

00 1 1

**BOX:**

411

**FOLDER:**

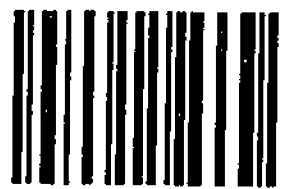
3801

**DESCRIPTION:**

Scherill, Charles

**DATE:**

09/19/90



3801

0012

177

Witnesses ;

*Rosa Kane*

Counsel,

Filed

day of

1890

Pleads,

THE PEOPLE

vs.

*Charles Scherill*

PETIT LARCENY.

[Sections 528, 533 — Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Wm. S. Hayes*  
Foreman.  
*Received from D.A.*  
*June 27/93*

*To*  
*My recommendation*  
*see inside*

*G. L. B.*

*A.D.A.*

*June 16<sup>th</sup> 93*

Police Court—

District.

Affidavit—Larceny.

City and County  
of New York, ss.

of No. 1075, 9th Avenue Street, aged 18 years,  
occupation Salesman being duly sworn

deposes and says, that on the 10 day of September 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property viz :

Government Legal Money  
of the United States issue  
to the amount and value of  
Six Dollars

the property of in the care and charge 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 Charles Scherill (nowhere)

from the fact, that deponent, Messrs  
Said Money from the Cash  
drawer in the Counter in premises  
1160, 9th Avenue, and that the  
Said Scherill admitted and  
Confessed to deponent that he did  
take and carry away said  
Money, and when deponent accused  
him of stealing the Money he  
returned the Money to deponent

R. Kane

Sworn before me, this 11 day  
of September 1888  
at New York  
Police Justice.

00 14

POLICE COURT.....DISTRICT.

City and County of New York, ss.:

THE PEOPLE

vs.

On Complaint of

For

*Charles Schenck*

*John Kane*  
*Luremy*

After being informed of my rights under the law, I hereby waive a trial, by Jury, on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated

1890

*W. Mear*

Police Justice.

*W. C. Schenck*



0015

Sec. 198-200.

✓ District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Charles Scherrie* 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.

*Charles Scherrie*

Question. How old are you?

Answer.

*25 Years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*118. D Street 9 Years.*

Question. What is your business or profession?

Answer.

*Doctor*

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

Answer.

*I am guilty of the  
Charge*

*C. Scherrie.*

Taken before me this *11*  
day of *October* 189*7*

*W. M. ...*  
Police Justice.

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 143  
Police Court... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James J. Smith*  
*107 St. James*  
*Charles Schenck*

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offense *Larceny*

Dated, *Sept. 11th* 1890

*Michael* Magistrate.

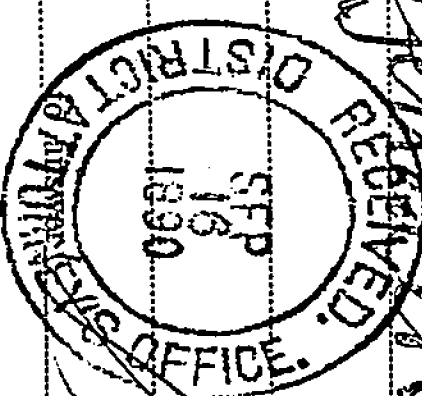
*Scutling* Officer.

*26* Precinct.

Witness *Michael Scutling*

No. *26* Street.

*Thomas J. Smith*



No. *570* Street.

*Wm. H. P. 1*

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

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

Dated, *Sept 11* 1890 *Thomas J. Smith* Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

# Court of General Sessions.

THE PEOPLE

vs.

Chas. Scherill

City and County of New York, ss:

*Jos. H. Shannon* being duly sworn, deposes and says: I reside at No. *217 Mulberry*

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 *14<sup>th</sup>* day of *June* 189*3*

I called at *1075 9<sup>th</sup> Avenue*

the alleged *residence* of *Rosa Kane*,

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

*the housekeeper that she did reside there some time ago, but not at present.*

*She referred me to her brother-in-law a Mr Williams, who told me she had gone to live in New Haven Conn. & he did not believe she intended to return*

Sworn to before me, this

of

day

189

*Jos. H. Shannon*  
Subpoena Server.

*Henry W. Rogers*

*Notary Public*

*the June 18<sup>th</sup> 1893*

## Court of General Sessions.

THE PEOPLE

vs.

Chas. Scherill

City and County of New York, ss:

*Jos. H. Shannon* being duly sworn, deposes and says: I reside at No. *217 Mulberry*

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 *14<sup>th</sup>* day of *June* 189*3*

I called at *1075 9<sup>th</sup> Avenue* the alleged *residence* of *Rosa Kane*,

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

*the housekeeper that she did reside there some time ago, but not at present.*

*She referred me to her brother-in-law a Mr Williams, who told me she had gone to live in New Haven Conn. & he did not believe she intended to return*

Sworn to before me, this

of

day }

189

*Jos. H. Shannon*  
Subpoena Server.

*Henry W. Winger*  
*Notary Public*  
*June 18<sup>th</sup> 1893*



**Court of General Sessions.**

THE PEOPLE, on the complaint of

vs.

*Chas. Scherill*

*Offense*

DE LANCEY NICOLL,  
*District Attorney.*

*Affidavit of*

*Jo. M. Shannon*

*Subpoena Server.*

FAILURE TO FIND WITNESS.

*June 10<sup>th</sup> 193*

00 19

0020

*Retired Sept.*  
**DIRECTIONS.**

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.  
When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF  
GENERAL SESSIONS

In the Name of the People of the State of New York,  
To *Off. Michael Dowling*  
of No. *264 308 W 128th* Street  
*At 12 o'clock to see Mr. Bedford*

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the *15th* day of *June* 189*3*, at the hour of 10½ 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 *Charles Scherill*

Dated at the City of New York, the first Monday of  
in the year of our Lord 189*0*

DE LANCEY NICOLL, District Attorney.

0021

## DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF  
GENERAL SESSIONS.

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

To

*Rosa Kane*

of No.

*1075*

*9th*

*avenue*

Street

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of *June* 189*3*, at the hour of 10½ 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

*Charles Schepill*

Dated at the City of New York, the first Monday of *June*  
in the year of our Lord 189*3*

DE LANCEY NICOLL, District Attorney.

*Ask to see Mr. Bedford  
2 o'clock*

002

The Grand Jury calls witnesses in whatever order its Foreman pleases. The Foreman knows best for the public good. If you wait patiently on the day of attendance until your turn comes, it may save you waiting hereafter.

If it is very inconvenient for you to attend on the day designated, let the District Attorney's Officer or Clerk in the witness room know this at an early moment.

If you do not obey this Subpœna, or do not explain your absence, the Court will enforce your attendance by attachment, and fine you.

If you are ill when served, send timely notice of that fact to the District Attorney.

If other witnesses in this case are called, and another case taken up, you may know—unless otherwise advised—that the Grand Jury do not care to examine you; and you may then retire, mentioning your withdrawal to the officer or clerk.

If the Grand Jury adjourn, and you have not been called without explanation, inquire of the Chief Clerk in the District Attorney's office, if you are wanted again and when.

Grand Jury



# 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 Scherill*

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

*Charles Scherill*

of the CRIME OF PETIT LARCENY committed as follows:

The said

*Charles Scherill*

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

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

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

of the goods, chattels and personal property of one

*Rosa Kane*

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

*John R. Fellows,*  
*District Attorney*

SECOND COUNT--

And the Grand Jury aforesaid, by this indictment, further accuse the said  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

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,

of the goods, chattels and personal property of one

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

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

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

JOHN R. FELLOWS,  
District Attorney.

This Indictment was found in September 1890.  
 The whereabouts of the complainant are  
 unknown - She is supposed to have gone  
 to New Haven - Without her testimony  
 it would be impossible to obtain a  
 conviction - The amount taken was \$6 -  
 I ask that the defendant be discharged  
 on his own recognizance -

June 16<sup>th</sup> '92

G. S. B.  
 A. D. A.

141

Counsel,  
 Filed 19 day of Sept 1890  
 Pleads,

THE PEOPLE  
 vs.  
 Charles Scherill  
 PETIT LARCENY.  
 [Sections 528, 532 Penal Code.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. J. Hayes,  
 Foreman.  
 Received from D. A.  
 June 27/92

Witnesses;

Don Kane

For  
 My recommendation  
 see inside

G. S. B.  
 A. D. A.  
 June 16<sup>th</sup> '92

0026

**BOX:**

411

**FOLDER:**

3801

**DESCRIPTION:**

Schmonsees, Catharine

**DATE:**

09/03/90



3801



0027

Witnesses:

W. A. F.                       
D. Carrette                     

Counsel

Filed

day of

1890

Pleads,

#16 for Pleading Sept 5 509,

THE PEOPLE

vs.

Catharine Schmonseles

Sept 11/11

VIOLATION OF EXCISE LAW.

(Selling to Minor).

[Section 290, Penal Code, sub. 3.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. S. Hayes  
Foreman.

0028

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Catharine Schmonsees*

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

accuse

*Catharine Schmonsees*

of a MISDEMEANOR, committed as follows:

The said *Catharine Schmonsees*  
late of the City of New York, in the County of New York aforesaid, on the  
*twenty-third* day of *August* in the year of our Lord  
one thousand eight hundred and ninety, 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 and cause and procure and permit to be sold to one  
*Dominico Carretta* who was then and  
there a child actually and apparently under the age of sixteen years, to wit: of the age of  
*nine* years, against the form of the statute in such case made and provided, and  
against the peace of the People of the State of New York, and their dignity.

