

02 18

BOX:

457

FOLDER:

4199

DESCRIPTION:

Gallagher, Frank

DATE:

11/11/91



4199

02 19

BOX:

457

FOLDER:

4199

DESCRIPTION:

Kelly, Catharine

DATE:

11/11/91



4199

POOR QUALITY ORIGINAL

0220

Witnesses:

Hattie Peregory
Ceciline Gray
Officer Ellis

In view of the absence
of the complainant
and the unwillingness
of the other witnesses
to appear I recommend
the acceptance of the
Penalty form
see Wanda for form
11/9 W.O.A. that att
11/2 Pen 3/10/91

Counsel,

Filed 11 day of Nov 1891

Pleas, *Not guilty*

THE PEOPLE

vs.

Frank Gallagher
& *Wife*
Catherine Kelly

Grand Larceny, Second Degree,
(From the Person),
[Sections 828, 831, Penal Code.]

DE LANCEY NICOLL,

District Attorney

Dec 11 1891
Dec 11 1891
Chas. L. Deane
A TRUE BILL.

Penalty form
Part 3, Sec 461-1
No. 2 - Tried and convicted
Part III, 9. L. 2 day Foreman.
Nov. 23-91

11/2 Pen 3/10/91
11/2 Pen 3/10/91

2

since that time .

CROSS EXAMINATION:

I put the pocket book in my pocket in Hoboken in the state of New Jersey . I did not see it from that time until the time it was taken from me. I did feel it in my pocket about two or three minutes before I got up to leave the boat on the New York side. When I saw the people were commencing to leave the boat I also got up and stood on the front platform of the boat and it was while I was standing there that my pocket book was taken . I did not see who took it .

HATTIE PEREGOY, a witness-for-the People, sworn, testified:

I am a married lady living in Newark New Jersey. I had occasion to visit the city of New York on the afternoon of November 6th this year . I came over to the city on the Hoboken Ferry boat. I was sitting in the cabin of the ferry boat on the ladies side . Next to me sat the defendant now at the bar . Her actions attracted my attention to her . I did not see the complainant who has testified until the ferry boat reached the New York side . I noticed her standing on the front deck and near her stood this defendant . I saw the defendant put her hand down by the dress of this complaint and then bring her hand up again and in it was a pocket book. I saw her hand it to the co-defendant Frank Gallagher and together they left the ferry boat . I called the woman's attention to the fact that her pocket had been picked . I left the ferry boat; called an officer . The female defendant Kelly

3

boarded a West Street car. In company with the officer I entered the car and immediately picked her out as the person whom I had seen standing close by the complainant and who had picked her pocket. Shortly afterwards I saw the male defendant Gallagher standing on a corner and I had the officer arrest him. They both denied having had anything to do with the taking of the pocket book. I am positive in my identification of the woman and the man.

CROSS EXAMINATION:

There was quite a crowd on the ferry boat at the time I saw this occurrence. When the boat was nearing its slip on the New York side, as is usual on such occasions a number of people stood up to go out. It was while standing out on the front platform that I saw this woman put her hand down and take the pocket book. I did not see the hand of the woman Kelly go into the pocket but I did see it come up from the direction of the pocket and it had this pocket book in it. I assumed that the hand had gone in to the pocket because I saw the book in it. She did not have a pocket book in her ^{hand} ~~and~~ at the time she was walking out of the ferry boat. I drew the attention of the complainant to the fact that her pocket had been picked and immediately went for an officer. I said nothing to the defendant until I procured the services of the officer. He arrested her and she was taken to the station house. I did not see the pocket book found on the person of either of the defendants. This transaction occupied only about five minutes until the boat landed. I kept my eye on the woman until she entered the car and told

4

officer where she was .

ADNER ELLIS, a witness for the People, sworn, testified:

I am a Police officer attached to the 9th precinct in this city . I was stationed at t e Hoboken Ferry on the evening of November 6th . Between two and three o' clock on that afternoon I made the arrest of this de- fendant . Mrs. Peregoy came to me and told me some- thing . In consequence of her information imparted to me I boarded a West Street car and when I got in there Mrs. Peregoy immediately pointed out Catharine Kelly to me . I told Catharine Kelly I wanted her for picking a pocket and that I had the complainant with me . She did not say a word either then or during the time I was taking her to the stati on house . The complainant then called my at- tention to Frank Gallagher the male defendant standing on the corner of the street . Frank Gallagher said that he did not know the Kelly woman and had never seen the complainant before . He denied taking the money . I searched the woman b ut found nothing on her . I searched Gallagher in the station house and found a pocket book on h^om, containing ninety three dollars . It was not the pocket book of the complainant .

CROSS EXAMINATION:

The defendant as she was coming off the ferry vboat stumbled across my foot, but I did not pay any atten- tion to her at all as I did not know who she was . I saw her get into the carv. About two minutes after that Mrs. Peregoy came to me and made the complaint that this womans pocket had been picked by the Kelly woman .

D E F E N C E .

FRANCIS GALLAGHER, one of the defendants sworn, testified:

I remember being arrested on the 5th of November by Officer Ellis. I was over in Hoboken at one of the steamer docks trying to sell some birds. My business is that of selling fancy birds which I buy from sailors and others on steamers. I do not know the Kelly woman and did not see her on that ferry boat on that afternoon. I had nothing to do with the stealing of the money. The pocket book which was found on me contained my own money which I had honestly earned. I knew nothing of the matter until the officer came up to me on the corner and arrested me.

CROSS EXAMINATION: My employment at that time was that of a fireman at sea. I have gone to sea on several of the large steamers when I am on land my occupation is the selling of birds. I earned the money which I had in the pocket book honestly. IT was not stolen from anybody. I stood on the back of the ferry boat coming over the river. I was not on the forward side of the ladies' cabin at all. I positively swear to the jury under oath that I do not know Catharine Kelly and had never seen her before the time of my arrest.

The jury returned a verdict of Guilty of Grand Larceny in the 2nd degree.

POOR QUALITY ORIGINAL

0227

DISTRICT POLICE COURT.

THE PEOPLE
ON COMPLAINT OF
Caroline Fries
agst.
Frank Gallagher
Carlton Kelly

Examination had *Nov 7* 188*1*
Before *Edward Hojar* Police Justice.

I, *W. J. Armaly* Stenographer of the *2* District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of *Caroline Fries and Hattie Peregoy* as taken by me on the above examination before said Justice.

Dated *Nov 7* 188*1* *W. J. Armaly* Stenographer

E. Hojar Police Justice.

Police Court
Second Dist

The People
Caroline Frey
Frank² Gallagher
Catherine Kelly

Examination Before Justice Hogan
Nov 7 1891

In defendant du de Clelland

Caroline Frey being duly sworn and
examined through an interpreter de-
poses and says:-

Q Did you lose any other property
beside the pocket book which
contained seven or eight dollars?

A Yes sir, a bank book on the
Hoboken Bank. It represented
thirty dollars.

Q How was it taken from you?

A I was on the ferry boat when
I had the pocket book and
the bank book together in

the same pocket

Q when did you first look for the bank book and pocket book?

A I had the bank book on the other side. My son gave it to me. My son is here. He brought me to the ferry.

Q when did you put the pocket book in your pocket?

A when the boat was half way between the two shores.

Q when did you get out on the boat

A I was sitting alongside of the defendant Catherine Kelly.

Q were there many passengers in the cabin?

A Yes.

Q you got up to go out of the cabin and mingled with the passengers?

A Yes.

Q what time of day was it?

A Between two and three o'clock.

Q was the boat crowded?

Q

A Yes.

Q You went along with the crowd to go off the boat?

A Yes.

Q At what distance from the boat did you learn that your rocket book was gone?

A I was walking off the boat when I missed the articles.

Q How far was it from the place where you missed your rocket book to the place where defendant was arrested?

A About to the middle of the street.

A Yes - right where the cars go.

Hattie Perego being duly sworn and examined as a witness for the people, deposes and says:

Examined by the Hon. Clerk

Q Were you in company with the complainant when she lost

the pocket book?

A I was on the same boat - not
in her company.

Q Where were you sitting?

A I was in the ladies cabin
sitting just beyond this lady,
about three or four seats
the other side of the defendant
Catherine Kelly, who was sitting
next to complainant. I was
about three seats from Mrs
Kelly on the same side. There
was a lady alongside of me
and a gentleman the other
side. Strangers to me.

Q When the boat approached the
bridge did you rise to go out
with the rest of the passengers.

A No sir not before the
defendant went out.

Q You anticipated going out?

A Yes sir

Q Was there much of a
crowd on the boat?

A Yes sir. There was quite

a crowd.

Q How far did you go out?

A I was about half way out. That was the place he got in front of me.

Q Was there a crowd between the chairs and you?

A Yes Sir ^{complaint} was there ~~was~~ leaving

Q When you went out with the crowd

A Yes there was quite a crowd.

Q And you came out with it?

A Yes Sir

Q They came together as usual for that purpose?

A Yes Sir close together?

A Not at that time, when the boat came to the bridge the crowd bumped together

Q Did you see complainant going out?

A Yes; she was right in front of me & I held her up as the boat crashed.

Q He came out after you and got somehow right in front of you

A Yes sir - she got on the side.

Q At that time were the passengers close together?

A Yes sir (within two or three feet of each other)

Q When did you first see the Defendant Callaghan ^{and lady}?

A I did not see them leave. They both came out together.

Q Did they both come out of the boat together?

A No sir, I think he was

A on the other side.

Q When did you first see the Defendant Callaghan?

A Just before the boat landed he joined the lady.

Q When did you first see the Defendant at that time?

A Just before the boat had landed he joined the lady.

Q Just before the boat landed

you saw him talking to
defendant Kelly?

A No Sir, not talking - not
until he got quite a ways
up

Q You did not see them
talking together on the boat?

A Not inside - no Sir

Q Or outside?

A Outside they were talking

Q When was that?

A Just before the boat
landed - about two or three
minutes before

Q Had ^{they} you been out of the
cabin before?

A Yes

Q They had come out of the
cabin after you?

A Yes

Q And got in front of you

A Not at that time

Q Did you keep sight of the
man until he was arrested?

A Yes Sir, until afterwards -

when I asked the old lady
if she had lost her pocket
book. Before that I had
seen defendant Kelly put
her shawl over the old lady's
dress. She was close to me
and I saw Catherine Kelly
put her hand in the pocket
of the complainant. I did
not know at the time where
she had taken the pocket
book and that was why
I asked complainant if
she missed her pocket book.
Q You saw Mrs Kelly put her
hand in the pocket of the
complainant?

A Yes sir, right in my sight?

Q And you were sitting beside
her? Please describe how it was?

A No: This was on the outside
outside the cabin that she
put her hand in complainant's
pocket: just as the boat
got in.

Q Do you say this lady was behind you?

A No sir. The old lady was in front of me.

Q Have you not just testified that these people came out of the cabin after you?

A No sir. She came out before me - just before - about a minute.

Q When you went out of the cabin was the old lady on the seat?

A No sir. She had got up

Q And gone out?

A Yes sir.

Q You do not claim that complaints no ticket was needed while she was sitting down?

A No sir; while they stood.

Q This lady went out of the cabin before you?

A Kelly and Mr. Gallagher went out of the cabin before?

- A Yes
- Q Both out of the cabin?
- A Yes.
- Q Not talking?
- A Not talking
- Q They came out and stood in front of you?
- A Yes Sir.
- Q Did you see Gallagher and Mr Kelly standing close together?
- A Yes Sir
- Q Did you see Defendant Mrs Kelly and complainant standing close together?
- A Close together; yes Sir - the gentleman was in back of the lady.
- Q Soon before the boat touched you claim you saw the Defendant Mrs Kelly take out her hand in complainant's pocket?
- A Just as the boat knocked against the boards

- Q There was quite a gathering of people there at that time?
- A Yes sir - from the other side - they separated
- Q There was some in front and some behind?
- A Yes.
- Q Who stood immediately in front of you?
- A Not gentlemen there
- Q Mrs Kelly stood sideways?
- A No sir: she stood like this. There is a post a middle post between the front of the cabin and the chair
- Q When you stood at the middle post which way did you face?
- A Did you face sideways to the boat?
- A Yes sir
- Q Which way was you looking up the Hudson or down?
- A I was facing towards the city
- Q When the boat was coming into the slip?

A Yes - on the New York side,
of the Hoboken ferry.

Q Who was next to you?

A I could not say.

Q Gallagher in front?

A Yes.

Q How was he facing?

A He was right facing the
lady sidewise like. She
was here, and the lady was
there. She was here, and the
old lady was there. The
two facing towards New York.

Q You were facing New York?

A Yes sir.

Q And he was directly in front
of you.

A Yes, on the right.

Q On which side - on the right
side or the left side.

A The Right hand side.

Q He was in front of you
more than the lady?

A Yes sir.

Q Who stood nearest to you

toward the lady;

A The lady - the defendant
Q On the side next to you.

A She stood in front of me
right on the side. He was
on the right side. She was
next to the lady.

Q Have you not testified that
Mr Gallagher stood almost
in front of you nearer to the
post

A I was by the post - I
was on the right side of me

Q Not front of you?

A No Sir

Q Sidewise?

A Yes Sir

Q Did he stand directly opposite
you?

A No; He was quite a little
distance from me - about a
foot from me -

Q To the right?

A Yes Sir

Q To the right of whom?

- A He was here; she was here.
pendant stood right here.
- Q Was dependent Mr Kelly
relative to you?
- A No sir; she was right in
front
- Q Who stood in front of you?
- A The old lady
- Q Then Mrs Kelly intervened
between you and the old
lady?
- A Yes sir
- Q People with the crowd were
around?
- A Yes,
- Q Now what do you claim
you saw?
- A I saw her put her hand
in the old lady's pocket
right down at the side.
- Q You saw her put her hand
down?
- A Yes
- Q A great many people
around?

A Yes sir

Q Mr Kelly stood between you and the complainant?

A Yes Sir.

Q And on the side that you claim you saw?

A The old lady was standing in front of me, and this lady put her hand down the old lady's side. She was on the other side and she pushed through the crowd.

Q Just before she came out?

A Outside on the deck the old lady pushed through. This gentleman got immediately in front of me. Then I saw her put her hand in the pocket and put it down so - I

did not see anything more when. One hand dropped to the side of the gentleman

Q at what particular part of the boat was that?

15-A Right in front of the boat.

Q Outside of the cabin?

A Outside of the cabin

Q By the port you were ascending?

A I was standing there,

Q And standing in the way you described you swear that you saw all that?

A Yes sir

Q Did Mrs Kelly stand between you and Complanant?

A The old lady stood there - I stood here, at the back of them. They were both standing in front of me

Q Then which hand did Mrs Kelly use; which hand did she put in Complanant pocket?

A Her left hand

Q The right side pocket of the Complanant?

A Yes sir

Q Neither of the dependants spoke to one another?

A They had a little conversation

Q Do you know what it was about?

A No Sir

Q You do not claim that these Defendants had any previous acquaintances?

A No Sir; I do not know anything about them

The Court Have you any other evidence
Officer?

Officer Ellis No Sir.

Mr. Clendinning I ask for the
Arrest of the Defendant
Gallagher on the ground that
there is no evidence to connect
him.

(Motion Denied)

Halter Perezog recalled by the
Mr. Clendinning for further cross-
examination.

Q Have you testified to everything
you know about this affair?

A Yes sir.

Q Is there anything else that you can add to what you have said?

A I do not know of anything or only as the policemen came up stairs & opened the door.

The Court - You mean that you have answered all the questions that have been put to you by counsel?

A Yes sir.

Q And that is what you want to be understood as saying?

A Yes sir.

By Mr. Clelland.

Q - Have you any information or any other knowledge other than what you have testified to in answer to my questions in regard to the Lauey.

A No sir.

18 Q And all that you have

POOR QUALITY
ORIGINAL

0246

stated yesterday, and all that
you have said were correct;
A Gen in

Defendant held to answer
\$1000 bail each.

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

Police Court 2 District.

Affidavit - Larceny.

City and County } ss:
of New York, }

Caroline Frey

of No. 146-10-Avenue Street, aged 55 years,
occupation Days Work being duly sworn,

deposes and says, that on the 6 day of November 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:

A Pocket Book, containing good and lawful money of the United States of the amount and value of seven or eight dollars -

the property of Deponent

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

(both now here) and while acting in concert with each other, from the following facts to wit: That deponent is informed by Mattie Peregoy of No 115 Warren Street of the City of Newark State of New Jersey, that on the aforesaid date about the hour of 10 o'clock P.M. while she was standing on the outside of the Ladies Cabin of a Ferry Boat of the Hoboken Line she saw the said defendant Catherine Kelly place and put her hand in the pocket of the dress then and there worn on deponents person, and take the aforesaid pocketbook containing said money from the pocket of said dress, and that she is further informed

Subscribed and sworn to before me this 18th day of November 1897
Police Justice

By said Mattie Peregoy that she saw the said defendant Catherine Kelly after taking the said Pocket Book from deponents person, pass and give the said Pocket Book to the defendant Frank Gallagher who was standing in close proximity to the defendant Catherine Kelly - Deponent therefore charges the defendants with acting in concert with each other and having committed a Larceny and asks that they may be held and dealt with as the Law may direct -

Shown to before me this } Carolina Frey
6th day of September 1891 }

Wm. J. [Signature] Justice

POOR QUALITY ORIGINAL

0249

CITY AND COUNTY }
OF NEW YORK, } ss.

Mattie Peregoy
None

aged *20* years, occupation of No. *115 Warren Street Newark New Jersey*

being duly sworn, deposes and says, that he has heard read the foregoing affidavit of *Caroline Mey*

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

Sworn to before me, this *6* day of *November* 1890, } *Mattie Peregoy*

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0250

Sec. 193-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Catherine Kelly 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. *Catherine Kelly*

Question. How old are you?

