fortune-teller in regard to the loss of the property. He did not know what time his store was opened that morning, as he was away on his route. He generally opened it at 5 o'clock. He went into the store on the morning in question, but did not look at the money or the tin box. He placed the tin box in the store about 9 o'clock of the previous evening, at the same time putting the money in it. From 9 o'clock on the night of the 25th to 9 o'clock the next morning he, the complainant, had not seen the tin box with the

money in it. He had three drivers at that time. One of the drivers starts out every night, for the depot for milk, and returns a little after 1 o'clock. He has a key to the store. He, the complainant, thought the driver knew where the money was kept. The driver got into the store that morning. He, the complainant, closed his store on the evening of September 25th at about half-past 9, putting the money away about 9 o'clock. The last man in the store that night, after the complainant, was Dick Brinckman, the man who goes to Jersey after the milk. He has a key to the store. The man returned to the store at a quarter after 1 o'clock that morning and went into the store to get cans, etc. The store usually remains closed between a quarter to 4 and 5 o'clock. At 5 o'clock the servant girl opens the store. She has a key, and knew where the complainant kept his money. The servant girl, Brinckman and his, the complainant's wife attend the store from 5 o'clock until he returns at 9 o'clock. The complainant could not say whether the money was in the box at a quarter of 4 that morning, as he did not look for

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it, until 9 o'clock. The money consisted of silver, gold and bills, amounting to \$198. The gas over the counter was burning that night. The tin box was in the rear room, and you could not very well see any person from the street in the rear room. The house is 45 feet deep. The store is 25 feet deep. John Henneson told him, the complainant, that he had seen the employee that he, the complainant, used to have, in the store, at 25 minutes after 4 o'clock. He, the complainant, signed the affidavit upon which the warrant of arrest was granted, at the police court.

JOHN HENNESSEN a witness for the People, sworn, testified, that he lived at 327 E. 47th Street. He drives a baker's wagon. He lives 4 doors from the complainant's store. He passed the complainant's store at 25 minutes after 4, on September 26th. The store was light, and the door closed and the defendant was in the store. The defendant was standing, but the witness did not

watch what he was doing. The witness had seen the defendant almost daily for a year, and could not be mistaken as to his identity.

In

C r o s s - E x a m i n a t i o n

the witness testified that he worked at his present place seven months. Prior to that he worked in Bayonne, N.J., but, as he had a mother to support, and did not egt enough money, he left that place. He, the witness, was going to the stable for the horse early that morning when he happened to see the defendant in the complainant's store. He had not been drinking that morning. He, the witness, got up that morning about 5 minutes to 4. He, the witness, was in the habit of passing the complainant's store every morning between 4 and 5 o'clock. He, the witness, remembered that morning, particularly, because he had a larger route than on any other morning. There were two lights burning that morning, in the complainant's store, one over the counter and one towards the desk. He, the witness, was positive as to the identity of the defendant.

In

R e - D i r e c t - E x a m i n a t i o n ,

the witness testified that he was positive that the defendant was the man he saw in the complainant's store on the night of the alleged robbery.

JOSEPH O'DONCHUE, a witness for The People, sworn, testified that he is an officer of the Municipal Police, assigned to duty at the 23rd Precinct. He arrested the defendant on September 28th. The defendant was turned over to him, the witness, at the Leonard Street Police-Station. He, the witness, accused the defendant of the burglary, and the defendant denied having committed it. He, the witness, searched the defendant, and found upon him \$149, a ticket for Chicago and a brass check for a trunk. The defendant said he had earned the money. The defendant did not say why he was going to Chicago. He, the witness, heard the defendant testify in the police court that he, the defendant, had no home at that time.

In

C r o s s - E x a m i n a t i o n ,
the witness testified that he heard John Hennessen,
the previous witness, testify in the police court,
in this case, that the defendant looked like the man
that he saw in the complainant's store, "from the side
face, but he wouldn't swear to him." The money that
he, the witness, found on the defendant consisted of
bills.