JOHN R. FELLOWS,

*District Attorney.*

0029

**BOX:**

411

**FOLDER:**

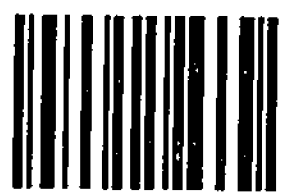
3801

**DESCRIPTION:**

Schroeder, Joseph

**DATE:**

09/30/90



3801

0030

Witnesses;

Max Maackowitch  
Off. Northrup 6th Street

Belva Allosa

+255 Vanell et al

Counsel,

Filed

Pleads,

30 Sept 1890  
Not guilty

THE PEOPLE

vs.

Joseph Schroeder

Grand Larceny Second degree  
[Sections 538, 539, Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. L. Hayes  
Foreman.  
Oct 10/90  
True & Acquitted



Police Court—

District.

Affidavit—Larceny.

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

of No.

37 Essex

occupation.

Restaurant

Street, aged 27 years,

being duly sworn

deposes and says, that on the 11<sup>th</sup> day of

September 1880 at the City of New

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

One pair of Pants  
One Plain and Stud and  
Silver key ring and keys being  
together of the value of

Two hundred and twenty four 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 Joseph Schroeder (now dead)

In the reasons foregoing to wit  
That on the 11<sup>th</sup> day of the 3<sup>rd</sup> day of  
September 1880 deponent wore  
the said pants and had the said  
property in the pockets of said pants  
and when deponent retired on said  
night he took off said pants  
containing the said property and  
laid them on the floor beside him  
in said premises and when deponent  
awoke he missed said pants containing  
said property. Deponent is further  
informed by Benjamin D. Northrup  
a police officer of the City precinct

Sworn to before me this 11<sup>th</sup> day of

1880

Police Justice

that on said day he arrested said  
 defendant with the said pants  
 in his possession trying to sell the  
 same in Boston. After Defendant  
 fully identifies the said pants  
 as being his <sup>and</sup> charges said  
 defendant with the larceny  
 of said.

I swear to be true and <sup>More Mock Reports</sup>  
 this 4th day of Sept 1890.

Edouard B. Smith

Police Justice

0033

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Benjamin B. Northrup*  
aged *39* years, occupation *Police Officer* of No  
*City Precinct* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Max Haskowitz*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this *4*

day of *September* 18*96*

*Benjamin B. Northrup*

*Solou B. Smith*  
Police Justice.

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer. *Joseph Schröder*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *14 Avenue*

Question. What is your business or profession?

Answer. *Saddler*

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*

*Joseph Schröder*  
*man*

Taken before me this

*Colonel J. J. Justice*  
Justice.



1344  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Offence

Dated

Sept 4 1890

Magistrate.

Hardship Officer.

Witness

No.

No.

No.

No.

\$

500

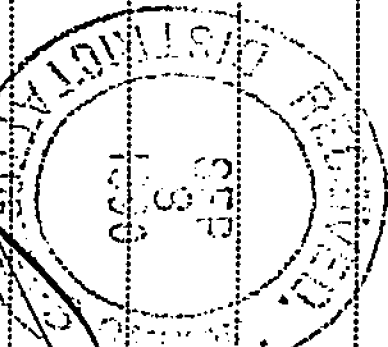
to return

Street.

Street.

Street.

Precinct.



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

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

Dated Sept 4 18 90 Colon B. Smith Police Justice.

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

Dated.....18.....Police Justice.

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

Dated.....18.....Police Justice.

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Joseph Schroeder*

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

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

The said

*Joseph Schroeder*

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

*one stud of the value of two hundred and twenty dollars, one pair of trousers of the value of three dollars, and divers coins of the United States of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of two dollars.*

of the goods, chattels and personal property of one

*Max Moskowitz*

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.

0037

**BOX:**

411

**FOLDER:**

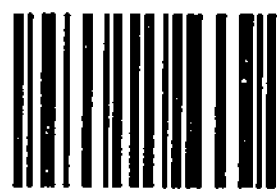
3801

**DESCRIPTION:**

Shapiro, Wilfred

**DATE:**

09/19/90



3801

0038

#162

Witnesses;

*Off. Carroll 21st District*

Counsel,

Filed

Pleads,

*19* day of *Sept*, 189*1*

THE PEOPLE

vs.

*W. Shapira*

JOHN R. FELLOWS,

District Attorney.

*Odd days*

A True Bill.

*Mr. S. Haynes.*  
*Sept 19/91*  
*Foreman.*  
*Plead Every Day*  
*2 Yrs Pen*  
*Sept 20/91*

*Left in 19 years*  
*old in account*  
*day 2. PW*

*Biglary in the third degree.*  
*Grand larceny,*  
*second degree.*  
*[Section 498, V.C., 1891, P.C.]*



Police Court— 4 District.

City and County } ss.:  
of New York,

of No. ~~470~~ 470 Third Avenue Street, aged 36 years,

occupation Liquor dealer being duly sworn

deposes and says, that the premises No. 470 Third Avenue Street, 21<sup>st</sup> Ward

in the City and County aforesaid the said being a store and dwelling; the

~~store of which~~

and which was occupied by deponent as a Liquor saloon

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

were BURGLARIOUSLY entered by means of forcibly moving the

fan light over the front door and entering

on the 4<sup>th</sup> day of September 1899 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

One cash indicator of the  
value of Two hundred dollars

the property of deponent

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

Wilfred Shapiro (now here)

for the reasons following, to wit: that at about the hour  
of one am. deponent securely locked  
and fastened the doors and window  
leading into said store and the said  
fan light was raised and open  
and said property was in said store  
Deponent was informed that said  
store had been burglarized and  
deponent found the defendant in

said store and said sidewalk removed from the back bar <sup>to</sup> the <sup>side</sup> rear room.

Depoent charges the defendant with entering said premises through said unusual way and removing said property with intent to steal  
Sworn to before me  
this 4<sup>th</sup> September, 1890 } James Jurgent

W. F. McMahon  
Police Justice

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

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

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—BURGLARY.

vs.

1  
2  
3  
4

Dated 1888

Magistrate.

Officer.

Clerk.

Witness,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0041

Sec. 198-200.

X District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Wilfred Shapiro* 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.

*Wilfred Shapiro*

Question. How old are you?

Answer.

*15 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*17 Ludlow St. 8 years*

Question. What is your business or profession?

Answer.

*Stripper*

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*

*Wilfred Shapiro*

Taken before me this *11*

day of *September* 189*9*

*W. J. McMahon*

Police Justice.



0042

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court--- 4 District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James August

470 vs. 3 Ave

2

3

4

Offence

Burglary

Dated

Sept 7 1890

Magistrate

Barrett

Officer

Witness

No.

No.

No.

No.

No.

No.

No.

No.

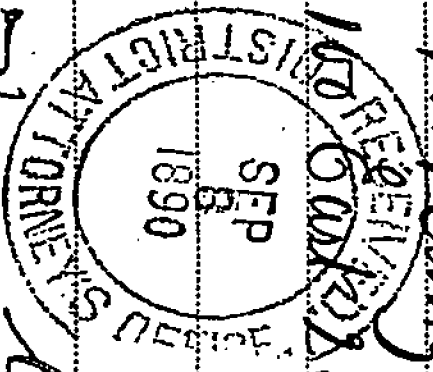
No.

No.

No.

No.

No.



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

Dated, Sept 7 1890, [Signature] Police Justice.

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

Dated, 18, Police Justice.

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

Dated, 18, Police Justice.



# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Wilfred Shapiro*

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

*— Wilfred Shapiro —*

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

The said *Wilfred Shapiro*

late of the *Twenty-first* Ward of the City of New York, in the County of New York, aforesaid, on the *fourth* day of *September* in the year of our Lord one thousand eight hundred and *ninety*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *saloon* of one

*— James Nugent —*

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

*— James Nugent —*

in the said *saloon* 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

of the CRIME OF

*Wilfred Shapiro**Grand LARCENY in the second degree* committed as follows:

The said

*Wilfred Shapiro*late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the Ward, City and County aforesaid, in the *night* time of the said day, with force and arms,*one cash indicator of the  
value of two hundred dollars*

of the goods, chattels and personal property of one

*James Nugent*in the *saloon* of the said*James Nugent*there situate, then and there being found, *in* the *saloon* aforesaid, then and there  
feloniously did steal, take and carry away, against the form of the statute in such case made and  
provided, and against the peace of the People of the State of New York and their dignity.*John L. Fellows  
District Attorney*

## THIRD COUNT—

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

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

The said

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

of the goods, chattels and personal property of one

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

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

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

JOHN R. FELLOWS,  
District Attorney.

0046

**BOX:**

411

**FOLDER:**

3801

**DESCRIPTION:**

Shaw, Fannie D.

**DATE:**

09/18/90



3801



0047

Witnesses.

Ladie Trophogen  
Albert Harris

#154 J. Oliver 1168

Counsel,

Filed

day of

18

Pleads,

THE PEOPLE

vs.

Fannie D. Shaw

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

M. J. Reynolds,  
Part 2 - Dec 22, 1890, Foreman.  
on motion of District Attorney  
defendant discharged on her  
own recognizance.

