

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:

Witnesses: *officer Edward Carpenter*
13th Precinct

Counsel,

Filed

day of

189 व

Pleads,

~~THE~~ PEOPLE

n.s.

Morris Goldman

and

Henry Wrig

DE LANCEY NICOLL,
May 2/94 District Attorney.

A TRUE BILL.

B. Locuprol

Pose Jan 9/94
Foreman
501 Lutenice Supo

Even days ~~January~~ 29B.

St. J. Turville & Co.
May 1/94 Jy.

Police Court— 3 District.

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

of No. 692 Tenth Avenue Street, aged 25 years,

occupation funer-dealer being duly sworn

deposes and says, that the premises No 48 Willett 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 funer-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 funer 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 funer, 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 Wrig
(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 broken open and
the property being missing. Deponent is informed
by Richard Masterson 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 }

Wm. Ryan Police Justice

Police Court	District.
THE PEOPLE, &c.,	
ON THE COMPLAINT OF	
vs.	Burglary
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*

John H. Ryan
Police Justice

0484

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 1893*

John H. Van
Police Justice.

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

Charles Ockler guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Local with Report of Hundred Dollars, and be committed to the Ward 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 he to be discharged.

Dated _____ 189 _____ Police Justice.

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street

Police Court--- 3 District. ¹⁸³⁵

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas Day
692 - 23. 10th
1 *Morris Goldman*
2 *Benny Brig*
3
4

Offence *Burglary*

Dated *Dec 11* 189 3

Ryan Magistrate.
Paffentes Officer.

13 Precinct.

Witnesses *R Martnick*

No. *281 Delancey* Street.

John H. Ditz

No. *297 - 4th* Street.

No. _____ Street.

to answer



[Signature]

049

Grant of General Release

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
Morris Goldman

CASE NO. 77520

DATE OF ARREST Dec 11/93

CHARGE

Burglary

OFFICER Dietz

AGE OF CHILD

RELIGION Hebrew

FATHER

MOTHER

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,

Testif. Atty.

Edwards L. King
Atty

Count, of
General Brown

The People
or
Morrice Goldman

PENAL CODE, §

Long & Lang

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.

049

Report of General Session

The People

Henry M. King

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

CASE NO. 77520

DATE OF ARREST

CHARGE

OFFICER

AGE OF CHILD

RELIGION

FATHER

MOTHER

RESIDENCE

Burglary

15 years

Protestant

Joseph

Susan

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.

William C. Calkins
Supt

Parent of
Genevieve

The People
in
Henry Urig
PENAL CODE, ss
Henry Urig

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

ELBRIDGE T. GERRY,

President, &c.,

No. 297 Fourth Avenue,

Corner East 2nd Street,

NEW YORK CITY.

0499

0496

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

TRADE



MARK

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



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.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 *night*-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

in the

shop

of the said

Thomas Daly
Thomas Daly

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.

0490

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 afore-
said, 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
~~lead~~ 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 felon-
iously stolen from the said *Thomas Daly* —

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

Goldman and Henry Wrig
then and there well knowing the said goods, chattels and personal property to have been felon-
iously 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

0501

Witnesses:

24
COURT OF OYER AND TERMINER.

Counsel,

Filed, 4 day of Dec 1893

Pleads, *Magnely 10*

THE PEOPLE

vs.

B

William Goldstein

*General Sessions
of the County of New York
Dec 8 4 1893*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

VIOLATION OF THE EXCISE LAW.
(Illegal Sales Without License.)
[Chap. 401, Laws of 1892, § 31.]

J. R. D. Cross Foreman.
Part 3. Dec. 18. 1893.
offited

0502

Sec. 198-200.

6th

1883
District Police Court.

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. Austria

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
William Goldstein

Taken before me this

16th

day of April 1893

W. B. Mumford

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 Blodum Police Justice.

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

Dated July 16th 1893 Blodum 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.

050

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

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James J. Sals -
vs.

1. *William Eschstein*

2. _____

3. _____

4. _____

Offence
James

Dated *July 16th* 1893

Ervin - Magistrate.

Sals Officer.

