

0482

BOX:

543

FOLDER:

4942

DESCRIPTION:

Goldman, Morris

DATE:

12/19/93



4942

0483

BOX:

543

FOLDER:

4942

DESCRIPTION:

Urig, Henry

DATE:

12/19/93



4942

Witnesses:

officer ⁸ Edwin Carpenter
13th Precinct

206
Counsel,

Filed 19th day of Dec 1893

Pleas, ^{15th Precinct} ^{200th Precinct} ^{15th Precinct} ^{200th Precinct} ^{15th Precinct} ^{200th Precinct}

THE PEOPLE

vs.

Morris Solomon

and

Henry Wing

15th Precinct
200th Precinct

DE LANCEY NICOLL,
District Attorney.

Read L.

Buyer in the Third District
Section 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120

A TRUE BILL.

B. Lockwood

Forerham
501 Avenue 1893

Even days January 1893.

102
St. of Juvenile Asylum
Jan 5/94

0489

Police Court— 3 District.

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

of No. 692 Tenth Avenue Street, aged 25 years,
occupation fund-dealer being duly sworn

deposes and says, that the premises No 48 Willetts Street,
in the City and County aforesaid, the said being a five-story brick building
the basement of
and which was occupied by deponent as a fund-shop
and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly breaking open
a window leading to said fund shop from
the rear

on the 9 day of December 1893 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of fund, the whole of the
value of Twenty-five Dollars

Sheriff's
Monday

\$ 25.00
100

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

Morris Goldman and Henry Trig
(both now here) acting in concert

for the reasons following, to wit: Deponent left said window securely
closed and fastened on December 9, at 6:30 PM,
said property being then in said
shop. On this date at 7 AM, deponent
found the place to be broken open and
the property to be missing. Deponent is informed
by Reuben Masters of No 281 Delancey
Street, in this city, that he saw the defendants
on the night aforesaid, having in their possession

a quantity of junk which they were offering for sale. Deponent further says that they had in their possession on this date property which he identifies as his missing goods. Wherefore deponent prays that defendants may be dealt with according to law.

Sworn to before me this } Thomas Daly
11th day of December 1893 }

[Signature]
Police Justice

Police Court _____ District.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

vs.
Burglary _____
Degree _____

Dated _____ 188 1

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street.

CITY AND COUNTY }
OF NEW YORK, } ss.

1021

Reuben Martnick
aged 12 years, occupation Schoolboy of No. 211 Delancey Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of *Thomas Daly* 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 December 1895 } *Reuben Martnick*
J. M. Ryan Police Justice.

Sec. 193-200.

3

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Morris Goldman 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.

Morris Goldman

Question. How old are you?

Answer.

15 years

Question. Where were you born?

Answer.

Germany

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

Answer.

233 Delancey Street 4 months

Question. What is your business or profession?

Answer.

No work

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
Morris Goldman*

Taken before me this
day of *March* 189*3*
Sam H. Ryan
Police Justice

Sec. 193-200.

J District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry Urig 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 and that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *Henry Urig*

Question. How old are you?

Answer. *15 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *257 Delancey Street 3 months*

Question. What is your business or profession?

Answer. *Shade maker*

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

Answer. *I am not guilty*
Henry Urig

Taken before me this
day of *Dec* 189*3*
J. M. [Signature]
Police Justice.

0490

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

Charles O. Chapman guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 500 Hundred Dollars, and be committed to the Local Police Department ~~Warden and Keeper of~~ the City Prison, of the City of New York, until he give such bail.

Dated Dec 11 1893 Sam. Ryan Police Justice.

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

Dated _____ 189 _____ Police Justice.

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

Dated _____ 189 _____ Police Justice.

Police Court--- 3 District. 1893

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas Day
692 - vs. 1092
1 Morris Goldman
2 Henry King
3
4
Offence Burglary

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

Dated Dec 11 1893
Ryan Magistrate.
Coffey Officer.
13 Precinct.

Witnesses R Martnick
No. 281 Delancey Street.
John H. Ditz
No. 297 - 4th Street.
No. 108 Each to answer



[Handwritten signature]

Grant of General Seaman
The People
vs
Morris Goldman

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

No. 297 FOURTH AVENUE,
(Corner East 23d Street.)

New York, Dec 11 1893

CASE NO. 77520 OFFICER Dietz
 DATE OF ARREST Dec 11/93
 CHARGE Burglary
 AGE OF CHILD fifteen
 RELIGION Hebrew
 FATHER Ignatz
 MOTHER Rosa
 RESIDENCE 233 Delany Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT The Society has no record of boy being arrested before. Boy has been away from home the past week, and was afraid to go home on account of losing his situation. Morris bears a good reputation in the house where he lives with his parents who are respectable people, and have a comfortable home.

All which is respectfully submitted,

Edwards Serkin
Rt

Edw. A. H.

Count of
General Account

The People
or
Morris Goldman

Boyer & Co
PENAL CODE, §

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

ELBRIDGE T. GERRY,
President, &c.,
No. 297 Fourth Avenue,
Corner East 23d Street,
NEW YORK CITY.

Report of General Session

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

No. 297 FOURTH AVENUE, (Corner East 23d Street.)

New York, Dec 11th 1893

The People
vs
Henry Morig

CASE NO. 77520 OFFICER Dietz
DATE OF ARREST Dec 11/93
CHARGE Burglary

AGE OF CHILD 15 years
RELIGION Protestant
FATHER

MOTHER Joseph
Susan

RESIDENCE 257 Delany St

AN INVESTIGATION BY THE SOCIETY SHOWS THAT The Society has no record of boy being arrested before. Henry will not go to work, & remain out late, at night, and associate with bad company and his parents cannot control him who are respectable people.

Parents have made application in 3rd Dist Court to have boy committed but could never get boy to Court.

All which is respectfully submitted.

To the District Atty.

O. Hollows Secretary
Dist

Count of
General Admission

The People
in
Henry Irving
PENAL CODE, 1899

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

ELBRIDGE T. GERRY,

President, &c.,

No. 297 Fourth Avenue,

Corner East 29th Street,

NEW YORK CITY.

0499

0496

C. E. Bulkley, Pres.
C. Osborne, Vice Pres.

F. J. Salisbury, Treas.
W. C. Dowd, Secy.

TRADE



MARK

STERLING.



SILVERSMITHS,
BROADWAY & 18 ST.

WORKS - FOURTH ST. AND LAFAYETTE PLACE.

New York, Jan 3 1893

Society for Prevention of cruelty to
Children
Gent^l

Owing to the persuasion
of the father of Morris Goldman
we will give the boy another
chance to work for us.

Yours very truly

Whiting Mfg Co.

C. O. C.

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

THE PEOPLE OF THE STATE OF NEW YORK
against
Morris Goldman
and
Henry Wrig

The Grand Jury of the City and County of New York, by this indictment accuse
Morris Goldman and Henry Wrig

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

The said *Morris Goldman and Henry Wrig, both*

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

Thomas Daly

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

Thomas Daly in the said *shop*

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

SECOND COUNT.—

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

Morris Goldman and Henry Wrig
of the CRIME OF *Petit* LARCENY committed as follows:

The said *Morris Goldman and Henry Wrig, both*

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 right-time of said day, with force and arms,

one hundred pounds of lead pipe of the value of ten cents each pound, one hundred pounds of copper of the value of ten cents each pound, and fifty pounds of brass of the value of ten cents each pound

of the goods, chattels and personal property of one

Thomas Daly
Thomas Daly

in the

shop

of the said

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

THIRD COUNT.—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Morris Goldman and Henry Wrig
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Morris Goldman and Henry Wrig*, both

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

*one hundred pounds of lead pipe of the value of ten cents each pound
one hundred pounds of copper of the value of ten cents each pound and fifty pounds of brass of the value of ten cents each pound*

of the goods, chattels and personal property of

Thomas Daly

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

Thomas Daly

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

Morris Goldman and Henry Wrig

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

DE LANCEY NICOLL,
District Attorney.

0500

BOX:

543

FOLDER:

4942

DESCRIPTION:

Goldstein, William

DATE:

12/04/93



4942

24

Witnesses:

COURT OF OYER AND TERMINER.

Counsel,

Filed, 4 day of Dec 1893

Pleas, *Not guilty*

THE PEOPLE

vs.

B

William Goldstein

General Sessions
of the COUNTY of NEW YORK
Term held at the City of New York
Dec 8 1893

VIOLATION OF THE EXCISE LAW.
(Illegal Sales Without License.)
[Chap. 401, Laws of 1892, § 81.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. R. J. Cross Foreman.
Paid 3. Dec. 18. 1893.
Forfeited

0502

6th

City and County of New York, ss:

William 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. William Goldstein

Question. How old are you?

Answer. 39 years

Question. Where were you born?

Answer. Russia

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

Answer. Webster Ave & 177th St

Question. What is your business or profession?

Answer. Mailman

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 deny all guilt of the charge
and demand my trial
Wilhelm Goldstein

Taken before me this

16th

day of

July
1893

Police Justice

050



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

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

Dated July 16th 1893 Bledsums Jr. Police Justice.

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

Dated July 16th 1893 Bledsums Jr. 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.

Selling without License 757
Police Court--- 6th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James J. Sals

1. *William Esenstein*

2. _____

3. _____

4. _____

Esenstein
Offence

Dated *July 16th* 1893

Ervin Magistrate.

Sals Officer.

34 Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *100* to answer *Esenstein*

Bailed



BAILED,

No. 1, by *Louis Klopfer*

Residence *7821* Street.

No. 2, by *John. Hoff*

Residence *2082 Washington* Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Residence _____ Street.

Excise Violation—Selling Without License.

POLICE COURT—6th DISTRICT.

City and County } ss.
of New York,

of No. the 34th Precinct Police Street,
of the City of New York, being duly sworn, deposes and says, that on the 15th day
of July 1893, in the City of New York, in the County of New York, at
No. South 10th Avenue & 127th Street,
William Goldstein (now here)

did then and THERE SELL, CAUSE, suffer and permit to be sold, under his direction and authority,
strong and spirituous liquors, wines, ale and beer, being intoxication liquors, in quantities less than
five gallons at a time, to be drunk in the house or premises aforesaid WITHOUT HAVING A
PROPER LICENSE THEREFOR contrary to and in violation of the statute in such case made
and provided and did sell to deponent for
the sum of two cents one bottle
of Lager Beer

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

Sworn to before me, this 16th day }
of July 1893 } James J. Daly
W. E. Dumas Police Justice.

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Goldstein

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

William Goldstein

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINE, ALE AND BEER, IN QUANTITIES LESS THAN FIVE GALLONS AT A TIME, WITHOUT HAVING A LICENSE THEREFOR, committed as follows:

The said *William Goldstein*, —

late of the City of New York, in the County of New York aforesaid, on the *15th* day of *July* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, certain strong and spirituous liquors, and certain wine, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantities less than five gallons at a time, to *one James J. Daly*, and to

certain *other* persons whose names are to the Grand Jury aforesaid unknown, without having a license granted to him in pursuance of any law of this State permitting him to sell either strong or spirituous liquors, wines, ale or beer, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

DE LANCEY NICOLL,

District Attorney.