Accessory to manslaughter  
[Sec 19, § 30, Penal Code]

as I am uncertain  
whether a jury would  
imprison Mrs  
Shaw, and as the  
court would take  
issue to try it as  
I believe in the  
conviction of Mrs. Shaw  
the Law was indicated  
& Justice satisfied  
I ask that Mrs  
Shaw be discharged  
on her own recognizance  
Dec 22, 90 G. F. B.  
ada.

N.Y. Court of General Sessions

The People  
vs.  
Fannie D Shaw.

Indicted 18 Sept 1890  
under § 30 Penal Code

Sir.

Please take notice that on all the pleadings and proceedings herein and on the action & proceeding on which Defendant was indicted Aug 6 1890. a motion will be made at Court 2 of the above named Court, to be held at the Brown Stone Building in the City Hall in the City of New York on the Twenty second day of December 1890 at the opening of the Court on that day or as soon thereafter as Counsel can be heard. for and Order dismissing the Indictment herein and discharging the Defendant from Custody or for such other or further Order as may be just, and you will please then and there produce in Court ~~copy~~ so many of the papers on the matters herein referred to as may be in your possession or Control

Dated December 19<sup>th</sup> 1890  
To John R. Fellows Esq. Counsel for  
Dist Atty. W. J. Dwyer Esq. District

Count of General Fenn

The People  
agent

James D. Hand.

Notice of motion.

Attest  
By a true  
and valid copy

True force admitted  
the 19/90.

0049

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Fannie D. Shaw*

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

Indictment accuse *Fannie D. Shaw*

of the crime of *being an accessory to the felony of*  
*murder in the first degree,*  
committed as follows:

Heretofore, to wit:

*on the second day of July,*  
*in the year of our Lord one thousand eight*  
*hundred and ninety, at the City of New York,*  
*in the County of New York aforesaid, one*  
*Henny F. Thompson, in and upon one*  
*Annie Goodwin, who was then and there*  
*a woman pregnant with child, unlawfully*  
*and feloniously did make an assault,*  
*and with the intent thereby to procure the*  
*miscarriage of her the said Annie Goodwin,*  
*did then and there unlawfully and feloniously*  
*use and employ, and cause to be used and*  
*employed, by then and there unlawfully and*  
*feloniously procuring, thrusting and inserting*  
*the same, and causing the same to be*  
*forced, thrust and inserted, up and into*  
*the womb and private parts of her the*



said Annie Goodwin, a certain instrument to the said John of said nature, the said use and employment of the said instrument not being then and there necessary to preserve the life of the said Annie Goodwin, or of the child with which she was so pregnant as aforesaid; giving into her the said Annie Goodwin, then and there, with the instrument aforesaid, and by reason and by means of the said use and employment of the same in the manner aforesaid, in and upon the womb and private parts of her the said Annie Goodwin, divers mortal wounds and lacerations, of which said mortal wounds and lacerations so as aforesaid occasioned, and in consequence thereof, she the said Annie Goodwin, afterwards, to wit: on the twelfth day of July in the year aforesaid, at the City and County aforesaid, did die.

And the said Annie D. Shaw, late of the City and County aforesaid, after the commission of the said felony and manslaughter by the said Henry D. McGeogh in manner and form aforesaid, to wit: on the said twelfth day of July in the year aforesaid, at the City and County aforesaid, having knowledge and

reasonable ground to believe that the said Henry F. McQuinn had so committed the said felony and manslaughter, and was then liable to arrest therefor, did feloniously harbor, conceal and aid the said Henry F. McQuinn, with intent that he might avoid and escape from arrest, trial, conviction and punishment for the said felony and manslaughter, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

John J. Sellers,

District Attorney

0053

**BOX:**

411

**FOLDER:**

3801

**DESCRIPTION:**

Shay, Daniel

**DATE:**

09/29/90



3801

0054

Witnesses;

*off. Gulliver 9th Precinct*

Counsel,

Filed

Pleads,

*29th day of Sept 1890*

THE PEOPLE

vs.

*Daniel Shay*

Grand Larceny, First Degree.  
[Sections 528, 530, — Penal Code.]

JOHN R. FELLOWS,

District Attorney.

*6. 9th 1890 - und.  
Oct 15, 1890 - und.  
Oct 16, 1890 - und.*

A True Bill.

*Wm. S. Hayes*

Foreman.

*P. 3. Oct. 16, 1890*

*Tried and acquitted*



Police Court—2 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.Patrick Blawieof No. 24 Varick Street, aged 35 years,occupation Laborer being duly sworndeposes and says, that on the 18 day of September 1890 at the City of NewYork, in the County of New York, was feloniously taken, stolen and carried away from the possession  
and person of deponent, in the night time, the following property, viz:

A pocket book containing  
good and lawful money of the United  
States of the amount and value  
of Eighty three dollars \$83-

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 Samuel Shay (now here)

from the fact that deponent is  
 informed by Officer Stephen  
 Gillispie of the 9th Precinct  
 Police that he saw said Shay  
 take said pocket book from  
 his said deponent's pantaloons  
 pocket being then and there  
 worn by deponent.  
 That said officer saw  
 him take pills from said  
 pocket book and on said  
 officers approach said Shay  
 ran away. That said officer

Sworn to before me, this

day

Police Justice

How far did he run (left)?  
 Was it light or dark?  
 What time was it?

0056

pursued him and found said  
product book in dyndank's  
possession

Robert H. Slavin

SWORN TO BEFORE ME

THIS 19 DAY OF

Sept 1890

James C. Kelly

POLICE JUSTICE.

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 26 years, occupation Police officer of No.

9th Precinct Street being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Patrick Blavin

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

Sworn to before me, this 17

day of Sept 1891

Stephen Gillespie  
Police Justice.

0058

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

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

Question. What is your name?

Answer.

*Daniel Shay*

Question. How old are you?

Answer.

*52 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*146 W 16th St 9 years*

Question. What is your business or profession?

Answer.

*Sailor*

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.

*The Complainant gave  
me the pocket book  
to hold for him  
I am not guilty*

*his*

*Daniel X Shay  
mark*

Taken before me this  
day of *Sept*  
188*9*

*John J. McKeely*  
Police Justice.



0059

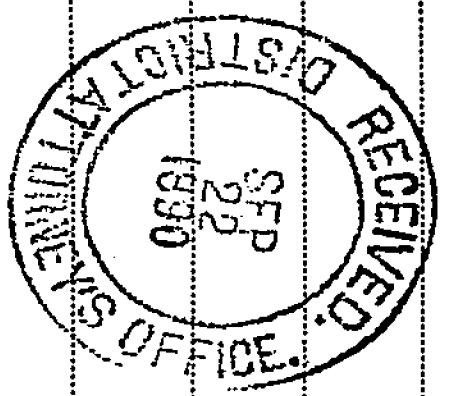
DAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

1446  
Police Court--2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*Charles Blawie*  
24 *Trinity St.*  
1 *Daniel Shoy*  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Offence *Larceny from*  
*the Person*

Dated *Sept 19* 189*0*  
*H. O. Reilly* Magistrate.  
*Kullback* Officer.

Witnesses  
*Stephen Kullback*  
*John Kullback*  
Precinct. \_\_\_\_\_  
Street. \_\_\_\_\_



No. \_\_\_\_\_ Street. \_\_\_\_\_  
No. \_\_\_\_\_ Street. \_\_\_\_\_  
to answer.

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

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

Dated *Sept 19* 189*0* *H. O. Reilly* Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Daniel Shay*

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

*Daniel Shay*

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

The said

*Daniel Shay*

late of the City of New York, in the County of New York aforesaid, on the *18th*  
day of ~~September~~ *September* in the year of our Lord one thousand eight hundred and  
*ninety*, at the City and County aforesaid, with force and arms, in the  
*night* time of the same day, divers promissory notes for the payment of money, being  
then and there due and unsatisfied (and of the kind known as United States Treasury  
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the  
payment of and of the value of *forty-two*

*\$83.00*

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

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

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

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid  
unknown, of the value of *forty-two dollars, one*

*pocketbook of the value of fifty*  
*cents*

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

JOHN R. FELLOWS, District Attorney.

0061

**BOX:**

411

**FOLDER:**

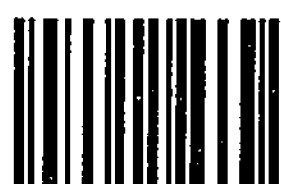
3801

**DESCRIPTION:**

Siebeking, Paul

**DATE:**

09/09/90



3801

Witnesses;

Paul Witzell  
 Off. Heidelberg Can. Ch.  
 Saw  
 Mr. Palmer  
 ✓ 30. E. 14th St  
 Tailor  
 ✓ St. Fisher  
 Flushing Av.  
 Brooklyn  
 and for of feda  
 Index  
 This paper Ch. is  
 was he. threaten  
 to blacken me  
 a witness. who  
 was in same  
 house with him  
 H.

#72

Counsel,

Filed

day of

1890

Pleads

THE PEOPLE

vs.