Answer. *40 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *No 52 Atlantic Street Brooklyn - 3 years.*

Question. What is your business or profession?

Answer. *Stamstress -*

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 -
Catherine Kelly
mark*

Taken before me this
day of *November*
19*18*

Police Justice

[Signature]

POOR QUALITY ORIGINAL

0251

Sec. 193-200

CITY AND COUNTY OF NEW YORK, ss.

24 District Police Court.

Frank Gallagher 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. *Frank Gallagher*

Question. How old are you?

Answer. *40 years*

Question. Where were you born?

Answer. *Ireland-*

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

Answer. *272 - Cherry Street - 29 years -*

Question. What is your business or profession?

Answer. *Bird Fancier*

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
of this
Frank Gallagher
Frank*

Taken before me this
day of *March* 189*9*

Police Justice

[Signature]

POOR QUALITY ORIGINAL

0252

Ex Nov 7th 1891

BAILED.

No. 1, by _____
Residence _____ Street _____

No. 2, by _____
Residence _____ Street _____

No. 3, by _____
Residence _____ Street _____

No. 4, by _____
Residence _____ Street _____

Police Court

District

1896

THE PEOPLE, &c.,
OF THE COUNTY OF

Charles T. ...

*176 ...
174 ...
173 ...
172 ...
171 ...*

Offense *from the person*

Date *November 6th 1891*

Heppner Magistrate

Witnesses *Mattie ...*

No. *115* *Manned* Street



No. *115* *Mad* Street

Am ...

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

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

Dated *November 6* 18 *91* *Heppner* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY ORIGINAL

0253

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

THE PEOPLE OF THE STATE OF NEW YORK

against Frank Gallagher and Catharine Kelly

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

Frank Gallagher and Catharine Kelly of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said Frank Gallagher and Catharine Kelly, both late of the City of New York, in the County of New York aforesaid, on the sixth day of November in the year of our Lord one thousand eight hundred and ninety-one, in the day-time of the said day, at the City and County aforesaid, with force and arms, one pocketbook of the value of fifty cents

one promissory note for the payment of money of the kind commonly called United States Treasury Notes, of the denomination and value of five dollar; one promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of five dollar; one United States Gold Certificate, of the denomination and value of five dollar; one United States Silver Certificate, of the denomination and value of five dollar;

two promissory notes for the payment of money of the kind commonly called United States Treasury Notes, of the denomination and value of two dollar each; two promissory notes for the payment of money of the kind commonly called Bank Notes, of the denomination and value of two dollar each; two United States Gold Certificates, of the denomination and value of two dollar each; two United States Silver Certificates, of the denomination and value of two dollar each;

four promissory notes for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of one dollar each; four promissory notes for the payment of money of the kind commonly called Bank Notes, of the denomination and value of one dollar each; four United States Gold Certificates, of the denomination and value of one dollar each; four United States Silver Certificates, of the denomination and value of one dollar each;

seven coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of seven dollars

of the goods, chattels and personal property of one Caroline Frey on the person of the said Caroline Frey then and there being found, from the person of the said Caroline Frey 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

0254

SECOND COUNT—

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

Frank Gallagher and Catharine Kelly
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Frank Gallagher and Catharine Kelly, both*

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

the same goods, chattels and personal property described in the first count of this indictment

of the goods, chattels and personal property of one

Caroline Frey

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

Caroline Frey

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

Frank

Gallagher and Catharine Kelly

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

DE LANCEY NICOLL,

District Attorney.

0255

BOX:

457

FOLDER:

4199

DESCRIPTION:

Gamma, John

DATE:

11/11/91



4199

POOR QUALITY ORIGINAL

0256

Witnesses:

[Signature]
Counsel,

Filed *11* day of *Nov* 189*1*

Pleads, *[Signature]*

THE PEOPLE

vs.

[Signature]
John Samms

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

[Signature]

Toreman.

Nov 17/91

[Signature]
Spid's Acquitted

I

POOR QUALITY ORIGINAL

0257

3

Police Court _____ District.

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

of No. 58 Avenue Street, aged 14 years,
occupation Errand boy being duly sworn

deposes and says, that on the 30 day of October 1887 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by _____

John Gammma (nephew)
who cut and stabbed deponent
on the left side of the body
with the blade of a pocket
knife then and there held
in his hand

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 31 day }
of October 1887 } Jacob Morris

John Ryan Police Justice.

POOR QUALITY ORIGINAL

0258

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *John Gammua*

Question. How old are you?

Answer. *15 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *No 45 New Perry 2 years*

Question. What is your business or profession?

Answer. *Chestnut Stand*

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 Gammua

Taken before me this

day of

1897

Police Justice.

POOR QUALITY ORIGINAL

0259

BAILED,
 No. 1, by Vito Lemmo
 Residence 59 1/2 Mulberry Street
 No. 2, by _____
 Residence _____
 No. 3, by _____
 Residence _____
 No. 4, by _____
 Residence _____

Police Court... District...

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Morris
John J. Morris
John J. Morris

Offence Delinquent Assault

Dated Oct 31 1891

Magistrate Ryan

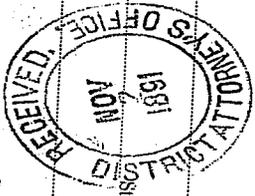
Officer _____

Witnesses Carroll Weeks

No. 125 E 23 Street

No. _____ Street

No. _____ Street



No. 210 Street

to inspect _____

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

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

Dated Oct 31 1891 John Ryan Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY ORIGINAL

0260

Court of
General Sessions

The People
vs.
John Garrino
or
Giovanni Lama

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.

100 EAST 23D STREET,

New York, Nov. 3^d 1891

CASE NO. 60597 OFFICER Becker
DATE OF ARREST October 30th 1891
CHARGE

Melanim Assault

AGE OF CHILD 15 years

RELIGION Catholic

FATHER Vincenzo

MOTHER Annunziata

RESIDENCE 45 New Berbery

AN INVESTIGATION BY THE SOCIETY SHOWS THAT boy was
never arrested before - He attends a
fruit stand - Garrino is 5 years in
America from Italy - Home is poorly
furnished and dirty -

All which is respectfully submitted

J. Hollows Jenkins
Supt

To Dist. Attorney.

**POOR QUALITY
ORIGINAL**

0261

Court of
General Sessions

The People
vs.
John Garman
or
Giorgini Sava

PENAL CODE, §

Whom Accused

Report of the New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. GERRY,

President, &c.,

100 East 23d Street,

NEW YORK CITY.

POOR QUALITY ORIGINAL

0262

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Gamma

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

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

The said

John Gamma late of the City of New York, in the County of New York aforesaid, on the 30th day of October in the year of our Lord one thousand eight hundred and ninety-one, with force and arms, at the City and County aforesaid, in and upon the body of one Jacob Morris in the peace of the said People then and there being, feloniously did make an assault and him the said Jacob Morris with a certain knife

which the said John Gamma 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 Jacob Morris 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

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

The said

John Gamma 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 Jacob Morris in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and him the said Jacob Morris

with a certain

knife which the said John Gamma 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.

De Lancey Nicoll District Attorney

0263

BOX:

457

FOLDER:

4199

DESCRIPTION:

Gardella, Charles

DATE:

11/23/91



4199

POOR QUALITY ORIGINAL

0264

Witnesses:

Jan 29, 1894
Advised Capt. Clemency
R.B.M.

W. H. A.

Counsel, *[Signature]*
Filed *[Signature]* day of 189
Plends, *[Signature]*

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

THE PEOPLE

57 *[Signature]* vs.
57 *[Signature]*
Charles Gardella

DE LANCEY NICOLL,
District Attorney.

Dec 10 *[Signature]*
Notify Council of Changes
A TRUE BILL. 9th & 10th Dec. 1894

[Signature]

Foreman.

Exp. 3, Dec 21/91
Wed 7 Court
S. R. 10/915. R.B.M.
Dec 29 1894

We stopped in a clothing store in Baxter Street and my friend purchased a suit of clothes. After procuring the clothes he asked me to have a drink, and we went into the saloon of the defendant Gardella at No. 51 Baxter Street for that purpose. There were some ten or fifteen men in the saloon when we entered. Both myself and my friend drank whiskey and soda. The people in the saloon were surprised to see such a large dog and asked me some questions about the dog as to whether it could fight or not. I told them I did not think it was much of a fighting dog but it could hold its own. The defendant Gardella came from behind the bar and said "I don't want any fighting dog here, you better go some place else if you are looking for fight." I told him I was not looking for fight, and with that he pulled some instrument out of his coat and struck me in the stomach with it. I saw the instrument, whatever it was, shining in his hand. The defendant was standing directly in front of me at the time he stabbed me. As soon as I was stabbed I handed the dog to John McElvaine and said "Take the dog, let us get out of here, I am stuck!" We then went out on the sidewalk and I remember nothing that happened out there. When I came to my senses I was in the Chambers Street Hospital. I was confined to bed there for six weeks suffering from this wound in my stomach. I have stated all the conversation that I remember having in this saloon.

CROSS EXAMINATION.

My brother was moving from Englewood to Brooklyn and this dog was part of his effects. I got into this

saloon about 5 o'clock. I had never been in it before. My friend had a due bill to collect in Canal Street, and that is what brought us so far up town. I am not acquainted with the neighborhood of Baxter Street. I do not believe I was in the saloon much over ten minutes. One of the Italians in the saloon asked me what kind of a dog it was, and I told him it was an English mastiff. Then he asked me if it was a fighting dog, and as soon as I made answer to him the defendant Gardella came from behind the bar. When he told me to get out I did not resist. I gave him no occasion for cutting me. Neither my friend nor myself were intoxicated on that day. I am positive that I was stabbed in the saloon and not on the sidewalk. After I received the cut I went out on the sidewalk and I could not tell what happened there. I am positive it was the defendant cut me.

J O H N M c E L V A I N E, a witness for the people, sworn testified:

I live at Englewood, New Jersey. I came over to New York in Company with Henry Wells on the 30th of September. I had a due bill to collect in Canal Street and asked Wells to accompany me up there for that purpose. After collecting the money I went to Baxter Street to buy some clothes. After purchasing the clothes I asked Wells to come into the saloon with me at No. 51 Baxter Street and have a drink. When we got in there we found the saloon pretty well crowded with Italians. One of them asked Wells what kind of a dog it was he had and Wells

said it was an English mastiff. Then one of the men asked him if it was a fighting dog and Wells said, "He cannot fight much but I think he can hold his own." The prisoner came from behind the bar and ordered us out of the saloon. He said "You fellows had better get out of here, I have no dog to fight." I turned and started to go out. When I was going out Wells called to me and said "Take the dog, I am stuck, let us get out of here." I took the dog and started out. Wells followed me out. I started down the street and when I got about ten feet away I looked back and saw a crowd of people outside of the saloon around Wells. As I started to go back a policeman came and took me in. I told him my friend was stabbed. The only man near us at the time Wells said he was stuck was the defendant. He was within three feet of me. I have told all the conversation we had in that saloon. When the policeman took me in I saw Wells laying on the sidewalk senseless. I was held in the station-house as a witness.

CROSS EXAMINATION.

I have known Wells about a year. I had never been in that neighborhood before that day. We left Englewood at about four o'clock to bring this dog to Brooklyn. I was not under the influence of liquor nor was my friend Wells. His brother was moving to Brooklyn that day and we were bringing the dog over for him. It was on my invitation that Wells went into this liquor store to have a drink. The store of the defendant is in a basement in Baxter Street. I had never been in it before. There was quite a

number of Italians in this store at the time we entered. The only remark Wells made about the dog being able to fight was that it could hold its own. I did not see the stabbing done, although I was standing right beside Wells at the time. The only information I had about him being stabbed was when he said "Take the dog, I am stuck." The crowd assembled outside of the saloon immediately after we got out. I cannot give any reason why the defendant should cut my friend. We had not been drinking on our way over from Jersey. I collected \$18 on a due bill from a firm in Canal Street for whom I had done some work.

R I C H A R D B A R R Y, a witness for the people, sworn testified:

I am an officer of police and have been such for three years and eight months. I arrested the defendant in this case on the 30th of September in front of 51 Baxter Street shortly after six o'clock. At that hour I was on the opposite side of the street and my attention was called to a crowd collected in front of the premises 51 Baxter Street. I saw the defendant in the attitude of striking the complainant with this iron crow-bar which I now produce. The complainant was standing directly in front of the prisoner and was dodging the blows of the defendant. I ran over and grabbed the prisoner. The complainant said "Officer, arrest that man, I will make a charge against him. I am stabbed." I arrested the prisoner. He said "I could not find my pistol." On the way to the station-house the defendant said "I killed five men and I would

have made this the sixth if you had not come along." I made no remark to him at all. His daughter came along and the defendant was talking with her in the Italian language. The daughter told me that these two men had come into the saloon and wanted to have a dog-fight; that her father had ordered them out and if he could have found his pistol he would have shot the dog. The complainant was carried to the station-house unconscious. He was examined by the surgeon in the police station, and a wound was found in his stomach on the left side. The complainant had no signs of liquor on him, but his friend McElvaine looked like a man who had been drinking.

CROSS EXAMINATION.

I was directly opposite this saloon at the time of this occurrence and saw clearly what happened. I am positive that the defendant had this iron bar raised and was in the attitude of striking the complainant. McElvaine was standing beside a wagon which was in the street he was not in the crowd. The defendant did not strike the complainant with the iron bar as he dodged the blows. The young lady who is now here is the daughter of the defendant with whom he conversed on the way to the station-house. I am positive I had the conversation that I have narrated with the complainant in front of this liquor store. The daughter told me that what her father meant when he said he could not find his pistol was that he would have shot the dog. I am positive the defendant said that he had killed five men.

J A M E S S M I T H, a witness for the people, sworn testified:

I am a police officer attached to the Sixth Precinct in this City. I arrested the defendant on the 2nd of August 1890 for violation of the Excise Law. I know nothing about this case.

J O S E P H M A N N I N G, a witness for the people, sworn testified:

I am a physician practising in this City. I was one of the surgeons at the Chambers Street Hospital on the 30th of September last. On that day Henry Wells was brought to that hospital in an ambulance. I undressed his wound and found that he was suffering from a penetrating stab wound of the abdomen, about three quarters of an inch in length and about an inch and a half in depth. It went through the abdominal wall. In my opinion the wound was inflicted by a very sharp instrument. It was a clean cut wound. The patient remained unconscious for about an hour and a quarter. When he came to the hospital he was suffering from shock, which means a derangement of the nervous system by which a patient's life is very much in danger. A delicate operation, known as laparotomy, was performed upon Wells. That operation consists in opening the abdomen about four inches in length so that you can see the inside of a man's body. I found that one of the small arteries inside had been severed and that the abdomen was filled with blood. The man was in a very dangerous condition. The effect of such a wound as this would be to

render a man unconscious almost immediately.

H E N R Y W E L L S, the complainant, recalled:

When I was cut by t e defendant I was standing directly in front of him, facing him,. He Held the instrument with which he cut me in his right hand. I saw him strike the blow. I remember nothing after I told Mc Elvaine to take the dog. I have heard the testimony of the officer. "I do not remember seeing the iron bar which has been produced. I do not remember saying to the officer "Arrest that man. He has stabbed me."

D E F E N C E .

P A U L I N E L O C I S K O, a witness for the defend-
ant sworn testified:

I am the daughter of t he defendant. At the time of this occurrence I lived at No.55 Baxter Street. My father keeps a beer saloon at No.51 Baxter Street. On the day of this assault I saw my fathe outside of the saloon. I saw two young men and a dog, and then I saw the officer take my father into custody. My father said to me in Italian "I did not stab the man." He also said "I went behind the bar five times to look for my revolver to kill the dog but I could not find it.

CROSS EXAMINATION.

I saw this iron bar taken from my father. He keeps it in his saloon. Mt father told me that if he had found his pistol he would have killed the dog.

L O U I S C R O K O W, a witness for the defendant, sworn testified:

I keep a fruit store at the Atlantic Highlands. My father lived in Baxter Street and I was visiting him on the day of this assault. I saw a crowd standing on front of Gardella's saloon, and I noticed a young man about thrity-five years old leave that crowd and walk away very lively. When he got about five houses away he started on a run. I did not know who the man was and had never seen him before.

M A R I A G U R R E L L A, a witness for the defendant, sworn testified:

I am a married woman and live at No. 51 Baxter Street on this City. On the day of this occurrence I stood in front of my house. I saw a crowd in front of Gardella's saloon and saw these two men, McElvaine and Wells, go to the door of the saloon and kick at it. The defendant came out with an iron bar in his hand. Then I saw a man come out of the next house with a knife in his hand. He ran into the middle of the crowd and plunged the knife into them. I then saw him running away with the knife still in his hand. The defendant pouhded on the sidewalk with this iron bar to call the at ention of the polive.

CROSS EXAMINATION.

The man I saw with the knife was a man about 30 years of age. He was tall and had no beard. I could not tell the color of his clothes or of his hat because he ran very quickly away. The handle of the knife was about eight

inches in length. I did not see anyone stagger and fall at the time the man plunged the knife into the crowd. I know it is wicked to swear falsely. When I saw what I have stated I walked to the other side of the street as I had a little child with me and I was very much frightened. I am positive that the two men, Wells and McElvaine, were the men I saw on that day pounding on the door of the defendant's saloon.

P A U L C A R E M E L L O, a witness for the defendant, sworn testified:

On the 30th day of September, at about 6 o'clock I was in my home, No. 52 Baxter Street. I heard a noise and I went to the window to see what was going on. I saw a number of people in front of Gardella's bar room fighting. I saw Gardella come out and rap on the sidewalk with this iron bar to call the police.