050

BOX:

543

FOLDER:

4942

DESCRIPTION:

Goldstein, William

DATE:

12/06/93



4942

0508

38

Witnesses:

COURT OF OYER AND TERMINER.

Counsel,

Filed,

6th day of Dec 1893

Pleads,

Transferred to the Court of Special Sessions by the People final disposition.

Part 27... 1893

William Goldstein

General Sessions

Dec 8th 93

VIOLATION OF THE EXCISE LAW
selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

R. J. Cross Foreman.

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Goldstein

The Grand Jury of the City and County of New York, by this indictment, accuse of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *William Goldstein*

late of the City of New York, in the County of New York aforesaid, on the — 27th — day of *August* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

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

SECOND COUNT—

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

William Goldstein
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *William Goldstein*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

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

DE LANCEY NICOLL,

District Attorney.

05 10

BOX:

543

FOLDER:

4942

DESCRIPTION:

Goss, Patrick

DATE:

12/22/93



4942

Witnesses:

H. W. Linker

Counsel,

Filed 23rd day of Dec 1898

Pleads, Not Guilty (26)

ENTERED
T. J. W.

THE PEOPLE

vs.

Patrick Goss

MISDEMEANOR.
[Chap. 877, Laws of 1887, as amended by Chap. 181,
Laws of 1888.]

DE LANCEY NICOLL,

Part 2. Nov 18th 1898 District Attorney.
On motion of Dist. Atty. Defl.
discharged on his own recognizance

A TRUE BILL.

M. T. M. B.
B. Lockwood

Foreman.

Under Ch. 376 Laws of 1896, and
the principle established in
People v. Hartung, I am
constrained to recom-
mend the discharge of
defl on his own recognizance.
Oct. 18/98

Whittham
Jason M. Chiland

Asst. Dist. Atty.

272
ordered

051

354

DISTRICT POLICE COURT.

State of New York, City and County of New York

ss:

William W. Lenth, being sworn says: I am 27 years of age; I reside at 221 East 38th New York City My business is that of Detective; I am the agent of John Bolen, successor to and transferee of all the interests of the late firm of Bolen & Byrne, lately composed of said John Bolen and John Byrne, now deceased,

Said John Bolen, successor to and transferee as aforesaid, is engaged in bottling and selling lager beer, soda waters, mineral and aerated waters and other beverages, in bottles, boxes, syphons and kegs, with his name and other marks and devices branded, stamped, engraved etched, blown, impressed and otherwise produced upon such bottles, boxes, syphons and kegs, and his principal place of business was at the times hereinafter mentioned ever since has been and now is at the city of New York, and County of New York and State aforesaid. The name and other marks and devices so as aforesaid produced upon said bottles, boxes, syphons and kegs, and a description thereof is as follows, viz.: Bolen & Byrne.

Said description of said name and other marks and devices so as aforesaid used by the said John Bolen, successor to and transferee as aforesaid, upon said bottles, boxes, syphons and kegs, was on the 16th day of April, 1889, duly filed in the office of the Clerk of New York County in the State of New York, and also in the office of the Secretary of State of the State of New York, on the 15th day of April, 1889; and such description was by said John Bolen and John Byrne while co-partners as aforesaid, thereafter caused to be printed and was printed for three weeks successively in two daily newspapers, published in said City and County of New York. Said John Bolen, successor to and transferee as aforesaid, has in all things complied with Chapter 377 of the Laws of the State of New York for 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888. That said John Bolen, successor to and transferee as aforesaid, is the owner of the following described property, marked and distinguished as hereinbefore stated, viz.: divers bottles, boxes, syphons and kegs, the number of which is unknown to deponent. That the same are so marked and distinguished as aforesaid with and by the said name and other marks and devices of which a description has been, as hereinbefore stated, duly filed and published as provided in Section I. of Chapter 377 of the Laws of the State of New York for 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888 passed April 26th, 1888. Deponent further says that John Doe, the name John Doe being fictitious, he defunct and that name being unknown to deponent is a

junk dealer, dealer in second-hand articles, vendor of bottles; and deponent has reason to believe, and does believe and avers the fact to be, that said

John Doe

has in his possession and secreted on the premises hereinafter described, the said divers bottles, boxes syphons and kegs, so marked and distinguished as aforesaid, the property of the said John Bolen, successor to and transferee as aforesaid, and is he has been unlawfully buying, selling, giving, taking and otherwise disposing of and trafficking in said divers bottles, boxes, syphons and kegs, marked and distinguished as aforesaid in and upon the following described premises used and occupied by the said John Doe viz: The first floor, basement and cellar of the building and premises known and described as number 339 East 35th Street in the City, County and State of New York, and all barrels, boxes and bags, on the side walk in said City and County of New York, immediately in front of said premises numbered 339 East 35th Street, and all wagons in said City and County of New York in use of said John Doe within one hundred feet said premises.

All of which the said John Doe is and has been

doing contrary to the Laws of the State of New York in such case made and provided, and without having obtained the written consent of or having purchased the said divers bottles, boxes, syphons and kegs from the said John Bolen, successor to and transferee as aforesaid.

That the reason for deponent's said belief, and the further facts upon which this affidavit is based are that on the 27th day of July 1890 Deponent saw a man enter the above described premises occupied by said John Doe, having with him bottles marked and distinguished as aforesaid and having Bolen & Byrne produced thereon, and likewise saw said man shortly after entering said premises come out therefrom without said bottles

Subscribed and sworn to before me, this 1st day of August 1890

J. W. Smith Police Justice

J. W. Smith

05 13

(101)

J. No. 362

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

HERMAN W. LINKER.

vs.

John Doe

AFFIDAVIT.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,

No. ²²¹~~221~~ ³⁸⁴~~15th~~ East ~~15th~~ Street,

NEW YORK CITY.

05 14

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

Horace W. Linker

of No. *221 East 3rd* Street, being duly sworn, deposes and says,
that *Patrick Goss* (now present) is the person of the name of
John Doe mentioned in deponent's affidavit of the *first*
day of *August* 18*92* hereunto annexed.

Sworn to before me, this *14*
day of *August* 18*92*

H. W. Linker

J. Mitchell POLICE JUSTICE.

0519

Sec. 198-200

District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

Patrick Goss

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. Patrick Goss

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. N. I.

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

Answer. 698 Second Ave 2 years

Question. What is your business or profession?

Answer. Bombmaker

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

Answer. I am not guilty, and demand a trial by a jury Patrick Goss

Taken before me this

19th

day of August 1892

J. W. [Signature]
Police Justice.

05 16

A 3574

State of New York,
City and County of
New York

ss:

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

To any Peace Officer in this State or in the County of *New York*
Proof by affidavit having been this day made before me, by *Herman W. Linder*
of *221 East 58th Street in said city of New York*

that the following described property, to wit:
divers bottles, boxes, syphons and kegs, the number of which is unknown to deponent, the
property of John Bolen, successor to and transferee of all the rights and interests of the late firm of
Bolen & Byrne, lately composed of said John Bolen and John Byrne, now deceased, having
branded, blown, etched and otherwise produced on said bottles, boxes, syphons and kegs,
Bolen & Byrne,
Was unlawfully taken, and has been and is being unlawfully had, used, filled, bought, sold,
disposed of and trafficked in, contrary to the provisions of Chapter 377, Laws of the State of New
York, for the year 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the
State of New York for the year 1888, passed April 26, 1888, and that there is reasonable ground to
believe that the said property was unlawfully taken and has been and is being unlawfully had,
used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of said act by

John Doe, the name of John Doe being fictitious
the deponent's real name being unknown
and that there is probable cause for believing that the said divers bottles, boxes, syphons and kegs
are now in the possession of the said
John Doe

and are now concealed in and upon the following described premises used and occupied by said
John Doe viz: the first floor, basement and
cellar of the building and premises known
and described as chamber 339 East 55th
Street in the city, County and State of
New York, and all barrels, boxes and
bags on the side walk immediately in
front of said premises number 339 East
35th Street and all wagons in said city and
County of New York in use by said John
Doe within one hundred feet of said
premises

You are, therefore, in the name of the People of the State of New York, commanded and author-
ized, with proper assistance, in the day-time, or at any time of the day
to enter the building and premises of the said

John Doe situate as aforesaid,
and there make immediate search for the said divers bottles, boxes, syphons and kegs, and if you
find the same, or any part thereof, then you are likewise commanded to bring the same so
found, together with the said

forthwith, before me, at *John Doe* District Police Court in said New York City

to be dealt with as the law directs,

Dated at *New York City* the *first* day of *August* 189*2*

John Doe
Police Justice

0517

Inventory of property taken by Abraham Philips by whom this warrant was executed, from Patrick Goss

in whose possession it was found, & from within described premises ~~from whom it was taken,~~ where the property was found, ~~no person being there.~~

36 Bottles Filled,
Bottles Empty,
5 Boxes, syringes
Total, 41

each said 36 bottles and
each said 5 syringes having
produced receipts, Robert
B. Byrne

COUNTY OF

New York ss:

I Abraham Philips

the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all the property taken by me on this warrant.

Sworn to before me, this 1st day of August 1892

Abraham Philips

J. W. Wilby
Police Justice

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

Samuel W. Linder
vs.

John Doe

SEARCH WARRANT
AND
WARRANT OF ARREST.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,
221 ~~38th~~ East 15th Street,
NEW YORK CITY.

Patrick Goss - 22
Ms. Red Cap - 2 Ave
Officer Philips

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

Dated Aug 1 1892 *J. Hillburt* Police Justice.

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

Dated Aug 1 1892 *J. Hillburt* 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.

051

Police Court--- *m' B O 941* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Norman W. Linder

vs.

1 *Patrick Goss*

2

3

4

Offence La Breaud

BAILED.

No. 1, by *Patrick Sullivan*
Residence *379 E. 35th* Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *Aug 1* 18*92*
Kilbuck Magistrate.

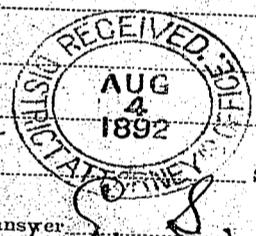
Phillips Officer.

Cook Precinct.

Witnesses *H. W. Linder*
No. *221 E. 38th* Street.