P

Paul Siebeking

23

140 my line

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

M. S. Hayes  
 Sept 9/90 Foreman.  
 Pleads, G. L. R. G.  
 2476 Ups. P.  
 Sept 12/90 P. 12



Police Court—

District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

Paul L. Mitzell  
of No. 42 1548 Warren Street, aged 37 years,  
occupation Stock Clerk being duly sworn  
deposes and says, that on the 5 day of September 1887 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

A quantity of china ware of  
the value of Fifty dollars

the property of

L. Strauss & Sons but in  
deponent's charge and care

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 Paul Sieblking from him

from the fact that deponent  
was informed by Detective  
Charles Heideberg of 300 Mulberry  
Street that while in the act of  
arresting said Sieblking for another  
offense he found in his possession  
a quantity of china which he  
Sieblking confessed stealing  
from L. Strauss & Sons from  
whom he had worked. That  
deponent has seen the property  
found in the possession of said  
Sieblking and fully identifies the  
same as having been stolen from  
L. Strauss & Sons. P. L. Mitzell

Sworn to before me this  
5 day of September 1887  
at New York  
Police Justice

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Charles Heidelburg*  
aged *30* years, occupation *Police Officer* of No. *300*  
*Madison* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Paul F. Mitchell*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this *10*  
day of *Sept* 18*90* *Chas. Heidelburg*  
*Salmon Blum*  
Police Justice.

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Paul Siebering* 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.

*Paul Siebering*

Question. How old are you?

Answer.

*23 years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*14 Irving Place 2 months*

Question. What is your business or profession?

Answer.

*Salesman*

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

Answer.

*I am guilty*  
*Paul Siebering*

Taken before me this  
day of  
December  
1914  
at New York  
City  
Justice



0066

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court - District

THE PEOPLE, Ac.,

ON THE COMPLAINT OF

Paul H. McFadden  
412 Warren St.

Paul H. McFadden

Offence

Dated

Sept 6 1890

Magistrate

Magistrate

Officer

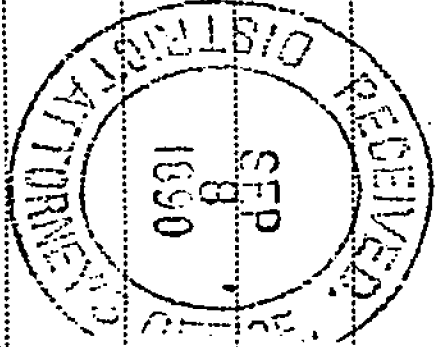
Witnesses

No.

Street

No.

Street



No. 1000 S.S. Street

Boonville

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

Dated Sept 6 1890 John B. Blum Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.



## PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.

~~13~~ If this Subpoena is disobeyed, an attachment will immediately issue.

~~13~~ 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.]

*To See Recorder Smyth*  
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 *Dr. Fisher*

of No. *740*

*Flushing ave* Street *Brooklyn*

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the *12* day of *September* 1890, at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

*Paul Sieckering*  
Dated at the City of New York, the first Monday of *September* in the year of our Lord 1890.

JOHN R. FELLOWS, *District Attorney.*

*(over)*

Should the case not be called on for trial, and no reason assigned in Court please inquire at the District Attorney's Office about it, and you may save time.

If inconvenient to remain, and you prefer another day, state this early to the District Attorney in the Court.

If ill when served, please send timely word to the District Attorney's Office.

If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.

*Mr. Fisher sailed yesterday on the steam ship  
Wilhelm I for Germany, will  
return in about six months.  
J. M. Peilly  
Subpoena Server.*

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Paul Siebeking*

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

*Paul Siebeking*

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

The said

*Paul Siebeking*

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

*a quantity of chinaware, (a more  
particular description whereof is  
to the Grand Jury aforesaid un-  
known, of the value of fifty  
dollars)*

of the goods, chattels and personal property of one

*Lazarus Straus*

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

*John R. Fellows*  
District Attorney

## SECOND COUNT—

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

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

The said

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,

of the goods, chattels and personal property of one

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

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

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

JOHN R. FELLOYS,  
District Attorney.



0071

**BOX:**

411

**FOLDER:**

3801

**DESCRIPTION:**

Silvert, Abraham

**DATE:**

09/29/90



3801

0072

Indicted Oct 29, for Burg in  
2d deg. - tried & acquitted  
R.B.M.

Witnesses:

Rachel Simon

#241

Counsel,

Filed 29 day of Sept 1890

Pleads, Not Guilty - 30

22  
36

THE PEOPLE

vs.

Abraham Silver

Return in the THIRD DEGREE  
of 1st & 2nd degree  
(Section 498, 506, 524 R.S.M.)

JOHN R. FELLOWS,

P 3 Oct 12, 1890 District Attorney.  
Pleads P I.

A True Bill.

M. S. Haynes.  
Foreman.

Part 1 P 3 Oct 22, 1890

Oct 9th 1890  
Pen 1st & 2nd  
R.B.M.

Police Court District.

City and County of New York, ss.:

of No. 164 East Broadway Street, aged 25 years, occupation Housekeeper being duly sworn

deposes and says, that the premises No. 164 East Broadway Street, " " Ward

in the City and County aforesaid the said being a five story brick tenement house, three rooms and which was occupied by deponent as a dwelling, on the 2<sup>nd</sup> floor and in which there was at the time ~~no~~ human being, by name

were BURGLARIOUSLY entered by means of forcibly unlocking the hall room door and so gaining an entrance to said room

on the 10<sup>th</sup> day of September 1886 on the day time, and the following property feloniously taken, stolen, and carried away, to-wit:

One coat and one vest, of the value of Fifteen Dollars (\$15.)

the property of Morris Simon (complainant) 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

Abraham Silver (nowhere) and an unknown man.

for the reasons following, to wit: At Nine o'clock a.m. on said date and day deponent locked and effectively closed said room, and five minutes thereafter when deponent returned to said room, from the yard of said premises, where she had gone, after locking



said door, he pursued them  
and there found said  
Defendant and said man  
= known man in her  
said room, and said  
property in the possession  
of said Defendant. Wherefor  
said Defendant was charged  
= with receiving said rooms  
and taking, stealing and  
carrying away said property  
and saying they be dealer  
with as the law books

*Present before me*  
*106th St. N.Y.C.*  
*Sept 1890*  
*James J. [Signature]*

*Police Justice*

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 188  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 188  
There being no sufficient cause to believe the within named  
guilty of the offence mentioned, I order he to be discharged.  
Dated 188  
Police Justice.

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

1  
2  
3  
4

Offence—BURGLARY.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses.

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.



0075

Sec. 193-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*  
✓ *Abraham Silver*

Taken before me this

day of

188

Police Justice.

0076

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court-9  
District 1388

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Richard J. [unclear]*  
167 St. Robert Avenue  
*John [unclear]*

1  
2  
3  
4  
Dated \_\_\_\_\_ 1888

*Stewart*  
Magistrate

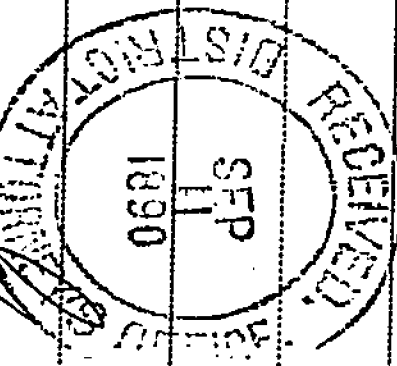
Witnesses  
*A. B. [unclear]*  
Precinct \_\_\_\_\_

No. 167 E. Broadway  
Street \_\_\_\_\_

No. \_\_\_\_\_  
Street \_\_\_\_\_

No. \_\_\_\_\_  
Street \_\_\_\_\_

\$ 2000 to answer \_\_\_\_\_



*John [unclear]*  
*Pratt [unclear]*

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*  
*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 *Sept 9* 1888 *W. H. [unclear]* Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ 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 \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

0077

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Abraham Silver

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

Abraham Silver

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

The said

Abraham Silver

late of the Seventh Ward of the City of New York, in the County of New York  
aforesaid, on the ninth day of September in the year of our Lord one  
thousand eight hundred and ~~eighty~~ ninety, with force and arms, in the  
day time of the same day, at the Ward, City and County aforesaid, the  
dwelling house of one

Morris Simon

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

Morris Simon

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

## SECOND COUNT—

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

*Abraham Silver*

of the CRIME OF *Petit* LARCENY, committed as follows:

The said

*Abraham Silver*

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

*one coat of the value of five dollars and one dress of the value of two dollars*

of the goods, chattels, and personal property of one

*Morris Simon*

in the dwelling house of the said

*Morris Simon*

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

*John R. Fellows,*  
*District Attorney*



THIRD COUNT.

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

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

The said

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

of the goods, chattels and personal property of

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

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

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

JOHN R. FELLOWYS,  
District Attorney.

0080

**BOX:**

411

**FOLDER:**

3801

**DESCRIPTION:**

Simms, Thomas

**DATE:**

09/19/90



3801

0081

**BOX:**

411

**FOLDER:**

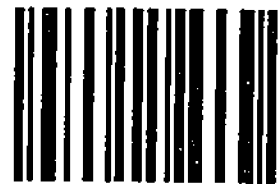
3801

**DESCRIPTION:**

Parkinson, William

**DATE:**

09/19/90



3801

0082

662.

#168 Huston W

Witnesses;

Patrick Smith  
Off. W. Andrews 6<sup>th</sup> Precinct.

Counsel,

Filed

Pleads,

19 day of Sept. 1890  
Guilty

THE PEOPLE

vs.