34 Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *100* to answer *[Signature]*

Bailed



BAILED,

No. 1, by *Louis Klopfer*

Residence *7821 Washington Street*

John. 1892-4

No. 2, by *Martin Walter*

Residence *2082 Washington Street*

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Excise Violation-Selling Without License.

POLICE COURT - 6th DISTRICT.City and County } ss.
of New York,

of No. the 34th Precinct Police 15th 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.

0508

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

Witnesses:

38
COURT OF OYER AND TERMINER.

Counsel,

Filed,

6th day of Dec 1893

Pleads,

Transferred to the Court of Special Sessions for the People's final disposition.

Part 27... 1893

William Goldstein

General Sessions

Dec 8th 93

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. Cross

Foreman.

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

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, 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 spiritu-
ous 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

05 11

Witnesses:

H. W. Lunker

Counsel,

Filed

day of

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. Deft.
discharged on his own recognizance

A TRUE BILL.

B. Lockwood

Foreman.

Under Ch. 376 Laws of 1896, and
the principle established in
People v. Hastings, I am
constrained to recom-
mend the discharge of
def't on his own recognizance.
Oct 18/98

John H. Ward
Jason M. Chittland

Asst Dist Atty

051

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 defied and great 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 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 of 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 1892 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 1892

J. V. Smith
Police Justice

J. W. Linker

05 13

(W)

J. No. 3624

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

HERMAN W. LINKER.

vs.

John Doe

AFFIDAVIT.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,

⁷²¹ No. ³⁸⁴ ~~44~~ East ~~15th~~ Street,

NEW YORK CITY.

05 14

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

Norman 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 1892 hereunto annexed.

Sworn to before me, this 14

day of August

1892

A. 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. Y.*

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. *Bookbinder*

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

Police Justice.

J. W. M. M. M.

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 said John Doe being unknown to deponent, 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 55th 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 authorized, 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

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

John Doe

forthwith, before me, at

to be dealt with as the law directs,

Dated at

New York City

the

first

day of

August 1892

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,	{	<u>each of said 36 bottles and</u> <u>each of said 5 syphons having</u> <u>produced charges, Bolent</u> <u>B. Byrne</u>
5	Bottles Empty,		
5	Boxes, syphons		
Total, <u>41</u>			

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.,	<u>Samuel W. Linder</u>	US.	<u>John Doe</u>	SEARCH WARRANT AND WARRANT OF ARREST.	REGINALD HART,	ATTORNEY FOR COMPLAINANT, <u>221</u> <u>38th</u> No. 149 East 15th Street,	NEW YORK CITY.	<u>Patrick Goss - 22</u> <u>W. Red Cap - 2 Ave</u> <u>Officer Philips</u>
ON THE COMPLAINT OF								

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. K. Smith Police Justice.

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

Dated Aug 1 1892 J. K. Smith 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

BAILED.

No. 1, by Patrick Sullivan
Residence 377 E. 35th Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

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

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Norman W. Linker

vs.

1 Patrick Goss

2 _____

3 _____

4 _____

Office La Breaud

Dated Aug 1 1892
Kilbuck Magistrate.

Phillips Officer.

Cook Precinct.

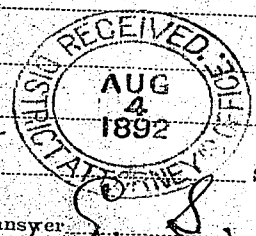
Witnesses H. W. Linker

No. 221 E. 38th Street.

No. Call the officer Street.

No. _____ Street.

\$ 3.00 to answer
Bailed



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*, lately 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 ^{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 ^{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 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 syphons} 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} certain bottles, ^{and five syphons} which and each of which were and was then

052

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

Heretofore and prior to the day of commission of the crime and misdemeanor hereinafter
alleged, *John Boleu*, successor to and transferee of all the interests of
the late firm of Boleu and Byrne, lately composed of said John Boleu & 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, and*
other beverages, in bottles *and syphons* with *a* name and
other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced
thereon, *a description of which had been so filed and published as required by law, as aforesaid, the said*
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 *as aforesaid* by him, and *was duly* 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 syphons*
and a description of which had been so duly filed and published as required by law, as aforesaid, the said
John Boleu used the name "*Boleu & Byrne*"
upon such *bottles*.