A N T O N I O G A L B A R I N O, a witness for the defendant, sworn testified:

I live at No. 20 Baxter Street. I was in the saloon of the defendant at about half past 6 on the evening of the 30th of September. McElvaine and Wells came into the saloon. They asked if anybody there had \$25 to bet on a dog to fight their dog. Nobody answered them. Then one of the men said to the proprietor Gardella "You have got a bull-dog face, and if you don't put your face up against the dog we will do something pretty soon." The proprietor did not mind that. Then Wells took the collar off

the dog, and began to sick the dog on everybody in the place. I got so frightened that I ran out of the door and up on the roof to save my life.

CROSS EXAMINATION.

I was convicted of stealing 9 years ago when I was a small boy and sent to the House of Refuge. When Wells took the collar off the dog he did not growl or make any attempt to bite anybody in the place. I ran up on the roof because I was afraid the dog might bite me.

J E R O L O M O V. O I T A N O, a witness for the defendant, sworn testified:

I was in Gardella's saloon on the night of this difficulty. These two men came in with the dog and asked Gardella if he had a dog that could match theirs. Gardella told them he had not, and further told them to go to No.24 Baxter Street and there they might find a dog to fight. Wells then said "I will bet \$25 if you want to fight this dog;" Gardella said "I don't want to have any dog-fight, if you want to raise a disturbance go out in the street." Then Wells said "If you have no dog to fight you fight the dog yourself because you have a face like a dog." I left the bar-room after that. This conversation was in English but I understood it. Before I left the bar-room Wells said "Sick him, Jack" and everybody got excited and ran out. Gardella took the bar of iron and went outside and rapped for the police.

C H A R L E S G A R D E L L A, the defendant, sworn testified.

I am fifty-seven years of age. I have been in this country 20 years. I keep a lager beer saloon at No. 51 Baxter Street. I did not stab Henry Wells as he has testified. These two men came into my saloon and asked for two beers. I told them I thought they had enough beer, but would give them anything else they wished. They then took two sodas. Then they asked me if I wanted to buy this dog. I said "No, I don't." Then they said "Loose your dog so that they can fight together." I said "I have none." I told them they should go some other place and find a dog to fight, that I wanted no dog-fight there. Then one of the men said "I will have you torn to pieces every one of you here by this dog." I told them I didn't want them to raise any disturbance, but they didn't pay any attention to me and unlocked the collar from the dog's neck. Then they began to sick the dog on to everybody in the place but the dog did not do anything. They remained in my store about 7 or 8 minutes talking between themselves. I wanted to close my door and I told them to go out. They were standing in the door so that no one could go out or come in. I took one of them by the coat and told him I wanted to close the door, to get out of the way. They went out. In a short time I heard them knocking on the door while I was inside eating my supper. I continued eating my supper, and I heard a great noise outside on the steps, as I thought they might break the glass in my windows, I took this iron bar and went outside to rap for a policeman. After I had rapped once or twice I was arrested. When the officer arrested me he wanted me to pay him \$5 and afterwards wanted \$30 to get me out on

bail. On the morning after my arrest he came around with me to my saloon to see if I could get the money for him.

CROSS EXAMINATION.

The officer told me if I got the \$50 he would get me out on bail right away. I did not pay him any money at all. He told me if I raised the money I would get out of jail right away. I was arrested for murder in Pottsville Pennsylvania. I was discharged in nine days because I had killed a negro who was trying to get into my room to steal something from me. There was no trial. I have never used a knife on any person. These men were drunk when they came into my saloon.

O F F I C E R B A R R Y, recalled in rebuttal, testified

I have heard the testimony of the defendant. It is not true that I asked him for \$5 or for \$30 or for any other amount to get him out on bail. I did not take him back to his saloon on the day following his arrest to get any money.

J A M E S S M I T H, recalled in rebuttal, testified:

Gardella, the defendant, told me on the occasion when I arrested him that I would be his next victim, that he had done fifteen years in Philadelphia for killing a man. He assaulted me on the way to the station-house and another officer had to take him there. The charge of assault was dismissed at that time.

H E N R Y W E L L S, recalled in rebuttal, testified:

I did not offer to bet \$25 that my dog could whip any other dog that Gardella might produce. Neither McElevaine nor myself made any such bet. We did not unloose the collar of the dog or sick him on to anybody in that saloon. We did not kick against the front door of this saloon as the witnesses have testified. I did not make the remark about the proprietor having a bull-dog face as has been testified here. I do not remember anything that occurred after I was stuck. I told everything as I remembered it.

C H A R L E S C O S T E L L I, a witness for the defendant, in rebuttal, testified:

I live at No.17 Baxter Street. I don't work and I don't live home. Officer Barry about two months ago sent me into the store of Louis Olivi to ask him to come out when Olivi came out he and the officer had a conversation.

L O U I S O L I V I, a witness for the defendant in rebuttal, sworn testified:

I live at No.17 Baxter Street. I lived there about two months ago. On the day spoken of by the last witness I came out of my store and Officer Barry was there. He said to me "If you want to get the statement of the wounded fellow so as to have Gardella out of bail, now is the time. It won't cost you much. Give me \$10 and it will be settled." I had this conversation with the officer at the corner of Park Row and Baxter Street. I have no in-

terest in this case. I came here to tell the truth.

CROSS EXAMINATION.

I have known the defendant Gardella for several years. I stood for one of his children. I went to Mrs Gardella and told her that the officer said her husband could be gotten out on bail for \$10 and she said she would not pay any money at all. I am no relation to the defendant whatever. If Mrs Gardella was willing I would have paid the money to get my friend out on bail. Afterwards Officer Barry came to me and said that he wanted \$25 to pay the doctor for a certificate so that we could get Gardella out on bail.

OFFICER BARRY, recalled, testified:

I heard the statement of the last witness. I never asked him for \$10, for \$35, or for any other amount in my life. I never told him I could get the defendant out on bail for \$10. I never saw the boy who has testified here in my life and never had any conversation with him. I remember having a conversation with Olivi on one occasion but it was nothing in relation to this case. It was about a blackbird that a man had who lived opposite to his store. That is the only conversation I ever had with him that I know of.

The jury returned a verdict of guilty of assault in the first degree.

POOR QUALITY ORIGINAL

0280

Indictment filed Nov. 23rd 1891

COURT OF GENERAL SESSIONS

Part III.

The PEOPLE &c.

against

CHARLES GARDELLA.

Abstract of testimony on

trial New York, De ember

18th and 21st 1891.

POOR QUALITY ORIGINAL

0281

FIRST DISTRICT POLICE COURT. City and County of New York } ss. Recognizance to Testify. BE IT REMEMBERED, That on the

4th day of October in the year of our Lord 1891 John Mc Elwaine of No. Engelwood New Jersey Street, in the City of New York, and Thomas A. Brien of No. 182 West Street, in the said City, personally came before the undersigned, one of the Police Justices in and for the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say; the said

John Mc Elwaine the sum of one Hundred Dollars; and the said Thomas A. Brien the sum of one Hundred Dollars; seperately, of good and lawful money of the State of New York, to be levied and made of their respective goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition following, viz:

The Condition of this Recognizance is such, That if the person, first above recognized, shall personally appear, at the next COURT OF SESSIONS of the Peace, to be holden in and for the City and County of New York, and then and there Testify and give such evidence, in behalf of the people of the State of New York, as he may know, concerning an OFFENCE or MISDEMEANOR, said to have been lately committed in the City of New York aforesaid by

John Mc Elwaine And do not Depart thence, without leave of the Court, then this Recognizance to be void, otherwise to remain in full force and virtue.

Taken and acknowledged before me, the day and year first above written.

J. Mc Elwaine

Police Justice.

POOR QUALITY ORIGINAL

0282

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas A. Brian

the within-named Bail, being duly sworn, says, that he is a *house* holder in said City, and is worth *Two* Hundred Dollars, over and above the amount of all his debts and liabilities; and that his property consists of

*the stock and fixture of a
Liquore store at No 182
West Street in said City
of the value of six
thousand dollars clear*

John ...

day of
Sworn before me, this

[Signature]
1871

Police Justice,

RECOGNIZANCE TO TESTIFY

New York Sessions.

THE PEOPLE, &c.,

vs.

Police Justice.

18

day of

Filed

POOR QUALITY
ORIGINAL

0283

The Society of the New York Hospital,
HOUSE of RELIEF, 160 Chambers St.,
New York, Oct 7 1891.

To whom it may concern.

This is to certify that
Harry Wells is still a patient at Chambers St
Hospital suffering from a stab-wound of his
abdomen - and although not out of danger he
still continues to improve.

Most Respectfully Submitted
Jas. Manning. M.D.

POOR QUALITY ORIGINAL

0284

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

of No. 125 Avenue C Street, aged 34 years,
occupation Police officer duly sworn, deposes and says
that on the 30th day of September 1897
at the City of New York, in the County of New York Deponent

arrested John 716 @ Elvaine (nowhere)
who is a maternal ^{and} necessary witness
against Charles Gussella charged
with having assaulted Harry
Evans with a knife and from the
effects of such injuries he is now
confined in the New York hospital
and deponent says he has good and
sufficient reasons to believe that said
Mr. Elvaine will not appear at the examination
and asks that he be committed to the house
of detention in default of bail Richard Barry

Sworn to before me this
of October 1897 day

Richard Barry
Police Justice.

POOR QUALITY
ORIGINAL

0285

The Society of the New York Hospital,
HOUSE of RELIEF, 160 Chambers St.,
New York, Oct 1st 1891.

To whom it may concern-

This is to certify
that Harry Wells is at Chamber St Hospital
suffering from fatal wound of Abdomen and
in my opinion is unable to appear in
Court.

Most Respectfully,
Dr. Jos. S. Manning
House Surgeon-

POOR QUALITY ORIGINAL

0286

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 1 DISTRICT.

of No. 64 Precinct Street, aged 32 years, occupation Police Officer

being duly sworn deposes and says, that on the 30th day of September 1889

at the City of New York, in the County of New York, Dependent

arrested Charles Cordella (now
Gies) on the complaint of Harry
Wells charging him with hobbing
cut and stabbed said Wells
about the abdomen with a knife
and from the injuries so received
said Wells is now confined at
the New York Hospital and deponent
asks that said defendant be held
to await the result of injuries of
said Wells. Richard Barry

Sworn to before me, this 1st day of October 1889

Police Justice

POOR QUALITY ORIGINAL

0287

Police Court, 1st District.

THE PEOPLE & c.,
ON THE COMPLAINT OF

vs.
Charles Giaccone

AFFIDAVIT.

Assault on Harry Callo

4 Oct 20 10 AM

Dated *Dec 1st* 188*9*

O'Reilly Magistrate.

Danny Officer.

Witness, *John J. Evans*

House of Detention 11-10-8

Disposition *Committed to*
await the result of
inquiries

The justice presiding in
this Court will hear
me determine this case
by reason of my absence
D. J. O'Reilly
Police Justice

POOR QUALITY ORIGINAL

0288

Certiorari. - 197.

John Polhemus, Printer and M'g Stationer, 102 Nassau St., N.Y.

The People of the State of New York

TO The District Attorney of the County of New York

GREETING:

CERTIORARI TO CERTIFY CAUSE OF DETENTION.

Command you, That you certify fully and at large to me one of the Justices of this Court at a Special Term held at Chambers on the 7 November 1891 10.3 am the day and cause of the imprisonment of Charles Gardella

by you detained; as is said, by whatsoever name the said Charles Gardella

shall be called or charged, and have you then this writ

Witness

Honorable Abraham R. Lawrence Justice

the 7 day of November 1891

Charles W. Barber, Peter's Attorney. By the Court, Thomas H. Reginald Clerk. Pulitz & Bledwing n.y.c.

POOR QUALITY ORIGINAL

0289

~~original~~
Cortezari

Within next allowed
Dated 11/6/91

Shirley Lawrence
Rec'd
11/6/91

upon receipt of
Bail ordered in
the sum of \$3000.
11/6/91

Shirley Lawrence
Justice

POOR QUALITY
ORIGINAL

0290

The Society of the New York Hospital,
HOUSE of RELIEF, 160 Chambers St.,
New York, *Nov 4th* 1891.

To whom it may concern.

*This is to certify
that in my opinion Harry Wells is out
of danger.*

Geo. S. J. Manning M.D.

POOR QUALITY
ORIGINAL

0291

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.,

New York, Oct 20 1891

To whom it may concern;

This is to certify
that Harry Wells is still a patient at
Chambers St. Hospital and in my opinion
is not out of danger.

Most Respectfully
Jas. Manning
House Surgeon



District Police Court.

New York, Nov 4th 1891

To whom it may concern
This is to certify
that in my opinion Harry Wells is not
of danger

Jo. S. J. Manning M.D.

This is a correct copy
of certificate from
Hospital in case of
Harry Wells vs Charles
Gardner.

Harry A. Perry
Clerk
noted

POOR QUALITY
ORIGINAL

0293

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

vs.

Gasparella

Assault

Moore

Swanson

for District Attorney.

Received

John H. Doushett
for H. W. Meyer

District Attorney's Office
City & County of
New York

1639

Nov. 9 1891

Hon. James O'Reilly

Dear James:

In the case of
Charles Funderburk, there
seems to have been an
omission to make
a formal commitment
which, of course, is
necessary before a
man can be admitted
to bail upon the Commit-
ment. It is suggested
as the proper course
that you sign the
ordinary Commitments
endorsed on the back
of the papers, which I
understand expresses the
disposition you made
of the matter.

Respectfully,
Wm. W. Sewell

POOR QUALITY ORIGINAL

0295

Police Court 1st District.

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

Harry Wells
of No. 466 Van Buren Street Brooklyn, aged 23 years,
occupation clerk being duly sworn

deposes and says, that on the 30 day of September 1887, at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Charles Gardella who put and stabbed deponent in the abdomen with some sharp instrument which he then held in his hand

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 1st day
of September 1887

Harry Wells

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0296

Sec. 193-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Charles Garavito 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. *Charles Garavito*

Question. How old are you?

Answer. *57 years.*

Question. Where were you born?

Answer. *Italy*

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

Answer. *57 Baxter St. 3 years.*

Question. What is your business or profession?

Answer. *Keeps a layer for saloon*

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 excupation?

Answer. *I am not guilty. Garbetta only*

Taken before me this
day of *January* 1887
[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0297

4 Oct 20, 1901

NOV 10

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

Police Court... District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Sandella

Offence Assault

Dated Oct 1 1901

Samuel O'Reilly Magistrate

Benny L. Officer

Person cited for arrest

As a result of my arrest

\$3000 bail bonded

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

Charles Sandella

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

Dated *NY. 10* 1891 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY ORIGINAL

0298

James Brown
Butler 152 Nassau
John De Lamoignon

SAILED,
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, vs.,
ON THE COMPLAINT OF

James Brown
Butler 152 Nassau
John De Lamoignon

1
2
3
4

Dated *Nov 18 1891*

James Magistrate
Officer

Witnesses *Dr. De Lamoignon*
Chambers St. Hospital Street



No. *300* Street *W.D.*
to answer

James

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

James Brown

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

Dated *Nov 18 1891* Police Justice.

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

Dated *18* Police Justice.

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

Dated *18* Police Justice.

POOR QUALITY
ORIGINAL

0299

The Society of the New York Hospital,
HOUSE of RELIEF, 160 Chambers St.,
New York, Nov 18- 1891.

To whom it may concern.

This is to certify that
Henry Wells once a patient at Chambers St
Hospital was operated on for a penetrating
stab-wound of his abdomen and that
the operation revealed the said diagnosis
to be correct.

Most Respectfully Submitted
Jos. Manning M.D.
Chambers St Hospital.

POOR QUALITY ORIGINAL

0300

Sec. 192.

1 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Daniel J. Reilly a Police Justice
of the City of New York, charging Charles Gardella Defendant with
the offence of Relembous Assault

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

We, Charles Gardella Defendant of No. 53
Baxter Street; by occupation a Salem Keeper
and Guidonia Annella of No. 17 of Cherry
Street, by occupation a Hatter Surety, hereby jointly and severally undertake
that the above named Charles Gardella Defendant
shall personally appear before the said Justice, at the 1 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Thirty
Hundred Dollars.

Taken and acknowledged before me, this 10 Charles Gardella
day of November 1891 Giamonari Gardella

D. J. Reilly POLICE JUSTICE

POOR QUALITY ORIGINAL

0301

CITY AND COUNTY OF NEW YORK, ss.

Guidonia Innella

the within named Bail and Surety being duly sworn, says, that he is a resident and free holder within the said County and State, and is worth Sixty Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of one half interest in brick

house and lot of ground known as number 174 Cherry Street, said one half interest being worth \$6500 over all encumbrances.

Guidonia Innella

Sworn to before me, this 10 day of November 1897
John J. Kelly, Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear during the Examination.

vs.

Taken the day of 18

Justice.

Surety identified by Inspector Kelly &c. 169 Montague St. Brooklyn

POOR QUALITY
ORIGINAL

0302

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

I, Giavonia Iannella the surety mentioned in the
annexed recognizance ^{for examination} ~~to answer~~, do hereby authorize and empower any Police-
man of the City of New York, or any
or either of them, in my name, place, and stead, to take, seize and surrender the
said Charles Gardella (in the said bond named as
defendant) to the Court therein mentioned, or deliver him to the custody of the
authorities of said City and County, in my exoneration as surety on said recog-
nizance.

Dated 16 November 1891 Giavonia Iannella

Surety.