Thomas Simms

and  
William Parkinson  
H.D.

Robbery in the 2<sup>nd</sup> degree.  
(MONEY).  
[Sections 224 and 228, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Mrs. Haynes  
Sept 22/90 Foreman.  
Guilty & Acquitted



00083

Police Court 1st District.

CITY AND COUNTY }  
OF NEW YORK, } ss

Patric Smith  
of No. 58 Bowery Street, Aged 18 Years

Occupation Labourer being duly sworn, deposes and says, that on the  
10th day of September 1889, at the 6th Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful money of the  
United States consisting of  
Bank notes and bills five silver  
and nickel coins being together  
of the value of  
Fifteen Dollars

of the value of DOLLARS,  
the property of Deponent

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

William Parkinson and Thomas  
Smith (now here) who were acting  
in concert with each other for  
the reasons following to wit  
That about the hour of 4 o'clock p.m.  
on the after noon of the aforesaid  
day deponent was in the Bowery  
and had paid property bank  
notes and bills in the lower left  
hand pants pocket of the pants he then  
had on and had paid silver and  
nickel coins in the upper left  
hand vest pocket of the vest he then

188

Police Justice

had on when said Simms took hood of  
deponent and violently threw deponent  
down on the ground and beat him there  
until said ~~man~~ Simms saw that said  
property ~~from~~ the clothing of deponent  
as ~~being~~ being held by said Simms  
and then ran away and deponent  
pursued them and caused them to be  
arrested and fully identifies said  
defendants ~~and deponents~~ as the  
persons who took ~~the~~ and carried  
away said property and with acting in  
concert with each other

Sworn to before me <sup>1890</sup> Patrick Smith  
this 12<sup>th</sup> day of Sept  
Solomon Dupuch  
Police Justice

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

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

Police Court, District, Offence—ROBBERY.

THE PEOPLE, &c.,  
on the complaint of

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

Dated 1888 Magistrate.

Officer. \_\_\_\_\_  
Clerk. \_\_\_\_\_

Witnesses, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
§ \_\_\_\_\_ to answer General Sessions.

00085

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *William Parkinson*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *England*

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

Answer. *20 Bowery Queens*

Question. What is your business or profession?

Answer. *Labour*

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*

*William Parkinson*

*Subscribed and sworn to before me this 12th day of October 1889*  
*John D. Smith*  
Police Justice.



0086

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

1st District Police Court.

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

Question. What is your name?

Answer.

*Thomas Sinis*

Question. How old are you?

Answer.

*25 years*

Question. Where were you born?

Answer.

*England*

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

Answer.

*Enterprise Lodging house Penn Row. 3 days*

Question. What is your business or profession?

Answer.

*Labourer*

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

Answer.

*I am not guilty*

*Thomas Sinis*

Taken before me this 12th day of December 1900  
at New York City  
J. J. Sullivan  
District Justice



00007

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court 1412  
District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James Smith*

1 *Thomas Smith*  
2 *William Smith*  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Offence \_\_\_\_\_

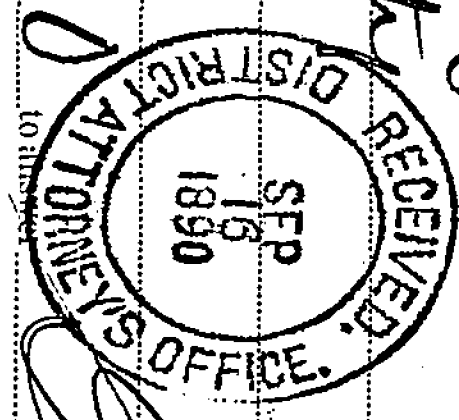
Dated *Sept 12* 1890

*Smith* Magistrate

*McClelland* Officer

*Complainant*  
*James Smith*  
*in default of \$100*  
*Smith* Street

No. *500*  
to the \_\_\_\_\_  
Street



*Boas*

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

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

Dated *Sept 12* 1890 *John B. Smith* Police Justice

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

0088

TORN PAGE

CITY AND COUNTY } ss.  
OF NEW YORK, }

POLICE COURT, 1 DISTRICT,

*John T. McAndrews*  
of No. *110th Street*, aged *29* years,  
occupation *Police Officer* being duly sworn deposes and says  
that on the *1st* day of *September* 188*9*  
at the City of New York, in the County of New York *Dependent*  
arrested *Thomas Sims & William*  
*Parkinson* (now *free*) on the com-  
plaint of *Patrick Smith* charging  
them with *Robbery* and deponent has  
good and sufficient reasons to  
believe that said Smith will not  
appear against the said defendant  
at the trial at the Court of General  
Sessions, he being a necessary and  
material witness against them and asks  
that he be committed to the house of detention  
in default of bail. *John T. McAndrews*

Sworn to before me, this

*Sept 1st* 188*9*

day

*John D. Smith*  
Police Justice.

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Thomas Simms and  
William Catkinson*

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

*Thomas Simms and William Catkinson*  
of the crime of ROBBERY IN THE *first* DEGREE, committed as follows:

The said *Thomas Simms and William Catkinson*, each

late of the City of New York, in the County of New York aforesaid, on the *seventeenth* day of *September*, in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety* in the ~~middle~~ *last* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *Patricia Smith*, in the peace of the said People then and there being, feloniously did make an assault, and ~~promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars~~ ; *one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars ; ~~three~~ *three* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars *each* ; *five* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars *each* ; *ten* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar *each* ; ~~promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars~~ ; *one* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars ; ~~three~~ *three* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars *each* ; ~~United States Silver Certificate of the denomination and value of twenty dollars~~ ; *one* United States Silver Certificate of the denomination and value of ten dollars ; ~~three~~ *three* United States Silver Certificates of the denomination and value of five dollars *each* ; *five* United States Silver Certificates of the denomination and value of two dollars *each* ; *ten* United States Silver Certificates of the denomination and value of one dollar *each* ;

0090

~~United States Gold Certificate of the denomination and value of twenty dollars~~  
~~—~~; ~~one~~ United States Gold Certificate of the denomination and value of ten  
dollars ~~—~~; ~~three~~ United States Gold Certificates of the denomination and value of  
five dollars ~~each~~; and divers coins, of a number, kind and denomination to the Grand Jury  
aforesaid unknown, of the value of *fifteen dollars,*

of the goods, chattels and personal property of the said *Patricia Smith,*  
from the person of the said *Patricia Smith,* — against the will,  
and by violence to the person of the said *Patricia Smith,*  
then and there violently and feloniously did rob, steal, take and carry away, *the said*  
*Thomas Quinn and William Parkinson,*  
*and each of them, being then and there*  
*aided by an accomplice actually present,*  
*to wit, each by the other.* —

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

JOHN R. FELLOWS,

District Attorney.



0091

**BOX:**

411

**FOLDER:**

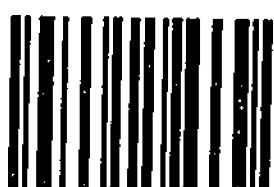
3801

**DESCRIPTION:**

Simovitch, Israel

**DATE:**

09/10/90



3801

578.

Jacob Robinowitz  
Blondel Feldman

Filed

day of

186

Pleads,

THE PEOPLE

U.S.

Israel Simovitch

**Grand Larceny, First Degree.**  
**(DWELLING HOUSE.)**  
[Sections 528, 530 — Penal Code].

JOHN R. FELLOWS,

*District Attorney.*

Paul Sept 17 at Oyster Creek

WBJ

## A True Bill.

Wm. S. Hayden  
Sept 19/90 Foreman.  
Nick & Segretario

Police Court— District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

3  
of No. 44 Henry St. Street, aged 30 years,  
occupation Shroton being duly sworn  
deposes and says, that on the 7<sup>th</sup> day of August 1898 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the Night time, the following property, viz:

One ladies gold watch. And  
gold watch chain. one silver  
watch and plated watch chain  
one gold ring. together of the  
value of Ninety dollars.

(\$90.00)

the property of Heppner

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 Israel Simovitch

(now here). from the fact that  
on said date deponent missed  
said property from the bureau in  
deponent's bed room in said premises.  
Deponent is informed by Mendel  
Feltman that he Feltman saw  
this deponent feloniously take  
steal and carry away said  
property from said bureau at  
about the hour of 11 o'clock P.M.  
said date.

Wherefore deponent prays the  
said deponent may be held and  
dealt with according to law.

Jacob X Robins  
deponent

Sworn to before me this  
1898

Police Justice.

0094

CITY AND COUNTY {  
OF NEW YORK, } ss.

aged 22 years, occupation Sailor of No. 74 Orchard Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Jacob Robinowitz

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

Sworn to before me, this 1

day of Sept

1889

Mendel Leltman  
Mand

Police Justice.



Sec. 192-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*Israel Levi vitch*

Question. How old are you?

Answer.

*28 years old*

Question. Where were you born?

Answer.

*Russia*

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

Answer.

*17 E Division St. 1 year*

Question. What is your business or profession?

Answer.

*Carpenter*

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*

*Israel Levi vitch*

Taken before me this  
day of *Sept* 189*8*

Police Justice.

0096

Sept 2<sup>nd</sup> 10 AM.  
" 3<sup>rd</sup> 2 PM.