No. *Call the* Street.
officer

No. _____ Street.
\$ *300* to answer.
Bailed



0521

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Patrick Goss

The Grand Jury of the City and County of New York, by this indictment accuse *Patrick Goss* of a misdemeanor, to wit: the crime of offending against the provisions of the second section of the Act of the Legislature of this State, passed May 18th, 1887, entitled: "An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," as the same was amended by a certain other Act of the Legislature of this State, passed April 26th, 1888, entitled: "An Act to amend Chapter three hundred and seventy-seven of the Laws of eighteen hundred and eighty-seven, entitled 'An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,'" committed as follows:

Heretofore, and ^{to wit: on} prior to the day of the commission of the crime and misdemeanor hereinafter alleged, *John Bolen*, successor to and transferee of all the interests of the late firm of *Bolen and Byrne*, ^{city} ~~city~~ composed of *John Bolen* and *John Byrne*, now deceased having ^{his} principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling ^{lager beer, soda water, mineral and aerated waters} and other beverages in bottles, ^{and syphons} with ⁱⁿ name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, ^{as a description of which had been by the said firm of Bolen and Byrne heretofore duly filed} did duly file in the office of the Clerk of the said County of New York, to wit: on the ^{16th} day of ^{April} 18 ⁸⁹, and also in the office of the Secretary of State of the State of New York, to wit: on the ^{15th} day of ^{April} 18 ⁸⁹, a description of the name, marks and devices so used by ^{as aforesaid} and did ^{was duly} cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid so as aforesaid produced upon such bottles, ^{and syphon} and a description of which had been so duly filed and published as required by law as aforesaid, the said *John Bolen* used the name: "*Bolen & Byrne*" upon such bottles

And the said *Patrick Goss* late of the City and County aforesaid, afterwards to wit: on the ^{27th} day of ^{July} 1892, at the City and County aforesaid, did unlawfully buy from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said *John Bolen* divers to wit: ^{thirty or} certain bottles ^{and syphon} which and each of which were and was then

and there marked and distinguished as aforesaid, with and by the said name "*Bolem & Byrne*" of the said *John Bolem* being the name of which a description had been so filed and published as aforesaid, which said bottles *and siphons* had not been purchased from the said *John Bolem*; 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 *Patrick Goss* of the same misdemeanor, committed as follows:

Heretofore and prior to the day of commission of the crime and misdemeanor hereinafter alleged, *John Bolem*, successor to and transferee of all the interests of the late firm of *Bolem and Byrne*, lately composed of said *John Bolem* and *John Byrne*, now deceased, having his principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling *beer, soda water, mineral and* other beverages, in bottles *and siphons* with a name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, *did* ~~did~~ file in the office of the Clerk of the said County of New York, to wit: on the *16th* day of *April* 18 *89*, and also in the Office of the Secretary of State of the State of New York, to wit: on the *15th* day of *April* 18 *89* a description of the name, marks and devices so used *as aforesaid* by him, and *did* ~~did~~ cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, *and siphons* and a description of which had been so duly filed and published as required by law, as aforesaid, the said *John Bolem* used the name "*Bolem & Byrne*" upon such *bottles*.

And the said *Patrick Goss* late of the City and County aforesaid, afterwards, to wit: on the *27th* day of *July* 189 *2*, at the City and County aforesaid, did unlawfully take from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said *John Bolem* divers, to wit: *thirty* certain bottles, *and five siphons* which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name "*Bolem & Byrne*" of the said *John Bolem* being the name of which a description had been so filed and published as aforesaid, and which said bottles, *and siphons* had not been purchased from the said *John Bolem* against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment further accuse the said *Patrick Goss* of the same misdemeanor, committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, *John Bolem*, successor to, and transferee of all the interests of the late firm of *Bolem and Byrne*, lately composed of said *John Bolem* and *John Byrne*, now deceased, having his principal place of business in the said City of New York, being at all the times herein-

after mentioned engaged in bottling and selling ^{and aerated waters} Lager beer, soda water, mineral, and other beverages in bottles, ~~and siphons~~ with ^a name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, ^{a description which had been theretofore by the said firm of Bolen and Byrne theretofore} and duly filed in the office of the Clerk of the said County of New York, to wit: on the 16th day of April 1889, and also in the office of the Secretary of State of the State of New York, to wit: on the day of April 1889, a description of the name, marks and devices so used by ^{as aforesaid} and ~~did~~ ^{was duly} cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, ~~and siphons~~ and a description of which had been so duly filed and published as required by law, the said John Bolen used the name "Bolen & Byrne" upon such bottles and siphons.

And the said Patrick Goss, late of the City and County aforesaid, afterwards, to wit: on the 27th day of July 1893, at the City and County aforesaid, did unlawfully, traffic in and dispose of in a manner and by means to the Grand Jury aforesaid, unknown, without the consent of the said John Bolen divers, to wit: thirty-six certain bottles, ^{and five siphons} which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name "Bolen & Byrne" of the said John Bolen being the name

of which a description had been so filed and published as aforesaid, and which said bottles ^{and siphons} had not been purchased from the said John Bolen against the form of the Statute in such case made and provided against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

0523

Witnesses:

A W Louke

Counsel,

Filed

day of

189

Pleads,

Not guilty (26)

FILED
NOV 11 1898

THE PEOPLE

vs.

B
Patrick Gos

MISDEMEANOR.
[Chap. 377, Laws of 1897, as amended by Chap. 181,
Laws of 1898.]

DE LANCEY NICOLL,

Part 2. Nov 18th 1898 District Attorney.
On motion of Dist. atty. Defendant
discharged on his own recognizance

A TRUE BILL.

B. Foxwood

Foreman.

Chapter 376 of the Laws of 1896,
repealing portions of the statute
under which this indictment was
obtained, compliance, under
the principle established
in People v. Hartung, to re-
commence defendant discharged
on his own recognizance
Oct 1898

John the court off

I entered in the book below
minutes of Court below
Nov. 18 98

0524

X355

4th DISTRICT POLICE COURT.

State of New York, City and County of NEW YORK.

ss:

HERMAN W. LINKER. being sworn says: I am 27 years of age; I reside at 221 EAST 38th STREET New York City My business is that of Detective

I am the agent of Charles Lehing. Said Charles Lehing is engaged in bottling and selling soda water, cider, and other beverages, in bottles, boxes and kegs, with his name and other marks and devices branded, stamped, engraved etched, blown, impressed and otherwise produced upon such bottles, boxes and kegs, and his principal place of business was at the times hereinafter mentioned ever since has been and now is at the city of New York, and County of New York and State aforesaid. The name and other marks and devices so as aforesaid produced upon said bottles, boxes and kegs, and a description thereof is as follows, viz.: on some bottles Holthusen & Lehing, on other bottles Charles Lehing, on boxes and kegs Charles Lehing.

Said description of said name and other marks and devices so as aforesaid used by the said Charles Lehing upon said bottles, boxes and kegs, was on the 14th day of February, 1889, duly filed in the office of the Clerk of New York County in the State of New York, and also in the office of the Secretary of State of the State of New York, on the 12th day of February, 1889; and such description was by said Charles Lehing thereafter caused to be printed and was printed for three weeks successively in two daily newspapers, published in said City and County of New York. Said Charles Lehing has in all things complied with Chapter 377 of the Laws of the State of New York for 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888. That said Charles Lehing is the owner of the following described property, marked and distinguished as hereinbefore stated, viz.: divers bottles, boxes and kegs, the number of which is unknown to deponent. That the same are so marked and distinguished as aforesaid with and by the said name and other marks and devices of which a description has been, as hereinbefore stated, duly filed and published as provided in Section I. of Chapter 377 of the Laws of the State of New York for 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888, passed April 26th, 1888. Deponent further says that John Doe, the name John Doe being fictitious, the deponent's real name being unknown to deponent, is a

junk dealer, dealer in second-hand articles, vendor of bottles; and deponent has reason to believe, and does believe and avers the fact to be, that said

John Doe

has in his possession and secreted on the premises hereinafter described, the said divers bottles, boxes and kegs, so marked and distinguished as aforesaid, the property of the said Charles Lehing, and he has been unlawfully buying, selling, giving, taking and otherwise disposing of and trafficking in said divers bottles, boxes and kegs, marked and distinguished as aforesaid in and upon the following described premises used and occupied by the said John Doe viz: the first floor, basement and cellar of the building situated at the premises known and described as number 339 East 35th Street in the City, County and State of New York, and all barrels, boxes and kegs in the sidewalk in said City and County of New York immediately in front of said premises 339 East 35th Street, and all wagons in the said City and County of New York in use by said John Doe within one hundred feet of said premises number 339 East 35th Street.

All of which the said John Doe is and has been

doing contrary to the Laws of the State of New York in such case made and provided, and without having obtained the written consent of or having purchased the said divers bottles, boxes and kegs from the said Charles Lehing.

That the reason for deponent's said belief, and the further facts upon which this affidavit is based are that on the 27th day of July 1892 Deponent saw a man to him unknown enter said above described premises occupied by said John Doe having with him bottles having the above described and other marks and devices upon them and shortly thereafter came out of said premises without said bottles

Subscribed and sworn to before me, } this 1st day of August 1892 }

J. W. Linker

POLICE JUSTICE.

H. W. Linker

(M)

J No. 355

THE PEOPLE, ETC.,

OF THE COMPLAINT OF

HERMAN W. LINKER.

vs.

John Doe

AFFIDAVIT.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,

221 38th St

No. 144 East 14th Street,

NEW YORK CITY.

0529

0528

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

Arnould, Lehu

of No. *221 East 38th* Street, being duly sworn, deposes and says,
that *Patrick Gos* (now present) is the person of the name of
John Doe mentioned in deponent's affidavit of the *first*
day of *August* 18*92*, hereunto annexed.

Sworn to before me, this *14*
day of *August* 18*92* } *A. M. Linker*

J. Mitchell POLICE JUSTICE.

Sec. 198-200

CITY AND COUNTY OF NEW YORK } ss.

Patrick Gors 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. *Patrick Gors*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *M. S.*

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

Answer. *678 Second Avenue, 2 years*

Question. What is your business or profession?

Answer. *Method dealer*

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

Answer. *I am not guilty, and demand a trial by a jury. Patrick Gors*

Taken before me this 1st day of August 1894
[Signature]
Police Justice.

0528

State of New York,
City and County of
New York

ss:

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

To any Peace Officer in this State or in the County of New York

Proof by affidavit having been this day made before me, by *Hermonald Linder*
of number 221 East 38th Street New York City

that the following described property, to wit:
divers bottles, boxes and kegs, the number of which is unknown to deponent, the property of
Charles Lehing, having branded, blown, etched and otherwise produced on some of said bottles
Holthusen & Lehing, on others of said bottles Charles Lehing, and on said boxes and kegs
Charles Lehing.

Was unlawfully taken, and has been and is being unlawfully had, used, filled, bought, sold,
disposed of and trafficked in, contrary to the provisions of Chapter 377, Laws of the State of New
York, for the year 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the
State of New York for the year 1888, passed April 26, 1888, and that there is reasonable ground to
believe that the said property was unlawfully taken and has been and is being unlawfully had,
used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of said act by

*John Doe, the name John Doe being fictitious, the
defendant's real name being unknown to deponent*

and that there is probable cause for believing that the said divers bottles, boxes and kegs are now
in the possession of the said

John Doe

and are now concealed in and upon the following described premises used and occupied by said

*John Doe viz: The first floor basement and
Cellar of the building and premises known and
described as number 339 East 35th Street in the City
County and State of New York, and all barrels, boxes
and bags on the sidewalk in said City and County
of New York, immediately in front of said premises
Nos 339 East 35th Street, and all wagons in said
City and County of New York, in use by said
John Doe, within one hundred feet of said
premises*

You are, therefore, in the name of the People of the State of New York, commanded and author-
ized, with proper assistance, in the day-time, or at any time of the day
to enter the building and premises of the said

John Doe

situate as aforesaid,

and there make immediate search for the said divers bottles, boxes and kegs, and if you find
the same, or any part thereof, then you are likewise commanded to bring the same so found,
together with the said

John Doe

forthwith, before me, at *4th District Police Court in said New York City,*

to be dealt with as the law directs.