POOR QUALITY ORIGINAL

0303

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles Gardella

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

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

The said Charles Gardella

late of the City of New York, in the County of New York aforesaid, on the thirtieth day of September in the year of our Lord one thousand eight hundred and ninety-one with force and arms, at the City and County aforesaid, in and upon the body of one Harry Wells in the peace of the said People then and there being, feloniously did make an assault and

Harry Wells with a certain sharp instrument to the Grand Jury aforesaid unknown

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

SECOND COUNT-

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

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

The said Charles Gardella

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 Harry Wells in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and him the said Harry Wells

with a certain sharp instrument to the Grand Jury aforesaid unknown, which the said Charles Gardella 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.

De Lancy Nicoll, District Attorney

POOR QUALITY
ORIGINAL

0304

THIRD COUNT—

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

Charles Gardella

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

The said *Charles Gardella*

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 *Harry Wells* 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 *sharp instrument* to the *Grand Jury aforesaid* *unknown* which *he* the said *Charles Gardella*

in *his* right hand then and there had and held, in and upon the *ab-*
domen of *him* the said *Harry Wells*

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 wrongfully inflict grievous bodily harm upon the said *Harry Wells*

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

DE LANCEY NICOLL, *District Attorney.*

0305

BOX:

457

FOLDER:

4199

DESCRIPTION:

Gardner, Hattie

DATE:

11/25/91



4199

POOR QUALITY ORIGINAL

0306

Witnesses:

26/1
Merfisher

Counsel,

Filed *28th* day of *Nov* 1891

Pleads, *Magdy 27*

THE PEOPLE

24
27
78.

Stattie Gardner

PETIT LARCENY.
Sections 528, 532 Penal Code.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

(Magdy Gardner)

Park 3. Dec 3/91

Toreman.

P leads. Attemp. Petit Larceny

Dec 22-3

L. S. S.

I was seen by

POOR QUALITY ORIGINAL

0307

(1805)

Police Court— 2 District. Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 400 Hudson Street, aged 31 years,
occupation Collector being duly sworn,

deposes and says, that on the 10th day of Nov 1891 at the City of New

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

Two finger rings of the value
of about six dollars
\$6.00

the property of deponent

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

from the fact that deponent met the
defendant on South 5th Avenue about the
hour of one forty five O'Clock A.M. on said
date, and the said property was in deponent's
possession. That the defendant asked deponent
to let her look at the said rings which
deponent did and handed them to her.
That the defendant refused to return
the rings when asked for them by
deponent and deponent caused her
arrest. Therefore deponent prays that
the defendant be held and dealt with
as the law directs.

Theodore G. Clark.

Sworn to before me, this
16 day
of Nov
1891
by Theodore G. Clark
Police Justice.

POOR QUALITY ORIGINAL

0308

Sec. 193-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK,

Hattie Gardner being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is *h^e* 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. *Hattie Gardner*

Question. How old are you?

Answer. *34 years*

Question. Where were you born?

Answer. *Chappaqua*

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

Answer. *104th Clinton Place - 5 months*

Question. What is your business or profession?

Answer. *Keep House*

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*
Hattie Gardner

Taken before me this

day of

1888

J. M. S. Jackson

Police Justice.

POOR QUALITY ORIGINAL

0309

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

Police Court
 District
 1433

THE PEOPLE, &c.,
 vs. JOSEPH COMPAGNON

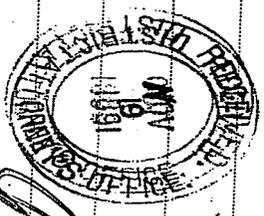
Andreas Bern
145 St. Barbara
North Harbor

1
 2
 3
 4
 Offence *Robbery in the prison*

Date *Nov 16* 18*91*

McMullen
 Magistrate
Bruggin
 Officer
 15

Witnesses *Carl Shippin*



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

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

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

Dated *Nov 16* 18*91* *D. M. M. M. M.* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0310

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Hattie Gardner

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

Hattie Gardner

of the CRIME OF PETIT LARCENY, committed as follows:

The said *Hattie Gardner*

late of the City of New York, in the County of New York aforesaid, on the *16th*
day of *November* in the year of our Lord one thousand eight hundred and
ninety- *one*, at the City and County aforesaid, with force and arms,

*two finger rings of the
value of three dollars each*

of the goods, chattels and personal property of one *Theodore Stern*

then and there being found, then and there unlawfully 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.

*DeLancey Nicoll,
District Attorney*

0311

BOX:

457

FOLDER:

4199

DESCRIPTION:

Garnell, Benjamin

DATE:

11/25/91



4199

POOR QUALITY ORIGINAL

0312

1435

230

Witnesses:

Counsel,

Filed

1891

Wm. H. ...
day of ...

Pleads,

THE PEOPLE

vs.

Benjamin Gannell

Benjamin Gannell

(2 cases

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Henry ...
Foreman.

P2 Dec 24, 1891

Dried and certified
M. G. ...
Dec 29, 1891

POOR QUALITY ORIGINAL

0313

District Attorney's Office,
City and County of New York.

City and County }
of New York, } ss.

of No. 5 Fruit Street, aged twenty six years,
occupation seamstress being duly sworn, deposes and says,
that on the seventh day of November, 1891, at the City of New
York, in the County of New York, one Benjamin Gamell did

extract from her the sum of twenty five
dollars in money by threatenings that if she did
not give him said money he would accuse her
of keeping a disorderly house, deponent being
put in fear by means of said threat and being
thereby induced to give him the said sum of
money.

Sworn to before me this
7th day of December 1891

Lena Schmitt

Just. Ludwig
Commissioner of deeds
City & County of New York

POOR QUALITY ORIGINAL

03 14

DISTRICT ATTORNEY'S OFFICE,
City and County of New York.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Lena Schmidt

5 1/2 St

Benjamin Garnell

Office of the District Attorney
City and County of New York

Dated December 7 1891

Witnesses, W. M. Jacobs
W. C. B.

No. Street,

No. Street,

No. Street,

12

POOR QUALITY
ORIGINAL

0315

Brooklyn Dec 9 - 91

To Whom it may
concern we the undersigned
know Mr Ben Samell
for the past 7 or 8 years
as an honest & industrious
young man he learned
the business of house painter
& decorator and never
had any fault to find
with him any body in
need of his services we
recommend him highly
Respectfully

J R Stern & son
Painters & Decorators
672 Dec 9 Ave
Brooklyn C. D.

POOR QUALITY
ORIGINAL

0316

Brooklyn, Dec. 9, 1891

To Whom this may concern?

I have known
Mr. Benjamin Farnell for the past
four years, and during that period he
has done various jobs for me, I have
always known him to be a man of
good habits and character.

Respectfully

L. Schwartz

213 Bedford Ave

Brooklyn, E.D.

POOR QUALITY ORIGINAL

0317

(522)

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Benjamin Farnell.

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

indictment, accuse *Benjamin Farnell* —

of the crime of *Extortion*, —

committed as follows:

The said *Benjamin Farnell*,

late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *October*, in the year of our Lord one thousand eight hundred and ninety- *one*, — at the City and County aforesaid, *did feloniously and extortionately obtain* from one *Samuel P. Smith*, the sum of *Twenty five dollars* in money, lawful money of the United States of America,

POOR QUALITY
ORIGINAL

0318

and of the value of twenty five dollars,
of the money and personal property
of the said Lena Schmidt, in the year
past, and consent being then and there
induced by the said Benjamin Farnell
by a wrongful use of force, to wit: year
on the part of the said Lena Schmidt,
induced by a threat then and there made to
her by the said Benjamin Farnell, to
accuse her of the crime of drunkenness
keeping a house of ill-fame and prostitution,
and a disorderly house, 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 Jurem Farnell.

Attorney.

0319

BOX:

457

FOLDER:

4199

DESCRIPTION:

Geraughty, Martin

DATE:

11/16/91



4199

0320

BOX:

457

FOLDER:

4199

DESCRIPTION:

Geraughty, Martin

DATE:

11/16/91



4199

0321

POOR QUALITY ORIGINAL

Witnesses:

W. J. [Signature]
Counsel,
Filed *[Signature]* 189
day of *[Signature]*

Pleads,

THE PEOPLE

vs.

R

Martin Geraughty

ATTEMPTING SUICIDE.
(Section 174, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

[Signature]

A TRUE BILL.

[Signature]

Foreman.

[Signature]

[Signature]

[Signature]

POOR QUALITY ORIGINAL

0322

CITY AND COUNTY } ss.
OF NEW YORK, }

1877.

aged 35 years, occupation George W. Akerly
Police man of No. 4th Precinct
Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Thomas Meekan
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 12
day of November 1891 }

George W. Akerly

[Signature]
Police Justice.

CITY AND COUNTY } ss.
OF NEW YORK, }

POLICE COURT, 1 DISTRICT,

of No. 13 State St. Brooklyn Street, aged 37 years,
occupation Watchman being duly sworn deposes and says,
that on the 12 day of November 1891
at the City of New York, in the County of New York, Martin Kenity

(now here) did with intent to take his own life,
commit upon himself an act dangerous to
human life: to wit to jump into the East River
off pier 28 C. R. Deponent further says that the
said Kenity admitted to him in the presence
of Officer George W. Akerly of the 4th Precinct
that he wanted to drown himself.

Thomas Meekan

Sworn to before me, this 12
day of November 1891

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0323

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Martin Genity 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. *Martin Genity*

Question. How old are you?

Answer. *30 years.*

Question. Where were you born?

Answer. *Ireland.*

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

Answer. *No Home*

Question. What is your business or profession?

Answer. *Labourer*

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

Answer. *I am guilty Martin Genity*

Taken before me this

day of *November* 1891

P. J. Kelly
Police Justice.

POOR QUALITY ORIGINAL

0324

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

Police Court... District.

14/13

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas Proctor
13 West 21st St.
Madison County

Offence Att. Suicide

Dated

November 12 1891

Residence

Magistrate: A. Kelly

No. 3, by

Officer: Abby

Residence

Precinct: 47E

Witnesses

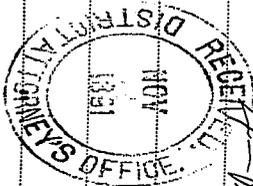
Geo. M. Akley

No. _____

Street: 125th Precinct

No. _____

Street: _____



No. _____

Street: _____

\$ _____

to answer: 65

COMMITTED

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

Defendant

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

Dated Nov 12 1891 James C. [Signature] Police Justice.

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

Dated..... 18 Police Justice.

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

Dated..... 18 Police Justice.

POOR QUALITY ORIGINAL

0325

Court of General Sessions of the Peace

503

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Matthias Franz

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

Matthias Franz

of the CRIME OF ATTEMPTING SUICIDE, committed as follows:

The said *Matthias Franz*,

late of the City of New York, in the County of New York aforesaid, on the *Twenty* day of *November*, in the year of our Lord one thousand eight hundred and ninety- *one*, at the City and County aforesaid, with intent to take *his* own life, *did feloniously cast and throw himself into the waters there commonly called the East River, and sink and submerge his body in the waters aforesaid,*

the same being an act dangerous to human life, 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.

0326

BOX:

457

FOLDER:

4199

DESCRIPTION:

Goffinet, Ernest

DATE:

11/02/91



4199

POOR QUALITY ORIGINAL

0327

Witnesses:

Leifur Bonhek

Leifur appice

for

Mary Mend

on Rem acc

Proculles

for

Counsel,

Filed

189

day of

Pleads,

THE PEOPLE

vs.

Ernest Goffiner

Grand Larceny, [Sections 528, 531 Penal Code]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

James Casey

Foreman.

James Casey
Head of Jury
James Casey

POOR QUALITY ORIGINAL

0328

(1305)

Police Court _____ District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 149 Fulton Street, aged 34 years,
occupation Restaurateur being duly sworn,

deposes and says, that on the 23 day of October 1891 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 after time, the following property, viz:

Good and lawful
money of the United
States of the amount
and value of two hundred
and fifty six dollars
\$ 256 00

the property of The Mezquin Restaurant
and Wine Company and
in the care and custody 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 Ernest Joffine

(now here who after being in-
formed of his rights admits
and confesses to having stolen
said property.

Harry J. Mezquin

Sworn to before me this 23 day of October 1891

Wm. J. Callahan Justice.

POOR QUALITY ORIGINAL

0329

Sec. 198-200

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

Ernest Goffiner

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.

Ernest Goffiner

Question. How old are you?

Answer.

34 years

Question. Where were you born?

Answer.

New York

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

Answer.

New York, 26, 4th Ave. 3 months

Question. What is your business or profession?

Answer.

Bar tender

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

Ernest Goffiner

Taken before me this

day of

January 1893

J. C. Kennedy

Police Justice.

POOR QUALITY ORIGINAL

0330

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

Police Court---

District

1897

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James J. Conroy
Comptroller

Conrad Johnson
Offence

Dated

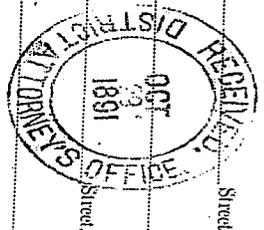
Oct 28 1897

Magistrate

McConnell
Officer

Witnesses

McConnell
Precinct



No. _____
Street _____
\$1000 to answer
P.S.

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 _____

Refrudens

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

Dated Oct 28 1897 *De J. C. R.* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY ORIGINAL

0331

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

528

THE PEOPLE OF THE STATE OF NEW YORK,

against

Ernest Goffinet

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse Ernest Goffinet of the CRIME OF GRAND LARCENY IN THE Second DEGREE, committed as follows:

The said

Ernest Goffinet

late of the City of New York in the County of New York aforesaid, on the 23rd day of October in the year of our Lord one thousand eight hundred and ninety-one at the City and County aforesaid, with force and arms, in the night time of said day, divers promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of

\$56.02/100

hundred and twenty eight

dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of

one hundred and twenty eight

dollars; divers United States Silver Certificates, of a number and denomination to the Grand Jury aforesaid unknown, of the value of

one hundred and twenty-eight

dollars; divers United States Gold Certificates, of a number and denomination to the Grand Jury aforesaid unknown, of the value of

one hundred and twenty-eight

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of

fifty dollars

of the goods, chattels and personal property of one a corporation called the Mouquin Restaurant and Wine Company (limited) 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.

0332

BOX:

457

FOLDER:

4199

DESCRIPTION:

Golden, Daniel M.

DATE:

11/12/91



4199

POOR QUALITY ORIGINAL

0333

1300
Blake

Counsel,
Filed 12 day of Nov 1891
Pleads, *April 13*

Grand Larceny, 2^d Degree
[Sections 528, 529, Pennl Code.]

THE PEOPLE

vs.

Daniel M. Solan

DE LANCEY NICOLL,
District Attorney.

Calendar of Part 2
Nov 25th to fix a day only
V. M. D.

A TRUE BILL.

Myself
Subscribed on
another indict
Mar. 31/92

Foreman.

March 2 for trial - Park Que. U.S.A.

Sept 2 - Branch 4: 1892.
Tried and acquitted on the ground
of variance between the charge
and the indictment.

Witnesses:

Del. case 880 Franklin

1. Geo. L. Putnam from Suezler Paintworks - a Partnership - 4 owners -

2. Major Lacey - of 374 Bayway packed goods - Reg. 4658 -

3. ~~Walter~~ Alexander Holliday Shipping Clerk - Delivered goods to Truckman & ~~car~~

4. Dennis Moylan - Truckman - Delivered good to W.S. R.R. + received receipt of W.S. R.R.

5. Antonio J. Boster - 374 Bayway - sealed box - before opened by marks on side + goods inside by the trademark mark of Suezler - Paintworks Co

6. Samuel Cline - ~~with~~ goods.

7. Albert Anderson - checker

8. Fritz Cook - sealed car -

9. Louis Simons - car sealed in Hoboken -

10. F. Hendersonburgh - conductor -

11. E. P. Slansbury - discovered car at Hampton Park -

12. Win Richards - discovered box of goods at Rosendale N.J.

13. Chas. Gallagher - 290 W 11th Warehouse - O'Brien stored goods on 21st Feb - 1957

14. Joseph Kaplan - 49451 Chrystie St - from whom O'Brien hired horse + wagon on evening of 20 Feb 1956. Kept same out all night.

POOR QUALITY
ORIGINAL

0335

15. Clerk of Court of Gen. Sessions - made
record of conviction - of George Smith
16. Off. John Roberts - 20 P. identifies
James A. Brien to be George Smith.

POOR QUALITY ORIGINAL

0336

21640
N.S.R.R.
Snap Bidge Train
@ S L
17
@ M
B

AGTON AGENT
KENN. N.J.

POOR QUALITY ORIGINAL

0337

16/50
96
50

POOR QUALITY ORIGINAL

0338

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

vs.

Mr. Huntington
~~W. S. Road~~
Chas Warman
E. Holziger
W. S. Road

District Attorney.

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

vs.

Goldman
Fred Schaeffer
105 North 11th St
Blyn
~~Peckham~~

Parke Davis Co. Love
a N.Y. Office 60 Maiden Lane,
Is Mr. John Day ^{District Attorney.} there?

Mr. Huntington
E. Holzner ^{W.S.R.} West from
N.S. Road ^{from Flat at Captains} rec'd the
large envelope with the
duplicate shipping
receipts. He assigns them to the
vanman loading clerk
In this case to
Chas Warman -
He stands by car door
& calls for goods - His
picker gets them &
they are put on truck
& trucked into the car
of destination - He does
not check it until he
sees it go into car.
When it goes into car
he checks off on duplicate
& endorses duplicate with
No. of car & initials -

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

vs.

James Armstrong
- Cheever -
143 North 8th Blyn
or North 5th & Wythe
Ave Blyn.

E. E. Whitbeck.
Chief Clerk
W.S. R.R. North
Street & Wythe Ave. ^{District Attorney.}
or 278 South 4th St
near Mercy Ave.

POOR QUALITY ORIGINAL

0340

No. 1.

408

District Attorney's Office.

PEOPLE
vs.