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court 1355  
District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Jurat William  
44 304 11  
Genl. Edmund  
2 2 11  
3 11  
4 11  
Offence  
Lancaster (Helm)

Dated Sept 1 1890

Magistrate  
Mullins  
11 11  
Officer

Witness  
Mundel Helman  
11 11  
Precinct

No. 1 11 11  
Street

No. 2 11 11  
Street

No. 3 11 11  
Street

\$ 500 to answer

Com  
11 11

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

Sept 1 1890  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated Sept 1 1890 Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Israel Simovitch*

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

*Israel Simovitch*

of the CRIME of GRAND LARCENY in the first degree, committed as follows:

The said

*Israel Simovitch*

late of the *Tenth* Ward of the City of New York, in the County of New York  
aforesaid, on the *seventh* day of *August* in the year of  
our Lord one thousand eight hundred and ~~eighty-ninety~~ in the night time of the same day,  
at the Ward, City and County aforesaid, with force and arms,

*one watch of the value of forty  
dollars, one chain of the value of  
twenty dollars, one other watch of  
the value of fifteen dollars, one  
chain of the value of five dollars  
and one finger ring of the  
value of ten dollars*

of the goods, chattels and personal property of one

*Jacob Robinovitch*

in the dwelling-house of the said

*Jacob Robinovitch*

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

*John R. Fellows,  
District Attorney*

SECOND COUNT---

And the Grand Jury aforesaid, by this indictment, further accuse the said  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

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

of the goods, chattels and personal property of one

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

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

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

JOHN R. FELLOWS,  
District Attorney.



0099

**BOX:**

411

**FOLDER:**

3801

**DESCRIPTION:**

Smith, August

**DATE:**

09/09/90



3801

Witnesses;

John Lichl  
Philip Dietz  
Off. Langgans

#88  
Green  
280 Broadway

Counsel,

Filed

day of

1890

Pleads,

THE PEOPLE

vs.

August Smith

Burglary in the Third degree.  
[Section 498, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100]

JOHN R. FELLOWS,

District Attorney.

Part 1 Sept 16<sup>th</sup>

W. J.

A True Bill.

Wm. L. Haynes.  
Sept 16/90 Foreman.

Friedrich Gonnert  
of Bay 3deg  
to the Ref. ES

Police Court— District.

City and County } ss.:  
of New York,

of No. 1685 2<sup>d</sup> Avenue Street, aged 31 years,  
occupation Painter being duly sworn  
deposes and says, that the premises No. 1685 2<sup>d</sup> Avenue 12<sup>th</sup> Ward  
in the City and County aforesaid the said being a

~~the basement of~~  
and which was occupied by deponent as a Paint Shop  
and in which there was at the time a human being, by name

Philip Dietz  
were BURGLARIOUSLY entered by means of forcibly Breaking off  
of two boards in the partition dividing  
of deponent's paint shop from the cellar  
of said premises

on the 26 day of August 188 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

A number of  
Paint Brushes &c of the  
value of fifteen dollars  
\$ 15.00/100

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

Gustave Smith (number)

for the reasons following, to wit: That at about the hour  
of 1.30 P.M. on said date deponent  
was informed by Philip Dietz of 1685  
2<sup>d</sup> Avenue that he found the said  
defendant in the cellar of the above  
premises, and deponent on examining  
the said premises discovered that  
two boards of a partition in the  
cellar of said premises had been



broken and a quantity brushes removed from deponents shop. The said partition dividing deponent shop from the cellar of the said premises, Deponent is further informed by said Ditz that he discovered the said defendant Smith in the cellar of the said premises at the time the time the said goods were removed from deponents shop.

Deponent therefore accuses the said defendant Smith with having feloniously and unlawfully entered said premises.

Sworn to before me, this Joh. Diehl  
26<sup>th</sup> day of August 1890

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

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

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

Police Court, District, \_\_\_\_\_

THE PEOPLE, &c.,  
on the complaint of \_\_\_\_\_

vs.

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

Offence—BURGLARY.

Dated \_\_\_\_\_ 188 \_\_\_\_\_

Magistrate. \_\_\_\_\_

Officer. \_\_\_\_\_

Clerk. \_\_\_\_\_

Witness. \_\_\_\_\_

No. \_\_\_\_\_ street, \_\_\_\_\_

No. \_\_\_\_\_ Street, \_\_\_\_\_

No. \_\_\_\_\_ Street, \_\_\_\_\_

\$ \_\_\_\_\_ to answer General Sessions.



0103

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*Gustave Smith*

Question. How old are you?

Answer.

*19 Years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*131 East 109<sup>th</sup> Street 5 Years*

Question. What is your business or profession?

Answer.

*Bricklayer*

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*

*Gustave Smith*

Taken before me this

*26*

day of August

1899

*Ed J. J. J.*

Police Justice.

0104

\$1000 for 400  
29 Aug. 1890

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

229 1318  
Police Court... 5 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Diehl  
1685 - 28 2nd Ave  
Frederic Smith

Offense Burglary

Dated, Aug. 26<sup>th</sup> 1890

Rever Magistrate.

Langford Officer.

Philip Diehl Precinct.

Witnesses Philip Diehl

No. 1685 12<sup>th</sup> Ave Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

\$ 500 to answer SS

Chas. Smith

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 \$ 500 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. 26<sup>th</sup> 1890 W. J. Brown Police Justice.

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

Dated, \_\_\_\_\_ 1890 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 1890 \_\_\_\_\_ Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Philip Dietz  
aged 20 years, occupation Barber of No.

1685 - 2 Avenue Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of John D. Dehl

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

Sworn to before me, this

day of

Aug 26 1890

Philip Dietz

cc J. G. G. G.  
Police Justice.

The People

v.

August Smith

Court of General Sessions. Part I

Before Recorder Smyth. Sept. 16. 1890.

Indictment for burglary in third degree.

John Diehle, sworn and examined, testified.

I am a painter and my shop is at 1583 Second Avenue in this city in the basement. There is a cellar in the back and there is a partition between the shop and the cellar made of boards. I left my shop on the 16<sup>th</sup> of August a quarter before one o'clock locking it up. I left my paint brushes and other property there and came back at half past one. I opened the door and went into the shop. When I left the board partition between my shop and the cellar was all sound, but when I came back two boards were pulled off and the paint brushes and things that had been in the shop were in the cellar. I did not see the defendant before I went into the shop. I understood that the officer had the man arrested. I went to the station house and I saw the defendant there. The tools were found on the floor of this cellar.

Cross Examined. I do not keep anything for sale in my shop - only my working tools. I had nobody in my employ. I had no access to the back part of the basement; the tenants of the house had access there.



There are a number of tenants in the house and they get down to that basement through the hall. There is no door in that hall that leads into my apartments. I did not see the defendant enter the apartments. All I know about the matter is I found two boards down which made an entrance to my paint shop and I went to the station house. The brushes and things that were taken out of my shop were worth fifteen dollars.

Phillip Dietz sworn. I am a barber and reside at 1683 Second Avenue and was living there on the 26<sup>th</sup> of August. My shop is just above Mr. Diehl's paint shop. On this day I was in the kitchen in the rear of the store, and there you can hear everything that is going on down below. I was there from one o'clock until the man came back. My attention was attracted to the cellar about half past one o'clock. I heard a noise and a lady came and said there were thieves down in the cellar. There is a door from my kitchen to the hall and from there there is a stairway leading to the cellar. I took a pistol and went down to the cellar. I saw that man (the defendant) in the coal hole. I saw Mr. Diehl's brushes lying there and I saw the boards were off.

I said to the defendant he should not move or I would shoot him. I stayed there until the policeman came and he took the defendant out. I am familiar with the tenants of the house. The defendant does not live there.

Cross Examined. I could not address anybody in particular when I first entered the cellar because it was pitch dark and I did not see any one. The entrance is small, just large enough to carry coal into the back of the cellar. The defendant acted as if he was drunk when the policeman came. I do not believe he was very sober. He made no resistance to the arrest; the officer got hold of him and took him up stairs.

George Langars sworn. I am a police officer and know the premises 1683 Second Avenue in the 12<sup>th</sup> ward of this city. I arrested the prisoner on the 26<sup>th</sup> day of August in the cellar of the premises. I was called by a man employed by the barber to make the arrest. When I got there I saw the partition of this painter's shop and two boards were out and lots of brushes and some tools lying around in the cellar seemingly ready for shipment, all laid in a pile. They told me the defendant was back in the coal shed.

With the aid of a candle I went back there and got him out. I said, "Come

0 109  
out of here. "He said, "What do you want?" I said, "I want you." He walked to the station house. On the way he muttered to himself; his remarks were unintelligible. The charge was made against him and his pedigree was taken. He answered all the questions put to him intelligently. He was searched and I found on him this article (it looked like a corset bone) two ordinary keys and five cents. I had no further conversation with him at any time.

Cross Examined: When I first saw the defendant he was half lying and half standing in the coal slide; the coal slide is about two feet square and goes down like that (showing); it is too high up from the ground for a person to lie entirely on the ground; he was in a half standing and half lying position, half his body in the coal slide and half on the floor. I cannot answer if he was sober or drunk. I have seen men under the influence of liquor. I did not smell liquor on him; he acted as if he were under the influence of liquor. I will not swear that he was not drunk. It is two ordinary city blocks from the place where the defendant was arrested to the station house. His clothing was not disordered, and I did not smell liquor on his breath.