Dated at *New York City* the *First* day of *August* 189*2*

J. H. ...
Police Justice

Inventory of property taken by Abraham Philips by whom this
warrant was executed, from Patrick Gos
in whose possssion it was found, & from within deserted premises from whom it was taken,
where the property was found, no person being there.

Bottles Filled, Leach said 33 bottles
Bottles Empty, produced thruon Charles
Boxes, Lehiny
Total, _____

COUNTY OF

New York

ss:

I Abraham Philips

the officer by whom this warrant was
executed, do swear that the above inventory contains a true and detailed account of all the
property taken by me on this warrant.

Sworn to before me, this first
day of August 1897

Abraham Philips

J. Kilbuck
Police Justice

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

HERMAN W. LINKER,

vs.

Robert Doe

SEARCH WARRANT
AND
WARRANT OF ARREST.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,

No. 121 East 15th Street,
NEW YORK CITY.

0530

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

Dated Aug 1 1892 *J. Mitchell* Police Justice.

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

Dated Aug 1 1892 *J. Mitchell* 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.

NY 30 941

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Herman M. Lenta

vs.

1 *Patrick Cross*

2

3

4

Offence No 13-11-12

BAILED,

No. 1, by *Patrick Sullivan*

Residence *329 E 75th* Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *Aug 1* 1892

Kelbeth Magistrate.

Philips Officer.

Court Precinct

Witnesses *Mr Lenta*

No. *22 E 38th* Street.

No. _____ Street.

No. _____ Street.

\$ *300* to answer

Bailed

*Call the
officer*



0530

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Salvador Lopez

The Grand Jury of the City and County of New York, by this indictment accuse *Salvador Lopez* of a misdemeanor, to wit: the crime of offending against the provisions of the second section of the Act of the Legislature of this State, passed May 18th, 1887, entitled: "An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," as the same was amended by a certain other Act of the Legislature of this State, passed April 26th, 1888, entitled: "An Act to amend Chapter three hundred and seventy-seven of the Laws of eighteen hundred and eighty-seven, entitled 'An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,'" committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, *one Charles Sedring* -
having *his* principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling *soda water, cider,* and other beverages in bottles, _____ with *his* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *14th* day of *February*, 1899, and also in the office of the Secretary of State of the State of New York, to wit: on the *12th* day of *February*, 1899, a description of the name, marks and devices so used by *him* and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid so as aforesaid produced upon such bottles, _____ and a description of which had been so duly filed and published as required by law as aforesaid, the said *Charles Sedring* used the name "*Charles Sedring*" upon such *bottles*.

And the said *Salvador Lopez*, late of the City and County aforesaid, afterwards to wit: on the *3rd* day of *August*, 1892, at the City and County aforesaid, did unlawfully buy from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said *Charles Sedring* divers to wit: *three* certain bottles, _____ which and each of which were and was then

and there marked and distinguished as aforesaid, with and by the said name "Charles
Lehning" of the said Charles Lehning being the name
of which a description had been so filed and published as
aforesaid, which said bottles _____ had not been purchased from the said Charles
Lehning; 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
Patrick Gross of the same misdemeanor, committed
as follows:

Heretofore and prior to the day of Commission of the crime and misdemeanor hereinafter
alleged, one Charles Lehning
having his principal place of business in the said City of New York, being at all the times
hereinafter mentioned engaged in bottling and selling soda water, cyder and
other beverages, in bottles _____ with his name and
other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced
thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the 14th
day of February 1889, and also in the Office of the Secretary of State of the
State of New York, to wit: on the 12th day of February 1889,
a description of the name, marks and devices so used by him, and did duly cause such description to be
printed and published for three weeks successively in two daily newspapers published in the said City of
New York, as required by the Statute in such case made and provided, and among the marks and
devices aforesaid, so as aforesaid produced upon such bottles, _____
and a description of which had been so duly filed and published as required by law, as aforesaid, the said
Charles Lehning used the name "Charles Lehning"
upon such bottles

And the said Patrick Gross late of the City and County
aforesaid, afterwards, to wit: on the first day August 1892, at
the City and County aforesaid, did unlawfully take from a certain person or persons to the Grand Jury
aforesaid unknown, without the consent of the said Charles Lehning
_____ divers, to wit: thirty certain bottles, _____ which
and each of which were and was then, and there so marked and distinguished as aforesaid, with and by the
said name Charles Lehning of the said Charles Lehning being the name
_____ of which a description had been so filed and published as aforesaid, and which said bottles,
_____ had not been purchased from the said Charles Lehning
against the form of the Statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment further accuse the said _____
Patrick Gross of the same misdemeanor, committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter
alleged, one Charles Lehning
having his principal place of business in the said City of New York, being at all the times herein-

after mentioned engaged in bottling and selling *soda water, cider* and other beverages in bottles, _____ with *his* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *14th* day of *February* 18*89*, and also in the office of the Secretary of State of the State of New York, to wit: on the *2th* day of *February* 18*89*, a description of the name, marks and devices so used by *him* and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, _____ and a description of which had been so duly filed and published as required by law, the said *Charles Lehing* used the name "*Charles Lehing*" upon such *bottles*.

And the said *Patrick Goos* late of the City and County aforesaid, afterwards, to wit: on the *first* day of *August* 189*2*, at the City and County aforesaid, did unlawfully traffic in and dispose of in a manner and by means to the Grand Jury aforesaid, unknown, without the consent of the said *Charles Lehing* divers, to wit: *thirty-three* certain bottles, _____ which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name "*Charles Lehing*" of the said *Charles Lehing* being the name of which a description had been so filed and published as aforesaid, and which said bottles _____ had not been purchased from the said *Charles Lehing* against the form of the Statute in such case made and provided against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

0534

BOX:

543

FOLDER:

4942

DESCRIPTION:

Graffen, Jacob

DATE:

12/22/93



4942

Witnesses:

Officer *Thos J. Madden*
1st Precinct

Counsel,

Filed *27* day of *Dec* 189*4*

Pleads, *not guilty 26*

THE PEOPLE

vs.

J. B. a
291
544 *Chaitin* *and* *Hooper* *Esq.*
Arguing
J
Jacob Graffen

Grand Larceny, Second Degree
[Sections 528, 529, 530, Penal Code.]

P. L. Jan'y 9. 1894
Tried and convicted
J. L. d' degree

DE LANCEY NICOLL,

District Attorney.

Elmira Ref.

A TRUE BILL.

B. Lockwood

Foreman.

Police Court District.

Affidavit-Larceny.

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

of No. 94 East Broadway Street, aged 27 years,
occupation Hay Goods being duly sworn,
deposes and says, that on the 18th day of December 1893 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the pos-
session of the deponent, in the night time, the following property, viz:

- Three gold plated watches,
 - Three silver " "
 - 6 Revolving pistols - 9 Boxes Cartridges
 - 18 doz plated rings - 2 doz plated chains
 - 2 doz purses & pocket books
 - 1 pair small scissors - 6 Razors
 - 1 Benzine all together of the value of
- Ninety six 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 Jacob Cropper known

for the reasons following to wit
That on the aforesaid day deponent
missed the aforesaid property from
two cases and boxes which he had
in the cellar of 1 South 11th and
caused said defendant to be arrested
and found on his person & in his
possession 4 plated rings 1 Pocket
knife 1 plated vest chain, one pocket
book one pair of scissors which
deponent fully identifies as being
his and being the portion of the with-
named property, and he therefore
charges said defendant with the
larceny of aforesaid Jacob Cropper

Subscribed and sworn to before me this 18th day of December 1893
John M. [Signature]
Police Justice.

0538

(1895)

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Jacob Graffan 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. *Jacob Graffan*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *West Hoboken 2 months*

Question. What is your business or profession?

Answer. *Fireman*

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 I have witnesses to prove I am not guilty*

Jacob Graffan

Taken before me this

19

1893

Police Justice.

0534

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

Henry J. [Signature]

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 100 Hundred Dollars and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Dec 7 1893 [Signature] Police Justice.

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

Dated _____ 189 _____ Police Justice.

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

Dated _____ 189 _____ Police Justice

0540

1362
Police Court--- / District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Ernest C. ...
94 E Broadway
Jaakob Gudden

Offence
...

BAILED,

No. 1, by _____

Residence _____ Street

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *December 19* 189*3*

Martin Magistrate.

W. Gudden Officer.

1st Precinct.

Witnesses _____

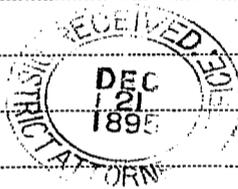
No. _____ Street.

No. _____ Street.

No. _____ Street

1000 to answer *...*

Committed



COURT OF GENERAL SESSIONS OF THE PEACE,
CITY & COUNTY OF NEW YORK.

THE PEOPLE,
VS.
JACOB GRAFFEN.

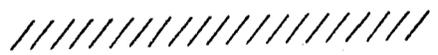
) BEFORE
) HON. RUFUS B. COWING,
)
) AND A JURY.

TRIED, NEW YORK, JANUARY 9TH, 1894.

INDICTED FOR GRAND LARCENY IN THE SECOND DEGREE.
INDICTMENT FILED DECEMBER 22ND, 1893.

APPEARANCES:
ASSISTANT DISTRICT ATTORNEY JAMES W. OSBORNE,
FOR THE PEOPLE.

MARK ALTER ESQ.,
FOR THE DEFENSE.



0542

2

ISRAEL ETKIN, The COMPLAINANT, testified that he lived at 94 East Broadway. He is engaged in the dry goods and plated-jewelry business, at No. 1 South Street, corner of Whitehall and South Streets. On December 18th, he, the complainant, had, in his place, three gold-plated watches, three silver-plated watches (The District Attorney reads the police-court list). He, the complainant, had the property in his store on December 7th, and, on that day, he locked up his place, and went home, leaving the property there. When he returned, on the next Monday, he found the lock broken, and the store open, and his property gone. He, the complainant, locked the store on Saturday night, December 7th. He, the complainant, had known the defendant about six months. The defendant, formerly worked in the cellar of the Eastern Hotel, where he, the complainant, kept his goods over night. In the station-house the defendant was searched, and part of his, the complainant, 's,

plainant's, missing property was found upon him, the defendant. He, the complainant, spoke to a detective and about a week after the robbery the defendant was arrested. The pocketbook was shown to him, the complainant, was found upon the defendant when he was searched. It belonged to him, the complainant, and it was in the showcase locked up in the cellar. He, the complainant, also identified, as his property, a chain shown to him in court. He, the complainant, after the robbery, saw it on the defendant's vest, when he met the defendant in the liquor store at No. 1 South street, and he called Officer Daly and said to him, in the presence and hearing of the defendant, "Officer lock that man up. That is the man that Detective Madden is looking for. You lock that man up, and I will make a charge against him. I see that he has a chain on his vest, and I had that same chain for a year and a half, in the showcase, and he arrested him and took him to the station-house, and Madden searched him, and found the pocketbook, and I said, 'I own it, and the chain is mine,'"

and he also found on the defendant the license of Mr. Wall, the Superintendent of the Eastern Hotel, and he had four rings, one lady's ring that I have a mark on. I had one of the rings in my showcase for two years. It was a little damaged, and I could not sell it, but I would not throw it away. He, the complainant, also identified, as his property a pocketscissors And a pocket knife and rings like those shown to him. The sergeant asked him, the defendant, where he got the pocketbook, and he said he bought it, in the Bowery, but he did not remember the number. A friend accompanied him, when he bought it. In answer to his, the complainant's question, he, the defendant, gave the same answer as to all the other property---that he, the defendant, bought it, on the Bowery, but did not remember the number and that a friend was with him at the time that he purchased the different articles in question. The sergeant directed Mr. Madden to return the license to the owner of the hotel, to whom it belonged.