Goldman

Grand Larceny

Referred to Mr. Davis
for trial -
Mr. Davis:

Please
con. documents with
Prof. Ashbel Green
5 Vandewater Ave.
in the case of *Goldman*

D. W.

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

vs.

Goldman

George E. Groney
112 North 11th St

Blyden

Rec. Clerk & that
Tommans

Signed the receipt

District Attorney.

POOR QUALITY ORIGINAL

0341

District Attorney's Office
City & County of
New Jersey

Wm. R. [unclear]
90 Maiden Lane
[unclear]
[unclear] receipt [unclear]

Walter Webster, boy
Chem. Co., received receipt
from truckman [unclear]
[unclear] Works of [unclear]
90 Maiden Lane

Walter Webster, boy in employ of
N.Y. Office of Chem. Works remembers
getting receipt from truckman & checking
truckman's receipt. Then Webster took
receipt to P. Davis Co. & gave it to
Warren R. Weeks, buyer, who sent it
to R.R. Office w/ bill of lading. One
bill of lading they sent to Detroit &
retained other.

Chem. Co's office 114 Wm St.
Parke Davis Co. 90 Maiden Lane
see Mr. [unclear]

POOR QUALITY ORIGINAL

0342

District Attorney's Office
City & County of
New York

Walter Webster, boy in employ of
N.Y. Office of Chem. Works remembers
getting receipt from truckman + checking
truckman's receipt. Then Webster took
receipt to P. Davis Co. + gave it to
Warren R. Weeks, buyer, who sent it
to R.R. Office + got bill of lading. One
bill of lading they sent to Detroit +
retained other.

Chem. Co's office 114 Wm St.
Parke Davis Co. 90 Maiden Lane
see Mr. Blay

POOR QUALITY ORIGINAL

0343

TO THE CHIEF CLERK.

Please send me the Papers in the Case of
PEOPLE

vs.

Golden

Walter F. Shibley
239 Vermont Ave.

By

W. Road - East Bound
Clerk now - then Sealer.

District Attorney.

Sealed the Car.
As the Car leaves
depot for the I
check it off in my
West Bound Book
& Running Slips

POOR QUALITY ORIGINAL

0344

559. 7-22-90. 1000. U. & A.

Canada Southern Line.

VIA WEST SHORE RAILROAD.

[N. Y. C. & H. R. R. CO., LESSEE.]

NEW YORK AGENCY.

B. B. MITCHELL,
General Manager, Rochester, N. Y.
WM. H. GOMERSALL, JR., Agent,
383 Broadway, New York.

New York, Nov 21 1891

Franklin Co
West Genesee & Co.?
5 Vandewater Ave

Dear Sir

Mr Eder agent at
Williamstown requested us to
forward to you today under
personal cover the enclosed
receipt for one case drugs
consigned to Parke Davis & Co
Detroit from the N.Y. Bureau
of Chemical Goods. You will
please return when through with

Yours truly
W. H. Gomersall Jr
agent
Nov 21

Mr Kinney

Mr Eder advises me you want
this day receipt

[Handwritten initials]

11/27

Yours
[Handwritten signature]

POOR QUALITY ORIGINAL

0345

WEST SHORE RAILROAD.

N. Y. C. & H. R. R.R. CO., LESSEE.

HUDSON RIVER DIVISION,

P. O. ADDRESS, 42D ST. FERRY, N. R., NEW YORK

W. G. WATTSON,
SUPERINTENDENT.

WEEHAWKEN, N. J., June 20, 1896.

Mr. John R. Fellows;
District Attorney,
New York City.

Dear Sir:-

I have received subpoenas for myself and several others, in connection with the ^{Lamer} O'Brien case, requiring us to appear on the 24th day of June.

As the boat races take place at Highland on the 24th and 26th, and will require my personal attention, I will be greatly obliged if you can postpone this case to some other day. Will you kindly advise me by wire, or telephone "Union 15 A", on Monday? I will hold the subpoenas until I hear from you.

Yours truly,

W. G. Wattson
Superintendent.

Part of all work done was let down

down for same

*Place answer to this
Robertson
will give
Call Bureau
Stewart*

POOR QUALITY ORIGINAL

0346

District Attorney's Office
City & County of New York

189

with the Car which is first sealed
by Water. The scales whose book
will show that the car went on
the float

See ^{Raymond} Search, Check in of Bowery
will show that ~~Car~~ ^{Car} was taken
away with train.

Have sent down to the ~~Car~~ ^{Car} ~~to~~
for the money due on goods.

Woodrow & Lewis sold both cars
to Stephen Brod & Son of. They sold
to Hall, Parcel 46. 216. Accompanied

Mr. ^{Brooklyn} H. Brown Meyer. for Hall, ~~Brooklyn~~
with the car.

Dept brought the ~~Car~~ ^{Car} to Midford of
~~Woodrow & Lewis~~

District Attorney's Office
City & County of
New York

189

Mr. Elger - ~~of the~~ line
Goods used at North 5th St Station
receipts by the

Drivers driver
Packer, ^{master} Smith, Schaffer.

Power -

Drivers with duplicate receipts made
out by Shipper

Armstrong's check was made on - ~~the duplicate~~ ^{the duplicate} ~~the duplicate~~
Bacon signed driver receipt -
Armstrong probably took duplicate up
stairs where it was entered in full
in ledger by Mr. Whitbeck -

From this duplicate a manifest was
made out by Whitbeck - The duplicate
was put in tally envelope by Whitbeck
& sealed - The envelope is made out by
Armstrong - & manifest wrapped around it
& sent to Mr. Huntington at Albany

POOR QUALITY ORIGINAL

0348

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

Joseph Betts

of No. *377 W 43rd* Street, being duly sworn, deposes and says,

that *Samuel M. Golden* (now present) is the person of the name of

James Golden mentioned in deponent's affidavit of the *5th*
day of *October* 189*1*, hereunto annexed.

Sworn to before me, this *6*
day of *November* 188*7* *Joseph Betts*

[Signature]
POLICE JUSTICE.

Witnesses -

Joseph B. Stewart U.S.R.R. Office
Newark N.J.

Boyle, O'Connell & Vallely C. Office.

Charles Gallagher 290 West 11th St.

Antoine J. Eusta 374 Bway.

Albert Anderson 294 Grand St. Jersey City

~~Officer Roberts~~ 20th Precinct

" Allan Hay 13 "

George Lee to Brodsky & Guttenman 54 Allen St.
Joseph Kaplan bring account book Jan'y & Feb. '96.
494 51 Chrystie St

Geo. L. Putnam 374 Bway

Major Lackey " "

Alexander Halliday " "

Dennis Moylan " "

Samuel Cline to West Shore R.R.

Albert Anderson " " " " " "

Fritz Cook " " " " " "

Louis Strause " " " " " "

F. Hardenburgh " " " " " "

E. P. Slansbury " " " " " "

Wm Richards " " " " " "

Chas. Gallagher 290 W. 11th bring book
showing goods received on Feb. 21st/96.

POOR QUALITY
ORIGINAL

0350

List of Witnesses

Sub out Today
for Tuesday

POOR QUALITY ORIGINAL

0351

J. G. Mann, Lion, Park Bldg. N. Y.

Invoice Book 5 page 530

New York

1111 N 4 1898

Messrs Parke Davis & Co. Detroit Mich

Bought of **NEWYORK QUININE & CHEMICAL WORKS**

TERMS NET CASH.

CABLE ADDRESS "QUINCHEM"



limited.

P.O. BOX 2120.

We cannot insure the safe delivery of goods. After obtaining a receipt for same as "shipped in good order" we are not responsible for any damage or loss that may occur in transportation.

Office 114 William Street.

All claims must be made within five days after receipt of goods. Should you have occasion to refer to this invoice, please mention book and page as given above.

WS & MC

500 op Bisulph. Quinine bulle. 190
25 lb. Sulph. Cinchona " 48

"NET 30 DAYS"

113 85 ✓
12 00 ✓ 125.85 ✓

ENTERED

Handwritten: Suller & Co. 7/3

Brooklyn

Feb 26, 18, 92.

Dear Sir,

I take the pleasure of writing you
a few lines to with kindly regards
to let you know that I am in
the care until next Tuesday and then
I will be ready for you any day.
Please send me a note with day
you wish to see me.

Yours truly

W Kiercker



GEO. C. PRATT.

P. O. BOX, NO. 23.

BRANCH OFFICE OF

Massachusetts District Police.

North Abington, Mass., Mar 24 1896

John J. Boyle Esq

Dear Sir

Yours at hand I sent to
Concord Reformatory Mass.
Feb 18 1889 Superior Court
Plymouth. I had him for throwing
stuff from Freight Car
at Depot or between Depots
at the time he was living with
family by the name of Peter
Stagerwald & Mary his wife
were arrested at the time but
could not hold them I thought
at the time he was an old
bird & I think I wrote your
Office for his Rec^d but could
not get anything as he went
to Reformatory

I called ~~called~~ him when I had
 him a good close mouth-man
 I couldn't get a word from him
 had to work for all I got
 the picture you send me is the man
 sure give him a good one for
 my sake he deserves it in my
 judgement at the time he was
 living in the family of Peter
 Stagerwald Peter is inferior look
 my man compared with I'm
 & had a good looking wife. I told
 you that he had a pull but not
 talk from if they are there you
 will find stuff with them. seven
 please let me know what is done
 with him & if you find Peter
 Stagerwald & family
 Yours

Geo C Pratt
 Mass District Police
 PO Box 23 No Abington Mall
 he has changed some but is the man

**POOR QUALITY
ORIGINAL**

0355

DISTRICT ATTORNEY'S OFFICE,
CITY AND COUNTY OF
NEW YORK.

The New York Quinine Chemical Works.

North Eleventh & Berry St.

Brooklyn, E.D.

Court of General Sessions,
City and County of New York,

----- x
The People
against
Daniel M. Golden.
----- x

TRIAL BRIEF FOR PLAINTIFF.

New York Quinine & Chemical Co. 114 William St.
John L. Kirkland, ^{Treas.} C/o McKesson & Robbins, 91 Fulton St.
Certified copy Articles of Association.
Fred Schaeffer, 105 North 11th St., Book-keeper,)
Jacob Keppler, " " " " Packer,)

;- Both saw
the case packed. Can identify the tin cases as being the kind
they use. Can identify the shipment because it is the only
time they ever shipped 25 lbs. of the bark in one lot.
Schaeffer holds Exhibit 1. Receipt from truckman that he re-
ceived the box.

" " Exhibit 2. Receipt from the New York office
showing that truckman delivered the
railroad receipt to them. Evidence
that he properly delivered goods to
the West Shore Agent

M. Kiesecker, 24 Thornton St., Brooklyn.
(Laid up with a) Says he can remember the box and can
(broken leg.) identify the receipt he gave and the
(Dec. 14, 1891.)) receipt he received from New York
Office. Also says he delivered R.R.
shipping bill to N.Y. office.

Exhibit 3 - West Shore R.R. receipt signed across the face
by Geo. E. Greaney, in hands of Gen-
eral Counsel, West Shore R.R.

George E. Greaney. Receiving Clerk and Ass't Foreman at West

Books in office of Dan'l Purcell show that this box was put in car W.S. - 21640, with 3 other packages for Park, Davis & Co. from another shipper.

West Shore freight station, Brooklyn, will identify Exhibit 3 and deliver the duplicate to E.E. Whitbeck, Chief Clerk.

E. E. Whitbeck, Chief Clerk, can produce large book if necessary showing entry of this box with car it went into.

James Armstrong, checked package into car and gave the memorandum to Whitbeck.

Walter F. Sibley, Sealer; says he sealed car 25,485 as soon as it was loaded and before it was moved.

When boat reached Weehawken, bills were taken to Huntington's office. Then bills of all cars to be reloaded were delivered in large envelope to

E. Holzzer, Ass't Foreman at Weehawken.

He delivered them to Charles Warman, who stood at car door and checked off the goods as they went into car 21,640 W.S. on June 5th, 1891.

Charles Warman, Checker, Weehawken.

Can swear to his check mark on the duplicate way-bill.

Exhibit No. 4.

Duplicate way-bill now in hands of District Attorney - has Warman's check mark.

J. Mulford, 94 Pearl St. Says he thinks he can identify Golden.

Golden came to him and said he had some tag ends of drugs that he wanted to close out, and asked if he sold drugs. Mulford agreed to take them and sell them the first time he had a drug sale.

Exhibit No. 5.

Voucher from D.M. Golden of 37 Bowersy, of 98 oz. Quinine - 25 lbs. bark left for sale. This is in Mulford's hands. Cans were

sent he thinks by truck. Golden did not come with them. Golden called for the money when Mulford referred him to our detective.

Edwin Popkins, Detroit, Mich. Receiving Clerk of Park, Davis & Co
This quinine and cinchona never received by Parke, Davis & Co.

P.B.Merritt, Detroit, Mich.

Checker who unloaded car at Detroit, In employ of Michigan Central R.R.Co.
This quinine and cinchona not in car on reaching Detroit.

POOR QUALITY ORIGINAL

0359

Court of General Sessions,
City and County of New York.

The People

against

Daniel M. Golden

TRIAL BRIEF FOR PLAINTIFF.

POOR QUALITY ORIGINAL

0360

POSTAL CARD - ONE CENT

2-25-96

United States of America

THIS SIDE IS FOR THE ADDRESS ONLY.

35
N.Y.

4658-076-770-MS12

Wells Sweetser & Embrook & Co
376 Broadway
New York N.Y.



**POOR QUALITY
ORIGINAL**

0361

Return to JAS. FERGUSON,
General Merchant,
ROSENDALE, NEW YORK.
If not delivered in 5 days.

2. 24. 96

Dear Sirs

The dry goods billed ^{19/10} to you
has not arrived here yet
What the matter send tracer
Yours Resp
Jas Ferguson

People vs. Golden -

I

- 1. Articles of Incorporation of Company.
- 2. Fred Schaeffer, Bookkeeper, 105 North 11th St. Blyn. to bring truckman's receipt for package - & can identify the two cans - saw them packed -
- 3. Jacob Kippler - Packer 105 North 11th St. Blyn. Packed the cans & can identify them.
- 4. M. Kierecker, Truckman, 24 Thornton St. Blyn. - can identify receipt held by Schaeffer. also receipt marked by Greeny at depot. he gave up the Greeny receipt to his company 114 Wm St. N.Y. & rec'd receipt in return.
- 5. Walter Webster 114 Wm St. rec'd the Greeny receipt & took it to Parks, Davis & Co. 90 Maiden Lane -
- 6. Warren Weeks, 90 Maiden Lane rec'd the Greeny Receipt & sent it to R.R. Office & got two bills of lading. kept one & sent the other to Detroit. - Also ordered the cargo.
- 7. ~~H. H. Hornum~~ ^{or Arthur Smith} 363 Broadway issued the bill of lading upon the Greeny Receipt.
- 8. Edwin ~~Proffitt~~ Rec. Clerk of Parks D Co at Detroit. Goods not rec'd. Did he see original bill of lading - ? now here -

114 Wm St.

II

- 1. Greeny } Put his name on orig. shipping rec't
- 2. Armstrong } Weighs the box & puts it into car. & puts his initials on back & no. of car. & gives it to Whitbeck.
- 3. Sibley seals up the car.
- 4. Whitbeck enters the receipt in Ledger & sends it along with car to workman.

COURT OF GENERAL SESSIONS
CLERK'S OFFICE.

PEOPLE

vs.

George Smith
Contracted
1888

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

vs.

Golden -
Muro.
Johansen of the
Chemical Co. actually paid
the goods
Did Muro the buyer
order them orally?
Was the purchase for
Cash or on credit?

District Attorney.

POOR QUALITY
ORIGINAL

0365

Clerk of Courts
Plymouth Mass.

May 16. 1896.

Mr. John J. Boyle,

Dear Sir,

I can find no record
of conviction against D. M. Golden
but I enclose copy of record
against D. M. Gilmore for
stealing from C. C. R. R. Co., as I
think that he may be the
same man.

He was convicted the day that
you mention in your letter
Feb. 18. 1889.

Yours truly,

Edward E. Hobart

District Attorneys Office.
City & County of
New York.

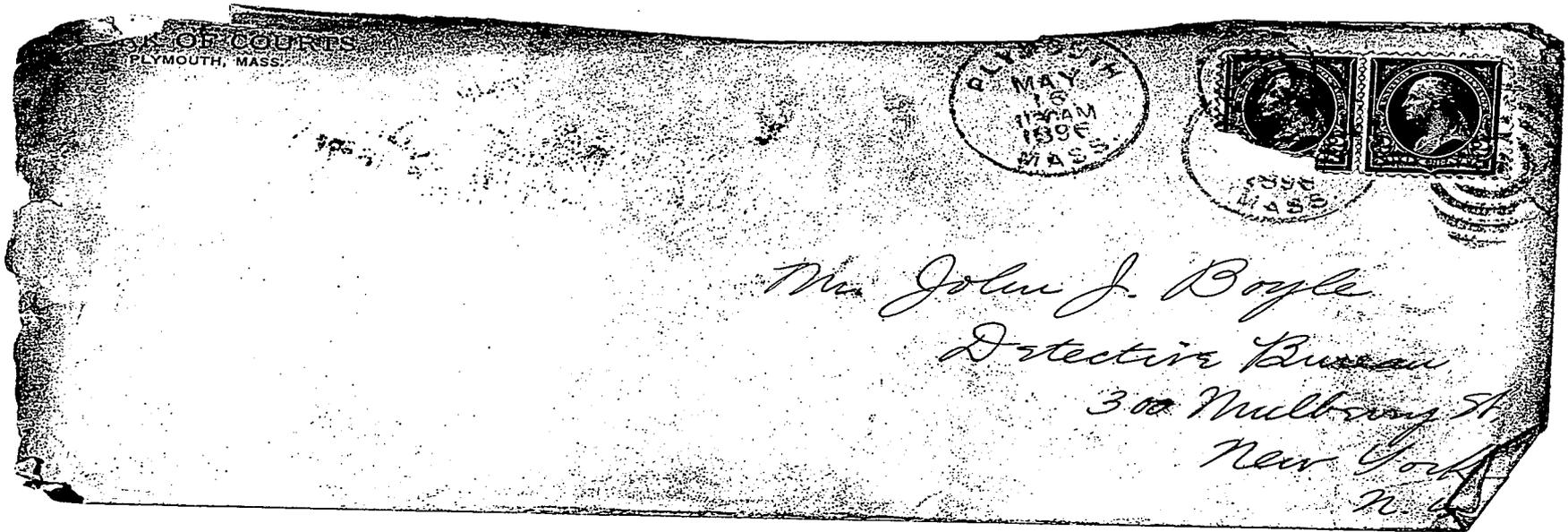
18

- 1 Articles of Incorporation first.
- 2 Schaeffer ~~of~~ who packed goods
- 3 Kipples } + delivered them to
 } truckman - can identify the cans -
4. Chemist from Chemical works to prove contents of cans.
5. M. Kiescher. truckman who delivered the goods at depot.