August Smith, sworn and examined in his  
own behalf testified: I am 19 years old and  
have lived in New York all my life. The last  
thing I worked at was brick laying. I do not  
remember what day I was arrested. I left  
the house that morning about seven o'clock;  
it looked as if it was going to rain and I  
knew there would be no work for me, for I  
work at brick laying, and when it is wet  
I cannot work. I went to the boss; there  
was \$1.60 coming to me and I went and  
got it. I was drinking to the time I was  
arrested and then I had only five cents.  
I remember going into fifteen or sixteen  
different saloons. I went to see a friend  
of mine who attends bar at the corner  
of 89th St. and Second Avenue, and after  
I left there I did not know where I went I  
was so beastly drunk. I had about 20 or  
22 glasses of beer. I never drink anything  
but beer. I did not commit a burglary. I  
do not remember entering the place. I was  
arrested once for standing in front of a door.  
A policeman came along and I was  
fined five dollars. I was never convicted  
of any crime. I worked two years and  
six months for Mr. Steinway. I have always  
resided with my mother at 121 East 125th St.  
I do not recollect the time I was arrested.



Cross Examined. I walked to the station house, I was told I did. I got struck. When I saw the policeman hitting me. I did not know what he was hitting me for. I recollected in the station house I saw his buttons, I saw where I was. I was drinking all that morning. I could not say what time I was arrested. I got the money of my employer about 8 o'clock in the morning. I had not drunk anything till then. I met a lot of men who got paid. I took my first drink on the corner of 101<sup>st</sup> St. and 4<sup>th</sup> Avenue. I took three or four glasses of beer there with men who had been working. I left there and went further up the Avenue to 108<sup>th</sup> St. & Lexington Avenue and had two beers there alone. I stayed there about 15 minutes. I went then to 108<sup>th</sup> St. and Third Ave. and I met a friend John Brennan. I walked along as far as 100<sup>th</sup> St. I went in there and had three or four beers. I stayed there about 20 minutes and walked down with Brennan and stopped in another saloon. I don't know exactly the street. That was about half past nine. I stayed there half an hour, I must have had four or five glasses of beer in there. I went to 89<sup>th</sup> St. and Second Avenue to ~~the~~ Jim

0112

Hammill's, a friend of mine, his brother  
owns the place. I had a talk with him,  
and after that I don't know where I went.  
The last I recollect was being at Hammill's  
place at half past ten o'clock. I must have  
stayed there till twelve o'clock. I met a couple  
of fellows who stop there most of the time. I  
don't know their names. The next I recollect  
is being in the station house. I don't remem-  
ber what was said to me there. I was  
not exactly sober there, but when I saw where  
I was I got frightened <sup>and</sup> all of a sudden I  
got my senses. I got frightened because  
I was arrested. I was arrested once before  
and was fined five dollars. I was stand-  
ing in a door on Third Avenue between  
108 and 109<sup>th</sup> Sts. and the policeman  
came along and the other fellow who  
was there ran up stairs. I thought I  
was arrested this time for being drunk  
and disorderly. I was taken from the station  
house to the Police Court. I rode there on the  
Elevated train. I don't remember whether  
they asked me a number of questions there  
or not. I was asked to sign a paper and  
did not wait to read it. I signed my  
name. The signature now shown me is  
mine. I might be able to write better now.  
I am 19 years old. I have always gone

0113

by the name of August Smith. There was nobody in the cellar who got away. I do not remember anybody being with me at all. I did not have the article shown me for the purpose of shoving back windows. I do not recollect how long I have been carrying it. I must have had it in my pocket about three days. I have never been in any prison before. I have never been in the Catholic protectory. I worked for Mr. Hite at 105th St. between Madison and Smith Avenue; he is a boss bricklayer and I worked for Steinway & Son.

Mary Smith sworn. I am the mother of this defendant. He lived with me previous to the arrest. He has always been a dutiful son and he worked all the time. I have got no husband. I have three small children and he brought home the money that he earned.

The jury rendered a verdict of guilty with a strong recommendation to mercy.

0114

Testimony in the  
case of  
August Smith.  
filed Sept.  
1890.



New York Hospital,

West Fifteenth Street,

New York, Sept 12 1890

This is to certify that on July 27<sup>th</sup> at about 2.50 Am. Dennis Collins was brought into my service here, by the Ambulance, suffering from an incised wound over the posterior part of left shoulder blade. The wound was about four inches long, clean cut, as if made by some sharp instrument, and reached down to the bone. No large vessels were cut, but so many small ones, that there had been a profuse hemorrhage, from the effects of which the patient was suffering. Some of the smaller nerves, supplying the left arm had also been cut, resulting in marked loss of motion of arm. Patient

01

New York Hospital,

West Fifteenth Street,

New York, \_\_\_\_\_ 189

was apparently somewhat intoxicated. Hemorrhage stopped and wound closed. I consider the wound to have been a dangerous one from its depth & the attendant hemorrhage, and also from liability of inflammation following.

Patient recovered quite rapidly, regaining slowly the use of his arm and was discharged cured August 28<sup>th</sup> '90. At that time the wound was closed, but the arm had not ~~become~~ regained its normal condition..

Respectfully  
W. J. Schaeffler M.D.  
House Surgeon.

0117

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*August Smith*

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

*August Smith*

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

The said

*August Smith*

late of the *Twelfth* Ward of the City of New York, in the County of New York, aforesaid, on the *twenty-sixth* day of *August* in the year of our Lord one thousand eight hundred and *ninety*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *shop* of one

*John Diehl*

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

*John Diehl*

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.

0118

SECOND COUNT—

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

\_\_\_\_\_ *August Smith* \_\_\_\_\_  
of the CRIME OF *Petit* LARCENY \_\_\_\_\_

committed as follows:

The said

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

*fifteen brushes of the value of  
one dollar each*

of the goods, chattels and personal property of one

in the *shop* of the said

*John Diehl*  
*John Diehl*  
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.

*John R. Fellows*  
*District Attorney*



THIRD COUNT—

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

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

The said

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

of the goods, chattels and personal property of one

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

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

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

JOHN R. FELLOWS,  
District Attorney.

0120

**BOX:**

411

**FOLDER:**

3801

**DESCRIPTION:**

Smith, Benjamin

**DATE:**

09/09/90



3801

0121

Witnesses;

Timothy Dolan  
Off. Griffin 4<sup>th</sup> Precinct

On the written statement of the  
Complainant (enclosed) & deem  
it proper to recommend  
that the defendant be  
discharged on his own  
recognizance  
Sept 15/90 John R. Fellows  
District Attorney

#82

Bvd

Counsel,

Filed

Pleads,

day of Sept. 18 90

THE PEOPLE

21

St. Henry St.

Benjamin Smith

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Mrs. S. Kaynes.

Part 2 - Sept 17/90 Foreman.

Fined and convicted of  
assault in the third  
degree. Pen 1 yr

R.B. M. 19

0122

Police Court— District.

*Pls. ex!*

City and County { ss.:  
of New York,

*Timothy Doyle*

of No. *107 Monroe* Street, aged *22* years,

occupation *Town Driver* being duly sworn

deposes and says, that on the *30th* day of *August* 188*9* at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

*Benjamin Smith (now dead)*

*who violently cut and*

*stabbed deponent about*

*the left arm with a knife*

*then held in his hand*

*[Large diagonal line across the page]*

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

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

Sworn to before me, this *1st* day of *September* 188*9* } *Tim Doyle*

*Solon B. Smith*  
Police Justice.



0123

### *Offence—Felonious Assault & Battery*

*Dated* ..... 188

***Magistrate.***

Officer.

**Oierik.**

**Witnesses,**

No. \_\_\_\_\_ Street,

No. .... Street,

No. .... Street.

to answer General Sessions.

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

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

*Dated* \_\_\_\_\_ 188 . \_\_\_\_\_ *Police Justice.*

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

*Dated* \_\_\_\_\_ 188 . \_\_\_\_\_ *Police Justice.*

*There being no sufficient cause to believe the within named* \_\_\_\_\_

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

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

0124

Sec. 108-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*  
*Benjamin Smith*

Taken before me this  
day of  
1908  
at  
Police Court.

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court---  
District---

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_  
Offence \_\_\_\_\_

Dated \_\_\_\_\_ 1888

Magistrate  
Officer  
Precinct

Witnesses

No. \_\_\_\_\_  
Street \_\_\_\_\_

No. \_\_\_\_\_  
Street \_\_\_\_\_  
to answer

\_\_\_\_\_

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

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

COURT OF GENERAL SESSIONS.

-----X  
T h e P e o p l e

against

Benjamin Smith.  
-----X

Before

: Hon. Randolph B. Mar-  
: tine and a Jury.  
:

Tried September 17th, 1890.

Indictment filed September 9, 1890.

Indicted for assault in the first degree.

APPEARANCES.

Assistant District Attorney Goff for the People.

Messrs. Sullivan & Blake for the Defense.