And the said *Patrick Gooss* 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 Boleu*
divers, to wit: *thirty* certain bottles, *and five syphons* which
and each of which were and was then and there so marked and distinguished as aforesaid, with and by the
said name "*Boleu & Byrne*" of the said *John Boleu* being the name
of which a description had been so filed and published as aforesaid, and which said bottles,
and syphons had not been purchased from the said *John Boleu*
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 Gooss of the same misdemeanor, committed as follows:

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

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after mentioned engaged in bottling and selling ^{and aerated waters} ~~lager beer, soda water, mineral,~~ and other beverages in bottles, ~~and syphons~~ with ^a name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, ~~and~~ ^{a description which had been theretofore by the said firm of Bolen and Byrne theretofore} 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~~ ^{was duly} 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~~ ^{syphons} 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 syphons.

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 syphons~~ 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~~ ^{syphons} 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.

Witnesses:

A. W. Linker

Counsel,

Filed

day of

189

Pleads,

Not Guilty (26)

ENTERED
T. J. 189

THE PEOPLE

vs.

Patrick Goss

MISDEMEANOR.
[Chap. 877, 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.

MTM

B. Lockwood

Foreman.

Chapter 876 of the Laws of 1896,
repealing portions of the statute
under which this indictment was
obtained, compels me, under
the principle established
in People v. Hartung, to re-
commend defendant discharged
on his own recognizance
Oct 18 98

John H. ...

I entered in the above bill
November 18 98

Conrad ...

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 so 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 described as premises known and described as premises number 339 East 35th Street in the City, County and State of New York, and all barrels, boxes and kegs in the side walk 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 specified and shortly thereafter come out of said premises without said bottles.

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

H. W. Linker

J. W. Linker

POLICE JUSTICE.

(W)

J No. 355

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

HERMAN W. LINKER.

vs.

John Doe

AFFIDAVIT.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,

22-1 38th

No. 144 East 15th Street,

NEW YORK CITY.

0529

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

Norman W. Linker

of No. 221 East 38th 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 1892, hereunto annexed.

Sworn to before me, this 14
day of August 1892

W. M. Linker

J. K. Smith POLICE JUSTICE.

052

Sec. 198-200

District Police Court.

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. *688 Second Avenue, 2 years*

Question. What is your business or profession?

Answer. *Methodical*

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

day of *August* 189*1*

Police Justice.

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 *Hermon A. 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
defendants 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 side walk, in said City and County
of New York, immediately in front of said premises
described as 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

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 *the 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. M. M. M.
Police Justice

0529

Inventory of property taken by Abraham Philips
warrant was executed, from Patrick Gos by whom this
in whose possssion it was found, & from within apartment from whom it was taken,
where the property was found, no person being there
Bottles Filled, each said 33 bottles
33 Bottles Empty, produced them
Boxes, Lehman Charles
Total,

COUNTY OF
New York
I Abraham Philips ss:
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. H. Kitchin
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. Kilbuck Police Justice.

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

Dated Aug 1 1892 J. Kilbuck 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.

053

mv 30 941

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Herman M. Linder
vs.

1 *Patrick Cross*

2

3

4

Offence *See Bond Act*

Dated *Aug 1* 1892

Kilbuck Magistrate.

Philips Officer.

Curt Precinct.

Witnesses *Mr. Linder*

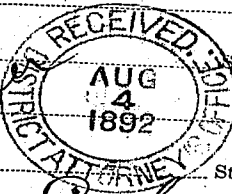
No. *221 E 38th* Street.

No. _____ Street.

No. _____ Street.

\$ *300* to answer.

Bailed



BAILED.

No. 1, by *Patrick Sullivan*

Residence *329 E 76th* Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

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 Selming* -
 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*, 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 Selming* used the name "*Charles Selming*" upon such *bottles*.

And the said *Salvador Lopez*, late of the City and County aforesaid, afterwards to wit: on the *21st* 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 Selming* 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 Charles Lehning 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 1st 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, Charles Lehning 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 of 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, Charles Lehning 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-

0531

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 *12th* 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.