In

CROSS-EXAMINATION

the complainant testified that he kept a stand, and not a store. The defendant is a fireman, and worked with the engineer, as already testified to, but was discharged on Monday December 4th, and the robbery was committed between the 7th and 9th. He, the complainant, had nothing to do with the discharge of the defendant. The robbery took place between Saturday night, the 7th, and Monday morning of the 8th. He, the defendant, signed the statement in the police-court and, if it was stated therein that the robbery took place on the 18th or 19th of December, it was a mistake, and he, the complainant, did not notice it until his attention was called to it on the present occasion. As a matter of fact, the robbery was committed between the 7th and 9th. He, the complainant, fully identified the chain as his property, because he had handled it over a hundred times, in showing it to customers, and he had it in his showcase for a year and a half. He, the complainant, identified the articles alleged to have been stolen, by

certain private marks.

THOMAS MADDEN, testified that he is an Officer of the Municipal Police of the City of New York. He, the witness, searched the defendant, on December 19th, 1893, when the defendant was brought to the station-house by another officer. he, the witness, found upon the defendant four plated rings. In answer to the question as to where the defendant got the property, he, the defendant, said, that he bought them on the Bowery, but that he could not remember the number, and that a friend was with him at the time that he made the purchase. At the police-court the defendant, pleaded not guilty, and said that the property belonged to him. He, the witness, also found an engineer's license, granted for the premises at No. 1 South Street, which was delivered to Mr. John H. Betts, of the Eastern Hotel.

THE DEFENSE.

JACOB GRIFFEN, the DEFENDANT, testified that he is 21 years of age, and is a fireman and engineer, and worked, last, in the Eastern Hotel. He worked there nearly eight months, but did not know the name of the manager or owner. He, the defendant, knew the complainant, who had his stand outside of that place. He, the defendant, did not steal the property in question. The defendant testified further, "I bought them on the Bowery, near the corner of Prince street, but I don't know the name, but he had a showcase and stand, and I was walking with a friend around the Bowery, and there stood that stand, and I bought all the things there,-- knife, the scissors, the three rings, the pocket book and the chain." He, the defendant, paid .85 for all the articles, intending to take them to Germany with him. He, the defendant, had no money with which to pay his passage back to Germany, but he intended to work for his passage, as a fireman on the vessel. He, the defendant, did not steal the property in question from the complainant.

In

CROSS-EXAMINATION

the defendant testified that he was born in Russia, but was going to Germany, because he is liable to military duty in Germany. He, the defendant, bought the rings, not for himself, but for friends. He, the defendant, resigned from his place on the 5th. Mr. Wall was the director or manager, and he, the defendant, was the engineer. In answer to the question, by The Court, "Did you steal the engineer's certificate?" The defendant said, "He gave it to me."

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

////////////////////

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Jacob Graffen

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

Jacob Graffen

of the CRIME OF GRAND LARCENY IN THE SECOND DEGREE, committed

as follows:

The said

Jacob Graffen

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

six watches of the value of ten dollars each, six pistols of the value of three dollars each, nine boxes of cartridges of the value of twenty five cents each box, two hundred and sixteen finger rings of the value of ten cents each, twenty four chains of the value of twenty five cents each, twenty four knives of the value of twenty five cents each, eight pocketbooks of the value of twenty five cents each one scissors of the value of twenty five cents and six daggers of the value of one dollar each
of the goods, chattels and personal property of one *Israel Etkin*

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

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

The said

Jacob Graffen

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

Israel Etkin

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

Israel Etkin

unlawfully and unjustly did feloniously receive and have; the said

Jacob Graffen

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

DE LANCEY NICOLL,

District Attorney.

055

BOX:

543

FOLDER:

4942

DESCRIPTION:

Griffin, John

DATE:

12/12/93



4942

0550

BOX:

543

FOLDER:

4942

DESCRIPTION:

Moran, Thomas

DATE:

12/12/93



4942

979
19
79
Counsel,
Filed, day of Dec, 1893.
Pleads, *guilty*

Witnesses:
Samuel Folger

THE PEOPLE

vs.

John Griffin

and

Thomas Moran

Dec 14/93

Paul De Lancey Nicoll
DE LANCEY NICOLL,
District Attorney.

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

A TRUE BILL.

Thos Harris
Foreman.

Dec 14/93
W. L. Pleas guilty
Pen 4 months

*I am satisfied
from an examination
made in this case
that the Defendant
Moran should be
discharged upon his
own recognizance -*

Robert Johnson
Dist. Atty.

Dec. 14th 1893

0550

Police Court, 2^d District.

(1858)

City and County } ss.
of New York, }
of No. 215 West Broadway Street, aged 23 years,
occupation Druggist being duly sworn, deposes and says,
that on the 21st day of September 1893 at the City of New
York, in the County of New York John Griffin
And Thomas Moran (both of them)

And acting in concert,
did unlawfully and
maliciously break and
destroy a plate glass
window in the premises
215 West Broadway of
the value One hundred
and fifty dollars the
property of defendant under
the following circumstances:
That at about the hour
of 6¹⁵ P.M. the said defendants
entered the premises of said
address and asked to have the head
of the said defendant ^{Moran} crossed, said
Moran having his head cut and also
cut over his eyes. Deponent informed the
said defendants that they would have
to go to a doctor. The said defendants
left said premises in a hurry after
their departure the said window was
broken by a stone having been thrown
through said window, deponent saw
the said defendant moving away
from said premises and caused their
arrest by Officer Nicholas Becker of the 2^d
Grand Police

L. Harper Folckner

From the information
as given by Thomas Moran 1893
John Griffin
John Becker

0559

Sec. 193-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

John Griffin 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 Griffin*

Question. How old are you?

Answer. *22 yrs*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *77 Monroe St New York*

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 not guilty*

John Griffin

Taken before me this *25th* day of *November* 189*3*

M. J. [Signature]
Police Justice

0558

Sec. 193-200.

4

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Thomas Moran

Question. How old are you?

Answer. 26 yrs

Question. Where were you born?

Answer. Ireland

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

Answer. 77 Monroe St 5 yrs

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 not Guilty

Thomas Moran

Taken before me this

day of Nov 1893

W. J. Kelly
Police Justice

0557

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars, and 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 28 189 W. J. [Signature] Police Justice.

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

Dated _____ 189 _____ Police Justice.

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

Dated _____ 189 _____ Police Justice

0558

B.O. 79
Police Court--- District. 1260

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel Fochens
215 Western
Boulevard
John Griffin
Thomas Moran

Office
Machey

3
4

BAILED,
No. 1, by
Residence Street

No. 2, by Rachel Klump
Residence 166 E. 6th Street

No. 3, by
Residence Street

No. 4, by
Residence Street

Dated Nov 25 189

Grady
Breker
24 Precinct. Officer.

Witnesses Monroe L. Senior
No. 272 West 70th Street

No. Street

No. 2nd Street
500
to answer



0554

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

*John Griffin
and
Thomas Moran*

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

John Griffin and Thomas Moran
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* PERSONAL PROPERTY OF ANOTHER,
committed as follows:

The said *John Griffin and Thomas Moran, both*

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

one pane of plate glass

of the value of *one hundred and fifty dollars*,
of the goods, chattels and personal property of one *S. Harper Folckemer*
then and there being, then and there feloniously did unlawfully and wilfully *break*

and destroy:

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

SECOND COUNT.

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

John Griffin and Thomas Moran
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* REAL PROPERTY OF ANOTHER,
committed as follows:

The said *John Griffin and Thomas Moran, 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,

one pane of plate glass

of the value of *one hundred and fifty dollars*
in, and forming part and parcel of the realty of a certain building of one *S Harper*
Folkemer there situate, of the real property of the said
S Harper Folkemer
then and there feloniously did unlawfully and wilfully

break and
destroy:

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

DE LANCEY NICOLL,
District Attorney.

056

BOX:

543

FOLDER:

4942

DESCRIPTION:

Griffin, William

DATE:

12/14/93



4942

0562

Bail fixed at \$5000

R.B. M. L.

Witnesses:

Geo E Weeks
Harry Middleton

After consultation with Mr. Battle, who has had charge hereof, I consent that bail be fixed at \$2000.

Stephen J. Hare
D.A. District

Bail reduced on consent of said to \$2000.

Aug 10 / 94

Based on Aug 15 / 94
M. Brockman

354 E 129

See Recommendation
aside.

Counsel

Filed 14 day of Dec 1893

Pleads

ENTERED
T. J. W.

THE PEOPLE

vs.
B

William Griffin

And Comd
July 6 / 94

DE LANCEY NICOLL,

District Attorney.

To wit: 3, June 16, 1898.

A TRUE BILL

B. Lockwood

Act. trying the case with
Foreman.
Brockman

Grand LARCENY, 2nd degree
(MISAPPROPRIATION.)
(Sections 528 and 537 of the Penal Code.)

PART IV.

THE COURT ROOM IS IN THE SECOND STORY

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

In the Name of the People of the State of New York. *don't know when he is in either place*

To George E Weeks
of No. Equitable Gas Co Street 156 E 27 St

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the New Criminal Court Building on Centre Street, between Franklin and White Streets, in the Borough of Manhattan of the City of New York, on the 20 day of MAY 189, at the hour of 10 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Sam Griffin

Dated at the Borough aforesaid, in the County of New York, the first Monday of MAY in the year of our Lord 189

ASA BIRD GARDINER, District Attorney.

0564

Court of General Sessions.

THE PEOPLE

vs.
William Griffen

City and County of New York, ss.:

Richard Couch being duly

sworn, deposes and says: I reside at No. *336 E 21st* Street,

in the City of New York. I am a Subpcena server in the office of the District Attorney of the

City and County of New York. On the *19th* day of *May* 189*8*.

I called at *156 E 27th St* and *The Equitable Gas Co.*

the alleged Residence of *George E. Weeks*

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

Janitor of 156 E 27th St that one year ago last August that the said George E Weeks moved from the above address, and that she (the Janitor) could not inform me where he now resides.

I also called at The Equitable Gas Co. and was informed there that he left their employ about one year ago. The last they heard of him was that he was some where in Brooklyn but they did not know his address.

Sworn to before me, this *20th* day of *May* 189*8*.

William H. Bowersick

Notary Public,
N. Y. County.

Richard Couch
Subpcena Server.

0565

Affidavit.

Court of General Sessions.