TIMOTHY DOYLE, the complainant, testified that he was a truck driver. On the night of the 30th of August, 1890, there was a fight at the corner of James Street and the Bowery. His, the complainant's, uncle went in to separate the men who were fighting, and they attacked his uncle. He, the complainant, was in a barber shop, and when he came out he attempted to rescue his uncle. He, the complainant, knew Smith, the defendant, by sight, but had never spoken to him before that night. He, the complainant, had endeavored to withdraw the prosecution against Smith because he was not



certain that the defendant had assaulted him. The defendant's mother had been to see him. He had no doubt that Smith was one of the men who was fighting. The defendant looked like the man who cut him, the complainant. He did say in the presence of the officer and the defendant, Smith, that he was stabbed in two places, on the arm and on the wrist, and that he did not know who stabbed him on the arm but that he was positive that Smith was the man that stabbed him on the wrist with a knife.

Under cross-examination the witness testified that there were fifteen or twenty men, probably twenty-five, engaged in a general fight. It was at about 10 o'clock at night. He did not see the defendant knocked down and his tooth kicked out at that time, nor did he see his face bloody. He went down the following day to withdraw his complaint against Smith. He, the complainant, did not have any knife on that night.

Under re-direct examination the complainant testified that he identified Smith, in the police station, in the presence of the Sergeant at the desk as the man who stabbed him. Officer Griffin then had the knife in his possession. He, the complainant, said at that time that the knife stuck in his wrist and was bent. He also said that there were two

Smiths engaged in the fight, and that it was the smaller Smith that had stuck the knife into his wrist.

Under re-cross examination the complainant testified that he did not remember seeing a knife at any time in the defendant's hand. He did see the defendant raise his hand to him, the complainant, and he, the complainant, was struck in the nose by the defendant. The fight went on for fully half an hour after that before he, the complainant, was stabbed. There were several men attacking him, the complainant. The defendant was close to him, the complainant, with several other men, but he, the complainant, did not see who gave him the stab. He, the complainant, did not know that the knife was sticking in his wrist until he went back into the barber shop and had it taken out.

OFFICER JEREMIAH J. GRIFFIN testified that he was attached to the fourth precinct. The defendant was brought into the station house, in Oak Street, under arrest, on the day following the assault. The complainant came to the station house and made his complaint and he, the officer, went to the barber shop at 54 New Bowery, on the night of the assault, between 10 and half past 10 o'clock. The barber shop was closed, but the barber opened the shop and the complainant was sitting there bleeding. The complainant gave him, the

witness, a knife, and said that he had been stabbed with it in the left arm and wrist. In the Police Court Doyle said that he was positive that the defendant was the man who stabbed him, and in the station house he also identified the defendant. Doyle said that he was not positive about the defendant being the man who stabbed him in the arm, but that he was positive that he had stabbed him in the wrist.

BENJAMIN SMITH, the defendant, testified for the defense that he resided at 34 Cherry Street, and worked for Donaldson Brothers, and had worked for them for nearly two years. He was about 21 years of age. On the night of the 30th of August, between 11 and 12 o'clock he, the defendant, was standing in front of No. 9 James Street when his, the defendant's brother came up and asked him for an accordion which he, the defendant, had taken to a party and broken. He, the defendant, had been laid off from work for several weeks, on account of the dulness, and he had no money to have the accordion repaired and he did not want his mother to know about his having broken it until he could have it repaired. He, the defendant, and his brother had a quarrel, and the complainant and some other men came out of the barber shop, and ordered his, the defendant's brother away. His, the defendant's, brother would not go away. Thereupon



there was a fight, one of the men who had been with the complainant in the barber shop striking his, the defendant's, brother. The two men began to fight and he, the defendant, tried to rescue his brother. Then the complainant and another man joined in and some other men took a hand. He, the defendant, was knocked down, and had a tooth knocked down his throat. He, the defendant, was pulled away out of the fight by some man and he went away. On the next day, Sunday, he was told that the complainant had charged him with stabbing him. He, the defendant, did not stab the complainant and never carried a knife in his life.

Under cross-examination the defendant testified that he was arrested on one occasion, about seven years before the trial as he was coming from school, and was sent to the Protectory. He did not know what he was charged with. On another occasion his mother sent for a police officer to have him arrested, but he had done nothing at all. On neither occasion, to his knowledge, was he charged with fighting.

EDWARD DUNNEGAN testified that he worked alongshore at the fruit business, and lived at 33 James Street. He was present at the fight on the night of August 30th and was standing near the defendant the trouble began between the defend-



ant and his brother. A man named Sullivan interfered, and was told to mind his own business. Then Sullivan struck the defendant upon the jaw, and a general fight commenced. It looked like a prize fight, and there were fifteen or twenty men engaged in it. He, the witness, got up on a truck and looked on. He saw the defendant knocked down twice.

Under cross-examination the witness testified that the fight lasted for about five minutes, until the police came.

JOHN CURTIS testified that he formerly kept a saloon, but was out of business. On Sunday, the 31st of August, he was in the barber shop at the corner of New Bowery and James St. and the complainant came into the barber shop. A man who was being shaved there asked the complainant who cut him the night before. The complainant replied "I don't know who cut me, and I didn't know I was cut at all until the barber took the knife out of my arm, about five minutes after I was cut." The complainant had a little cloth about his wrist.

Under cross-examination the witness testified that he lived upon his means, and he was not interested in the profits of the house at No. 4 James Street, a disorderly house.

0132

All correspondence relating to the business of the House, to secure prompt attention, should be directed to the Firm.

P.O. Box, 2791.

*Donaldson Brothers,*  
*Steam Lithographic Printers,*  
*Five Points,*

*New York,* September 11th, 1890

To Whom it may Concern:

This certifies that Benjamin Smith was in  
our employ for over two years, during which time he was faithful  
and attentive to his duties.

Donaldson Brothers,

Per *James Pritchett*  
*Foreman*

0133

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Benjamin Smith

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

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

The said Benjamin Smith,

late of the City of New York, in the County of New York aforesaid, on the thirtieth day of August in the year of our Lord one thousand eight hundred and ninety, with force and arms, at the City and County aforesaid, in and upon the body of one Timothy Doyle in the Peace of the said People then and there being, feloniously did make an assault and him the said Timothy Doyle with a certain knife

which the said Benjamin Smith 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 Timothy Doyle 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 Benjamin Smith of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Benjamin Smith,

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 Timothy Doyle in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and him the said Timothy Doyle with a certain knife

which the said Benjamin Smith 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.

John R. Stellas  
District Attorney

0135

**BOX:**

411

**FOLDER:**

3802

**DESCRIPTION:**

Smith, George

**DATE:**

09/12/90



3802



#114

Witnesses;

*Amelia Stanley*

*Property received  
Sept move of ~~all~~  
Bureau changing  
Ry*

Counsel,

Filed *12* day of *Sept.* 18*90*

Pleads,

THE PEOPLE

vs.

*George Smith*

Grand Larceny, Second Degree.  
(From the Person.)  
[Sections 538, 539, Penal Code].

*1890*

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Wm. J. Hayes*  
*Sept 15/90*  
*Pleaded guilty*  
*24th Sept*  
*Foreman.*



0138

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *George Smith*

Question. How old are you?

Answer. *49 years*

Question. Where were you born?

Answer. *NY*

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

Answer. *18 Pell Street*

Question. What is your business or profession?

Answer. *None in particular*

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

Answer. *I am guilty*  
*George Smith*

Taken before me this

Police Justice.

0139

*Order requests  
Ex sept 2-  
3.0.0m*

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court--- District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles Mackey*  
*Henry Smith*

Offence *Henry T. Brown*

Dated *Aug 24* 188*9*

*William Magistrate*

*William Officer*

No. \_\_\_\_\_ Precinct \_\_\_\_\_

Witness *Will T. Brown*

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

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

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

Dated *Aug 24* 188*9* Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.



0140

BAILED.

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

Police Court---

District---

1374

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Amelia Stanley*  
*George Smith*

2

3

4

Dated

*Sept 2 1890*

*Smith* Magistrate

*Smith* Officer

*Smith* Precinct

Witnesses

No.

Street

No.

Street

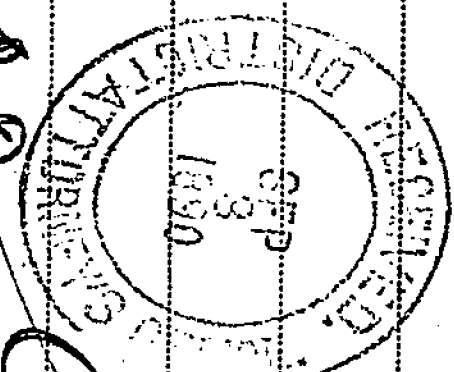
No.

Street

\$

*1000*

to answer



*Don't*

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.....

*Refused*

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

Dated *Sept 2 1890* *Solon B. Smith* Police Justice.

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

Dated.....18.....Police Justice.

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

Dated.....18.....Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

George Smith

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

George Smith of the CRIME OF GRAND LARCENY in the second degree committed as follows:

The said

George Smith

late of the City of New York, in the County of New York aforesaid, on the twenty seventh day of August in the year of our Lord one thousand eight hundred and ninety, in the day time of the said day, at the City and County aforesaid, with force and arms, one pocketbook of the value of fifty cents,

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

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

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

divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of seven dollars & thirty one cents of the goods, chattels and personal property of one Amelia Stanley on the person of the said Amelia Stanley then and there being found, from the person of the said Amelia Stanley then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Fellows,  
District Attorney.

SECOND COUNT—

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

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

The said

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,

of the goods, chattels and personal property of one

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

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

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

JOHN R. FELLOWS,  
District Attorney.