JOSEPH O'DONCHUE, recalled by the defense, testified, that
he took from the person of the defendant a new pocket
knife and a new umbrella. His clothing was also new.
He wore a new overcoat.

THE DEFENSE.

AUGUST SCHULTZ, the DEFENDANT, sworn, testified, in his
own behalf, that he is 22 years old. His last employ-
ment was with John P. Werk, in Brooklyn. He worked

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for him one month, and left on September 21st, and was paid \$21. Prior to that, he had been employed by the complainant, who paid him, the defendant, on leaving, \$36. He worked for the complainant ten months and some days, at \$20 a month. Before that he received, from another employer, \$22 a month. He, the defendant, did not steal the money, \$198., on September 26th, or at any other time, from the complainant. The money found upon his, the defendant's, person, at the time of the arrest, was his, the defendant's, savings. He, the defendant, spent \$2, sometimes \$5 or \$6, a month. He was not a drinking man. In the evening of September 25th, he, the defendant, was in 69th Street and Amsterdam Avenue. There he saw a girl named Annie Feldman to whom he was engaged. He saw her from the latter part of the afternoon until about 9 o'clock in the evening. From there he went to Brooklyn. He took a 6th Avenue Elevated train at 66th Street and rode down to 23rd street, and walked across to the 23rd Street ferry, and took the boat to Brooklyn, and went into a bar-room to get a night's lodging. That was about 10 o'clock.

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He paid one dollar for a room, and identified a man in court as the one to whom he paid it. He, the defendant, had been in that lodging house before. The defendant described the place where he claimed he stopped that night. He went to Brooklyn for a room because he expected to go to his old place, there, and get a room for nothing; but, on arriving in Brooklyn, he thought it was too late, and he went to the lodging house. He, the defendant, returned the key of the complainant's store to him, the complainant, when he left. He intended to go to Chicago, to see the Fair, and then return and marry his girl. He, the defendant, heard John Hennessen, one of the People's witnesses, testify, in the police court, that he, Hennessen, was not positive that the defendant was the man that he saw in the complainant's store at the time in question. He, the defendant, had not been in that neighborhood on Monday or Tuesday, when the property was lost. He went there to visit a week before that.

In

C r o s s - E x a m i n a t i o n ,

the defendant testified that he was last employed by John P. Werk, of 490 Broadway, Brooklyn. He, the defendant, believed that he left that place on the 20th of September. From the 20th to the 26th of September he was in New York most of the time, visiting his girl, Annie Feldman, at 692 Amsterdam Avenue, and he lodged on 3rd Avenue near 9th Street; also twice in Brooklyn, at his last employer's place; also in South 8th Street and Kent Avenue, near the Broadway ferry. He kept his clothing in his trunk, at John P. Werk's house. On the 26th he did not work. He spent the time around the streets in New York. He kept his money in his trunk. He had been saving his money for the last year and a half, or so. When he made up his mind to go to Chicago he had \$170, odd, dollars. He paid \$17 for his ticket and \$18 for his overcoat, making, with the \$149 found on him, \$184. Asked to explain the difference between \$170 and the \$184, he said he was not certain how much he had, whether \$170 or more. He, the defendant, contemplated marrying, notwithstanding the fact that he was, at that time, out of work. He expected, however, to get work with the girl's bro-

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ther. He, the defendant, never saw the bartenders of the lodging house, at Kent Avenue and South 8th Street, Brooklyn at any time except the night that he stopped there. He had been there before, but only in the day time. He, the defendant, thought the name of the bartender who showed him a room that night, was Miller. He had a black mustache. He, the defendant, was positive that, on September 26th, last, at about the hour of 11, he was not in 47th Street. He was not there at any time that night. The ticket to Chicago was a single trip ticket---one way..

ANNIE FELDMAN, a witness for the Defense, sworn, testified, that she resided at 22 Columbus Avenue, with Dick Feldman, her brother. She had known the defendant nine or ten months. During that time she had been frequently in his society. On Monday, September 25th, she, the witness, saw a large roll of money in the defendant's possession. He, the defendant told the wit-

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ness that he was going to Chicago. The witness and the defendant were to get married on October 15th. The roll of bills that the defendant showed the witness was very large.