✓ Theodore St. John 17 Cedar St got both cans
of Mueford. - then sold Guinness to
Hall & Buckle (Joseph Brown) - Jacob ~~Wynne~~ ^{128 W. Danforth St}
gave the circulation & bottles.

**POOR QUALITY
ORIGINAL**

0367



District Attorneys Office
City & County of
New York

Checker at
junction Yds
& billing -
Checker at
Detroit &
Billing of

Car 21640 is sealed & goes on to Junction
Yds near Detroit. There car 21640 was
was probably ~~loaded~~ unloaded into Car 36403
of Blue Line. This case was checked at
at Detroit from car 36403.

First Part

- 1 Articles of Incorporation.
- 2 Fred Schaeffer, Bookkeeper - 1059 North 11th St. Blyn. holds
truckman's receipt for ~~packing~~
- 3 Jacob Kessler, Packer " " " "
- 4 Mr. Kiesecker, Druggist 24 Thornton St. Blyn.
can identify receipt held by Schaeffer - also receipt marked by
Greeney - also receipt received by him from 194 10th St
when he gave up Greeney receipt.
- 5 Walter Webster, 114 10th St. took Greeney receipt from
Druckman & gave truckman receipt for receipt. Webster
took Greeney receipt to Parke Davis & Co, & gave it to
- 6 Warren Weeks, 90 Maiden Lane, P.D. & Co.
sent Greeney receipt to P.D. Office & got two bills of
lading, one of which was sent to Detroit & other returned.
- 7 R.R. man who made out bill of lading.
- 8 Edwin Popkins, receiving clerk of P.D. & Co at Detroit
Did he see original bill of lading.
Did not receive the goods.

June 21/91
Car 25-485
envelope
Tally

District Attorneys Office,
City & County of
New York.

Belling

Carman brings the package to the station (N.Y.) in Williamsburg. He first saw Armstrong, the checker & handed him the original & duplicate receipts. Carman unloads box upon the platform. Armstrong then weighs the box & takes the original receipt to Green, the Rec. Clerk who puts his name across it (this is required by the N.Y. Office in order to get the bill of lading). This original is then given to the Carman, it first having been stamped in red ink by Green or by Armstrong.

The duplicate is retained by Armstrong who writes upon it the weight (100 lbs) & also the no. of the car in which he put the package 25-485. He also puts his initials "A" on back. He also puts this package into the car. Armstrong then took the duplicate to Whitbeck who enters it in the West Bound Ledger. This dup. with others is put into a large envelope & sent to Weehauken with the car 25-485, which had been first sealed by Sibley.

At Weehauken Holzer rec'd the large envelope & gave duplicate to Warman Checker, who checked goods from 25-485-115 to car. 216-40 N.Y.

District Attorney's Office
City & County of
New York

2nd Part

- 1 Greaney
- 2 Armstrong
- 3 Silley Slater
- 4 Li Arman Checks at Washburn
- 5 Bridgman who make out shipping bill
- 6 Man at Junction yard who check out N.S. Car, to produce bill made out by Bridgman

3rd Part

- 1 Knieford Auctioneer - with bill -
- 2 Wallely - C. O.
- 3 Hotel Clerk at 37 Bowry.
- 4 Porter who brought stuff - ^{St John} ~~Real~~ ^{black} ~~black~~ shells.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Daniel M. Golden

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

Daniel M. Golden

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

The said

Daniel M. Golden

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

five hundred ounces of quinine of the value of twenty cents each ounce and twenty-five pounds of cinchona of the value of two dollars each pound

of the goods, chattels and personal property of ~~an~~ incorporation called the New York Quinine & Chemical Works, (Limited)

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

SECOND COUNT—

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

Daniel M. Golden

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

The said

Daniel M. Golden,

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

*five hundred ounces of guanine
of the value of twenty cents
each ounce and twenty-five pounds
of cinchona of the value of two
dollars each pound*

of the goods, chattels and personal property of ~~one~~ a corporation called the
New York Guanine & Chemical Works (Limited)

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

unlawfully and unjustly did feloniously receive and have; the said

Daniel M. Golden

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

DE LANCEY NICOLL,

District Attorney.

0373

BOX:

457

FOLDER:

4199

DESCRIPTION:

Goldstein, Michael

DATE:

11/13/91



4199

POOR QUALITY ORIGINAL

0374

Witnesses:

[Signature]
Counsel,
Filed *[Signature]* 1897
Pleas, *[Signature]*

THE PEOPLE

vs.

[Signature]
Michael S. Soltau

[Signature]
11/16/97

[Signature]
Burglary in the
[Section 49] degree

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

[Signature]

Foreman.

[Signature]

[Signature]

[Signature]
5th Penn St
Lynchburg

POOR QUALITY ORIGINAL

0375

80 vs
50 vs
130 vs

THE PEOPLE

vs.

MICHEAL GOLDSTEIN.

COURT OF GENERAL SESSIONS, PART I.

BEFORE RECORDER SMYTH.

Monday, November 23, 1891.

Indictment for burglary in the third degree.

Asst. Dist. Atty. Weeks for the People.

Mr. Counsel for the Defendant.

A Jury was empannelled and sworn.

ISRAEL SKILOPSKY, sworn and examined by Mr. Weeks, through the Interpreter.

Q. Where do you live, Mr. Skilopsky? A. No. 296 Cherry St.

Q. What is your business? A. I have a butcher store.

Q. What time did you leave your store on the night of the 31st of October? A. Between eight and nine, I should say nine o'clock.

Q. And who did you leave in charge of your store?

A. My clerk Myer Liberman.

By the Court. Q. Did he lock him up in the store? He sleeps in the store, and when I left he was not retired but he was in the store.

By Mr. Weeks. Q. And what time did you return to your store?

A. After twelve o'clock, between twelve and one o'clock.

Q. At night? A. Night time.

Q. And in what condition did you find your store when you got there at that time? A. The door was open and the window was open. As I looked around in the store I found that my overcoat and pantaloons are missing.

**POOR QUALITY
ORIGINAL**

0376

Q. Anything else? A. And then the decalogues, there was a box with decalogues and that was taken.

By the Court. Q. How many decalogues? A. I think five hundred and eighty.

By Mr. Weeks. Q. Now I show you this coat and pair of pants, do you recognize them? A. That is mine.

Q. Are those the ones that were missing that night when you came in? A. Yes sir.

Q. I show you these things, do you recognize these as ever having seen them before? (Showing little tin cases.)

A. Those are decalogues.

Q. Are these the decalogues that you referred to?

A. Yes sir, those are; it is printed in Hebrew.

The Court: Those are things to hold the decalogue I suppose?

By Mr. Weeks. Q. Is not the proper name of these Mezzuzes?

A. Yes sir, in their jargon they call them Mezzuzes.

By the Court. Q. To hold decalogues is that it? (No answer.)

By Mr. Weeks. Q. How much were the coat and trousers worth that were missing? A. I paid about twenty dollars for them.

Q. For the two? A. For the two.

Q. What was the tinware worth? A. They did not belong to me; the man left it in the store, the man says that \$10.50 he paid for them.

Counsel: That is objected to.

Interpreter: They are new.

By the Court. Q. Ask him if he bought one of those (tin cases)?

A. The man used to manufacture these in my store and he left them there, I gave him a little space in the store to

manufacture.

Q. Ask him if he manufactured one of those himself?

A. No sir.

By Mr. Weeks. Q. When did you next see your coat and pants after that day or that night? A. More than eight days after.

Q. And where? A. When I came once to the store.

By the Court. Q. Where did he see the coats eight days after?

A. There was a crowd of people and one man said he (the defendant) has the pawn tickets for the things that is missing; then he tried to run away, I caught him; then he said he has got the pawn tickets, but he told me they were in the room on the window, he told me which house where I would find them. So I went, I held on to Goldstein and another man, a friend of mine went up and got the pawn ticket.

Q. Where was the house that he sent him to to get the pawn tickets? A. No. 306 Cherry Street.

By Mr. Weeks. Q. That is the house that Goldstein lived in?

A. I do not know, I think he lives there.

By the Court. Q. What is the name of the man that he sent to get the pawn tickets? A. Isaac Eppter.

Q. What did this boy say about the pawn tickets?

A. Well, he told us that the pawn tickets are upstairs, I did not trust him.

Q. Ask him where he said the pawn tickets were upstairs in the room? A. Yes, he told us the room.

Q. Where? A. I do not know because I did not go up myself, the other man went up, I remained down stairs and held on to him.

Q. Ask him what part of the room he said they would find the tickets?

A. He says on the window, on the top window in the hall.

By Mr. Weeks. Q. Then you held on to Goldstein and this Eppter went upstairs is that right? A. He brought down the pawn tickets.

Q. Then what did you do after you had the two pawn tickets?

A. Well, the policeman came immediately on the scene and he was arrested.

By the Court. Q. Which was arrested, the policeman or the boy?

A. Goldstein was arrested.

By Mr. Weeks. Q. I asked you where you saw your coat and trousers after that?

A. I went with the detective to the pawn broker, and the pawn broker produced -----

By the Court. Q. What is the name of the pawn broker?

A. I do not know, the detective went with me, I do not know the name of the pawn broker, ^{and} producing the ticket these goods were shown to me.

Q. Which goods, the tins or the coat?

A. The coat and the pants and I recognized them as mine.

CROSS EXAMINED by Counsel.

Q. You do not know where the pawn tickets were found do you, of your own knowledge? A. No, I do not.

Q. Who was it told you about the pawn tickets first?

A. When I came into the store I heard that Mrs. Epp-ter was talking to him and said, "I will give you a dollar if you will tell me where the tickets are, if you will let me have the tickets." He said, "I do not know, another man knows where the tickets, it will require three dollars to

get them.

Q. Where is she? A. Mrs. Eppter is sitting here in Court.

Q. She and the defendant were in conversation? A. Yes sir, in my store.

Q. You over heard her say to the defendant that she would give him a dollar if he would produce the pawn tickets?

A. He said, "I do not know, but if three dollars are given the tickets will be found."

Q. Then did you take hold of the defendant? A. Well, he left the store and I followed him and begged him to give me the tickets. When he said, "I have not got the tickets"

he commenced to run; I ran after him and he fell and I fell on top of him, I staggered against him and a man by the name of Gimple caught him. Then I held on to him, then he spoke about the tickets and said, "they are in the window"; I did not want to give him up, I sent a man up to find the tickets on the window.

Q. Do you know Max Baron? A. Yes sir.

Q. How long have you known him? A. The second month.

Q. Did you see him around there that day, the day that you caused this defendant's arrest? A. Yes sir. Max Baron was in the street when this man went out and I followed him.

Max Baron said, "do not let him run away, he has the ticket."

Q. It was Max Baron told you about the pawn tickets?

A. Yes sir, he said, "don't let the young man run away he has the ticket."

Q. Did not Max Barontell you that the defendant had placed pawn tickets on the window sill? A. Max Baron did not say that, this man Goldstein said ----

**POOR QUALITY
ORIGINAL**

0380

Q. He said they were on the window sill in what house?

A. 306 Cherry Street .

Q. Did not Max Baron live in the apartments in which you found these pawn tickets? A. I am not sure if he lives there.

Q. Were not you in 306 to see Max Baron? A. I never was in 306.

Q. Were not you at the hall door of 306 Cherry? A. No sir.

Q. Where were you when the defendant as you say, went into 306 to get the pawn tickets? A. I remained standing at the door inside the hall.

Q. What door? A. Of the street door, the big door.

Q. Of what house? A. Of 306 Cherry Street.

By the Court. Q. Ask him if he was ever inside of 306 Cherry St.

A. Yes sir, I am selling meat there in that house.

Q. In 306? A. Yes sir, I have customers there selling meat.

By Counsel Q. You know Max Baron lives in that house?

A. Well, I only knew him by sight, I do not know him very well.

Q. Did not Max Baron tell you that the defendant at the bar was the man who committed the burglary? A. No, he did not tell me that.

Q. What day was the burglary committed? A. It was Saturday night, Sunday was the first.

**POOR QUALITY
ORIGINAL**

0381

MYER LIBERMAN, sworn and examined.

By Mr. Weeks. Q. Where do you work? A. 296 Cherry Street.

Q. For whom? A. For Skilopsky.

Q. The man who was just on the stand here? A. Yes sir.

Q. Do you remember the night of the 31st of October?

A. Yes sir.

Q. What time did Mr. Skilopsky leave that store?

A. I cannot tell you the right time, about nine o'clock.

Q. Was there anyone else in the store beside yourself when he left?

A. NO.

Q. Where did you sleep that night? A. In the back.

Q. In the back part of the store? A. Yes sir.

Q. Did you close the store up? A. Yes sir, I locked it.

Q. Closed the front door and locked it? A. I locked it with a key.

Q. Is there a wire screen there? A. Not on the door.

Q. Inside? A. Yes sir.

Q. How about that, was that closed? A. Yes sir.

Q. Tell the Court about the wire screen, the screen separating the butcher shop into two apartments, it was inside the wire screen where the property was? A. You mean the wire grating outside the window?

By the Court. Q. The wire grating out on the window?

A. Yes sir.

Q. There was a window to the store, was there? A. Yes sir.

Q. Did you shut down the window that night? A. The window is always shut.

**POOR QUALITY
ORIGINAL**

0382

Q. Fastened? A. Yes sir.

Q. Outside of the window on the street there is an iron screen, is that right, a wire screen? A. Yes sir, that is right. it is locked from inside.

Q. The wire screen is locked from the inside? A. Yes sir.

Q. A bolt fastened through it? A. No, it was an iron stick about the size of that (showing), and the way the thing comes on the nail it goes through.

Q. It was fastened anyway? A. Yes sir.

By Mr. Weeks. Q. What time did you go to bed that night?

A. I done my work about ten o'clock and I went to bed.

Q. Then you went to bed? A. Yes sir.

Q. And when did you wake up next after that, did you go to sleep? A. Yes sir, I went to sleep.

Q. What time were you woke up? A. When the boss came along to our store.

Q. What time was that? A. One o'clock he said that was.

Q. Then when you woke up how did you find the store?

A. He showed me how this door was open where I locked it and the window was open.

By the Court. Q. Was the screen taken out of the window?

A. Yes sir.

By Mr. Weeks. Q. Did you see Mr. Skilopsky's coat and trousers in the store that night when you locked up the place?

A. Yes sir, it was hanging over my head where I was sleeping.

Q. And how about this tinware? A. There was a man working down there -----

Q. Where was that? A. That was packed up in boxes on

**POOR QUALITY
ORIGINAL**

0383

the floor.

Q. On the floor in the store when you locked up the store?

A. Yes sir, against the wall.

By the Court. Q. Did you keep the key of the store?

A. No, the key is in the hole where I locked it.

Q. Did you lock it on the inside? A. Certainly.

Q. Left the key in the key-hole, is that right? A. Yes sir, that is right.

Q. How about the window? A. The window is locked; when he woke me up he showed me the wire screen was broken off and the door was open a little bit.

Q. You are sure you locked it? A. Certainly, sure I locked it.

By Counsel. Q. There is glass in that window frame is there not, panes of glass?

By the Court Q. In the window there is glass like that?

A. Yes sir, certainly.

CROSS EXAMINED.

By Counsel. Q. There was not any glass broken? A. No, the glass was not broken ---- there is a spring on it.

Q. There is a spring on the lower half? A. Yes sir.

Q. Were the windows open when you got up that night?

A. Yes sir, when he woke me up he showed me.

Q. You say the door was open? A. Yes sir.

Q. Do you know Ma x Baron? A. I know him but not long ago; when I started to work for that gentleman so I know that fellow, he used to be down there.

Q. You know him, don't you? A. Yes sir.

Q. He has been in that place too, has he not? A. Yes sir.

**POOR QUALITY
ORIGINAL**

0384

Q. How was the door opened if the key was on the inside?

A. When they got in through the window they would not go back through the window, I locked the door when I went to bed.

By the Court. Q. The window was open?
window was locked.

A. No sir, the

Q. When you got up wasn't it open?

A. Yes sir.

Q. So that a person could go in through the window and unlock the door, could they?

A. Yes sir, certainly.

Q. Was not the window locked too?

A. When I went to

bed certainly it was fastened all the time.

Q. Can that fastening be removed by a person on the inside, could you go outside of the store and remove that fastening from the window?

A. Of course if I will work

on it I can do it.

Q. From the outside?

A. Yes sir.

Q. Is not the fastening on the inside

A. Yes sir, if

you will break that spring off you can unfasten that.