THE PEOPLE, on the Complaint of

George E. Wake

vs.

William Greffu

Offense:

ASA BIRD GARDINER,
~~WALTER OLCOTT,~~

District Attorney.

Affidavit of Richard Couch

Subpoena Server.

FAILURE TO FIND WITNESS.

0566

PART IV.

THE COURT ROOM IS IN THE SECOND STORY
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

Not found

To Harry Middleton
of No. 161 6th Ave Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the New Criminal Court Building on Centre Street, between Franklin and White Streets, in the Borough of Manhattan of the City of New York, on the 20 day of MAY 1898 at the hour of 10 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Wm. Griffin

Dated at the Borough aforesaid, in the County of New York, the first Monday of MAY in the year of our Lord 1898

ASA BIRD GARDINER, District Attorney.

Should the case not be called
assigned in Court, please inquire
Office about it, and you may say
If inconvenient to remain, and
state this early to the District At
If ill when served, please send
Attorney's Office.
If you know of more testimo
one the Magistrate, or if a fact
was not there brought out, pl
District Attorney or one of his
A witness is entitled to fifty c
line; and if he resides more
Court House, to eight cents for
face of attendance.

Court of General Sessions.

THE PEOPLE

vs.

William Griffin

City and County of New York, ss.:

Patrick J. Lyons

being duly
Street,

sworn, deposes and says: I reside at No.

5 Desbrosses

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

City and County of New York. On the 19th day of May 1898

I called at 461.6th Ave New York City

the alleged residence of Harry Meddleton

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

person in charge of gent's furnishing goods store
that he occupied the house and he never
knew any person by the name of
Harry Meddleton. I made diligent inquiries
in the neighborhood and could not
find anybody who knew said Harry
Meddleton

Sworn to before me, this 20 day
(May) 1898.

William H. Borden

Notary Public

N. Y. County.

Patrick J. Lyons

Subpoena Server.

0568

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

William Griffin

Offense:

ASA BIRD GARDINER,
~~W. M. K. OLCOTT,~~
District Attorney.

Affidavit of

Patrick J. Lyons

Subpoena Server.

FAILURE TO FIND WITNESS.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Figgis

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

William Figgis

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

The said William Figgis

late of the City of New York, in the County of New York aforesaid, on the 18th day of September, in the year of our Lord one thousand eight hundred and ninety-three, at the City and County aforesaid, being then and there the

and servant of a certain corporation called The Fajutelle Paper Mill Company

and as such then and there having in his possession, custody and control certain goods, chattels and personal property of the said corporation,

the true owner thereof, to wit: the sum of twenty-eight dollars and seventy-five cents in money, lawful money of the United States of America, and of the value of twenty-eight dollars and seventy-five cents,

the said William Figgis afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said sum of money

to his own use, with intent to deprive and defraud the said corporation of the same, and of the use and benefit thereof; and the same goods, chattels and personal property of the said corporation

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

DE LANCEY NICOLL, District Attorney.

057

BOX:

543

FOLDER:

4942

DESCRIPTION:

Guidico, Pasquale

DATE:

12/06/93



4942

Witnesses:

~~officer~~ John Visiglo
officer Edward Finan
28th precinct

Counsel,

Filed

day of

1893

Pleas,

THE PEOPLE

vs.

Basquale Indico

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Greenwood
Dec 7 93 Foreman

Discharged when
imprisoned

I am convinced
from an ^{exam in this case} examination
that it is me in
which these bones
~~not found~~
not be a connection.
The complainant was
the aggressor and
struck the defendant
first. The complainant
states that he was
only slightly hit &
scratched. Armed ~~with~~
the discharge of a revolver
upon his own recognition.
Dec 8 93
J. A. [unclear]

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Pasquale Guidico

*Charge of
assault*

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

City and County of New York, ss:-

John Visciglio, the above named complainant being duly sworn, saith:-

I do not desire to prosecute the defendant, Pasquale Guidico herein on the charge laid by me against him for assault. We had been friends for years and the quarrel arose out of a dispute at the moment. I acknowledge that I struck the defendant first with my fist on the nose and on the left cheek and one of defendant's hands was very badly cut. I was not injured or hurt more than a mere slight scratch and was not laid up. It was a small penknife that was used.

Sworn to before me, this 2nd
December, 1893.

David P. Fleming
Corn. of New York City

his
John Visciglio
mark

N. Y. GENERAL SESSIONS.

The People, etc.,
vs.
Pasquale Guidaio,
Defendant.

Withdrawal of Complaint.

Dated 2nd of December, 1893.

I, the undersigned, Clerk of the Court, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the files of the Court.

0574

Police Court 5th District.

City and County } ss.:
of New York,

of No. 412 East 113th Street, aged 19 years,
occupation Laborer being duly sworn
deposes and says, that on the 26th day of November 1893 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by
Pasquale Guidico (now here) who wilfully
maliciously and feloniously cut and
stabbed deponent with a knife which he
said defendant held in his hand at
about 10 o'clock P.M. on said date while
deponent was on the side walk in East
113th Street

Deponent further says that said
assault or assaulted was done

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

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

Sworn to before me, this 27 day
of November 1893

John Visciglio
Mark

Chas. J. Ferrer Police Justice.

0579

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

Pasquale Guidico 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 a 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. Pasquale Guidico

Question. How old are you?

Answer. 35 years

Question. Where were you born?

Answer. Italy

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

Answer. 325 East 115th Street; 2 months

Question. What is your business or profession?

Answer. Laborer

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

Answer. I am not guilty

Pasquale ^{his} Guidico
man

Taken before me this 24th day of November 1883
Henry J. Wilson
Police Justice.

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

Seppindant

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 27 189 3, *Thompson* Police Justice.

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

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

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

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

Police Court, 5th 71 District. 1266

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Arciglio
412 E. 113rd St.
Pasquale Guiddio

Offense, *Assault*
Wilsons

- 1
- 2
- 3
- 4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, *November 24th* 1893

Arthur Magistrate.

J. J. ... Officer.

28th Precinct.

Witnesses *Michael Saperano*

No. *414 East 113rd* Street.

No. Street.

No. Street.

2000 to answer *HS*



Caru ...

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Pasquale Guidice

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

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

The said *Pasquale Guidice*
late of the City of New York, in the County of New York aforesaid, on the *twenty sixth*
day of *November*, in the year of our Lord one thousand eight hundred and
ninety-*three*, with force and arms, at the City and County aforesaid, in and upon
the body of one *John Visciglis* in the peace of the said People
then and there being, feloniously did make an assault, and *him* the said
John Visciglis with a certain *knife*

which the said *Pasquale Guidice*
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 *John Visciglis*
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
Pasquale Guidice
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Pasquale Guidice*,
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms, in and upon the body of the said
John Visciglis in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *him* the said *John Visciglis*
with a certain *knife*

which the said *Pasquale Guidice*
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.

Dehaency Nicoll
District Attorney

0574

BOX:

543

FOLDER:

4942

DESCRIPTION:

Gundelfinger, Charles

DATE:

12/13/93



4942

0580

POOR QUALITY ORIGINAL

Witnesses:

H. E. Stocking
Jennie Hooking

Part I Jan 10 1894

I have examined the case and find that the evidence required to secure a conviction is not available. This conclusion is agreed to by Mr. [Name] the Pres of the Society for the Prevention of Cruelty to Children. I therefore recommend that the deft be discharged on his own recognizance.

H. D. Wood
Asst.

Counsel

Filed

Pleas

120

13 Dec 1893
Family

THE PEOPLE

vs.

I

Charles Gundelfinger

DE LANCEY NICOLE

District Attorney

A TRUE BILL

A. Wood

Jan 10 1894
Discharged on his own
Recognizance

RAPE (1st and 2d Degree) and ABDUCTION.
(Sections 10, 110 and 111, Penal Code)

0581

POOR QUALITY ORIGINAL

Witnesses:

H. E. Stocking
Jerome Hooking

Part I Jan. 10 1894

I have examined the case and find that the evidence required to secure a conviction is not available. This conclusion is agreed to by all of us, the Board of the Society for the Prevention of Cruelty to Children, I therefore recommend that the deft be discharged on his own recognizance.

H. W. Mason
Asst

120

Counsel,

Filed

Pleads

13 Dec 3 1893
Not guilty

THE PEOPLE

vs.

I

Charles Gundelfinger

RAPE (1st and 2d Degree) and ABDUCTION (Sections 276, 278 and 283, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Foxwood
Jan 10 1894 Foreman.
District Attorney
Office

0581

5th District Police Court.

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

Thomas F. Moore

of Number *297* *Fourth Avenue* being duly sworn,
that he has been injured and has not caused to bring and does believe
deposes and says, that on the *26th* day of *November* 18*93*, at the
City of New York, in the County of New York, *at premises situated*
at no. 296 Pleasant Avenue in said City
my Charles Gundelfinger did unlawfully
and wilfully perpetrate an act of
sexual intercourse with a certain female
child called Jennie Fuchs; said child
Jennie being actually and apparently
under the age of sixteen years, to wit,
of the age of years, she not
being the wife of the defendant
in violation of Section 278 of the
Penal Code of the State of New York.

Wherefore the complainant prays that the said

Charles Gundelfinger

may be apprehended, arrested and dealt with according to law.

Sworn to before me, this *26th*
day of *November* 18*93*

Thomas F. Moore

Thomas F. Moore

Police Justice.

0583

1877.

CITY AND COUNTY }
OF NEW YORK, } ss.

aged Juni years, occupation Jennie Twobing of No. School Girl

296 Pleasant Ave Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Thomas F. Moore

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

Sworn to before me, this 96th day of Nov. 1893 } Jennie Twobing

Thomas F. Moore
Police Justice.

0584

City and County of New York, ss:

Charles Gundelfinger 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 Gundelfinger*

Question. How old are you?

Answer. *45 years old*

Question. Where were you born?

Answer. *Germany*

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

Answer. *296 Pleasant Ave. 7 years*

Question. What is your business or profession?

Answer. *Clerk*

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

Answer.

I am not guilty
Charles Gundelfinger

Appraised by
Gabriel Guy

Taken before me this

day of *April*

1893

George J. Steiner

Police Justice.

0589

Police Court, Fifth District.

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

Thomas S Moore

of No. 297 Seventh Avenue Street, in said City, being duly sworn, deposes and says, that a certain male child called Jennie Trochig [now present], under the age of sixteen years, to wit, of the age of nine years, is a necessary and material witness on behalf of the People of the State of New York in a certain criminal case now pending in the Court of General Sessions of, in and for the City and County of New York, entitled, The People against Charles Gundelfinger, wherein the said Charles

Gundelfinger is charged with the crime of Rape, under section 278 of the Penal Code of said State, in that he, the said Charles

Gundelfinger at 296 Pleasant Avenue in said City of New York, did willfully and unlawfully perpetrate an act of sexual intrusion with said Jennie Trochig, a female child actually and apparently under the age of sixteen years but over the age of nine years, she not being the wife of said defendant, in violation of section 278 of the Penal Code of the State of New York

and that the said Jennie Trochig will, as deponent verily believes, unless duly held to appear on trial thereof, avoid giving his testimony at the instance of the people.