0539

BOX:

543

FOLDER:

4942

DESCRIPTION:

Graffen, Jacob

DATE:

12/22/93



4942

0536

Witnesses:

Officer Thos J. Madden
1st Precinct

291
Counsel,

Filed 22 day of Dec 189

Pleads, Ref. Exhibit 26

THE PEOPLE

vs.

Jacob Graffen

P.L. Jan'y 9. 1894
Fried and convicted
G.L. 2^d degree

DE LANCEY NICOLL,

District Attorney.

Elmira Ref.

A TRUE BILL.

B. Lockwood

Foreman.

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

Police Court

District.

Affidavit—Larceny.

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

of No. 94 East Broadway Street, aged 27 years,
 occupation Buy 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 Cartridge
18 doz plated rings 2 doz plated chains
2 doz knives 8 pocket books
1 pair small scissors 6 Razors
Being in 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 Graffen (known

for the reasons following to wit
 That on the aforesaid day deponent
 missed the aforesaid property from
 show cases and boxes which he had
 in the cellar of 1 South Street and
 caused said defendant to be arrested
 and found on his person & in his
 possession 11 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 a portion of the with-
 named property, and he therefore
 charges said defendant with the
 larceny of said Jacob Graffen

Subscribed before me this

1893

Police Justice.

0538

(1895)

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer. *Jacob Graffman*

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 Graffman

Taken before me this

19

Dec 11 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 17 1893 Manhattan 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

0541

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Orall O. Reed
94 E Broadway
Jacob Graften

Office

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. J. Jaden Officer.

1st Precinct.

Witnesses _____

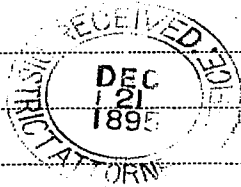
No. _____ Street.

No. _____ Street.

No. _____ Street

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.

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

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 pocketseissors 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 ^{Eighteenth} day of ^{December}, in the year of our Lord, one thousand eight hundred 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 pair of scissors of the value of twenty five cents each, six daggers of the value of one dollar each, and six trunks of the value of one dollar each, all 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.

0551

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 Ethier

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 Ethier

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

0553

Witnesses:

Samuel Folckner

Counsel,

Filed,

day of

1893.

Pleads,

THE PEOPLE

vs.

John Griffin

and

Thomas Moran

Dec 14/93

DE LANCEY NICOLL,
District Attorney.

INJURY TO PROPERTY.

[Section 654, Penal Code.]

A TRUE BILL.

Thos Harris
Dec 14/93

Foreman.

W. L. Pleads guilty
Pen 12 months

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

Robert Johnson
Deputy Dist Atty.

Dec. 14th 1893

Police Court, 2^d District.

(1858)

City and County } ss.
of New York,

of No. 215 West 10th 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 10th Street of

the value of 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 defendant's drug store at 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. Dependent informed the

said defendants that they would have

to go to a doctor. The said defendants

left said premises and shortly after

their departure the said window was

broken by a stone having been thrown

through said window, dependent saw

the said defendants running away

from said premises and caused their

arrest by Officer Nicholas Becker of the 2^d

Grand Police

S. Harper Folkenner

From the information
as given by Thomas Moran 1893

John Griffin
Druggist

0559

Sec. 193-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK }

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* 1893*Wm. J. Hall*
Police Justice.

0558

Sec. 193-200.

CITY AND COUNTY } ss.
OF NEW YORK,

4 District Police Court.

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 N 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 GuiltyThomas Moran

Taken before me this

day of

189

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 ✓ 1260
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel Fockens
215 Western
Boylevay
John Griffin
Thomas Moran

Office Malcom
Machey

3
4

BAILED,

No. 1, by _____

Residence _____ Street

No. 2, by Rachel Klumpke

Residence 166 E. 6th Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated Nov 25 189

Grady Magistrate.

Becker Officer.

24 Precinct.

Witnesses Monroe L. Senior

No. 272 West 70th Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.



For O. B. S.
C. M. M.

Court of General Sessions of the Peace

517

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

John 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.

0560

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.

P.B.M.

Witnesses:

G.E. & Weeks
Harry Middleton

Kee, Danielson with all.
Bottle; who has had charge
herein, I consent that bail
be fixed at \$2000.