In

C r o s s - E x a m i n a t i o n ,

the witness testified that the defendant called on her, the witness, on September 26th. between 4 and 5 o'clock. and he left there between 9 and 10 in the evening. The defendant spent the evening with her. She, the witness, knew that the defendant was going to *Chicago*, and would spend most of his money there, and, on his return, without a position, she intended to marry him. She, the witness, saw the money in the defendant's possession on Monday, the 25th, the day before the alleged crime was committed.

OTTO MILLER, a witness for The Defense, sworn, testified that he resided at 80 South 8th Street, Brooklyn. He worked at the Carlton Hotel, as bartender, at night.

.. 15

His hours were from 7 to 7. He was working on South 8th Street and Kent Avenue--the Carlton Hotel. He, the witness, remembered the defendant's face, but could not place him. He, the witness, did not remember seeing the defendant on Sept.26th.

REBUTTAL.

AUGUST SCHULTZ, the DEFENDANT, recalled by The People, testified that he left the Elmira Reformatory in 1837 or 1889.He was sent there for taking a bunch of keys. The charge was burglary. He, the defendant, was transferred to Clinton Prison, for misconduct in the Reformatory. He, the defendant, left Clinton Prison in 1890. He had a commutation of timefor good behavior That was the only time he was in prison. Since his discharge he has worked steadily for a living.

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MARY SCHENCK, a witness for The People,, sworn, testified that she lived at 333 E.47th Street, next door to where the complainant keeps his store. She lived on the floor above the ground floor. She, the witness, was in the store on the night of the 25th of September, 1st, about half-past 11, and she saw the defendant pass on the other side of 47th Street. She was certain that the defendant was the young man who passed. She had seen him before that time. That was the day before the larceny. The defendant was walking towards First Avenue. He looked over, but turn right away.again. In

C r o s s - E x a m i n a t i o n ,
the witness testified that she was in the store, sitting up with her father. She was in her father's store---a lagerbeer saloon. It was light, that night, and the witness could see.As the defendant passed the store, she, the witness, said to her father, "There goes that man that used to work by Mr.Werk."

AUGUST SCHULTZ, the DEFENDANT, recalled by The Defense,

testified that he was not in 47th Street on the night of September 25th. He was there about a week before in the evening.

In

Cross - Examination,
the defendant testified that John P. Werk had a warrant out for his, the defendant's, arrest.

In

Re - Direct - Examination,
the defendant testified that he was sent to collect a bill for Mr. Werk, and received a check in payment, and lost the check.

WILLIAM WERK, the COMPLAINANT, recalled by The Court, testified that when he left his store at 4:15 in the morning he left two lights burning in the store, and the window shades were away up, so that a person could see into the store from the street..

JOHN HENNESSON, recalled by The Court, testified that there were two lights in the store when he saw the

**POOR QUALITY
ORIGINAL**

0282

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defendant there. He, the witness, had often passed the place before, at about the same hour, but the place had never before been, so lit up as on that night, and his attention was particularly attracted by the unusual amount of light. The defendant was near the back of the store.

(The Jury found the defendant Guilty of
Grand Larceny in the 2nd Degree.)

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

THE PEOPLE OF THE STATE OF NEW YORK

against

August Schultz

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

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

The said

August Schultz

late of the *19th* Ward of the City of New York, in the County of New York, aforesaid, on the
Twenty-sixth day of *September* in the year of our Lord one
thousand eight hundred and ninety-*three* in the *night* time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *store building* of
one *William Wierk*

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

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

SECOND COUNT—

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

August Schultz
of the CRIME OF *Grand* LARCENY *in the second degree* committed as follows:

The said

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

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

of the goods, chattels and personal property of one

William Wierk

in the

store

of the said

William Wierk

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

*De Lancey Nicoll,
District Attorney*