Wherefore, deponent prays that the said child Jennie Trochig may be held as a witness to appear on the trial of the aforesaid criminal case, and be committed temporarily to an institution authorized by law to receive children on final commitment, and to have compensation therefor from the City or County authorities, as a witness, to appear on the trial of the aforesaid criminal case, in pursuance of the statutes in such case made and provided, and especially of Section 291 of the Penal Code of the State of New York.

Sworn to before me this 26 day of November 1893

Thomas S Moore

Charles Moore

Police Justice.

0581

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

Alfred Bunn

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Fifty 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, *November 26* 189 *8*

December 1st

Henry Lehman

Police Justice.

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

Dated, 189

Police Justice.

There being no sufficient cause to believe the within named

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

Dated, 189

Police Justice.

058

1284

Rec 28 Nov 1903 at 2 P.M. P. 46
\$2000.00 bail, J
Rec continued days to 1 Dec
1903 at 2 P.M. J

Police Court, 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thos. F. Moore

Chas. Guddelpigen

Offense Rape

2
3
4

BAILED,

No. 1, by

Residence..... Street.

No. 2, by

Residence..... Street.

No. 3, by

Residence..... Street.

No. 4, by

Residence..... Street.

Dated, Nov 26 1893

Leitner Magistrate.

Ferruti Officer.

2 A Precinct.

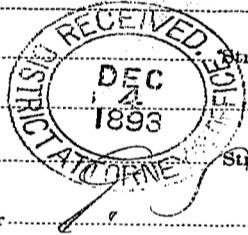
Witnesses

No. Street.

No. Street.

No. Street.

\$ 5000- to answer Lein



The New York Society for the
Prevention of Cruelty to Children

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

New York, December 4th 1895

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

The People
against
Charles Gundelfinger } Notice of Prosecution

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

Sir. This Society is interested in the prosecution of
the above defendant, and is familiar with the facts of the
case. It respectfully requests that before sending the papers
to the Grand Jury, fixing the day of trial, consenting to
any postponements thereof, or to any reduction of bail, or
final disposition of the charge, you will duly notify me as
its President and Counsel, so that I may confer with you
in regard thereto. This request is made pursuant to the
statute (Laws of 1886, Chapter 30, Section 1), and in
furtherance of the ends of Justice.

I have the honor to remain, with great respect,

Elbridge T. Gerry,
President, &c.

0589

N. Y. GENERAL SESSIONS

THE PEOPLE



CRUELTY TO CHILDREN

Wager

NOTICE OF PROSECUTION
BY THE SOCIETY.

ELBRIDGE T. GERRY,
President, &c.

STENOGRAPHER'S MINUTES.

H District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

James B. Moore

BEFORE HON.

Charles Gundelfinger

Mrs. L. T. Tetter

POLICE JUSTICE,

Nov 28 1887

APPEARANCES:

For the People,

For the Defence,

Gabriel Ferry & Morrison
1887

I N D E X.

WITNESSES.	Direct Ex.	Cross Ex.	Re-Direct.	Re-Cross.
<i>Truby Jennie, Miss</i>	<i>1-12</i>	<i>12-15</i>		
<i>" Mrs.</i>	<i>15-18</i>			
<i>Truby Florence</i>	<i>19-21</i>			
<i>Edgar J. Clifton</i>	<i>23</i>	<i>24</i>		

George Zieger

Official Stenographer.

FIFTH DISTRICT
POLICE COURT

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-----X
THOMAS F. MOORE      : Before HON.
      against        : THOMAS L. FEITNER,
CHARLES GUNDELWINGER.: Justice
-----X

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New York, November 28th, 1893

Gabriel Levy, Esq., appears for the defend-
ant.

JENNIE TOO HIG, called for the
People, testified as follows;-

By the Court;

- Q Where do you live ?
- A 296 Pleasant Avenue.
- Q What floor do your parents live on ?
- A Three flights up.
- Q Is it a house with families on each side ?
- A Yes, sir.
- Q More than one ?
- A Yes, sir.

Q How many families on your floor ?

A Two families living on the floor.

Q Do you remember the day when you met this man, the defendant ?

A It was on a Sunday.

Q About what time ?

A About half past nine in the morning.

Q What were you doing when you met him ?

A Mama sent me for milk.

Q Where did you meet him ?

A I was going upstairs and he came right out of the doorway.

Q You were coming back on your errand for milk and he was coming out of the house when you were going in ?

A When I was going upstairs.

Q Was he coming down when you were going in ?

A When I was coming up he just opened the door and got hold of me.

Q Where was that ?

A One flight up, the first landing.

Q And didn't you see him before you got one flight up ?

A No, sir.

Q What did he do when he caught hold of you ?

A Lifted up my clothes and took down my drawers; then he did dirty to me; he took down his pants.

Q What did he do then ?

A He put it between my legs.

Q Where were you standing ?

A He sat me on the banister.

Q What did you say, anything ?

A He wouldn't let me go; I wanted to go upstairs but he held on to me tight.

Q Whereabouts was this ?

A One flight up.

Q Which side of the Avenue is that house ?

A The east side of the Avenue.

Q When you went upstairs in the hall, was it just at the top of the stairs or whereabouts in the hall ?

A In the back of the stairs

Q So that when you got upstairs how far did you go when you got upstairs before he met you ?

A I got one flight up and I was going to go up the other flight and he caught hold of me.

Q You were just about turning the stairs to go up the next pair when he caught hold of you ?

A Yes, sir.

Q How did he catch hold of you ?

A Put his arms around me.

Q How do you mean ?

A Caught me around the waist and wouldn't let me go.

Q Did you remain on the floor all the time ?

A He lifted me up on the banister and held me tight.

Q ~~Where~~ Were you sitting ?

A Yes, sir

Q Then what did he do ?

A He took down his pants.

Q Didn't you see him taking down his pants ?

A Yes, sir

Q Didn't holler or say anything then ?

A I was afraid.

Q Did he say anything to you ?

A No, sir

Q Didn't say a word to you ?

A No, sir

Q Didn't he ask you to come to him ?

A No, sir

Q Nothing of that sort ?

A No, sir

Q Was the hall light or dark ?

A It was dark.

Q Quite dark there ?

A Yes, sir

Q Could you see your way plainly ?

A Yes, sir

Q Is there anybody living on that floor ?

A Yes, sir.

Q How long were you sitting on the banister ?

A Ten minutes.

Q As much as ten minutes ?

A Yes, sir

Q Didn't anybody come out of the doors ?

A When anybody come to go upstairs he would run in the house.

Q Where does he live ?

A He boards with a lady one flight up.

Q Did he run in the house--did anybody come along and he run in the house ?

A Yes, sir

Q Did you remain there ?

A No, sir, I ran upstairs.

Q You were there for ten minutes before anybody came along, is that what you mean ?

A Yes, sir

Q Who did come along ?

A It was a lady that lived next door to me.

Q Which way was she coming ?

A She was coming up the stoop.

Q Did she go in the hall at all ?

A When she got in the hall that man ran in the house.

Q What did he do to you ? Did he let go of you or what ?

A He let go of me and ran in the house.

I

J

Q Did you jump down off the banister yourself ?

A Yes, I jumped off myself.

Q He didn't lift you down ?

A No, sir.

Q What did he do to you from the time he took hold of you, what did he do ?

A He sat me on the banister and took down my drawers and opened his pants.

Q Then what did he do ?

A He put it between my legs.

Q Did you say anything to him ?

A I said "Leave go of me" in a low voice.

Q Why did you speak low ?

A Because I was afraid.

Q Did he hold you at all ?

A No, sir

Q Did you say anything else ?

A I said leave me go and he wouldn't do it.

Q What day was this on ?

A A Sunday.

Q How long ago ?

A About three weeks ago.

Q Had this man ever said anything to you before ?

A No, sir

Q Did he ever fondle you ?

A Yes, sir

Q Do you know what I mean by that ?

A No, sir.

Q Did he ever talk to you at all before this ?

A Yes, sir

Q What did he say ?

A He used to ask me where my sister was.

Q How many sisters have you ?

A One sister.

Q What did you say to that ?

A I didn't answer him.

Q Where was this conversation ?

A On the stoop.

Q ... you spoke of meet-
ing him ?

A Before.

Q Has he ever said anything to you since ?

A No, sir ,because I didn't see him since.

Q Haven't you spoken to this man since you met him in the
hall that Sunday ?

A Last Sunday I was going for milk; he met me in the
street and wanted to catch hold of me and I ran away
from him and said "Leave me go"

Q What time was that ?

A About ten o'clock in the morning.

Q Did he catch hold of you ?

A Yes, sir

Q Did he leave you go when you said so ?

A No, sir

Q You are speaking of last Sunday ?

A Last Sunday he didn't catch hold of me; I ran away from him.

Q You say he was walking after you ?

A He went to run after me.

Q Where was this ?

A It was on the street.

Q How far from your house ?

A Just about three steps.

Q Was he on the stoop when you came down ?

A No, sir

Q Where was he when you got down on the stoop ?

A He was coming out of the drug store.

Q He met you then as you came downstairs, is that what you mean ?

A Just as I was on the stoop he just came out of the drug store.

Q How many times has this man done this to you ?

A About five or six times.

Q In the same place ?

A Yes, sir

Q On the landing ?

A Yes, sir

Q What has he given you ?

A Money.

Q Each time ?

A Yes, sir.

Q How much did he give you ?

A Two cents.

Q What did he tell you after he gave it to you ?

A He said go and buy candy.

Q Did you ever see this man with your little sister ?

A Yes, sir

Q Your little sister saw you with him ?

A No, sir.

Q Where did you see him with your little sister ?

A He had hold of her by the hands coming up the stairs and I called her away. When he got upstairs he put his hands under her clothes.

By Mr Moore;

Q There is nobody living on that floor except Mrs Sang ?

A No, sir

Q Only one tenant on the floor there ?

A Yes, sir.

By the Court ;

Q You say this man has done this to you many times ?

A Five or six times.

Q How long has he been living in that house ?

A He was living there before we moved in.

Q How long have you been living there ?

A Since the 1st of July

Q The first time when he commenced ?

A It was the 4th of July night.

Q What time was that ?

A That was about seven o'clock.

Q Where did that happen ?

A In the hall

Q What hall ?

A It was the first landing.

Q The same place as before or a different place ?

A The same place.

Q What did he do on that occasion ?

A He done the same thing.

Q Did he always lift you up--sit you on the banister ?

A Yes, sir

Q You are sure about that ?

A Yes, sir

Q When was the next time ?

A I don't remember.

Q How do you happen to remember the 4th of July ?

A Because that was the first time.

Q Where was your mother and father ?

A They were up in the house .

Q Why didn't you tell them of it ?

A I was afraid.

Q When did you tell either of them ? Did you tell them at all ?

A No, sir

Q How did they find out ?

A My little sister told them and mama asked me and I told her the rest.

Q How did your little sister know anything about it ?

A Because I told my sister.

Q What did you tell your sister ?

A I told my sister just exactly what he done to me.

Q Just tell me what you told your sister ?

A I told my sister when E I was coming up he caught me, sits me on the banister and takes down his pants and puts it between my legs.