Q. Was the spring broken?

A. Yes sir.

Q. Were you in the store when Max Baron was there in conversation with your boss?

A. You know he used to go

down there but I did not see him have any conversation with him.

Q. Did you hear Max Baron tell your boss that Goldstein had some pawn tickets?

A. O that is right, he went

down and he told me that I should not let go of him because he has got them and that he knew where the things were pawned or sold.

Q. Max Baron told your boss that he knew where the things were

**POOR QUALITY
ORIGINAL**

0385

sold? A. Yes sir.

By the Court. Q. Did you hear Max Baron tell his boss?

A. Yes sir, I did.

Q. What did he tell him? A. He says, "don't let go of that fellow because he has got the tickets. that Mike Goldstein.

Q. Mike was in there at that time? A. Yes sir.

By Counsel. Q. Did you hear Max Baron tell your boss that the Defendant had the pawn tickets and stole the property?

A. Yes sir; he said, you know my boss was going to let go Micheal Goldstein; so Max x Baron came down and he says, "don't you let go of him because Mike Goldstein has got the tickets and he stole the property."

Q. I do not mean when the defendant was there, I mean on another occasion, the next day Sunday --- Sunday you saw Max Baron didn't you, the next day? A. Yes sir.

Q. Was he not speaking with your boss? A. I did not see that. I seen him but I did not see him speak with him, you know I aint always down ---

Q. Do you know when this boy was arrested. A. I heard that only, I can't tell you.

By the Court. Q. Were you there the day that he came into the store and was arrested? A. O yes I was.

By the Court. Q. How many days after the store was broken open was it when he was arrested? A. That was the 30th or the 31st, I cannot tell you.

By Mr. Weeks. Q. The store was broken open? A. Yes sir.

Q. When was he arrested after that? A. He was arrested on the second day.

By the court. Q. How many days after? A. I cannot tell

**POOR QUALITY
ORIGINAL**

0386

You, I do not remember.

By Counsel. Q. Do you know who broke into that store?

A. They say that is the fellow broke in.

By the Court. Q. He wants to know if you know of your own know-
ledge or from what somebody told you?

A. I did not
see him do that.

By Counsel. Q. Did not Max Baron some days before the Defendant
was arrested want to sell the pawn tickets to you or your
boss for three dollars?

A. He was not talking
with me about that I am sure.

By a Juror. Q. Who sleeps in the store, young man?

A. I sleep myself.

Q. Who beside you?

A. No one else, he (the boss)
used to sleep with me.

By the Court. Q. How long was it since the boss slept in the store,
did he sleep in the store the night of this burglary when
he came at half past twelve, he came to go to bed?

A. Yes sir.

Q. You went to bed at ten o'clock?

A. Yes sir, he woke
me up and he says, this property was stolen and he took the
officer down.

By a Juror. Q. Did you let the boss in that night?

A. No sir.

By Mr. Weeks. Q. Did you open the door for your boss to come in that
night?

A. No, he woke me up when he find the
door open.

Q. And that was the first you know of it when your boss came in
and woke you up?

A. Yes sir.

By the Court. Q. Where is the spring, is it on top of the window,
show us where the spring was?

A. From the wire
screen there was a spring down here and there was a spring

on the top.

Q. There was the ordinary catch on the lower half of the window, is that right? A. Yes sir.

Q. Was that shoved back? A. No, it was broke off.

By a Juror. Q. There was no glass broken though? A. NO.

MAX BARON, sworn and examined by Mr. Weeks,
through the Interpreter:

Q. Where do you live? A. 306 Cherry Street.

Q. Did you see the defendant Mike Goldstein on the night of the 31st of October? A. Yes sir.

Q. What time of night was it? A. About ten o'clock.

Q. Where did you see him? A. In Madison Street.

Q. What did he have with him? A. He had a box inside with those tin things.

By the Court. Q. What else did he have, did he have anything else? A. Nothing else.

By Mr. Weeks. Q. What did he say to you? A. He asked me where he could sell there.

Q. What did you say to him? A. Then I told him that he could sell it in 30 Canal Street where they sell Hebrew books.

Q. That is Germansky's place; that man's place? (Pointing to a man in court.) A. Yes sir.

Q. Did you go there with the defendant? A. Yes sir, I went with him.

Q. What did you do, tell me what happened, go ahead? A. Immediately I went with him, he paid for my service

supper and a glass of beer.

By the Court. Q. Did he sell these things to him in the store?

A. I went with him, with Goldstein right immediately to the place of this man Germansky.

Q. Did he buy them? A. Yes sir, he bought them.

Q. How much did he give for them? A. \$5.70.

Q. Who did he give the money to? A. Goldstein took the money.

By Mr. Weeks. Q. And then Goldstein took you out and treated you to supper, is that it, and some beer? A. Two dollars

Gomansky gave into my hands and I immediately passed it over to Goldstein; when he paid the five dollars he did not give the whole amount at once, he gave two dollars to me and I passed it to Goldstein.

Q. When did you first hear anything about Goldstein having any pawn tickets? (No answer.)

By the Court. Q. Did Goldstein tell you where he got those things?

A. No sir.

Q. Did you ask him where he got them? A. I asked him but he kind of said something and did not give me any answer.

By Mr. Weeks. Q. After that did you have any talk with Goldstein about any other property? A. From that evening I did not see him any more, I did not talk to him, I only interfered afterward when I heard that there was a larceny committed, then I interfered.

By the Court. Q. Ask him when he heard there was a larceny committed, did he tell the boss of this place Skilopsky?

A. Yes sir, then I went and told him.

By Mr. Weeks. Q. When was that? A. About seven days after when I heard that the larceny was committed.

Q. You went to Skilopsky's place and told him, did you?

A. I went to Skilopsky's place and I told him that I know where the tinware is.

CROSS EXAMINED.

By Counsel. Q. Do you know what these are (showing the tin cases)?

A. Those are mezzuzes.

Q. Do you know what they are used for?
know.

A. Yes sir, I

Q. Did not you know that they did not belong to the defendant?

A. I did not know it when I met him.

Q. You spoke to the man who bought them about buying them, did you not?

A. We both spoke to him when we entered his store.

Q. Do you remember this was on the 31st of October, Saturday night?

A. Yes sir.

Q. When did you again see the defendant after that night?

A. About three or four days afterward I saw him again, I spoke some words to him about three or four days after.

Q. Did you meet him at No. 306 Cherry Street?
house I met him.

A. In the

Q. Where, what house?

A. 306 Cherry.

Q. That was three or four days after he sold these things?

A. Yes sir.

Q. Between the time that you know he sold them and the next time you met him, had not you heard that they had been stolen from that butcher shop?

A. About four or three days after I heard that the larceny was committed, that they were stolen.

Q. Was that before you met the defendant?

A. Yes sir, I

know it because he showed the pawn tickets to me and another boy.

By the Court. Q. When did he know when did he show him the pawn tickets?

A. About four days after we sold the tins

by Counsel. Q. Four days after you sold the tins?

A. He showed the pawn tickets to me and another boy.

Q. You are sure you met him four days after? A. Yes, I know when I first met him after we sold the mezzuzes.

By the Court. Q. Ask him if he knew that this butcher shop was broken into and property taken out when he met this boy with the witness and went up Canal Street, ask him if he knew it then?

A. No sir.

Q. Ask him after this defendant sold the things to the man in Canal Street how soon after did he see this boy, how many days after?

A. About four days, not more.

Q. What did he say two days a minute ago for?

A. About four or five days, I cannot tell for sure.

Q. Was it then he showed him the pawn tickets?

A. Yes sir, when he showed me the pawn tickets.

Q. Then did he know that the place had been broken into?

A. He told it to the other boy, he did not tell it to me but I heard when he spoke to the other boy.

By Counsel. Q. Do you know Mr. Skilopsky? A. Yes sir.

Q. Were not you in Skilopsky's place two days after the burglary, that was Monday morning?

A. I always passed the store because I live in that neighborhood but I did not enter the store Monday.

Q. Don't you know the young man who was on the stand here and who works in that store, Myer Liberman? A. Yes sir, I know him.

- Q. Were not you in to see him the Monday following the burglary?
A. I saw him in the street.
- Q. Monday, two days after the burglary?
A. Yes sir, I saw him.
- Q. And did not he tell you about the burglary?
A. I had no time to talk with him. he just commenced and said a word but I could not understand what he was telling me, he just said a word, I had no time to wait and I went away.
- Q. Did not he tell you the place was broke in Saturday night?
A. He only said there was something stolen from the store, I did not hear what or how.
- Q. Were you not in that store and did not you have a conversation with Liberman before you saw the defendant after the 31st, after the burglary?
A. I spoke with Liberman but I did not enter the store.
- Q. You have known this defendant a long time?
A. About three months I have known him.
- Q. You both lived in the same house, 306 Cherry Street?
A. I have been living there for four months and at the time when that burglary was committed he only lived for one week in the house.
- Q. Both lived with the same family?
A. Yes sir, in the same family we lived.
- Q. You had a quarrel with this defendant did you not, before the burglary?
A. No sir.
- Q. Do you remember what day it was you told Mr. Skilopsky that you went with the defendant to 30 Canal Street and sold the tinware?
A. About seven days later after we sold the mezuzes I told him.

Q. And how many days was that after you met the defendant in the street? A. About four or five days after.

Q. How many days after the burglary did you hear that a burglary had been committed, that that place had been broken open?

A. About four or five days after I heard about the burglary I heard something, as I said, that there was something stolen.

Q. Do you know that the defendant was in Connecticut after the 27th of October up to the 3rd or 4th of November?

The Court: He says he sold some things with him on the 31st of October.

Counsel: Very well, I will withdraw it.

Q. Did you, when you met the defendant three or four days as you say after the 31st, see two dollars with the defendant and ask him for one?

A. No sir, when he showed the pawn tickets he had two dollars.

Q. And did you say that if he would not give you one of the dollars that you would put up a job on him?

A. No sir, I did not say that.

ISAAC EPPTER, sworn and examined, by Mr. Weeks, through the Interpreter:

Q. Where do you live? A. No. 17 Chrystie Street.

Q. Did you have any talk with the defendant Mike Goldstein about the burglary at Mr. Skilopsky's?

A. No, I did not speak to him.

By the Court. Q. Do you know the day this boy was arrested?

A. I saw when the policeman took him into custody.
By Mr. Weeks. Q. Were not you there when Skilopsky was talking to
him about some pawn tickets? A. No sir, but I was
sent for to come.

Q. And after you were sent for what did you do?
A. When I came I was informed that a boy was caught
who has the pawn tickets for the coat and the pantaloons.

Q. Where was he informed that? A. In Cherry Street
not far from the store when I was told.

Q. Ask him who told him? A. The man is here who told
me.

Q. When that man told him about this what did this man do?

A. When I heard that I went up to Golustein and I
said to him, "you give these tickets up and nothing will be
done to you," and as I was talking with him he commenced to
run away, he started to run.

Q. That is, this defendant? A. Yes sir.

By the Court. Q. Then what did he do? A. The whole crowd
ran after him and a man who is connected with these mezzuzes
he caught him.

Q. When he was caught what did they do with the boy?

A. Then when he was caught I went up to him again and
I said, "you give up the pawn tickets without any further
trouble else you will be arrested, the policeman will take
you."

Q. What did he say? A. Then he said, "you come with
me upstairs where I live and I will give the pawn tickets."

Q. Did he go with him? A. I was afraid, I am an
old man and I was afraid because a ^{man} ~~thief~~ who is a thief, he
could strike me on the head also, and so I was afraid and

another man said, "don't be afraid, I will go with you up-
whole
stairs." That is the ~~case~~ story.

Q. This man and another man went with this boy, where did they
go? A. He was led down stairs.

By Mr. Weeks. Q. What did the boy tell you before you went upstairs?

A. Goldstein told me that upstairs on the second
floor on the window there is the tickets, you take those
tickets."

By the Court. Q. Did the other man go upstairs? A. Yes sir,
several persons came up.

Q. Did he come down again with the tickets? A. Yes, he
found the tickets there and we came down.

Q. When he got the tickets and the tickets were found what was
the next thing done? A. I came down stairs and
I showed him. I said, "are those the tickets?"

Q. What did he say? A. Then he said, "well now you have
the tickets, you have nothing to do with me any more." I
said, "no, I would not let you go now."

Q. What did he do? A. A policeman was called and
he was arrested.

Counsel: Where are the tickets, let him identify the tickets if
he can.

Mr. Weeks: The tickets were given up to the pawn broker.

THOMAS STAPLETON, sworn and examined.

By Mr. Weeks. Q. You made the arrest, Officer, or rather he was
turned over to you? A. Yes sir.

By the Court. Q. Who arrested him? A. Officer Micheals.

Q. Where is Micheals? A. He is not here, your Honor, I was in the Station House when he came in and they could not speak English and I sent to get an Interpreter and find out what was in this case; I got the pawn tickets, I got the interpreter and I inquired in the matter.

By Mr. Weeks. Q. You were in the Station House when the defendant was brought in, on what day was that, Officer?

A. That was on the 10th of November.

Q. Were any pawn tickets handed you at that time?

A. There was two pawn tickets.

Q. By whom? A. By Isaac Eppter.

Q. By the man who has just testified upon the stand?

A. The last witness, that is right.

Q. Did you speak to the defendant Goldstein about those pawn tickets? A. He denied knowing anything about it.

By the Court. Q. Did you speak to him? A. Yes sir.

By Mr. Weeks. Q. What did you say to him? A. He said, "I do not know anything about this." I asked him how he came in possession of those tickets that he was accused of having? He said he did not know anything about them.

Q. Did you speak Hebrew? A. No, the defendant can speak good English; he said he did not know anything about them.

By the Court. Q. Did you go to Silverstein's place, 318 Broom St. where the tickets came from? A. I did, I went with the complainant on the following morning.

Q. You found the coat and trousers? A. He identified them two articles as articles taken from his place on the 31st of October in the night.

Q. Those were the articles called for by the pawn tickets handed you by Eppter? A. Yes sir, Silverstein,

318ⁿBroom Street.

By Counsel. Q Did you go to Germansky's, No.30 Canal Street?

A. I went there to serve a notice.

Q. That is all you did?

A. Yes sir.

Q. To deliver him a subpoena?

A. Yes sir.

JAMES HAGGERTY, sworn and examined.

By Mr. Weeks. Q. No.296 Cherry Street is in the 7th ward of the city and county of New York?

A. Yes sir.

Q. You have inspected the premises of Skilopsky/, have you?

A. I did.

Q. Please describe them, that screen is placed over the window, would it be possible for the screen to be moved and the window opened by a person from the inside?

A. It is in the basement underneath the stoop, the store is, it is an ordinary window with a wire screen on the outside of it, fastened with a hasp and a staple at the bottom. There was supposed to be a nail running through the staple to fasten the hasp on the inside of the window, that is between the sash and the screen.

Q. How could it be opened from the outside?

A. It could be opened by shoving out the nail fastening and placing the hand in the screen.

Q. If the window was closed?

A. If the window was closed, that is to take the screen off.

By the Court. Q. Was there a catch on the window, Officer?

A. That I am not positive of.

By Counsel. Q. Was it a double window?

A. It is an ordinary window with a top and bottom sash.

- Q. Went up and down? A. Went up and down with weights.
Q. You did not see anything broken at all only this fastening
to the screen? A. NO.

ASHER L. GERMANSKY, sworn and examined.

By the Court. Q. Ask him if he has got a store at 30 Canal Street?

A. Yes sir.

Q. What kind of business? A. Hebrew religious books.

Q. Does he know this boy Goldstein? A. I cannot rec-
ollect, I do not know.

By Mr. Weeks. Q. Do you remember anybody bringing this tinware to
your store? A. Yes sir.

By the Court. Q. Ask him who brought it, whether it was a big
woman or man or what? A. Two boys.

By Mr. Weeks. Q. What time of night was it? A. Between
nine and ten o'clock.

Q. On Saturday night? A. Saturday night.

Q. Do you remember the date? A. I think it was Sat-
urday night, no, I do not know the date.

By the Court. Q. Ask him if he bought it? A. Yes sir.

Q. How much did he pay for it? A. \$5.70.

By Mr. Weeks. Q. You cannot say whether or not this is one of the
boys that was there (the defendant)? A. I cannot
remember.

By the Court. Q. Could he remember the other boy who saw him?

A. Yes sir, I could remember the other boy.

Q. What is the other boy's name? A. I do not know his
name.

- Q. Baron, do you know that boy? A. Yes sir.
- Q. Was he one of the boys? A. Yes sir, he was.
- Q. How much of this tinware was there? A. That is about the price.
- Q. What are they worth each, he sells these things?
A. I sell it when the decalogue is inside already, that I put in.
- Q. What are they worth each without the decalogue?
A. I pay, about a cent apiece, a cent and a quarter sometimes .
- Q. Ask him how many of those tin things he bought from the boy?
A. Number 585.
- Q. Did he ask the boys where they got them? A. Yes sir.
- Q. What did they tell him? A. One of the boys said, "I am a tinsmith, I have been working in a factory but the factory is stopped and now in order to make something I make those things home on my own account."
- By Mr. Weeks. Q. Which one of the boys said that?
A. The bigger boy.
- Q. Baron, is that the boy that said he was the tinsmith?
A. Yes sir.
- Q. Did you know him before? A. No, I never knew him before.
- Q. Ask him what he thought of boys coming in with a box full of tin at ten o'clock at night, ask him why he buys such things of boys
A. I thought that he is manufacturing, that he is making those things - -- and he wants to explain something.

**POOR QUALITY
ORIGINAL**

0399

CROSS EXAMINED.

By Counsel. Q. You say you know that boy Baron? A. He recognizes him now but he did not know him that night when he came in, he recognizes him now as one of the boys.