Stephen J. Hare
D.A. District

Bail reduces on
consent of Daisy
to \$2000.

Aug 10 / 94

Revised Aug 15 / 94
M. Brockman

354 E 1st

See Recommendation
beside.

Counsel

Filed

day of

1893

Pleads

ENTERED
T. J. W.

THE PEOPLE

vs.

William Griffin

And Comd
July 6 / 94

DE LANCEY NICOLL,

District Attorney.

To Jant 3, June 16, 1898.
District Attorney
A TRUE BILL
B. Lockwood

Act. trying the case with
Foreman.
B. 1898

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.]

SUBPOENA 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 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

Sam 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.

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 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 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 this employ about one year ago. That 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

1898,

William H. Brundage

Notary Public,

N. Y. County.

Richard Couch

Subpoena Server.

0565

Affidavit.

Court of General Sessions.

THE PEOPLE, on the Complaint of

George E. Wake

vs.

William Greff

Offense:

ASA BIRD GARDINER,

~~WENDELL 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.]

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

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

To

of No.

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

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.

Not found

Harry Middleton
161 6th Ave Street

Wm. J. Griffin

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
ore 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

sworn, deposes and says: I reside at No.

5 Desbrosses

Street,

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

City and County of New York. On the 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.

Patrick J. Lyons

Subpoena Server.

William H. Broderick

Notary Public,

N. Y. County.

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 Figgini

The Grand Jury of the City and County of New York, by this indictment, accuse
— *William Figgini* —
of the CRIME OF *Grand* LARCENY, in the second degree, committed
as follows:

The said

William Figgini,

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 *Deed*
and servant of a certain corporation called
The Adjustable Type Setting Company,

and as such *Deed and servant* 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, said money of the
United States of America, and
of the value of Twenty-eight dollars
and seventy-five cents,

the said *William Figgini* 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:

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

Counsel,

Filed

day of

1893

Pleads,

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. Loomwood

Foreman.

Dec 7/93
 Discharged when
 impregnated

I am convinced
 from an examination
 that it is me in
 which there comes
 not a connection
 not a connection
 The complainant was
 the aggressor and
 struck the defendant
 first. The complainant
 states that he was
 only slightly injured
 scratched. I have heard
 the charges of assault
 upon his own recognition.
 Dec 8/93
 J. A. A. District Attorney

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 X Visciglio
mark

0573

N. Y. GENERAL SESSIONS.

The People, etc., -

Pasquale Guidaio, Jr.
Defendant.

Withdrawal of Complaint.

Dated 2nd of December, 1893.

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 ~~commitment~~ 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
 his
 mark

Chas. F. Lerner Police Justice.

0579

Sec. 198-200.

District Police Court.

1882

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
maire

Taken before me this

day of September 1893Charles J. Sullivan

Police Justice.

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

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

057

1266

Police Court,

5th
71

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Tasciglio
412 E 113th
vs.
Pasquale Guidicio

1
2
3
4

Offense, Assault
(Felony)

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

Freder

Magistrate.

J. J. J.

Officer.

28th

Precinct.

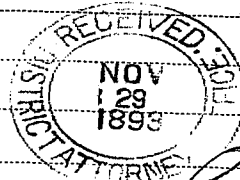
Witnesses

Michael Saperbina

No.

414 East 113th Street.

No.



Street.

No.

Street.

2000 to answer

Chas. Smith

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.

DeLancey Nicoll
District Attorney

0574

BOX:

543

FOLDER:

4942

DESCRIPTION:

Gundelfinger, Charles

DATE:

12/13/93



4942

0580

POOR QUALITY
ORIGINAL

Witnesses:

H. E. Stocking
Jenne Gooking

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 persons the President of the Society for the Prevention of Cruelty to Children. I therefore recommend that the deft be discharged on his own recognizance.

H. D. Wadsworth
Auct.

Counsel

Filed

Pleaded

THE PEOPLE

vs.