Q Did you tell your sister anything about how it affected you, or anything of that sort ?

A I told my sister it hurted me.

Q Did you tell her how often it happened ?

A No, sir

Q When did you tell your sister it happened ?

A On the 4th of July night.

Q Didn't you tell her on this Sunday night that you were just speaking of ?

A No, sir.

Q Did you tell her anything else about it ?

A No, sir

Q Where was your sister when you told her that ?

A She was down on the stoop.

Q How old is your sister ?

A Seven years.

Q How did you happen to come to tell her ?

A Because she told me he wouldn't leave her alone; he was always putting his hands up her clothes.

Q Then you told her this ?

A Yes, sir.

CROSS - EXAMINATION.

By Mr Levy;

Q You say this happened on the 4th of July that you told your little sister about it ?

A Yes, sir

Q Did you tell her anything since ?

A No, sir ; I told her the 5th of July

Q What time of night or day was it on the 4th of July that it happened ?

A About half past seven in the evening.

Q What floor was it on ?

A One flight up.

Q Who lived on that floor ?

A The lady he boards with.

Q What is her name ?

A Sang.

Q And she was living there then ?

A Yes, sir

Q You made no outcry ?

A No, sir, I was afraid.

Q When did it happen next ?

A I don't remember.

Q Do you remember any of the times that it happened ?

A Yes, sir; three weeks ago he done it again.

Q Did you go to him three weeks ago ?

A No, sir, I was coming upstairs and he opened the door and ran up.

Q You didn't scream three weeks ago either, did you ?

A No, sir, I was afraid.

Q You say he followed you also last Sunday. Sure of that ?

A He come out of the drug store and I was on the stoop and he went to catch hold of me and I ran away.

Q Last Sunday ?

A Yes, sir.

Q Did you ever tell your father or mother anything about this ?

A No, sir

Q You never spoke to your mother or father about these occurrences ?

A I was afraid.

Q You never told this man's boarding mistress ?

A I never spoke to them.

Q Did you speak to anybody in the house about it ?

A No, sir

Q And this has been going on you say since July 4th ?

A Yes, sir.

By Mr Moore;

Q The counsel asked you whether you saw this man last Sunday and you said "Yes"--he came out of a drugstore ?

A I mean a week ago last Sunday.

By Mr Levy;

Q Which do you mean, last Sunday or a week ago last Sunday ?

A A week ago last Sunday

J E N N I E T O O H I G, called for the People, being duly sworn, testified as follows;

By the Court;

Q You are the mother of the complainant ?

A Yes, sir

Q Do you know anything of this occurrence yourself ?

A The first I knew of it was last Friday, but sometime

0608

ago, one Sunday I went to a funeral, I overheard her talking to a little girl in the next house and she said "That Dutchman downstairs gave me five cents" The other girl, Sadie Butler, said "I wouldn't take five cents of him; he gave me five cents one day and he put his hands up my clothes" I went in the bathroom where they were and said "Did that man give you five cents and did he do anything naughty to you?" She said "No, mama" I said "Don't you ever take a penny from him or any other stranger" That was all until last Friday night; it was only five o'clock; I wanted her to go to the store, and she said "Mama I don't want to go; why didn't you ask me before this?" I had threatened that if she answered me that way again I would give her the straps" I jumped up to take the straps and little Florry said "Don't touch her; I will tell you the reason why Jennie don't want to go to the store" She said that the Dutchman done something awful bad to Jennie. I called the two together and Jennie said "Mama don't, don't, I couldn't help it" and she made an awful fuss about it and that was the first I knew about it and this little one then told me what he had done. I went down, confronted him at the table and he came up in our house and wanted us to keep it quiet. I didn't know this man; I didn't even know his name. He came up and said to please be quiet and he would explain. I said "If you don't get out of my

house I will kill you" and he cleared down.

Q Did you tell him in the presence of this little girl what he did

A I said "you outraged my child" and he turned around and run down the stairs.

Q When you accused him what did he say ?

A He turned ~~xxxxxx~~ as white as the wall, looked at me and ran out of the door.

Q How did he come to go up in your apartments ?

A He followed me upstairs.

Q Did he say anything to you until he get up in the room ?

A I ran up to my husband and tried to pacify him, to get him out of the way and he followed me; he came right in our dining room.

Q Was your husband there ?

A Yes, sir, he was in the kitchen and when this man saw him he flew down the stairs.

Q Did he say anything to you at all ?

A That was all. He said "Let me talk to you, be quiet and I will explain"--I didn't give him a chance to finish the sentence.

Q You have had no conversation with him since ?

0502

A No, sir; I have not seen him since until now.

CROSS - EXAMINATION.

By Mr Levy;

Q When was the first time you spoke to your daughter about this man ?

A About taking the five cents; that was about two months ago, when we went to a funeral. I left my little girl home. She said the ~~girl~~ man did nothing wrong to her. I said "Jennie tell me the truth; I overheard the conversation between her and Sadie; Sadie said "Don't take pennies from; he gave me five cents and put his hands up my clothes" She wouldn't tell me now if I questioned her as much as she told you; She said "O, no mama he didn't."

0600

FLORENCE TOOHIG, called for the People, testified as follows:-

By the Court;

Q You are the sister of that little girl ?

A Yes, sir

Q Did you ever see this man, the defendant ?

A Yes, sir

Q How often ?

A Nearly every night.

Q Where ?

A Coming home from work .

Q In the house, too ?

A Yes, sir

Q Did he ever do anything to you ?

A Yes, sir; he put his hands up my clothes.

Q When did he do that ? Do you remember when he did that ?

A No, sir.

Q How long ago ?

A Nearly every night.

Q He did it nearly every night ?

A Yes, sir.

Q Where were you when he did it ?

A I was going to the store for the World.

Q Whereabouts was it ?

A Down in the hall.

Q Was he in the hall when you would go there ?

A Yes, sir.

Q Did he ever go upstairs after you or anything of that sort ?

A No, sir

Q Where di you meet him always, what part of the hall ?

A Front, by the vestibule.

Q That is down on the first floor right off the sidewalk ?

A Yes, sir.

Q Then did he put his hands up your clothes there or upstairs ?

A In the hall by the vestibule.

Q How often did he do that ?

A Nearly every night.

Q Did he ever give you any money ?

A Yes, sir.

Q How much ?

A I forget.

Q How much at a time ?

A Two and one cent.

Q How often did he do that, do you remember ?

A I don't know

Q Did you ever tell your mama ?

A No, sir

Q Or your papa ?

A No, sir

Q What did he do when he put his hands up your clothes ?

A He kissed me.

Q How often did he kiss you ?

A Nearly every night.

Q Where did he put his hands up your clothes ?

(No answer)

Q Are you afraid to tell ?

A Yes, sir

CROSS EXAMINATION

By Mr Levy;

Q How old are you ?

06 12

A Seven.

Q Did you ever tell your mama or papa about it ?

A No, sir.

Adjourned to Dec. 1st at 2 P. M.

0613

New York, Dec. 1st, 1893.

Met pursuant to adjournment.

J. C L I F T O N E D G A R, called for the People,
being duly sworn, testified as follows; -

By the Court;

Q Where do you reside ?

A 54 East 34th street .

Q What is your profession ?

A Practicing physician.

Q How long have you been practicing ?

A Eight years.

Q Did you examine Jennie Toohig ?

A I did, November 27th, 1893.

Q What did you find ?

A I found that there was a dilatation of the canal known as the vulval canal; that there was redness of what is known as the Labie; that there was an abrasion on the inner surface of what is known as the left Labia Minus or left side of the vulval canal and that there was a purulent discharge from the vagina. That is practically all I found.

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

By Mr Levy;

Q When did you say the examination took place ?

A November 27th, 1893.

Q Did you know this child ?

A I never seen her before to my knowledge.

Q Where did the examination take place ?

A At my office 54 East 34th street.

Q And from that examination can you tell whether or not she had carnal connection ?

A I can tell that she had a penetration by some blunt instrument; further than that I wouldn't say.

Defendant's counsel waives further examination.

06 15

H. G. S. 1284
District Police Court.

Thomas P. Moore

vs.
Chas. Gundelfinger

STENOGRAPHER'S TRANSCRIPT.

Nov 28 188*7*

BEFORE HON

Thos. S. Fetter

Police Justice.

George Ziegler



061

54 East 34th Street.

Dr. J. Clifton Edgar,
Office Hours:
11 to 1.
TELEPHONE, 800-56TH ST.

November 27 1893

Hon. Ellbridge T. Gerry, President etc.

Sir:

This is to certify that I have this day examined the person of Frances Torley, of 96 Pleasant Ave., New York City, and have found evidences of penetration of her genital organs by some blunt instrument.

Respectfully submitted.

J. Clifton Edgar,
Examining Physician.

061

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

2047

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles Gundelfinger

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse *Charles Gundelfinger* of the CRIME OF RAPE IN THE FIRST DEGREE, committed as follows:

The said *Charles Gundelfinger*, late of the City of New York, in the County of New York aforesaid, on the *17th* day of *November*, in the year of our Lord one thousand eight hundred and ninety-*three*, at the city and County aforesaid, in and upon a certain female not his wife, to wit: one *Jennie Trosnia*, feloniously did make an assault, and an act of sexual intercourse with her the said *Jennie Trosnia*, then and there feloniously did perpetrate, against the will of the said *Jennie Trosnia* and without her consent; 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 Gundelfinger* of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Charles Gundelfinger* late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid at the City and County aforesaid, in and upon a certain female not his wife, to wit: her the said *Jennie Trosnia* feloniously did make an assault, with intent an act of sexual intercourse with her the said *Jennie Trosnia* against her will, and without her consent, then and there feloniously to perpetrate; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said *Charles Gundelfinger* of the CRIME OF RAPE IN THE SECOND DEGREE, committed as follows:

The said *Charles Gundelfinger* late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, in and upon a certain female not his wife, to wit: her the said *Jennie T. ...* feloniously did make an assault, she the said *Jennie T. ...* being then and there a female under the age of sixteen years, to wit: of the age of *nine* years; and the said *Charles Gundelfinger* then and there (under circumstances not amounting to Rape in the first degree) feloniously did perpetrate an act of sexual intercourse with her the said *Jennie T. ...*, 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.

FOURTH COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said *Charles Gundelfinger* of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Charles Gundelfinger* late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, in and upon a certain female not his wife, to wit: her the said *Jennie T. ...* feloniously did make an assault, she the said *Jennie T. ...* being then and there a female under the age of sixteen years, to wit: of the age of *nine* years; with intent then and there (under circumstances not amounting to Rape in the first degree), feloniously to perpetrate an act of sexual intercourse with her the said *Jennie T. ...*, 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.

FIFTH COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said *Charles Gundelfinger*
of the CRIME OF ABDUCTION, committed as follows:

The said *Charles Gundelfinger* —
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the
City and County aforesaid, did feloniously take, receive, harbor, employ and use her, the said
Jennie T. ... so being then and there a female under
the age of sixteen years, to wit: of the age of *nine* — years, as aforesaid,
for the purpose of sexual intercourse, he, the said *Charles Gundelfinger*
not being then and there the husband of the said *Jennie T. ...* —
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.