Q. And he made the statement that he was a tinsmith?

A. Yes sir.

Q. Did you give the money to that Baron boy? A. I do not recollect to whom I gave the money because there were two, I was very busy when they came in and so I did not pay much attention.

By a Juror. Q. How is it that you know one of the boys and did not know the other one.

A. Because this boy came the day before, I think it was the day before with a sample and said, "I am making those things, will you buy such things?" I said, "yes, I will buy them."

By Counsel. Q. This Baron boy said that? A. Yes, the Baron boy said, "I am making those tins, will you buy those tins if I have ready some?" I said, "yes, if you have them ready I will buy them."

By a Juror. Q. Did you ever buy any of those at that price previous to that lot? A. He says, "a cent apiece he paid \$5.75."

Mr. Weeks: The People rest.

Counsel: I desire to recall the complainant for cross-examination.

ISRAEL SKILOPSKY, recalled by Counsel.

Q. You remember having been in the Police Court on the 11th day of November, it is October down here, it ought to be November you remember to have made a statement to the Clerk and the Judge?

A. Essex Market he said, in Eldridge Street he was.
By the Court. Q. Wasn't he before the Police Justice ?

A. The next day I was called to Essex Market.
By Counsel. Q. Do you remember having made your mark to a paper there, your statement ---- do you remember that it was read to you before you were asked to sign it? A. Yes sir, I only put my hand on the pen, I did not write, it was read to me but they speak the real German and I can't understand the real German.

Q. Do you remember to have stated there this, "that deponent was informed by Max Baron of 306 Cherry Street that on the 31st day of October, 1891. at about ten o'clock he saw the defendant with a box of tinware," Max Baron telling you that?

A. Gimple said that.

Q. Did Max Baron tell you that he saw the defendant with a box of tinware? A. Gimple went to the man where they sold those things.

By the Court. Q. Ask this witness if Max Baron told him that he saw this boy, the defendant with a box of tinware?

A. No, he did not tell him that.

Counsel: I offer this affidavit in evidence.

The Court: You can read it.

Counsel: (Reads) ".Deponent is informed by Max Baron of 306 Chorr. Street that on the 31st of October, 1891, about ten o'clock, P.M. he saw the defendant with a box of tinware and the defendant asked said Baron if he knew where to sell the said tin."

The Case for the Defence.

MICHEAL GOLDSTEIN, sworn and examined.

By Counsel. Q. Where were you living when you were arrested?

A. No. 306 Cherry Street.

Q. How long were you living there?
there one week.

A. I was living

Q. Do you know Max Baron?

A. Yes sir.

Q. How long have you known him?
the old country.

A. I know him from

Q. Did you break into any butcher store on the night of the
31st of October last?

A. NO.

Q. Did you go with Max Baron to sell any property at No. 30
Canal Street?

A. No sir.

Q. Did you ever see those articles of tin before?

A. I saw that in every place, in every room. I can't
talk good English.

Q. Did you ever have these tins in your possession?

A. What do you say?

The question was repeated through the Interpreter.

A. No sir.

Q. Did you at any time ever steal anything from anyone?

A. Never.

Q. Were you at 30 Canal Street any time with another boy and
sold goods there?
and I did not sell it.

A. No sir, I did not see the boy

Q. Before you lived at 306 Cherry Street this city where did
you live?

A. No. 222 Madison Street.

Q. What is your business.

A. I am a tailor.

Q. Where were you last employed?

A. With Mr. Kaplan,

No. 19 Rutger Place.

By the Court. Q. How long ago was that? A. I worked for him for about six months and then I got a quarrel with one of the workmen and I left him; it will be about five weeks ago when I left him; I had to board with Mr. Kaplan when I worked for him.

By Counsel. Q. Where were you living at the time that you were arrested? A. No. 306 Cherry Street.

Q. And you had been living there one week? A. Yes sir, a week when I came from the country I moved into that house.

Q. Where, what part of the country? A. Meriden, Conn.

Q. How long were you there? A. About seven days, I could not find work.

Q. Where is that pawn ticket? A. I gave it to my cousin.

By the Court. Q. When did you go to Connecticut? A. I went Monday night twelve o'clock.

Q. What day of the month? A. I can't tell the month but it must be about three weeks and a half now when I came back.

By Counsel. Q. Where is that pawn ticket you had in the box?

A. I gave it to my cousin.

Q. Is he in Court? A. I do not know, you can find him.

Q. Don't you know that the day that you pawned your coat and vest you went to Connecticut? A. The same day I was going in the country, the same day before I left I went to a pawn broker and I pawned my coat and vest.

By the Court. Q. What was the pawn broker's name?

A. Cohn, I do not know the number, it is in Canal St.

By Counsel. Q. Can you read and write? A. No, not in English.

POOR QUALITY
ORIGINAL

0403

Q. Don't you know what date was on that pawn ticket?

Objected to. Objection sustained.

Q. What time did you come back from Connecticut, what day of the month?

A. On a Monday morning at four o'clock.

By the Court. Q. How long did he stay in Connecticut?

A. Tuesday at four o'clock I arrived at New Haven, then I took a ticket to Meriden and Tuesday eight o'clock I arrived at Meriden.

By Counsel. Q. Do you know what day of the month it was that you came back from Connecticut to New York?

A. Monday four o'clock, he does not know the date of the month; I can't tell you because I do not know.

Q. Did Mike tell you to keep that pawn ticket?

A. O. he came Saturday and I gave him the pawn ticket to sell it and to try to get a lawyer for me.

The detective saw my pawn ticket, he gave it to me back.

Q. Did you ever have a quarrel with Max Barons?

A. Yes sir, this time.

Q. After you came back from Connecticut?

A. Yes sir.

Q. What did he say to you?

A. "I will fix you."

Q. What did he say that for?

A. Because I did not give him a dollar; he did not want it for a loan, he wanted me to give him a dollar.

Q. Do you remember the day that you were arrested, the day of the month?

A. It was in the same month.

Q. The 10th of November, was it not?

A. I cannot tell.

Q. You say you came back from Connecticut Monday, is that right?

A. Yes sir.

Q. Then what day of the week was it you were arrested?

A. I think it was a week after I arrived here on the

Monday when I was arrested.

Q. The following Monday, the 9th you came here and you were arrested on the 10th? A. Yes sir.

Q. You were here one week in New York before you were arrested, is that right? A. Yes sir, I was a week here before I was arrested.

Q. And the Monday before that you left New York for Connecticut A. Yes sir, so it is.

Q. What about those pawn tickets, did you have any pawn tickets representing a coat and vest or those articles?

A. When the detective brought me to the Station House I took out what I had and I showed him the pawn ticket, it was my own, for my coat and vest that pawn ticket, the detective saw it.

Q. Is it true that you told anyone the day of your arrest that you had some pawn tickets up in the room at 306 Cherry St.?

A. No, that is a lie.

Q. Were you ever arrested before? A. Never.

Q. What is the man's name in Connecticut? A. Buchinoki.

Q. What is his business? A. No. 12 Cedar Street, he keeps a kind of restaurant and boarding house --- people working in the factory board with him.

Q. Did you live with him during the week you were in Connecticut? A. Yes sir.

CROSS EXAMINED by Mr. Weeks.

Q. What is the name of your cousin? A. Ike, I don't know any other name, that is what we call him.

Q. Was he in court here Friday? A. He came Saturday to the Tombs, I did not see him here.

- Q. You had a talk with this same Counsel here Friday, didn't you in Court about your case? A. Yes sir.
- Q. And then on Saturday you saw this cousin of yours came to the Tombs and you gave him the pawn ticket? A. Yes sir, I gave him the pawn ticket.
- Q. How long had you been out of work when you started for Meriden? A. I was working but not steady, I did not work the whole week because I could not find a good place.
- Q. How much money did you have coming to you at the end of your week's work? A. When I left New York I had five dollars.
- Q. How much of that did you get on your coat for pawning it? A. Two dollars I got for the coat and vest.
- Q. Where did you get the other three dollars from? A. I worked a week.
- Q. Who paid it to you? A. The boss.
- Q. Kaplan? A. No.
- Q. Who was your boss? A. I was working for another boss.
- Q. What was his name? A. Harris, in Brownsville.
- Q. Long Island. is he related to Kaplan? A. No sir.
- Q. When did you stop working for Harris in Brownsville, what day of the week did you work there last? A. Friday.
- Q. And the Monday after that you went to Meriden, is that right? A. Yes sir. I went to Connecticut.
- Q. Is Mr. Harris in Court? A. I did not call him here.
- Q. Is your cousin Ike in Court, look around? A. I do not see him.
- Q. Is Mr. Kaplan here in Court? A. I do not see Kaplan but I seen the landlady over there.

Q From Kaplan's? A. Yes sir.

Q. What is her name? A I do not know her name.

By a Juror. Q. How long do you know your cousin? A. I know him from home, he was a young boy when he left.

Q. How long ago? A Six years ago.

By another Juror. Q. He hasnot changed his name, has he?

A. At home his name was Aria they make it Ike here.

By the Court. Q. What was his other name? A. I do not know.

By Mr. Weeks Q. Do you remember calling on that lady (Mrs. Simons.)

A. Yes sir.

Q. When? A. I took a place with Kaplan. He took me Saturday, the custom is when a man takes another Saturday he has to work the whole week; so I worked Sunday and Monday half a day and then he sacked me and he took another man to work; then I said, "why dn't you pay me for the time I worked."

Q. What day was it that you went to see Mrs. Simons?

A. On a Monday.

Q. The Monday before you were arrested? A. Yes sir, the night I got arrested.

Q. Did you tell Mrs. Simons then that you were working for Kaplan and Kaplan sent you there to get two dollars?

A. Yes sir.

Q. Was that true? A. Yes sir.

Q. Did Kaplan send you there to get two dollars?

A. He told me to come pay day and he will pay me and then I had no money and I went down to Mrs. Kaplan and she begged her to loan her two dollars.

Q. Mrs. Kaplan begged Mrs. Simons to loan her two dollars?

A. Yes sir.

Q. Did you get the two dollars? A. Yes sir.

Q. Mrs. Kaplan had not sent you for the two dollars?

A. No sir. I took it for my wages.

By a Juror. Q. How much money did you have after you got your ticket for New Haven?

A. \$1.15 I paid for the

ticket.

Q. How much did you have left?

A. I had left \$3.35.

THOMAS STAPLETON, recalled by Counsel.

Q. Do you remember Officer, when you arrested the defendant?

A. I do.

Q. Did you have him in custody at any time? A. I did.

Q. You took what pawn tickets from him, what property?

A. I took one ticket that he claimed was his own.

Q. What did that represent do you know? A. A coat and vest I believe.

Q. Do you remember the date on that ticket? A. I do not.

Q. Did not you read it? A. I disremember the day I went with the man that lost some property in that neighborhood to see if he would identify it as his property and he said no.

Q. You do not remember the date of the ticket? A. I do not.

Counsel: That is the case.

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

The prisoner was remanded for sentence.

**POOR QUALITY
ORIGINAL**

0408

Testimony in the case
of Michael Goldstein

filed Nov. 1991

POOR QUALITY ORIGINAL

0409

Form 199-12

53-71-12 (B) 20,000

DISTRICT ATTORNEY'S OFFICE

County of New York

OFFICE OF THE CHIEF CLERK.

July 14 1913.

PEOPLE	:	Indictment
vs	:	filed:
<i>Miss Goldstein</i>	:	
	:	<i>Nov 13 1913</i>

CLERK OF THE COURT OF
GENERAL SESSIONS:

Please send to this
office the following
original papers:

- Indictment, complaint &c.
- ~~Gorener's inquisition~~
- Original exhibits.
- ~~Stenographer's Minutes~~
- ~~of trial.~~

Respectfully yours,
Harry D. Sayre
Chief Clerk.

POOR QUALITY ORIGINAL

0410

Police Court 3 District.

City and County } ss.:
of New York,

of No. 296 Cherry Street, aged 21 years,
occupation Butcher being duly sworn

deposes and says, that the premises No. 296 Cherry Street, 7 Ward
in the City and County aforesaid the said being a Five story brick
Building - the ~~store~~ basement of
which was occupied by deponent as a Butcher shop and sleeping room
and in which there was at the time a human being, by name Myer Liberman

were BURGLARIOUSLY entered by means of forcibly removing a
wire screen which was fastened to the front
window of said place

on the 31 day of October 1891 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

One Over Coat and one pair of Pants
and a quantity of Tin ware used in
religious services - all together of
the value of Thirty dollars

the property of Deponent and another, and in deponents care & Custody
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
Mike Goldstein (now here)

for the reasons following, to wit: about the hour of 9 o'clock P.M.
on said date deponent left the said place
and left Myer Liberman in charge of said
place, the said property was then in said
place - deponent is informed by the said
Liberman that he securely locked and
fastened the doors and windows of said
place and then went to bed in said
place - deponent returned about the hour

POOR QUALITY ORIGINAL

04111

of 12 o'clock A. M. on said night and found the front of door of said place open - and the wire screen removed, and the said property missing, and the said Liberman was in bed asleep. Deponent is informed by Max Baron of 306 Cherry Street that on the 31st day of October 1891 - about 10 o'clock P. M. he saw the defendant with the box of Tin ware - defendant asked said Baron where if he knew where to sell the said Tin - Baron accompanied defendant to No 302 Canal Street, where he sold the Tin for five dollars and seventy cents.

Deponent is further informed by Isaac Eppler of No 17 Chrystie Street, that he accused defendant with having stolen said property, and told defendant that if he would tell him where the property could be found he would not be prosecuted - Defendant told said Eppler that two Pawn tickets could be found in defendant house - The said Eppler found two pawn ticket representing an overcoat and one pair of pants - Deponent went to the pawnshop represented by said tickets and saw the property, & that was pledged and fully identified it as his property that was stolen.

Israel Skilopsky
 Dated _____ 188__
 guilty of the offence within mentioned, I order n to be discharged.

There being no sufficient cause to believe the within named
 Dated _____ 188__
 I have admitted the above named
 to bail to answer by the undertaking hereby approved.

Summon to before me
 Dated _____ 188__
 of the City of New York, until he give such bail.
 and be committed to the Warden and Keeper of the City Prison
 he be held to answer the same and he be admitted to bail in the sum of
 Hundred Dollars.

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

Police Court, District, _____

THE PEOPLE, &c.,
 on the complaint of

1 _____
 2 _____
 3 _____
 4 _____

Offence—BURGLARY.

Date _____ 188__

Magistrate, _____
 Officer, _____
 Clerk, _____

Witness, _____
 No. _____ Street, _____
 No. _____ Street, _____
 \$ _____ to answer General Sessions.

POOR QUALITY ORIGINAL

0412

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 17 years, occupation Butcher of No. 496 Cherry Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Israel Skilopsky and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 11 day of Nov 1896, } his
 } Meyer Liberman
 } mark
[Signature]
Police Justice.

(3092)

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 16 years, occupation Painter of No. 306 Cherry Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of _____ and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 11 day of Nov 1896, } his
 } Israel Skilopsky
 } mark
[Signature]
Police Justice.

(3092)

POOR QUALITY ORIGINAL

0413

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 57 years, occupation Tailor of No. 17 Chuyetki Street, being duly sworn, deposes and

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

Sworn to before me, this 11 day of Nov 1890, } Israel Eppstein his mark

[Signature]
Police Justice

POOR QUALITY ORIGINAL

0414

Sec. 198-200.

3
District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

Mike Goldstein 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.

Mike Goldstein

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

Russia

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

Answer.

No 306 Cherry St Newark

Question. What is your business or profession?

Answer.

Tailor

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

Answer.

I am not guilty

his
Mike Goldstein
shank

Taken before me this
day of

[Signature]

Police Justice.

POOR QUALITY ORIGINAL

0415

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

Police Court District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Goldstein
James Goldstein
James Goldstein

1
 2
 3
 4
 Office _____

Dated Nov 11 1891

Wm. Duffly Magistrate

Wm. Duffly Magistrate
 306 E. 30th St.
 Precinct 11

Witnesses
 No. 1 *Paul W. King* Street _____
 No. 2 *George E. Brown* Street _____
 No. 3 *Pauline Stinson* Street _____

No. 4 *190 Pulpin Place* Street _____
Henry J. Stinson

No. 5 *1000* Street _____
1000

318 Broadway
 1891



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*

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

Dated Nov 11 1891 *Wm. Duffly* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY ORIGINAL

0416

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Goldstein

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

Michael Goldstein

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

The said Michael Goldstein

late of the 7th Ward of the City of New York, in the County of New York aforesaid, on the thirty-first day of October in the year of our Lord one thousand eight hundred and ninety-one, at the Ward, City and County aforesaid, the dwelling house of one Israel Skilopsky

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

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

[Handwritten signature]

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

POOR QUALITY
ORIGINAL

0417

SECOND COUNT—

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

Michael Goldstein
of the CRIME OF *Grand LARCENY in the first degree*, committed as follows:

The said

Michael Goldstein

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

*one overcoat of the value of twenty
dollars, one pair of trousers of
the value of five dollars, and
a quantity of tinware, (a more
particular description whereof
is to the Grand Jury aforesaid
unknown) of the value of five
dollars*

[Handwritten flourish]

of the goods, chattels and personal property of one

Israel Skilopsky

in the dwelling house of the said

Israel Skilopsky

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

POOR QUALITY
ORIGINAL

0418

THIRD COUNT:

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

Michael Goldstein
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

Michael Goldstein

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

one overcoat of the value of twenty dollars, one pair of trousers of the value of five dollars and a quantity of tinware (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of five dollars,

of the goods, chattels and personal property of one

Isaac Sklopsky

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

Isaac Sklopsky

unlawfully and unjustly did feloniously receive and have; the said

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

DE LANCEY NICOLL,

District Attorney.