Charles Gundelfinger

DE LANCEY NICOLE

District Attorney

A TRUE BILL

A. Wadsworth
Foreman
Discharged in his own
Office of the Court

RAPE (1st and 2d Degree)
and ABDUCTION.
(Section 26, 110 and 111, Penal Code)

0581

**POOR QUALITY
ORIGINAL**

Witnesses:

H. E. Stocking
Jesse Fooking

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 Just 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

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

Charles Gundelfinger

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Foxwood
Jan 10 1894
Foreman.
Discharged on his own
recognizance.

RAPE (1st and 2d Degree)
and ABDUCTION.
(Sections 276, 278 and 282, Penal Code.)

5-11 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 informed and has just caused to be sworn and are believing
deposes and says, that on the 26th day of November 1893 at the
City of New York, in the County of New York, at premises situated
at n^o 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 Tushig said child
Jennie being actually and apparently
under the age of sixteen years to wit
of the age of nine 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

day of

26th

November 1893

Thomas F. Moore

Thomas F. Moore

Police Justice.

0583

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

aged 7mi years, occupation Jennie Twobing of No. 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

Sec. 198—200.

1882

District Police Court.

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 L. G. G. G.

Taken before me this

day of

1893

Police Justice.

0589

Police Court, Fifth District.

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

Thomas S Moore

of No. 297 Fourth 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 intercourse 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 Trochig

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 Rums

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

Thos. J. Lehren

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

Dec 28 Nov 1903 at 2 P.M. P. 46
\$2000. bail, J.
Dec continued days 15/1 Dec
1903 at 2 P.M. J.

Police Court, 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thos. F. Moore

Chas. Gundelfinger

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

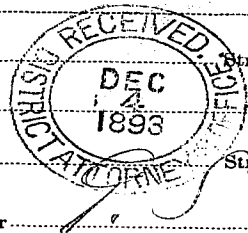
No. Street.

No. Street.

No. Street.

\$ 5000- to answer

Leon



058

*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.*

<i>The People</i> against <i>Charles Gundelfinger</i>	} <i>Notice of Prosecution.</i>
---	---------------------------------

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

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

Waper

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
Charles Gundelfinger

BEFORE HON.

Thos. L. Tipton
POLICE JUSTICE,
Nov 28 188*7*

APPEARANCES:

For the People,

For the Defence,

Gabriel Ferry
Nov 28 188*7*

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WITNESSES.	Direct Ex.	Cross Ex.	Re-Direct.	Re-Cross.
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George Zieger

Official Stenographer.

FIFTH DISTRICT
POLICE COURT

-----x
THOMAS F. MOORE : Before HON.
 : THOMAS L. FEITNER,
 against : Justice
CHARLES GUNDEL FINGER. :
-----x

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.

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.

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.

0600

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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.

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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 ?

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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

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 cleaved 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 run 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 got 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?

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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."

FLORENCE TOOTHING, 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 did 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.

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.

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H. G. S. 1284
District Police Court.

Thomas M. Moore
vs.
Chas. Gundelfinger

STENOGRAPHER'S TRANSCRIPT.

Nov 28 188*7*

BEFORE HON
Thos S. Feltner
Police Justice.

George Ziegler
Official Stenographer
RECEIVED
NOV 28 1887
OFFICE OF THE CLERK

061

54 East 34th Street.

Dr. J. Clifton Edgar,
Office Hours:
11 to 1.
TELEPHONE, 800-36TH ST.

November 27 1893

Hon. Ellbridge T. Gerry, President ex.

Sir:

This is to certify that I have this day examined the person of Emma Torg, 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

2042

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles 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 *fifth*
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 Tuckman*, feloniously did make an assault,
and an act of sexual intercourse with her the said *Jennie Tuckman*.
then and there feloniously did perpetrate, against the will of the said *Jennie Tuckman*
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, com-
mitted 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 Tuckman feloniously did make an assault, with intent
an act of sexual intercourse with her the said *Jennie Tuckman*.
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.

06 10

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said Charles Gusselinger
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 Truoling feloniously did make an assault, she
the said Jennie Truoling 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 inter-
course with her the said Jennie Truoling, 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 J. Gifford*
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-
mitted 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. Tindley feloniously did make an assault,
she the said Jennie T. Tindley 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
Tindley, 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
Fannie T. Mordick 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 *Fannie T. Mordick*, —
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.